

Introduced by: Mr. Tackett
Ms. Kilpatrick
Date of introduction: March 27, 2018

**SUBSTITUTE NO. 1
TO
ORDINANCE NO. 18-021**

**TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 40
(ALSO KNOWN AS THE UNIFIED DEVELOPMENT CODE OR “UDC”),
REGARDING ARTICLE 3 (“USE REGULATIONS”), ARTICLE 4 (“DISTRICT
INTENSITY AND BULK STANDARDS”), ARTICLE 5 (“SITE CAPACITY AND
CONCURRENCY CALCULATIONS”), ARTICLE 7 (“TRANSFER OF
DEVELOPMENT RIGHTS AND OTHER INCENTIVES AND BONUSES”), ARTICLE
10 (“ENVIRONMENTAL STANDARDS”), ARTICLE 20 (“SUBDIVISION AND LAND
DEVELOPMENT DESIGN PRINCIPLES”), ARTICLE 21 (“IMPROVEMENT AND
DESIGN STANDARDS”), ARTICLE 22 (“DRAINAGE, UTILITIES, SEPTIC SYSTEMS,
PARKING, LOADING, AND LIGHTING”), ARTICLE 23 (“LANDSCAPING, TREES,
AND EROSION”), ARTICLE 33 (“DEFINITIONS”), AND APPENDIX 3 (“PLANT
LISTS”)**

WHEREAS, New Castle County has engaged in a comprehensive review of the Unified Development Code (“UDC”) to identify standards that need revision for technical compliance, internal consistency, or consistency with current development practices; and

WHEREAS, New Castle County has undertaken a robust public review process with stakeholders including County residents, developers, homebuilders, engineers, landscape architects, and a professional planning consultant, which included at least eleven meetings comprised of six focus group sessions, four stakeholder meetings, and a public workshop; and

WHEREAS, based upon this comprehensive review of the UDC, the County has updated certain design standards as provided herein; and

WHEREAS, the Department of Land Use has continued to review, interpret, and monitor the application of the UDC with regard to land development and has identified additional clarifications, corrections, improvements and changes necessary to further enhance the UDC’s design standards; and

WHEREAS, County Council has determined that the provisions of this Ordinance substantially advance, and are reasonably and rationally related to, legitimate government interests, including, but not limited to, the protection and preservation of the public health, safety, prosperity, general welfare, and quality of life.

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Article 3 (“Use Regulations”), Division 40.03.100 (“Use regulations”), Section 40.03.110 (“Use Table”), Table 40.03.110 (“General Use Table”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Table 40.03.110A General Use Table										Table 40.03.110B General Use Table						Table 40.03.110 C General Use Table	
Zoning District (Urban and Suburban-Transition Character) Y=permitted, N=prohibited, L=limited review, S=special use review, A=accessory.										Zoning District (Suburban and Special Character)						Additional Standards (all districts)	
Land Use	• TN	ST	M M	ON	OR	CR	BP	I	CN	*** S	SE	** NC	HI	EX	SR	Parking	Limited & Special Use Standards
... Residential									Residential						Residential		
... Open space planned	Y	Y	N	N	N	N	N	N	N	Y	N	N	N	N	N	2.25/du.	---
Apartments	Y	Y	N	N	N	N	N	N	N	N	N	L	N	N	N	2.25/du. Table 40.03.522	Section 40.03.303
Apartment conversions	L	L	N	N	N	N	N	N	N	L	N	L	N	N	N	2.0/du.	Section 40.03.304

Section 2. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Article 3 (“Use Regulations”), Division 40.03.300 (“Additional limited and special use standards”), Section 40.03.316 (“Drive-in facility”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.03.316. Drive-in facility.

A. When a drive-in facility is located within, or adjacent to, [Adjoining S, ST, TN, NC, SE or SR] residential zoning [D]districts or residential uses, talk boxes must be screened by a sound barrier, such as a solid fence or masonry wall and landscaping.

B. In the BP District, . . .

C. There shall be a bypass lane to maintain vehicular circulation if required by the Department. Drive-in lanes shall be separated from other aisles by a curbed island.

D. Except for bank and pharmacy uses, [F]the circulation design must accommodate on site an additional four (4) vehicles for stacking that may be within parking aisles.

E. Required stacking lanes . . .

F. Additionally, when a drive-in facility is placed adjacent to the public right-of-way or other public access thoroughfare, the drive-in cartway shall be screened from view with a combination of structures and landscaping as deemed appropriate by the Department.

Section 3. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Article 3 (“Use Regulations”), Division 40.03.400 (“Individual use standards”), Section

40.03.410 (“Accessory uses, residential”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.03.410. Accessory uses, residential.

Residential uses may . . .

- A. *General standards.* Unless otherwise provided in Subsections B through [F] L of this section, all accessory structures (e.g., detached garages, sheds, pergolas, and similar structures) shall meet the following standards:
1. For lots less than two (2) acres, [F]freestanding accessory structures shall not be permitted in front of the principal structure or within the street or front yard setback. [However,+]Lots two (2) acres or larger may locate one (1) freestanding accessory structure in front of the principal structure, so long as the freestanding structure is not within the front or street yard setback. Lots ten (10) acres or larger may locate a freestanding accessory structure(s) in front of the principal structure, so long as the freestanding structure(s) is not within the front or street yard setback.
 2. Freestanding accessory structures
- D. *Fences.* Fences may be permitted in all yards and all yard setbacks and shall be constructed of materials specifically designed for fences and [shall] may not include barbed or razor wire. Fence panels and fence materials may not [No fence shall] exceed six (6) feet in height[,-except as permitted in Subsection F]. To account for installation on sloping ground and any necessary space between the ground and the bottom of the fence panels or materials, the top of the fence panels, materials, and posts may not exceed seven (7) feet in height when measured from the ground, except as permitted in Subsection F.

Section 4. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Article 3 (“Use Regulations”), Division 40.03.400 (“Individual use standards”), Section 40.03.430 (“Accessory uses, nonresidential”), is hereby amended by adding the material that is underscored, as set forth below:

Sec. 40.03.430. Accessory uses, nonresidential.

Nonresidential uses (not including agricultural uses) . . .

- C. *Fences.* A fence may not exceed eight (8) feet in height in a nonresidential zoning district. To account for installation on sloping ground and any necessary space between the ground and the bottom of the fence panels or materials, the top of the fence panels, materials, and posts may not exceed nine (9) feet in height when measured from the ground.

1. Where barbed or razor wire fence is used in a nonresidential zoning district, a minimum three-tenths (0.3) opacity bufferyard shall be provided between the fence and any street or residential use.
2. Notwithstanding the above, any fence or barrier required pursuant to a provision of state or federal law shall be constructed to meet the applicable rule or standard.

Section 5. *New Castle County Code* Chapter 40 (Unified Development Code or "UDC"), Article 3 ("Use Regulations"), Division 40.03.500 ("Loading and parking standards"), Section 40.03.510 ("Loading standards"), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.03.510. Loading standards.

All uses shall provide . . .

A. *Number of required loading bays.*

1. For retail stores, shopping centers, supermarkets, restaurants, and storage warehouses, the number of bays shall be provided as follows:
 - a. One (1) bay for buildings with [~~three thousand five hundred (3,500)~~] five thousand and one (5,001) to [~~eight thousand (8,000)~~] fifteen thousand (15,000) square feet of gross floor area ("GFA").
 - b. Two (2) bays for buildings with [~~eight thousand and one (8,001)~~] fifteen thousand and one (15,001) to [~~twenty thousand (20,000)~~] fifty thousand (50,000) square feet of GFA.
 - c. One (1) additional bay for each additional twenty thousand (20,000) square feet of GFA, not to exceed four (4) required bays.
 - d. For buildings smaller than five thousand and one (5,001) square feet, loading shall take place such that access to the site and fire lanes is not impeded.
2. For office buildings, automobile dealerships, motels and hotels, the number of loading bays shall be provided, as follows:
 - a. One (1) bay for buildings with [~~eight thousand (8,000)~~] ten thousand and one (10,001) to [~~twenty thousand (20,000)~~] fifty thousand (50,000) square feet of GFA.
 - b. One (1) additional bay for each additional fifty thousand (50,000) square feet of GFA, not to exceed three (3) required bays.

- c. For buildings smaller than ten thousand and one (10,001) square feet, loading shall take place such that access to the site and fire lanes is not impeded.

Section 6. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Article 3 (“Use Regulations”), Division 40.03.500 (“Loading and parking standards”), Section 40.03.522 (“Off-street parking”), Table 40.03.522 (“Off-street parking for specific uses”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

<i>Table 40.03.522. OFF-STREET PARKING FOR SPECIFIC USES</i>		
<i>Uses</i>	<i>Parking Spaces Required</i>	
	<i>Per 1,000 sf. of Gross Floor Area</i>	<i>Other Standard</i>
<i>PARKING STANDARDS</i>		
<i>Institutional: Community, Neighborhood, and Residential</i>		
Places of public assembly and churches	---	1 per 4 permanent seats or 10/1000 sf. of public assembly area, whichever is greater
Clubs & associations (no food service)	6.0	---
Clubs & associations (with food service)	10.0	---
Fire station	---	4 per vehicle bay plus 10/1000 sf. of public assembly area
Library or museum	3.5	calculate public assembly areas separately at [0.75-rate] <u>7.5/1000 sf.</u>
Nursing homes	---	0.33 per bedroom
Day care, kindergarten, preschool	3.5	---
Schools: elementary & junior high	---	2 per classroom, calculate public assembly areas at [0.75-rate] <u>7.5/1000 sf.</u>
Schools: senior high, trade and vocational, college and university	---	10.0 per classroom, calculate public assembly areas at [0.75-rate] <u>7.5/1000 sf.</u>
Age-restricted residential developments	---	1.50 per dwelling unit
[Group homes, i] Institutional, residential, monasteries & convents	---	0.75 per bedroom
Rooming & boarding houses	---	1.25 per guestroom
Police station	4.0	---
Post office	<u>4.0</u> [5-0]	---
<i>Residential Uses: Multifamily</i>		
Apartments	---	<u>1.5 per 1 bedroom dwelling unit, 2 per 2 or 3 bedroom dwelling unit, 2.25 per 4 bedroom dwelling unit, 2.5 per 5+ bedroom dwelling unit; 1 additional guest parking space per 5 dwelling unit</u>
<i>Commercial Uses: Office</i>		
General	3.5	---

Table 40.03.522. OFF-STREET PARKING FOR SPECIFIC USES

<i>Uses</i>	<i>Parking Spaces Required</i>	
	<i>Per 1,000 sf. of Gross Floor Area</i>	<i>Other Standard</i>
PARKING STANDARDS		
Government offices	4.0	---
Medical	4.5	---
Bank/financial	<u>3.0</u> [4-0]	plus [6]3 stacking spaces per drive-in window
Commercial Uses: Commercial Retail		
General	4.0 <u>3.0</u>	<u>Up to and including 100,000 sf. of GFA</u> — <u>Greater than 100,000 sf. of GFA</u>
Shopping center	4.5 <u>4.25</u> <u>3.0</u>	<u>Up to and including 50,000 sf. of GFA</u> <u>Greater than 50,000 sf. up to and including 100,000 sf. of GFA</u> <u>Greater than 100,000 sf. of GFA</u>
Furniture & carpet stores	---	5.0 space minimum, plus 1 per 1000 sf. of GFA
Commercial temporary outdoor sales	---	1 off-street parking space per 250 sf. of sales and display area (exclusive of production area), minimum 4 spaces
Roadside stand (permanent or temporary)	---	1 per 250 sf. of sales and display area (exclusive of production area)
Hardware, paint & home improvement	4.0 <u>3.0</u>	<u>Up to and including 100,000 sf. of GFA</u> <u>Greater than 100,000 sf. of GFA</u>
<u>Pharmacy</u>	<u>3.0</u> [4-0]	plus 3 stacking spaces per drive-in window
Commercial Uses: Light Auto Service		
General	1.5	or 4 per bay, whichever is greater
Carwashes (single car, automatic bay)	2.0	plus 6 stacking spaces per bay and 1 drying
Carwashes (multiple car, automatic bay)	4.0	plus 12 stacking spaces per bay and 2 drying
Carwash (self-wash bay)	---	3 per bay
Gas station	1.5	or 4 per bay, whichever is greater
Commercial Uses: Services		
Drive-in facility	---	six (6) stacking spaces per window unless a stricter standard applies
Personal service businesses	4.0	---
Funeral homes	8.0	---
Fitness center/health club	<u>7.0</u> [10-0]	---
Restaurants	<u>8.0</u> [9-0]	plus parking for one-quarter of the area of outdoor seating

<i>Table 40.03.522. OFF-STREET PARKING FOR SPECIFIC USES</i>		
<i>Uses</i>	<i>Parking Spaces Required</i>	
	<i>Per 1,000 sf. of Gross Floor Area</i>	<i>Other Standard</i>
PARKING STANDARDS		
Fast food restaurants with twenty (20) or fewer seats, or take-out	<u>8.0</u> [9.9]	plus parking for one-quarter of the area of outdoor seating
Fast food restaurants with more than twenty (20) seats	<u>13.0</u> [15.0]	plus parking for one-quarter of the area of outdoor seating
Veterinary services, pet grooming	3.5	---
Kennels	---	5 space minimum plus 0.5 per 1000 sf. of GFA
All others	4.0	--- ...

Section 7. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Article 3 (“Use Regulations”), Division 40.03.500 (“Loading and parking standards”), Section 40.03.525 (“On-street parking”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.03.525. On-street parking.

A. For commercial, commercial mixed-use, or institutional uses in [~~the Traditional Neighborhood (TN)~~] any [D]district, the Department may allow the developer [may]to deduct from the required off-street parking their share of available parking in the defined development area[~~on-street parking spaces and any common public lot parking~~] in accordance with the following formula:

$$\text{Parking Credit} = S_a \times P$$

Where

S_a = Share of the area in the [~~district~~] defined development area.
 P = Total available parking spaces for the proposed use in the defined development area[~~on streets and in common lots~~]. These values would be taken from the development plan.

B. The Department may consider the following factors in defining the development area:

1. Existing buildings and structures with similarly-proximate setbacks are located on the same street.
2. Existing or proposed pedestrian facilities or transit stops are nearby on adjacent streets.

3. Institutional, public assembly or similar uses are nearby or may be accessed by pedestrians.
4. The proposed development is in or near existing development that exhibits pedestrian-scale streetscapes.
5. On-street parking on adjacent streets is permitted.
6. Compatibility with Guiding Principles – Character Area standards for building design, site design and amenities.
7. The proposed development utilizes concurrent modification of street bufferyard opacity standards.
8. The proposed development is identified in any area or corridor master plan for land use or transportation.
9. Natural or man-made boundaries are present.

Section 8. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Article 3 (“Use Regulations”), Division 40.03.500 (“Loading and parking standards”), Section 40.03.527 (“Bicycle parking”), is hereby amended by adding the material that is underscored, as set forth below:

Sec. 40.03.527. Bicycle parking.

All parking facilities containing more than ten (10) parking spaces, excluding spaces for vehicle storage, fleet vehicles, and special vehicle types such as trucks, buses, trailers, and vans, shall provide one (1) bicycle parking space or locker for each ten (10) parking spaces [~~in the lot~~]. No more than twenty (20) bicycle parking spaces shall be required in any one (1) facility.

Section 9. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Article 4 (“District Intensity and Bulk Standards”), Division 40.04.100 (“District performance standards”), Section 40.04.110 (“District and bulk standards”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.04.110. District and bulk standards.

This Section contains the basic district standards . . .

E. *Exceptions.*

1. *Projections into required yards.* The following exceptions are permitted for residential dwellings.
 - a. Bay windows. . .

- f. An uncovered porch or deck or any part thereof elevated above ground level may project half the distance of the minimum required yard but no more than fifteen (15) feet. Stairs leading from the deck, with a landing not greater than ~~[twenty-five (25)]~~ fifty (50) square feet, may project half the distance of the minimum required yard but not more than twelve (12) feet.
- g. ~~[Uncovered]~~ Covered entrance ways, stairs, and ~~[covered]~~ enclosures ~~[of basement stairs]~~ providing entry directly to a dwelling and including a landing of not more than ~~[twenty-five (25)]~~ fifty (50) square feet may project half the distance of the minimum required yard but not more than twelve (12) feet.

F. *Street yard build-to line in ON, CN, ST and CR zoning districts.* ~~[Where determined to be appropriate]~~ If required by the Department, the minimum street yard setback shall be established as a [fifteen (15) foot] build-to [(or maximum setback)] line for the principal structure(s) on the lot. The build-to line may be less than the required minimum street yard setback. [In its evaluation t]The Department shall consider [any of]the following criteria when determining the location of the build-to line:

1. Existing buildings and structures with similarly proximate setbacks are located on the same street; particularly, institutional, public assembly or similar uses are nearby or may be accessed by pedestrians.
2. Standards for building design, site design and amenities follow the Guiding Principles in Appendix 7 and e[E]xisting or proposed pedestrian facilities or transit stops or on-street parking are nearby on adjacent streets.
3. ~~[Institutional, public assembly or similar uses are nearby or may be accessed by pedestrians.]~~ The proposed development is in or near existing neighborhoods or development(s) that exhibit pedestrian-scale streetscapes.
4. ~~[The proposed development is in or near existing neighborhoods or development that exhibit pedestrian scale streetscapes.]~~ The proposed development utilizes concurrent modification of street bufferyard opacity standards pursuant to Article 23.
5. ~~[On-street parking on adjacent streets is permitted.]~~ The proposed development is identified in any area or corridor master plan for land use or transportation.

Section 10. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Article 4 (“District Intensity and Bulk Standards”), Division 40.04.100 (“District performance standards”), Section 40.04.111 (“Landscape and illumination standards”), Table 40.04.111 (“Use and Lot Standards”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Table 40.04.111A. USE AND LOT STANDARDS

Zoning District & Development Type	Landscaping Plant Units per (See Division 40.23.100)			Bufferyard Opacity Standards		
	Lot	Acre Open Space	Parking Spaces	Adjoining Streets		
				Arterial	Collector	Minor
... Suburban (S)						
Farmstead	*	na.	na.	-	-	-
Single-family	2/du *	4	none	0.4	0.3	0
Open space subdivision, option 1 and 2	1/du *	4	none			
Open space planned	1/du *	5	1/12[+6]			
Hamlet/Village	1/du *	6	1/12			
	1/du *	6	1/12			
Institutional residential	5/ac.	4	1/12[+6]			
Other permitted uses	5/ac.	4	1/12[+6]			0.2
Suburban Transition (ST)						
Single-family	2/du	5	none	0.3	0.3	0
Single-family attached	1/du		1/12[20]			
Open space planned	1/du					
Apartments	1/du		0.3			
Other permitted uses	6/ac.		0.3			
Traditional Neighborhood (TN)						
Single-family village house	1/du	5	1/12[20]	0.3	0.3	0
Single-family attached	1/du					
Open space planned	1/du					
Mixed use	6/ac.					0.3
Other permitted uses	5/ac.					0.3
Neighborhood Conservation (NC)						
NC2a	2/du	4	none	0.3	0.3	0

Table 40.04.111A. USE AND LOT STANDARDS

Zoning District & Development Type	Landscaping Plant Units per (See Division 40.23.100)			Bufferyard Opacity Standards		
	Lot	Acre Open Space	Parking Spaces	Adjoining Streets		
				Arterial	Collector	Minor
NC40	1/du	6	1/12[20]	0.4	0.4	0.2
NC21						
NC15						
NC10						
NC6.5						
NCS						
NCsd						
NCth						
NCga						
NCap						
Other permitted uses**	6/ac					
Manufactured Home (MM) District						
Single wide	1/du	6	1/16	0.5	0.5	0.4
Double wide						
Other permitted uses						
Office Neighborhood (ON)						
Offices	10/ac.	6	1/12[±6]	0.3	0.3	0.2
Mixed use						
Other permitted uses						
Office Regional (OR)						
Offices	10/ac.	7	1/12[20]	0.3	0.3	0.2
Commercial lodging						

Table 40.04.111A. USE AND LOT STANDARDS						
Zoning District & Development Type	Landscaping Plant Units per (See Division 40.23.100)			Bufferyard Opacity Standards		
				Adjoining Streets		
	Lot	Acre Open Space	Parking Spaces	Arterial	Collector	Minor
Mixed use						
Other permitted uses						
Commercial Neighborhood (CN)						
Offices	8/ac	8	1/12[46]	0.3	0.3	0.3
Commercial retail						
Other commercial uses						
Mixed use						
Other permitted uses						
Commercial Regional (CR)						
Offices	8/ac	6	1/12[20]	0.4	0.4	0.3
Commercial lodging						
Commercial retail						
Vehicular sales, rentals and service						
Other commercial uses						
Mixed uses						
Other permitted uses						
Heavy retail and service						
Business Park (BP)						
Offices, commercial lodging	10/ac	6	1/12[20]	0.3	0.3	0.3
Industrial						
Restaurants						
Other permitted uses						

Section 11. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Article 4 (“District Intensity and Bulk Standards”), Division 40.04.200 (“Landscaping”), Section 40.04.210 (“Required landscaping”), is hereby amended by adding the

material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.04.210. Required landscaping.

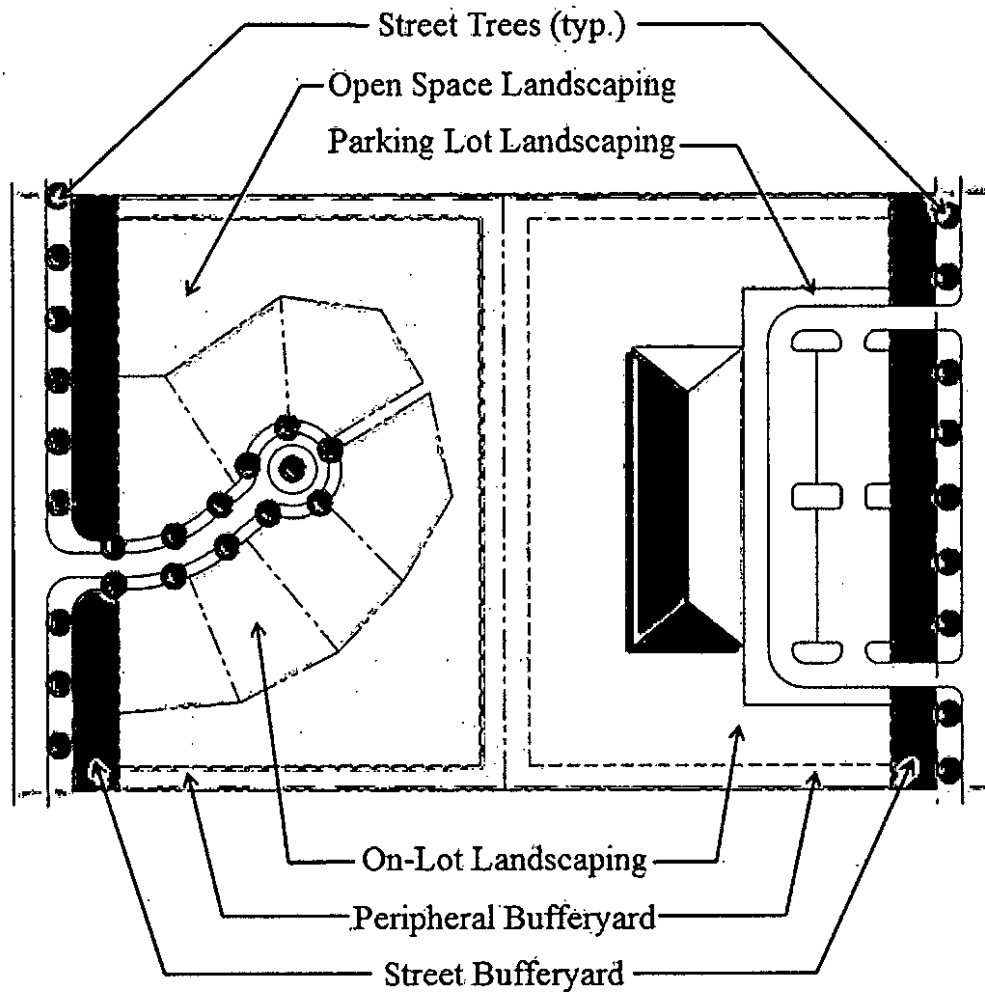
A. Landscaping is required....

B. Figure 40.04.210 shows how a property is divided into planting areas for peripheral bufferyards, street bufferyards, on-lot landscaping, open space landscaping, street trees and parking lot landscaping. ~~[Each area must be measured to determine the amount of landscaping required. A scenic corridor would replace the street bufferyards. The landscaping areas do not overlap.]~~

1. Each planting area must be measured to determine the amount of landscaping required.
2. Where scenic corridors exist, such scenic corridor standards shall apply instead of the applicable street bufferyards.
3. On-lot and parking lot planting areas may overlap on parcels one (1) acre or smaller. All other planting areas may not overlap.

Section 12. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Article 4 (“District Intensity and Bulk Standards”), Division 40.04.200 (“Landscaping”), Section 40.04.210 (“Required landscaping”), Figure 40.04.210 (“Landscaping Areas”), is hereby amended by adding the material that is underscored, deleting the material that is bracketed and stricken, removing the current Figure 40.04.210, all of which shall be considered bracketed and stricken, and adding the below Figure 40.04.210, which shall be considered underscored in its entirety, as set forth below:

Figure 40.04.210 – ~~[LANDSCAPING AREAS]~~ PLANTING AREAS



Section 13. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Article 4 (“District Intensity and Bulk Standards”), Division 40.04.200 (“Landscaping”), Section 40.04.220 (“Landscaping standards for lots and parking lots”), is hereby amended by adding the material that is underscored, as set forth below:

Sec. 40.04.220. Landscaping standards for lots and parking lots.

Table 40.04.111A establishes the required landscaping . . .

- C. Where more than forty (40) parking spaces are provided, parking lot landscaping must be distributed within parking lot areas so there are no more than twelve (12) consecutive parking spaces in a row between landscaped parking peninsulas or islands.

Section 14. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Article 4 (“District Intensity and Bulk Standards”), Division 40.04.300 (“Bufferyard performance standards”), Section 40.04.330 (“Bufferyard use”), is hereby amended by adding

the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.04.330. Bufferyard use.

Only the following uses are permitted in required bufferyards: [~~A bufferyard may be used for passive recreation. It may contain pedestrian, bike, or equestrian trails, provided the plant material amount is not reduced because of the trail, the total width of the bufferyard is maintained or increased by the width of the trail, and all other regulations in this Code are met. However, in no event shall swimming pools, tennis courts, sports fields, or other active recreational facilities be permitted in bufferyards. Where a golf course is installed in the bufferyard location, it shall be considered an adequate bufferyard provision.~~]

A. Sidewalks, shared-use pathways and trails.

1. Opacity may be reduced within frontage or street bufferyards as provided in Section 40.23.142.
2. Opacity may not be reduced within side or rear bufferyards.

B. Passive recreation.

C. Golf courses. Where a golf course is installed in the bufferyard location, it shall be considered an adequate bufferyard provision. All other active recreation, such as swimming pools, tennis courts, and sports fields, shall be prohibited.

Section 15. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Article 5 (“Site Capacity and Concurrency Regulations”), Division 40.05.000 (“Purpose”), Section 40.05.050 (“Applicability”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.05.050. Applicability.

At the preapplication stage for a rezoning or a major or minor subdivision or land development proposal, the applicant shall comply with the requirements of this Article and shall submit a complete site carrying capacity analysis pursuant to Section 40.05.510, except as follows.

A. A site resource capacity analysis . . .

~~[K. The floor area of parking structures shall not be considered as part of the floor area required in the site capacity calculation in this Article.]~~

Section 16. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Article 10 (“Environmental Standards”), Division 40.10.100 (“Resource protection standards”), Section 40.10.136 (“Standards for mitigation of forests”), is hereby amended by

adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.10.136. Standards for mitigation of forests, old fields and meadows.

In low-quality forests, old fields and meadows (where ~~[the majority]~~ over fifty (50) percent of ~~[canopy trees]~~ existing plants are listed as "~~[invasive exotics]~~ Plants to Avoid" in Appendix 3 to this Chapter), mitigation shall be required. The developer shall submit a mitigation plan by a qualified forester or landscape architect. At a minimum, the plan shall provide for the following:

- A. Elimination of invasive non-native species (see Appendix 3 to this Chapter).
- B. Under planting ~~[with fifty (50) whips per acre of canopy trees]~~ with native plants in accordance with Section 40.23.240 and the planting rates listed in Table 40.23.240 (see Appendix 3 to this Chapter).
- C. Long-term management program including, initial action, follow-up in first three (3) years, and a long-term maintenance[s] plan. This should focus on the ultimate ~~[loss]~~ eradication of ~~[exotic]~~ non-native invasive species that interrupt growth of newly-planted stock.
- D. Planting of an indigenous herbaceous forest or meadow groundcover (see Section 40.23.240 and Appendix 3 to this Chapter).
- ~~[E. The plant material in the mitigation area shall be determined based on a tree survey of the disturbed area (Table 40.10.351.E).]~~

{ Table 40.10.351E. STANDARDS FOR FOREST MITIGATION		
<i>DBH of Canopy Trees Removed</i>	<i>Replacement Canopy Trees</i>	
	<i>Amount</i>	<i>Caliper</i>
36" or larger	5	3"
24" - 35"	3	3"
16" - 23"	3	2.5"
8" - 15"	2	2.5"
4" - 8"	1	2"

[Table 40.10.351E. STANDARDS FOR FOREST MITIGATION		
<i>DBH of Canopy Trees Removed</i>	<i>Replacement Canopy Trees</i>	
	<i>Amount</i>	<i>Caliper</i>
Undesirable species	2	6 ft. whips
Area requirement per acre	40	4 ft. whips]

[F]E. The plant types (trees, shrubs, etc.) used in mitigation shall be similar to those [destroyed]removed and be of native or indigenous[except those undesirable species shall be replaced by other]species as approved by the Department (see Appendix 3 to this Chapter).

Section 17. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Article 20 (“Subdivision and Land Development Design Principles”), Division 40.20.200 (“Subdivision layout”), Section 40.20.210 (“Blocks”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.20.210. Blocks.

Standards for blocks in subdivisions shall be as follows:

- A. Where possible, blocks shall be laid out to have their short length abutting arterials, collectors, or the development's major road. [~~The blocks should not in general exceed fifteen (15) lots in length as measured on one (1) side of the street.~~] The length, width and shape of blocks should be determined with due regard to the provision of adequate sites for buildings of the type proposed, zoning requirements, topography, [~~fire access,~~] emergency services, utilities, and interconnection to adjacent parcels[~~and police protection~~].
- B. Blocks should be, at minimum....
- C. Blocks for commercial, office and industrial areas, [~~may vary from the e~~]Elements of design contained in this Section may vary if the nature of the use requires other treatment. In such cases, safe and convenient multi-modal access to the street system shall be required. Space for off-street parking also may require similar access for employees and customers. Extension of streets and utilities should be provided as necessary.
- D. Blocks for residential, commercial, office or mixed-use style subdivisions or developments. [~~In the Traditional Neighborhood Districts,~~]

1. ~~[a]~~ A grid or other formal system is desired in which open spaces are integrated into the block design. Exceptions would be made for green spaces along drainage or stream channels, or where other natural resources make the grid difficult or cost prohibitive.
2. Alleys are considered desirable ~~[for these]~~ in areas where lot sizes are less than twenty thousand (20,000) square feet in area. Where possible, alleys should be used to provide increased vehicular, bicycle, and pedestrian circulation and access, provide areas for utility installation, and allow interconnections to adjacent parcels.
3. No sides less than two-hundred forty (240) feet in length and no sides greater than six-hundred (600) feet in length with a maximum perimeter of one-thousand eight hundred (1,800) feet shall exist. These distances will be measured from either right-of-way and parcel lines or development envelopes as appropriate.
4. Shared use pathways may be placed generally perpendicular to the longest block dimension at mid-block in lieu of a street or roadway, with the approval of the Department. Landscaping along mid-block shared use pathways shall be provided as required by this Chapter.

Section 18. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Article 20 (“Subdivision and Land Development Principles”), Division 40.20.200 (“Subdivision layout”), Section 40.20.230 (“Streets”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.20.230. Streets.

All new streets....

F. *Street connectors.* Subdivisions shall be connected to each other to provide reasonable access within a superblock. The street connections shall follow the local circulation plan (Section 40.21.111). Whenever a street interconnection is proposed~~[-and shown on a plan to be recorded]~~, the following notification requirements ~~[shall apply]~~must be noted on the applicable plan:

1. The developer ~~[and]~~or its assigns shall, during construction and before the first lot is sold, install a street sign to provide notice to potential purchasers of property along a proposed or planned interconnecting street that said interconnection is planned or proposed.
 - a. Such signs shall be of a metal DelDOT regulation street sign and shall be placed at the end of the stub street in the right-of-way.

- b. The sign shall indicate "Street Connection to Future Development"~~["The sign shall also]~~, as well as reference "New Castle County Department of Land Use" and the respective "instrument number" of the recorded plan depicting the interconnection.
 - c. For projects where the interconnecting street is not constructed until future phases, the developer shall move the sign as necessary (to be determined by the Department) to the end of the stub street as construction occurs. The sign shall be removed once the interconnection is made.
 - d. Photographic proof of installation and a signed affidavit must be provided to the Department prior to issuance of the first building permit.
2. The developer ~~and~~/or its assigns shall obtain
- G. *Private streets.* Private streets shall be....
 - H. *Marginal access streets.* . .
 - I. *Alleys.* . .
 - J. *Culs-de-sac.* [~~A cul-de-sac's length shall be dictated by the number of lots with street frontage. Culs-de-sacs shall not serve a total of more than sixteen (16) lots, except where topography, open space, or resource protection dictates. Lengths of six (6) to fourteen (14) lots are preferred.~~]
- 1. A cul-de-sac proposed on a residential, commercial, office or mixed-use major land development plan shall be no greater than three-hundred (300) feet in total length when measured from the right-of-way of the intersecting street to the right-of-way at the end of the cul-de-sac. The cul-de-sac may not serve more than sixteen (16) lots.
 - 2. A cul-de-sac proposed on an industrial or business park major land development plan shall be no greater than one-thousand (1,000) feet.
 - 3. The length of the cul-de-sac abutting an area subject to essential access approval may be deducted from the calculation of the standard.

Section 19. *New Castle County Code* Chapter 40 (Unified Development Code or "UDC"), Article 21 ("Improvement and Design Standards"), Division 40.21.100 ("Streets"), Section 40.21.111 ("Local circulation plans"), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.21.111. Local circulation plans.

To ~~[minimize]~~ coordinate vehicular access points on arterial and collector roads, the Department and DelDOT may, when ~~[the first]~~ development occurs in an area, develop a local circulation plan. The local circulation plan shall identify desired local or collector ~~[or residential collectors]~~ roads within a superblock, areas for frontage-type roads or reverse frontage, and preferred intersection locations. The local circulation plan shall be based on property maps, zoning, and environmental, topographic and alignment information. ~~[All landowners]~~ Land development plans shall conform to ~~[this]~~ the local circulation plan ~~[in order to obtain subdivision approval]~~. The following criteria shall be used in developing the local circulation plan:

- A. Collectors ~~[shall serve only the superblock and not]~~ may provide alternative ~~[or cut-through]~~ routes for ~~[regional or sub-regional]~~ traffic. Where superblocks ~~[are too large]~~ exceed two thousand (2,000) feet, new arterial or collector alignments may be designated.

....

Section 20. *New Castle County Code* Chapter 40 (Unified Development Code or "UDC"), Article 21 ("Improvement and Design Standards"), Division 40.21.100 ("Streets"), Section 40.21.141 ("Culs-de-sac"), is hereby amended by underlining that material to be added as set forth below:

Sec. 40.21.141. Culs-de-sac and other turnarounds.

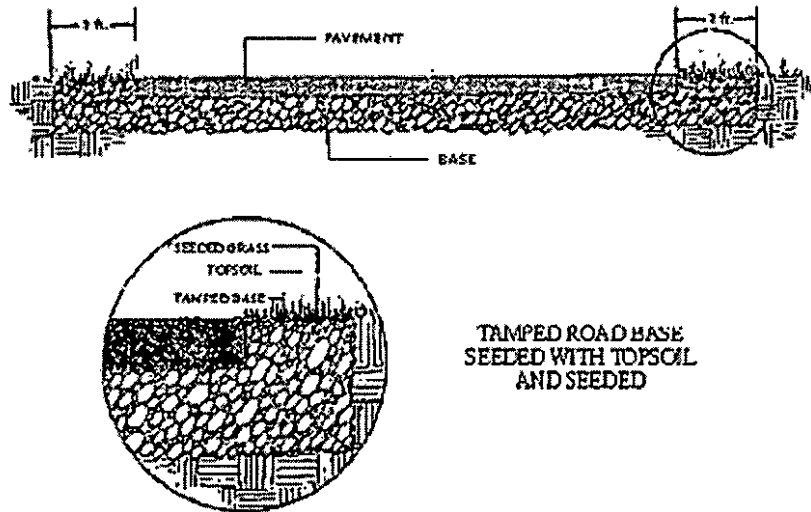
All culs-de-sac and other turnarounds, including required turnarounds on dead-end streets shall be designed to meet DelDOT standards. In circular, loop or courtyard-style culs-de-sac, landscaped central islands for open space or stormwater management shall be provided, subject to DelDOT and Fire Marshall approval. New driveways that access streets on the Highway Functional Classification Map shall have internal turnarounds pursuant to DelDOT standards.

Section 21. *New Castle County Code* Chapter 40 (Unified Development Code or "UDC"), Article 21 ("Improvement and Design Standards"), Division 40.21.100 ("Streets"), Section 40.21.161 ("Curbs"), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.21.161. Curbs.

Curbs shall be installed where required to provide stormwater management and drainage conveyance~~[or to prevent erosion]~~. Upon written Department approval, [F]the curbs [shall] may be eliminated in areas where ~~[they will promote]~~ drainage can be conveyed ~~[over]~~ directly to natural areas or approved stormwater management facilities, and ~~[pose no]~~ where elimination of curbing will not cause increased risk to buildings, structures or homes. ~~[Where no curbs are provided, the aggregate base shall be extended two (2) feet beyond the edge of the cartway or pavement. The base shall be filled to the pavement level with aggregate, spread with topsoil, and seeded to provide a structure to support the pavement edge and eliminate damage from vehicles running off the pavement (see Figure 40.21.161).]~~ Curbs shall also meet DelDOT standards if the roadway is intended to be dedicated to the State.

**[Figure 40.21.161
CURBLESS PAVEMENT DETAIL**



]

Section 22. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Article 21 (“Improvement and Design Standards”), Division 40.21.100 (“Streets”), Section 40.21.162 (“Sidewalks”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.21.162. Sidewalks and shared-use pathways.

A. Subdivision and land developments shall contain sidewalks along both sides of the interior streets and accessways. Such interior sidewalks shall connect to existing or proposed sidewalks fronting their sites. The Department may grant a modification to ~~[permit a street or accessway to]~~ reduce the amount of sidewalk under the following conditions:

1. Construction of the sidewalk . . .
2. Where lots are one (1) acre or larger . . .
3. Where deemed appropriate by either the Department or DelDOT, shared-use pathways, or other bicycle and pedestrian facilities, may be constructed in addition to or instead of sidewalks.

B. In the vicinity of schools and other public facilities, the Department may require sidewalks ~~[even]~~ and shared-use pathways where they would not be required by Subsection A.

C. The Department shall have the right to require additional sidewalks, shared-use pathways and other bicycle and ~~[/]~~ pedestrian facilities ~~[ways]~~ where necessary to provide safe, direct, and

otherwise adequate pedestrian and bicycle access to surrounding neighborhoods, open spaces and public facilities.

D. All required sidewalk, shared-use pathway and other bicycle and [/]pedestrian way facility locations and ~~[their]~~ construction details, as specified by the Department, shall be identified on the record plan and landscape plan.

1. Where required, bicycle and [/]pedestrian [ways]facilities through open spaces shall be located such that they are not less than twenty (20) feet from the side or rear property line of an adjacent private lot or, if placed closer, buffered by an additional 0.1 opacity landscape screen.
2. Other required landscaping (e.g., open space, on-lot or bufferyard) shall be placed adjacent to bicycle and pedestrian facilities to the greatest extent practicable.

E. Where a public bus stop exists or is proposed, sidewalks may include a bus pad or other improvement provided [built] at the request of and to the standards of the Delaware Transit Corporation.

Section 23. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Article 21 (“Improvement and Design Standards”), Division 40.21.100 (“Streets”), Section 40.21.163 (“Sidewalk construction standards”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.21.163. Sidewalk and shared-use pathway construction standards.

A. A ~~[minimum five (5) foot wide planting or]~~ landscape buffer strip, tree pit or landscape area shall be provided between back of curb and front edge of sidewalk servicing as the principal pedestrian access route or shared-use pathway along all arterial and collector streets and where deemed appropriate by the Department or DelDOT. Sidewalks and shared-use pathways are to be constructed within the right-of-way of the street, ~~[or]~~ within a permanent easement, or located within open space. Required street trees shall be placed within the landscape buffer strip in accordance with Article 23.

B. All sidewalks and shared use pathways shall be constructed to DelDOT standards unless the Department approves an alternative standard. All applicable standards shall be designated on the record plan~~[Sidewalks shall be constructed of portland cement concrete. Other pedestrian ways and crosswalks may be of any suitable material approved by the Department].~~

C. ~~[Sidewalks shall provide a minimum travelway width of five (5) feet, except that at overpasses or underpasses this may be reduced to four (4) feet. Sidewalks shall also include curb cuts for handicap accessibility.]~~

~~[D-]~~Where existing vegetation, topography, or other constraint dictates, the Department may require that sidewalks and shared-use pathways be located to protect resources or function in the

best manner possible. This also could result in a larger right-of-way or public access easement being required.

~~[E.]~~ D. Prior to issuance . . .

~~[F.]~~ E. ~~[All sidewalks shall be constructed to DeIDOT standards if the roadway is intended to be dedicated to the State.]~~ All applicable design and accessibility standards shall be referenced on the record plan.

Section 24. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Article 22 (“Drainage, Utilities, Septic Systems, Parking, Loading and Lighting”), Division 40.22.600 (“Parking and loading”), Section 40.22.610 (“Parking”), is hereby amended by adding the material that is underscored, as set forth below:

Sec. 40.22.610. Parking.

A. *Applicability.* . . .

B. *Waiver of parking lot design standards.* The Department may, upon request in writing, waive or reduce any of the requirements listed in this Division where the standard is determined to not be applicable. When a particular standard is waived or the requirements are reduced, the Department shall require that a note be placed on the parking facility plan or record plan identifying the reasons why a particular standard was reduced or waived. The Department ~~may~~ also may require an area to be land banked if that parking ultimately proves to be needed. If a waiver is granted, the applicant shall be required to mitigate the impacts of the waiver with proportional site improvements consistent with the Guiding Principles for Development.

Section 25. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Article 22 (“Drainage, Utilities, Septic Systems, Parking, Loading and Lighting”), Division 40.22.600 (“Parking and loading”), Section 40.22.611 (“Parking lot design standards”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.22.611. Parking ~~[lot]~~ area design standards.

A. *Surfacing.* All parking spaces, aisleways and access/egress lanes shall be ~~[paved and]~~ permanently maintained.

1. All parking spaces, aisleways and access/egress lanes shall be paved with asphalt, concrete or any other all-weather ~~[impervious]~~paved surface approved by the Department.
2. Alternative means of surfacing materials ~~may~~ also may be authorized by the Department where the alternative means:
 - a. Provide environmental or stormwater management benefits; or

- b. Are appropriate due to infrequent parking demands [in remote areas of large parking lots serving places of public assembly].

B. *Striping.* All parking spaces...

C. *Arrangements and markings.* All off-street parking areas shall be arranged and marked so as to provide for the orderly and safe loading, unloading, parking and storage of vehicles, where necessary. Incidental parking spaces, aisleways, approach lanes, and maneuvering areas shall be clearly marked with directional arrows and pavement lines and other markings to properly direct traffic. All such markings shown on plans shall be provided on the site. Each space or area for specialized parking (i.e., handicapped, employee, loading/unloading) or movement (fire lanes) shall be clearly marked or signed to indicate the intended use and shall be designed in accordance with the appropriate regulations. Dead-end parking aisles shall not be permitted, unless there are no alternatives.

D. *Curbs and wheel stops.* A continuous minimum. . .

E. *Pedestrian circulation, ~~and~~ walkways and outdoor seating or dining areas.* All parking areas shall provide attractive, direct and safe pedestrian access to all parking spaces. The layout of the parking aisles shall be perpendicular to principal building entrances, where appropriate. Such walkways and sidewalks shall be protected from vehicular encroachment by wheel stops, curbs, bollards, landscaping or other methods approved by the Department, where necessary, for pedestrian safety. When outdoor seating or dining areas are proposed adjacent to off-street parking lots, additional landscaping may be required in the form of both low-level buffers delineating and screening the seating or dining areas and an arrangement of understory or canopy trees that are appropriate for shading.

F. *Parking spaces in garages ~~driveways~~.* Garages may be considered as required off-street parking spaces for all detached housing types. For attached dwellings, ~~required parking shall be provided on driveways~~ one (1) required off-street parking space may be considered within a garage located on the same lot.

G. *Backing movements.* With the exception. . .

H. *Structures within parking areas.* All permanent or temporary structures. . .

I. *Vehicular circulation and access.* Parking areas shall be designed to safely, conveniently and efficiently accommodate the maneuvering of all vehicles including delivery, emergency and public transit vehicles where appropriate. The Department may require a conceptual drawing showing that anticipated vehicle types properly can maneuver in parking areas. For parking lots with fifty (50) or more spaces, a minimum forty (40) feet deep channeled entrance/exit driveway, free of turning movements, shall be provided as measured from property lines. To minimize off-site travel, cross-access easements may be required.

J. *Location of off-street parking spaces.* All off-street parking shall be located on land zoned for the use which the parking is intended to serve. Required parking spaces shall be located not more than six hundred (600) feet from the building or use to which they are assigned. However, with the approval of the Department, a maximum of [~~ten (10)~~] twenty-five (25) percent of the spaces may be located beyond six hundred (600) feet. Valet parking [~~may~~] also may be located [~~over~~] more than six hundred (600) feet away with Department approval. Where feasible, parking lots shall be separated and dispersed across a site to break up large areas of contiguous impervious cover and be placed toward the side or rear of principal structures. Design considerations for parking lots shall include integration with stormwater management, multi-modal access, resource protection, landscaping, site uses and site access.

K. *Shared parking.* The parking spaces for separate buildings or uses may be combined in [a] single parking lot(s), provided that the number of parking spaces in the lot(s) shall be equal to or greater than the sum of the parking spaces required for each building and use or if a parking demand and needs analysis (PDNA) indicates that reduced parking can accommodate multiple buildings or uses.

L. *Parking structure.* Structured parking may. . .

M. *Bicycle parking.* [~~Bike~~] Bicycle racks shall be located so that they are highly visible from the street or main building entrances, under cover such as a building overhang or other structure where possible, and located so that bicycles will not obstruct pedestrian access. No [~~bike~~] bicycle rack shall be installed in an isolated location. Bicycle parking areas shall be separated from motor vehicle parking areas by at least a curb barrier, which would prevent vehicles from damaging bicycles. A hard-surfaced parking area is required, and bicycle racks shall be secured and designed for the lockage of bicycle frames and wheels. For sites with multiple buildings, the required bicycle parking spaces shall be distributed in multiple locations to encourage their use. Bicycle parking areas shall be identified on plans by a label or distinct symbol shown in the legend.

N. *Park-and-ride.* For parking lots. . .

O. *On-street parking.* On-street parking refers to parking, in any angular configuration, that may be located along a street within or adjacent to a public right-of-way or access easement or along a vehicular cartway emulative of a public street within a variety of development types. Design and dimensional standards apply to both public streets and private cartways. Provisions for perpetual maintenance of the parking spaces shall be determined to the satisfaction of the Department or DeIDOT and annotated on the record plan.

Section 26. *New Castle County Code* Chapter 40 (Unified Development Code or "UDC"), Article 22 ("Drainage, Utilities, Septic Systems, Parking, Loading and Lighting"), Division 40.22.600 ("Parking and loading"), Section 40.22.612 ("Parking stall dimensions"), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.22.612. Parking stall dimensions.

Table 40.22.612 and Figure 40.22.612 specify[ies] . . .

A. Parking spaces located . . .

B. Compact parking spaces [~~Stall width reduction~~]. Subject to Department approval, stall dimensions [width] may be reduced in accordance with Table 40.22.612.B [~~to eight and one half (8 1/2) feet~~] in parking lots for office, institutional, [~~and~~] industrial/manufacturing type uses [~~provided that the parking area with the reduced widths is for the exclusive use of the on-site employees. Parking spaces available for the general public shall be clearly identified for public use and must be clearly separated from employee parking spaces with reduced widths. In~~] and in shopping developments with more than seventy-five thousand (75,000) [~~two hundred fifty thousand (250,000)]~~ square feet of gross floor area dedicated to retail uses, [~~stall width may be reduced to eight and one half (8 1/2) feet~~] for not more than twenty-five (25) [~~fifteen (15)]~~ percent of the total required parking spaces. These reduced stall dimension [width] parking spaces shall be located in [~~a~~] separate portions of a site and clearly identified with permanent signage and demarcated with special striping or symbols on the ground [~~in the most remote portion of the site.~~] The Department shall determine the location of those parking spaces that may qualify for [~~reduced stall width~~] compact parking spaces.

Table 40.22.612 A Minimum Dimensions for Required Parking Spaces					
<i>Dimension Indicator</i>	<i>0° (Parallel)</i>	<i>30°</i>	<i>45°</i>	<i>60°</i>	<i>90° (Perpendicular)</i>
a	8'	9'	9'	9'	9'
b	21'	18'	18'	18'	18'
c (one-way aisle)	12'	14'	16'	18'	22'
c (two-way aisle)	22'	22'	22'	22'	22'

Table 40.22.612 B Minimum Dimensions for Optional Compact Parking Spaces					
<i>Dimension Indicator</i>	<i>0° (Parallel)</i>	<i>30°</i>	<i>45°</i>	<i>60°</i>	<i>90° (Perpendicular)</i>
a	<u>8'</u>	<u>8'</u>	<u>8'</u>	<u>8'</u>	<u>8'</u>
b	<u>20'</u>	<u>16'</u>	<u>16'</u>	<u>16'</u>	<u>16'</u>
c (one-way aisle)	<u>12'</u>	<u>14'</u>	<u>15'</u>	<u>16'</u>	<u>20'</u>
c (two-way aisle)	<u>22'</u>	<u>22'</u>	<u>22'</u>	<u>22'</u>	<u>22'</u>

Section 27. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Article 22 (“Drainage, Utilities, Septic Systems, Parking, Loading and Lighting”), Division 40.22.600 (“Parking and loading”), Section 40.22.614 (“Existing nonconforming parking”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.22.614. Existing nonconforming parking.

The standards and requirements . . .

A. *New parking area* . . .

D. Notwithstanding the foregoing, restriping or reconfiguration of existing nonconforming parking must comply with ADA standards.

Section 28. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Article 22 (“Drainage, Utilities, Septic Systems, Parking, Loading and Lighting”), Division 40.22.600 (“Parking and loading”), Section 40.22.621 (“Outdoor loading bay area standards”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.22.621. Outdoor loading bay area standards.

A. *Dimensions* . . .

F. Screening. A loading bay, including all cartways, loading platforms, and structures shall be screened from view from adjacent residential zoning districts, residential uses, public rights-of-way and public access thoroughfares. Screening shall consist of a combination of structures, walls, and landscaping and shall provide year-round screening.

Section 29. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Article 23 (“Landscaping, Trees, and Erosion”), is hereby amended by adding the material that is underscored, as set forth below:

Article 23. LANDSCAPING, TREES, PLANT MAINTENANCE, AND EROSION AND SEDIMENT CONTROL

Section 30. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Article 23 (“Landscaping, Trees, and Erosion”), Division 40.23.000 (“Purpose”), Section 40.23.010 (“Applicability”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.23.010. Applicability.

All developments shall comply with Divisions 40.23.100, 40.23.200, 40.23.300, ~~[and]~~ 40.23.400 and 40.23.500. Minor residential subdivisions shall be required only to comply with

