



NEW CASTLE COUNTY COUNCIL LAND USE COMMITTEE MEETING

Co-Chair: David Tackett, Eleventh District
Co-Chair: Janet Kilpatrick, Third District

November 21, 2023
3:00 PM

VIRTUAL ZOOM WEBINAR MEETING &
LOUIS L. REDDING CITY/COUNTY BUILDING
1ST FLOOR COUNCIL CHAMBERS
800 N. FRENCH STREET, WILMINGTON, DE 19801**

AGENDA

A. Meeting Call to Order

B. Approval of Minutes

C. Review/Discussion of Resolution(s)

R23- :PLAN OF LOGISTICENTER AT NEW CASTLE COUNTY; ST. GEORGES HUNDRED; SOUTHWESTERLY CORNER OF ROUTE 301 AND JAMISON CORNER ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES A 1,409,850 SF WAREHOUSE AND A 962,000 SF WAREHOUSE WITH ASSOCIATED SITE IMPROVEMENTS; BP ZONING; [APPLICATION NO. 2021-0470](#); COUNCIL DISTRICT 6 Introduced by: Mr. Carter

D. Review/Discussion of Ordinance(s)

°23-156:TO AMEND NEW CASTLE COUNTY CODE CHAPTER 13 ("STORMWATER MAINTENANCE DISTRICTS") REGARDING STORMWATER MAINTENANCE AND HILLS OF HOCKESSIN COMMUNITY Introduced by: Ms. Kilpatrick

°23-157: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 13 ("STORMWATER MAINTENANCE DISTRICTS") REGARDING STORMWATER MAINTENANCE AND THORNBERRY COMMUNITY Introduced by: Ms. Kilpatrick

°23-158: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 13 ("STORMWATER MAINTENANCE DISTRICTS") REGARDING STORMWATER MAINTENANCE AND ACADEMY HILL PHASE IV COMMUNITY Introduced by: Ms. George

E. Presentations

F. Other

G. Public Comment

H. Adjournment**AGENDA POSTED: NOVEMBER 14, 2023**

*The agenda is posted (7) seven days in advance of the scheduled meeting in compliance with 29 *Del. C.* Section 10004(e)(2). The meeting may go into Executive Session to address issues that arise at the time of the meeting.

**Under Title 29, Section 10006A of *Delaware Code*, New Castle County Council is holding this meeting as a telephone and video conference, utilizing  Webinar. In addition, this meeting is open to the public in Council Chambers (800 N. French Street, Wilmington, DE 19801). The link to join the meeting via computer, smart device, or smart phone is : <https://zoom.us/j/377322142> You may also call into the meeting (audio) using the following call in numbers: 1-312-626-6799 or +1-646-558-8656 or +1-346-248-7799 or +1-669-900-9128 or +1-253-215-8782 or +1-301-715-8592. Then enter the Webinar ID: 377 322 142. If you do not have a good connection with one, please try the others. Additional information regarding phone functionality during the meeting is available at: <https://support.zoom.us/hc/en-us/articles/360029527911-Live-Training-Webinars>

Meeting materials, including a meeting agenda, legislation to be addressed during the meeting, and other materials related to the meeting are electronically accessible at <https://www.nccde.org/2351/Agendas-and-Minutes> Members of the public joining the meeting may be provided an opportunity to make comments in real time. A comment period will be administered by a moderator to ensure everyone may have an opportunity to comment.

If permitted to comment, you will not be able to speak until called upon by the moderator. For those appearing virtually, there are functions in the program that allow you to do this. Please see the link in the previous paragraph.

Prime Sponsor(s): Mr. Carter
Requested by: Land Use Department
Date of introduction: November 28, 2023

RESOLUTION NO. 23-

**PLAN OF LOGISTICENTER AT NEW CASTLE COUNTY; ST. GEORGES HUNDRED;
SOUTHWESTERLY CORNER OF ROUTE 301 AND JAMISON CORNER ROAD;
MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES A 1,409,850 SF
WAREHOUSE AND A 962,000 SF WAREHOUSE WITH ASSOCIATED SITE
IMPROVEMENTS; BP ZONING; APPLICATION NO. 2021-0470; COUNCIL DISTRICT 6**

1 **NOW, THEREFORE, BE IT RESOLVED**, by and for the County Council of New
2 Castle County that County Council hereby approves the following major land development
3 plan, Plan of Logistcenter at New Castle County (Application No. 2021-0470), as
4 heretofore approved by the Land Use Department, and the President of County Council is
5 hereby authorized to endorse her approval upon the following plan.

**PLAN OF LOGISTICENTER AT NEW CASTLE COUNTY
St. Georges Hundred**

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

SYNOPSIS: Same as title

FISCAL IMPACT: This will have no immediately discernible fiscal impact on the county but, if the parcel is developed in accordance with this record plan, there may be one or more fiscal effects on New Castle County government including, but not limited to, an increase in the assessed value of the property with the resultant increase in taxes collectible thereon and an increased demand for County services.

MEMORANDUM

To: Council President
Members of County Council
Council to Council
Clerk of County Council

From: Charuni Patibanda

Re: Application No. 2021-0470
Logisticcenter at New Castle County
Record Major Land Development Plan

Date: November 9, 2023

Enclosed for Council's review and consideration of approval are paper prints of the above-referenced plan. The Department has determined that this proposal complies with all applicable requirements of the New Castle County Code.

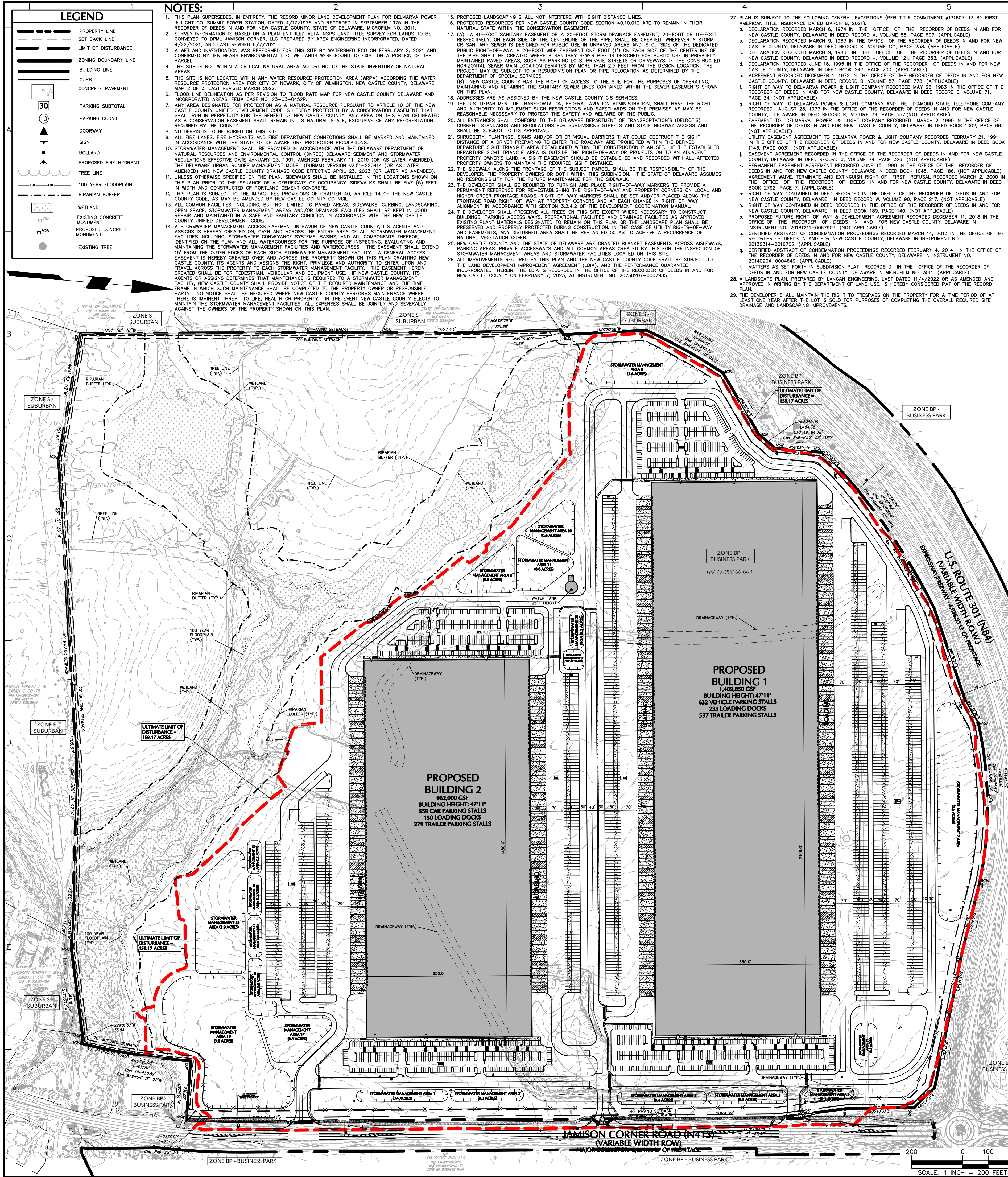
A suggested title, synopsis, and fiscal note are attached.

cc: Matthew Meyer, County Executive
Vanessa Phillips, Chief Administrative Officer
Brian Boyle, Senior Policy Director

Plan of Logisticcenter at New Castle County; St. Georges Hundred; Southwesterly corner of Route 301 and Jamison Corner Road; Major Land Development Plan that proposes a 1,409,850 SF warehouse and a 962,000 SF warehouse with associated site improvements; BP zoning.

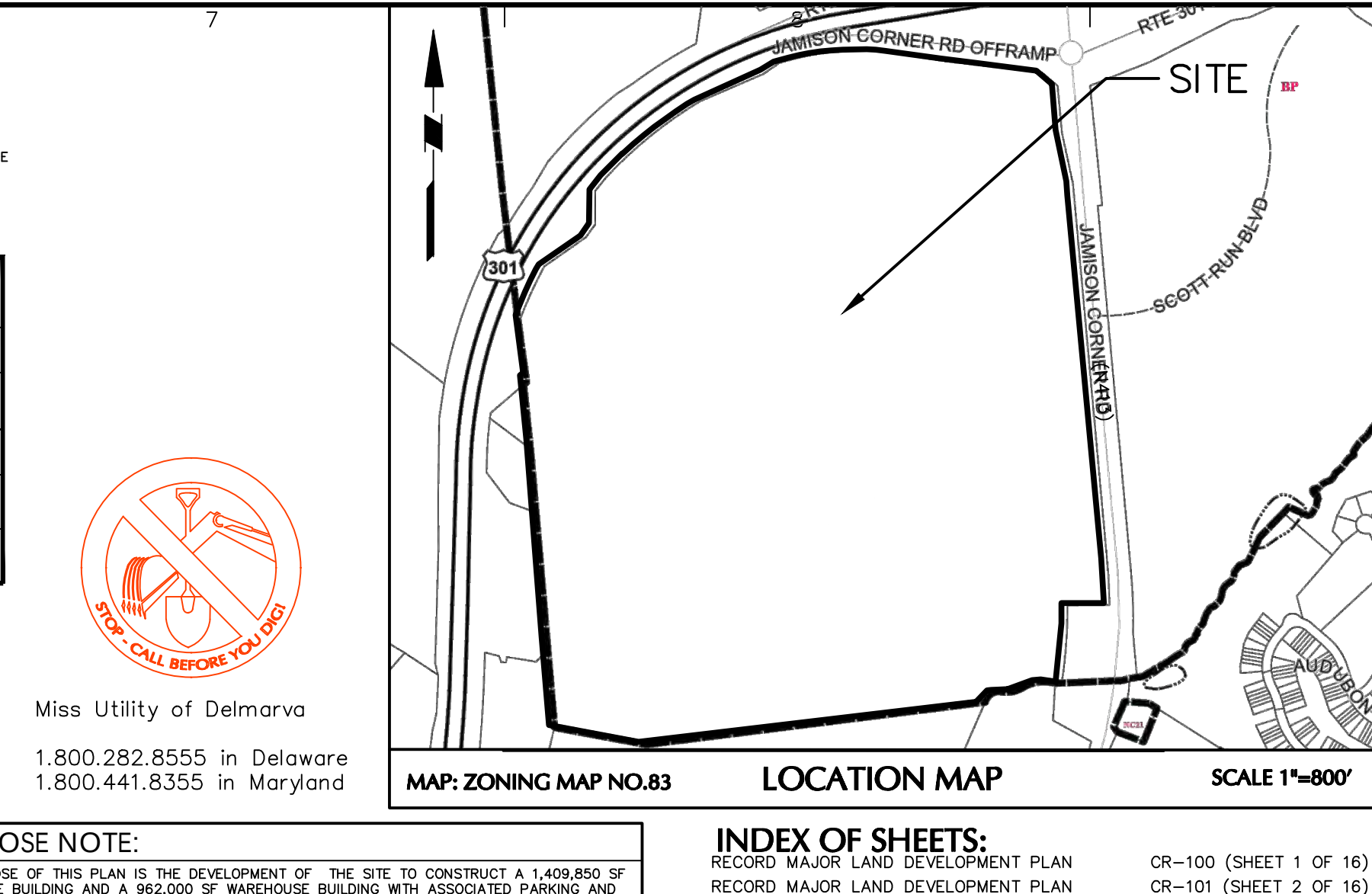
Synopsis: Same as title

Fiscal Note: This will have no immediately discernible fiscal impact on the county but, if the parcel is developed in accordance with this record plan, there may be one or more fiscal effects on New Castle County government including, but not limited to, an increase in the assessed value of the property with the resultant increase in taxes collectible thereon and an increased demand for County services.



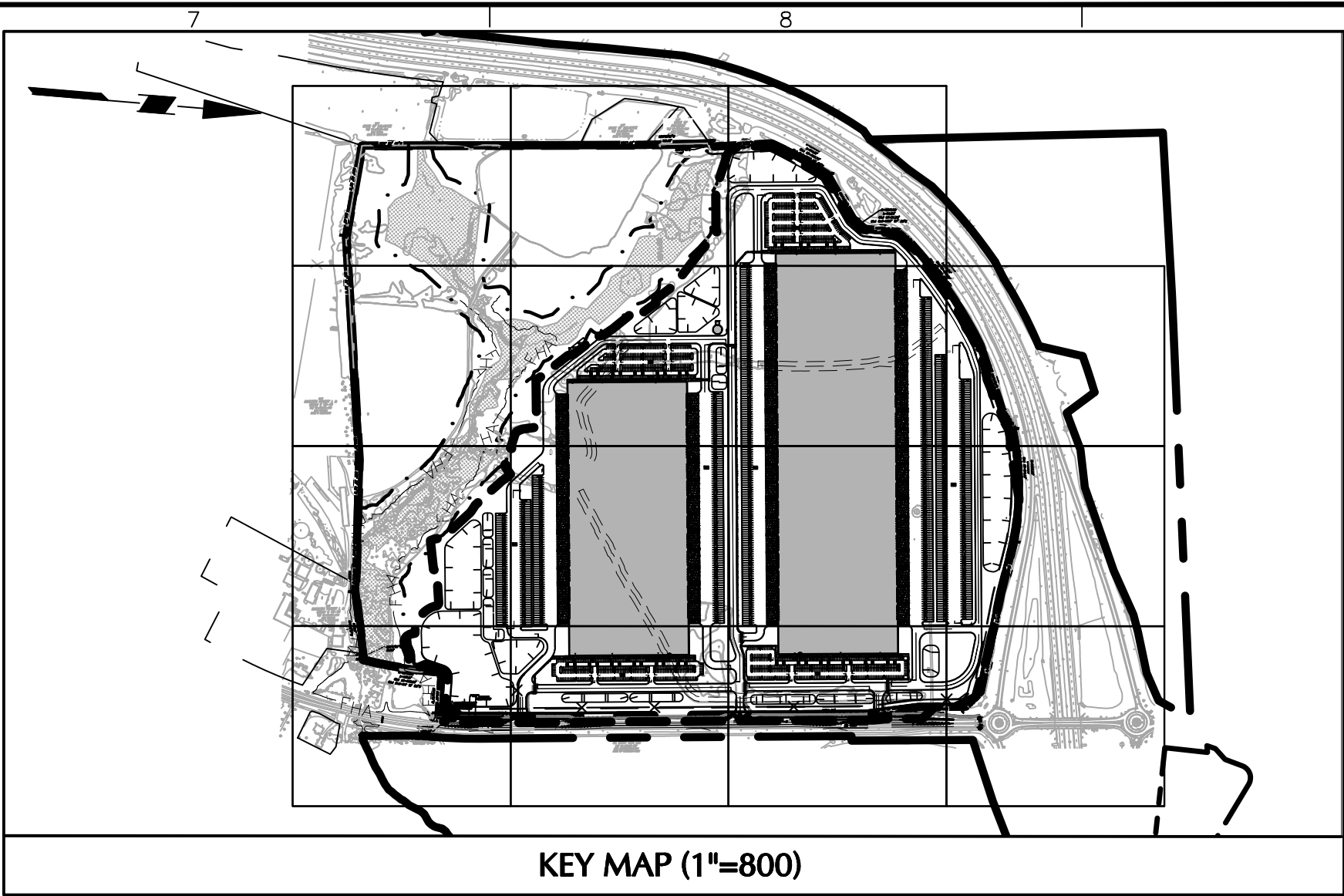
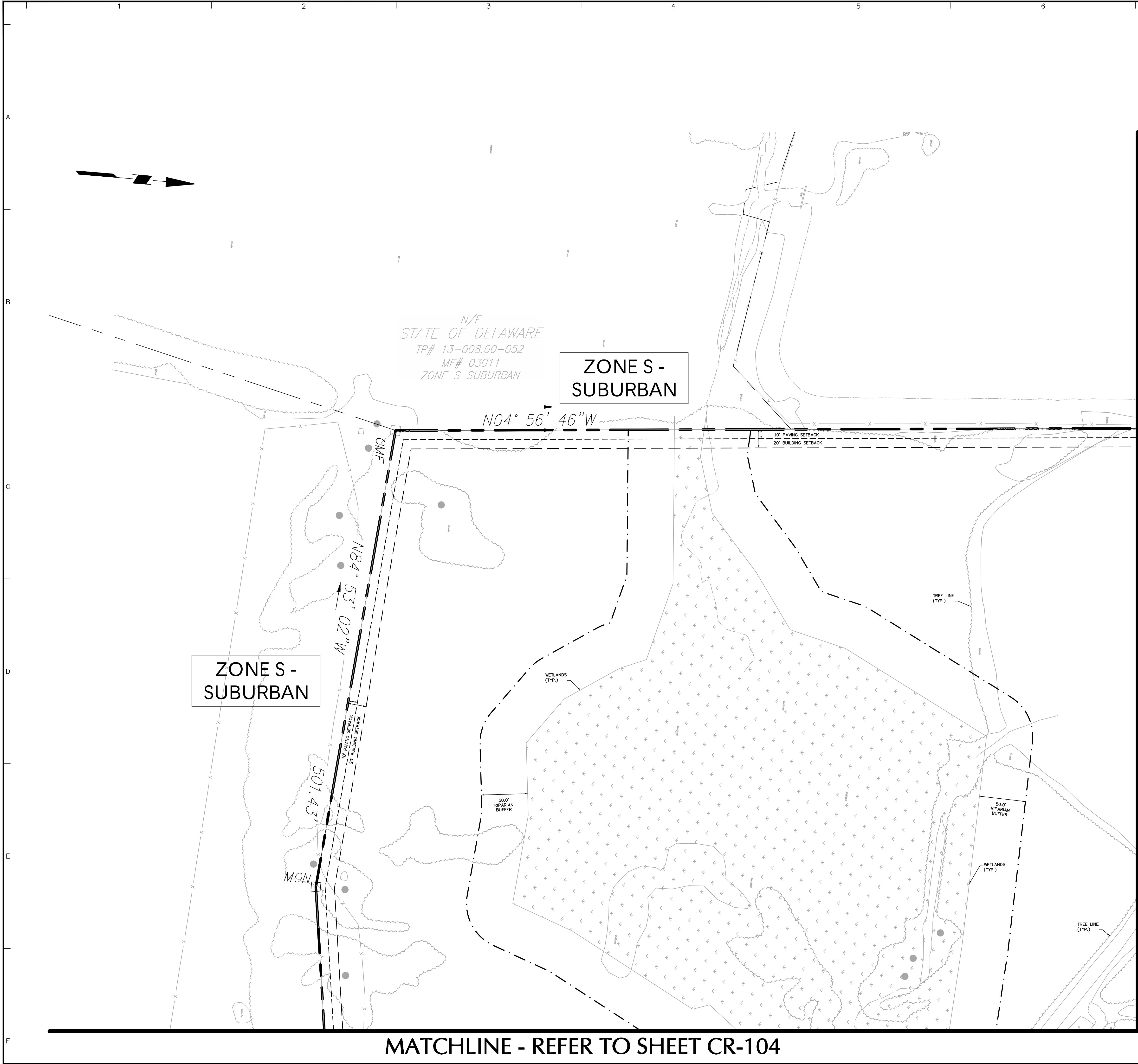
NATURAL RESOURCE AREA IMPACT TABLE:					
NATURAL RESOURCE	REQUIRED PROTECTION LEVEL	TOTAL AREA OF RESOURCE (AC)	REQUIRED PROTECTED LAND	PROPOSED DISTURBANCE	PROPOSED PROTECTED LAND
WETLAND	1.00	17.13 AC.	17.13 AC.	0.000 AC.	17.13 AC.
RIPARIAN BUFFER	1.00	10.97 AC.	10.97 AC.	0.00AC.	10.97 AC.
FLOODPLAIN	1.00	10.60 AC.	10.60 AC.	0.00 AC.	10.60 AC.
FORESTS (YOUNG)	0.20	42.82 AC.	8.56 AC.	8.79 AC.	34.03 AC.
DRAINAGEWAY	0.0	4.92 AC.	0 AC.	4.92 AC.	0 AC.

DELDOT NOTES (REV. 03/21/2019):					
1.	ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOT) CURRENT DEVELOPMENT COORDINATION MANUAL AND SHALL BE SUBJECT TO ITS APPROVAL.				
2.	LANDSCAPING SHALL BE ALLOWED WITHIN THE RIGHT-OF-WAY UNLESS THE PLANS ARE COMPLIANT WITH SECTION 3.7 OF THE DEVELOPMENT COORDINATION MANUAL.				
3.	SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE RIGHT-OF-WAY OR OTHERWISE PRESENT A SAFETY HAZARD TO TRAVEL SHALL BE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA. THE DEPARTURE SIGHT TRIANGLE AREA SHALL BE SET FORTH IN SUBDIVISION PLAN, RECORD D, IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, DELAWARE. A SIGNAGE PLAN SHALL BE SUBMITTED TO THE DELDOT DISTRICT ENGINEER FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION. THE SIGNAGE PLAN SHALL BE IN ACCORDANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.				
4.	THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MARKERS TO PROVIDE A PERMANENT REFERENCE FOR RE-ESTABLISHING THE RIGHT-OF-WAY AND PROPERTY CORNERS ON LOCAL AND HIGHER ORDER FRONTAGE ROADS. RIGHT-OF-WAY MARKERS SHALL BE SET AND/OR PLACED ALONG THE FRONTAGE ROAD RIGHT-OF-WAY AT PROPERTY CORNERS AND AT EACH CHANGE IN RIGHT-OF-WAY ALIGNMENT IN ACCORDANCE WITH SECTION 3.2.4.2 OF THE DEVELOPMENT COORDINATION MANUAL.				
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PURPOSE NOTE:	
THE PURPOSE OF THIS PLAN IS THE DEVELOPMENT OF THE SITE TO CONSTRUCT A 1,409,850 SF WAREHOUSE BUILDING AND A 962,000 SF WAREHOUSE BUILDING WITH ASSOCIATED PARKING AND INFRASTRUCTURE IMPROVEMENTS.	
SITE DATA:	
1. APPLICATION NUMBER:	2021-0470
2. TAX PARCEL NUMBERS:	13-008-003
3. SITE ADDRESS:	ADDRESSES ARE AS ASSIGNED BY THE NEW CASTLE COUNTY GIS SERVICES. JAMISON CORNER ROAD AND MIDDLETON DE, 19709
4. LEGAL OWNER:	DPML JAMISON CORNER RD, LLC C/O BENCHMARK PROPERTIES 1778 ON THE GREEN 67 EAST PARK PLACE, SUITE 540 MORRISTOWN, NJ 07960 (973) 875-0294 (JAMISCAR@BENCHMARK.COM)
5. DEVELOPER:	DPML JAMISON CORNER RD, LLC C/O BENCHMARK PROPERTIES 1778 ON THE GREEN 67 EAST PARK PLACE, SUITE 540 MORRISTOWN, NJ 07960 (973) 875-0294 (JAMISCAR@BENCHMARK.COM)
6. SOURCE OF TITLE:	DEED - 20021021-0108375
7. ZONING/USE:	BP (BUSINESS PARK) DEVELOPMENT TYPE INDUSTRIAL
8. NUMBER OF LOTS:	EXISTING: 1 PROPOSED: 1
9. ATLA-NRPS LAND SURVEY:	LANDS TO BE CONVEYED TO DPML JAMISON CORNER, LLC APPEX ENGINEERING INCORPORATED 27 WEST MARKET STREET NEWPORT, DE 19801 SURVEYOR FILE NO. 2119000 ATLA DATE: 04/22/2021
10. BENCHMARK:	TOP OF CONCRETE MONUMENT ALONG RIGHT-OF-WAY OF JAMISON CORNER ROAD ON HELP CAUSEWAY, EAST SIDE OF THE PROPERTY ELEV = 66.87' N:560033.544'E:554122.551'
11. DATUM:	DELAWARE STATE PLANE NAVD 88
12. SITE AREA:	229.43 AC (GROSS)
13. MONUMENTS:	EXISTING: 16 PROPOSED: 14
14. DISTRICT BULK STANDARDS:	BP (BUSINESS PARK) MIN. LOT AREA: 5.0 ACRE MIN. LOT WIDTH: 150 FT. MIN. STREET YARD: 40 FT. MIN. SIDE YARD: 20 FT. MIN. REAR YARD: 20 FT. MIN. FRONT YARD: 40 FT. MAX. BLDG. HEIGHT: 50/740 FT
15. AREA CALCULATIONS:	EXISTING BUILDING COVERAGE 0 AC. IMPERVIOUS 229.43 AC. OPEN SPACE 0 AC. SWM 0 AC. PROPOSED BUILDING COVERAGE 54.45 AC. IMPERVIOUS 58.14 AC. OPEN SPACE 101.14 AC. SWM 15.70 AC.
16. GROSS FLOOR AREA (GFA):	EXISTING 0 SF PROPOSED 2,371,850 SF
17. PARKING:	REQUIRED PARKING: WAREHOUSE REQUIRES 5 SPACES MINIMUM + 0.5 SPACES PER 1,000 SF OF GROSS AREA + 5 = (2,371,850/1,000) + 5 = 1,191 SPACES PROPOSED PARKING: PASSENGER VEHICLE PARKING: 1,191 (INCLUDES 34 ADA) TRAILER PARKING: 816 SPACES LOADING DOCKS: 385 DOCKS
18. BICYCLE PARKING:	REQUIRED PARKING: 1 SPACE PER 10 PARKING SPACES NOT TO EXCEED 20 REQUIRED: 20 SPACES PROPOSED: 20 SPACES
19. WATER SUPPLY:	ARTESIAN WATER COMPANY - WATER SUPPLY IS SUBJECT TO THE APPROVAL OF THE DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE DEPARTMENT OF PUBLIC HEALTH.
20. SANITARY SEWER:	NEW CASTLE COUNTY - SEWERAGE IS SUBJECT TO THE APPROVAL OF THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC WORKS. AT THE TIME OF APPROVAL OF THIS PLAN, SEWER CAPACITY EXISTED TO ACCOMMODATE THE ANTICIPATED FLOWS GENERATED BY THIS ADDITIONAL DEVELOPMENT. NEW CASTLE COUNTY HAS COMMITTED TO PROVIDE SEWER SERVICE IN ACCORDANCE WITH THE LAND DEVELOPMENT IMPROVEMENT AGREEMENT FOR THIS DEVELOPMENT. THE OWNER OF THIS PROPERTY, HIS SUCCESSORS OR ASSIGNS, SHALL BE RESPONSIBLE FOR EXTENDING SEWER SERVICE TO EACH BUILDING SHOWN OR CREATED BY THIS PLAN. THE PROPOSED SEWER FLOW IS 14,886 GPD. SEWER RATIONALE BASED ON 1,191 PARKING SPACES @ 12.5 GPD/SPACE (EMPLOYEES). PEAK SEWER FLOW IS 59,552 GPD USING A 4.0 PARKING FACTOR NEW CASTLE COUNTY
21. LOCAL GOVERNMENT RESPONSIBLE FOR LAND USE APPROVAL:	NEW CASTLE COUNTY
CERTIFICATION OF PLAN ACCURACY	
I, BRIAN M. CONLON, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL ENGINEER WITH A BACKGROUND IN CIVIL ENGINEERING IN THE STATE OF DELAWARE AND THAT ALL THE INFORMATION ON THIS PLAN IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY ACCEPTED SURVEYING STANDARDS AND PRACTICES AND BY THE NEW CASTLE COUNTY UNIFIED DEVELOPMENT CODE.	
SIGNATURE <i>Brian M. Conlon</i> DATE	
CERTIFICATION OF PLAN APPROVAL	
APPROVED _____ DATE _____ BY _____ GENERAL MANAGER FOR DEPARTMENT OF LAND USE OF NEW CASTLE COUNTY	
APPROVED _____ DATE _____ BY _____ COUNCIL PRESIDENT FOR COUNTY COUNCIL OF NEW CASTLE COUNTY.	
CERTIFICATION OF OWNERSHIP	
I, C. DOUGLAS LANNING, HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY WHICH IS SUBJECT OF THIS PLAN AND THAT THE LAND USE ACTION PROPOSED BY THIS PLAN IS MADE AT MY DIRECTION AND THAT I AUTHORIZE THIS PLAN TO BE RECORDED IN ACCORDANCE WITH THE REGULATION OF THE NEW CASTLE COUNTY UNIFIED CONSTRUCTION CODE.	
SIGNATURE <i>C. Douglas Lanning</i> DATE	

LOGISTIC CENTER AT NEW CASTLE COUNTY	
TAX PARCEL 13-008-003	
APPLICATION # 2021-0470 EXPLORATORY MAJOR LAND DEVELOPMENT PLAN ST. GEORGES HUNDED NEW CASTLE COUNTY DELAWARE	
Drawing Title	
RECORD MAJOR LAND DEVELOPMENT PLAN	
Project No.	220155501
Date	31 JANUARY 2022
Drawn By	THH
Checked By	BMC
Sheet	1 of 16



LEGEND	
	PROPERTY LINE
	SET BACK LINE
	LIMIT OF DISTURBANCE
	ZONING BOUNDARY LINE
	TREE LINE
	100 YEAR FLOODPLAIN
	RIPARIAN BUFFER
	WETLAND
	EXISTING TREE
	BUILDING LINE
	CURB
	PAVING SUBTOTAL
	PAVING COUNT
	DOORWAY
	FIRE DEMARCATION
	PROPOSED FIRE HYDRANT
	CURB
	BOLLARD
	CONCRETE
	SIGN
	STORMWATER MANAGEMENT AREA
	EXISTING CONCRETE MONUMENT
	PROPOSED CONCRETE MONUMENT

MATCHLINE - REFER TO SHEET CR-102

MATCHLINE - REFER TO SHEET CR-104

11/2/23	REVISED PER FLOODPLAIN UPDATE	7.
6/15/23	REVISED PER FLOODPLAIN UPDATE	6.
1/23/23	REVISED PER COUNTY COMMENTS	5.
11/05/22	REVISED PER COUNTY COMMENTS	4.
9/30/22	REVISED PER COUNTY COMMENTS	3.
8/05/22	REVISED PER COUNTY COMMENTS	2.
5/12/22	REVISED PER COUNTY COMMENTS	1.
Date	Description	No.


SIGNATURE:  DATE SIGNED: _____
BRIAN M. CONLON
PROFESSIONAL ENGINEER DE Lic. No. 13413
LANGAN
Langan Engineering and
Environmental Services, Inc.
1818 Market Street, Suite 3300
Philadelphia, PA 19103
T: 215.845.8900 F: 215.845.8901 www.langan.com

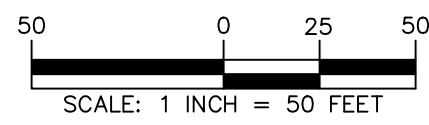
**LOGISTICENTER AT
NEW CASTLE COUNTY**
TAX PARCEL 13-008.00-003
APPLICATION # 2021-0470
EXPLORATORY MAJOR LAND DEVELOPMENT PLAN
ST. GEORGES HUNDRED
NEW CASTLE COUNTY DELAWARE
Drawing Title

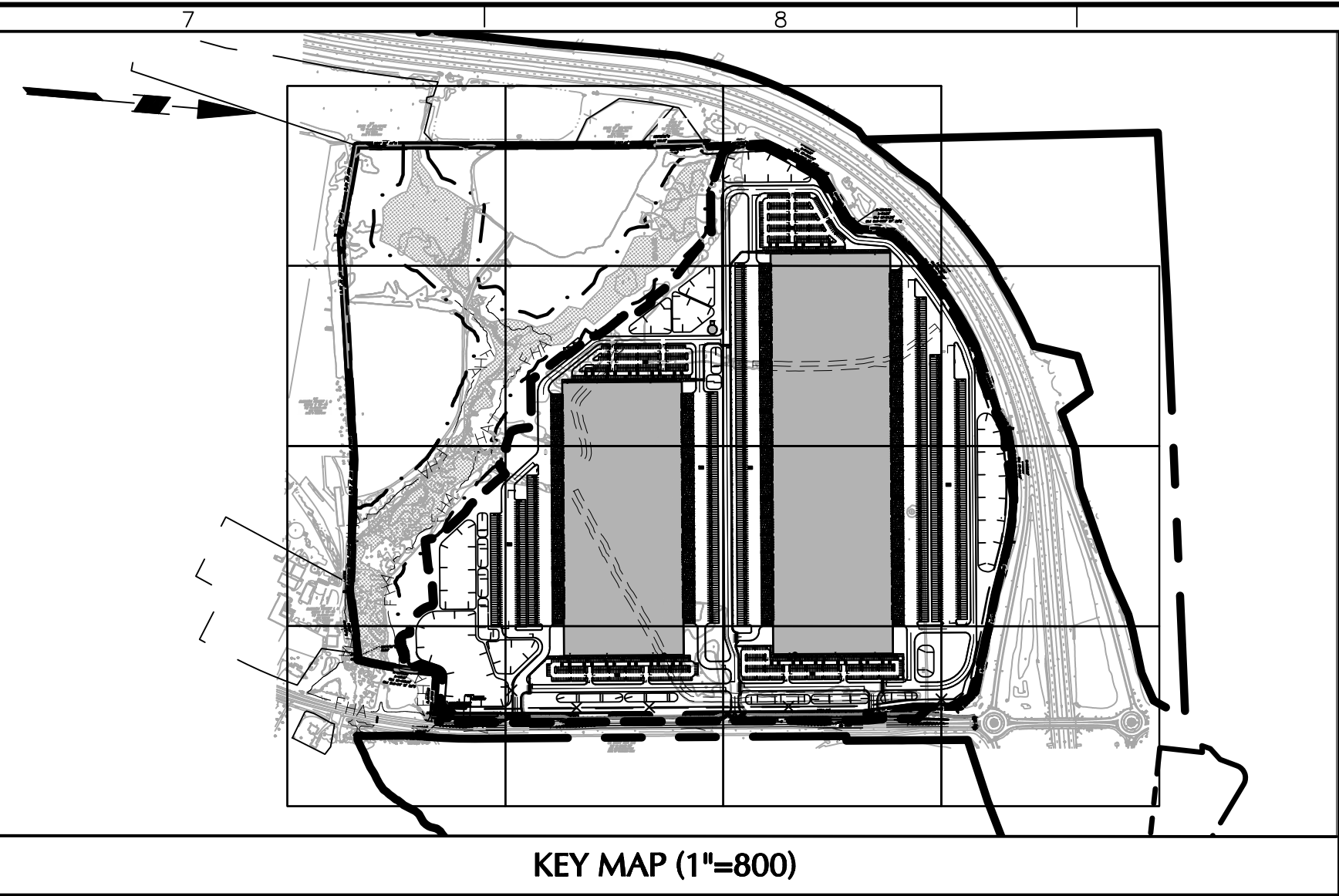
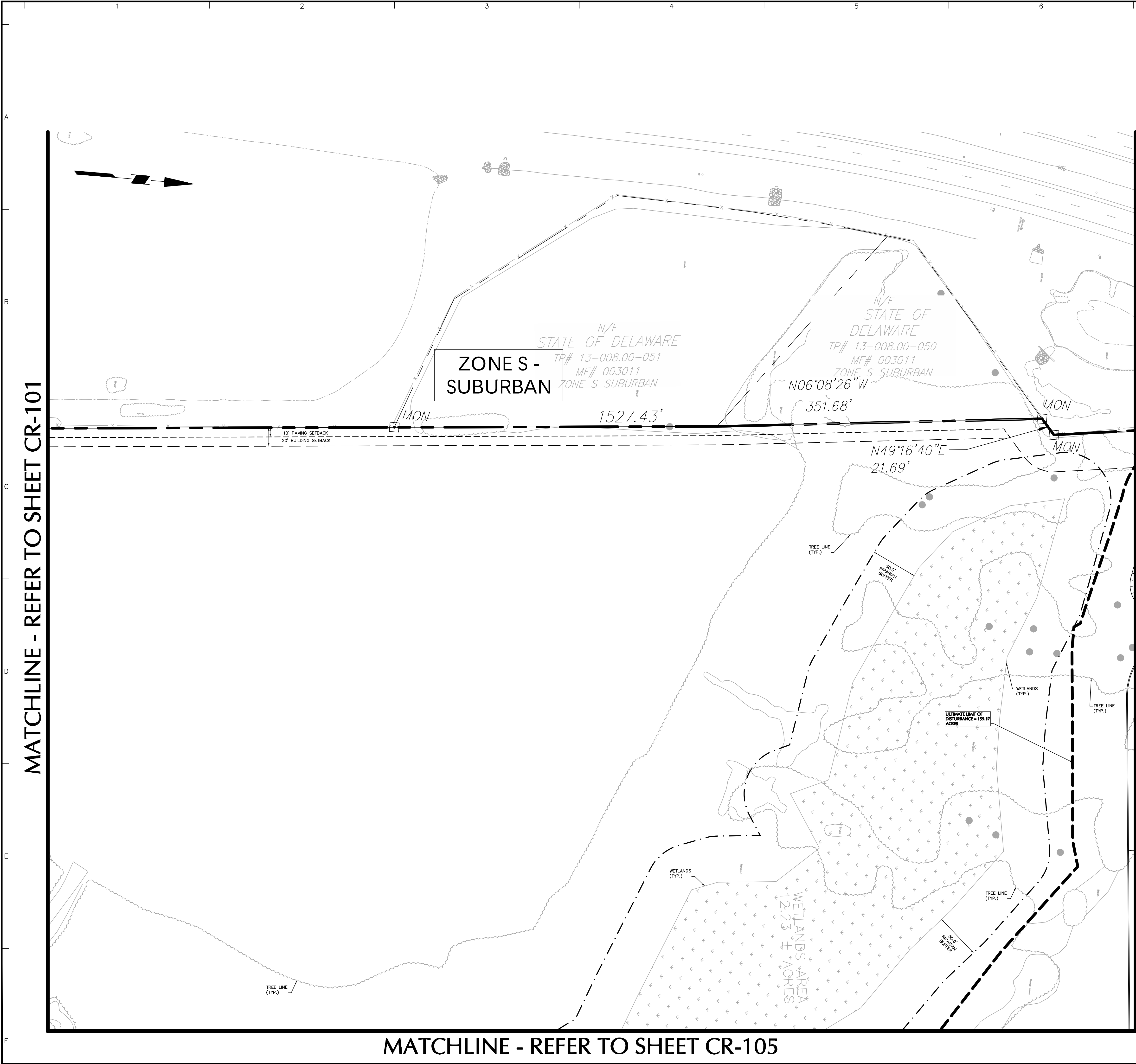
**RECORD MAJOR LAND
DEVELOPMENT PLAN**

Project No.	220155501	CR-101
Date	31 JANUARY 2022	
Drawn By	TFH	
Checked By	BMC	
Sheet 2 of 16		



Miss Utility of Delmarva
Call 1.800.282.8555 in Delaware (DE)
and 1.800.441.8355 in Maryland (MD)





LEGEND

	PROPERTY LINE
	SET BACK LINE
	LIMIT OF DISTURBANCE
	ZONING BOUNDARY LINE
	TREE LINE
	100 YEAR FLOODPLAIN
	RIPARIAN BUFFER
	WETLAND
	EXISTING TREE
	BUILDING LINE
	CURB
	PARKING SUBTOTAL
	PARKING COUNT
	DOORWAY
	FIRE DEMARCATION
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5/12/22	REVISED PER COUNTY COMMENTS	1.
Date	Description	No.

SIGNATURE: BRIAN M. CONLON
DATE SIGNED: 11/2/23

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TAX PARCEL 13-008.00-003

APPLICATION # 2021-0470
EXPLORATORY MAJOR LAND DEVELOPMENT PLAN
ST. GEORGES HUNDRED
NEW CASTLE COUNTY DELAWARE

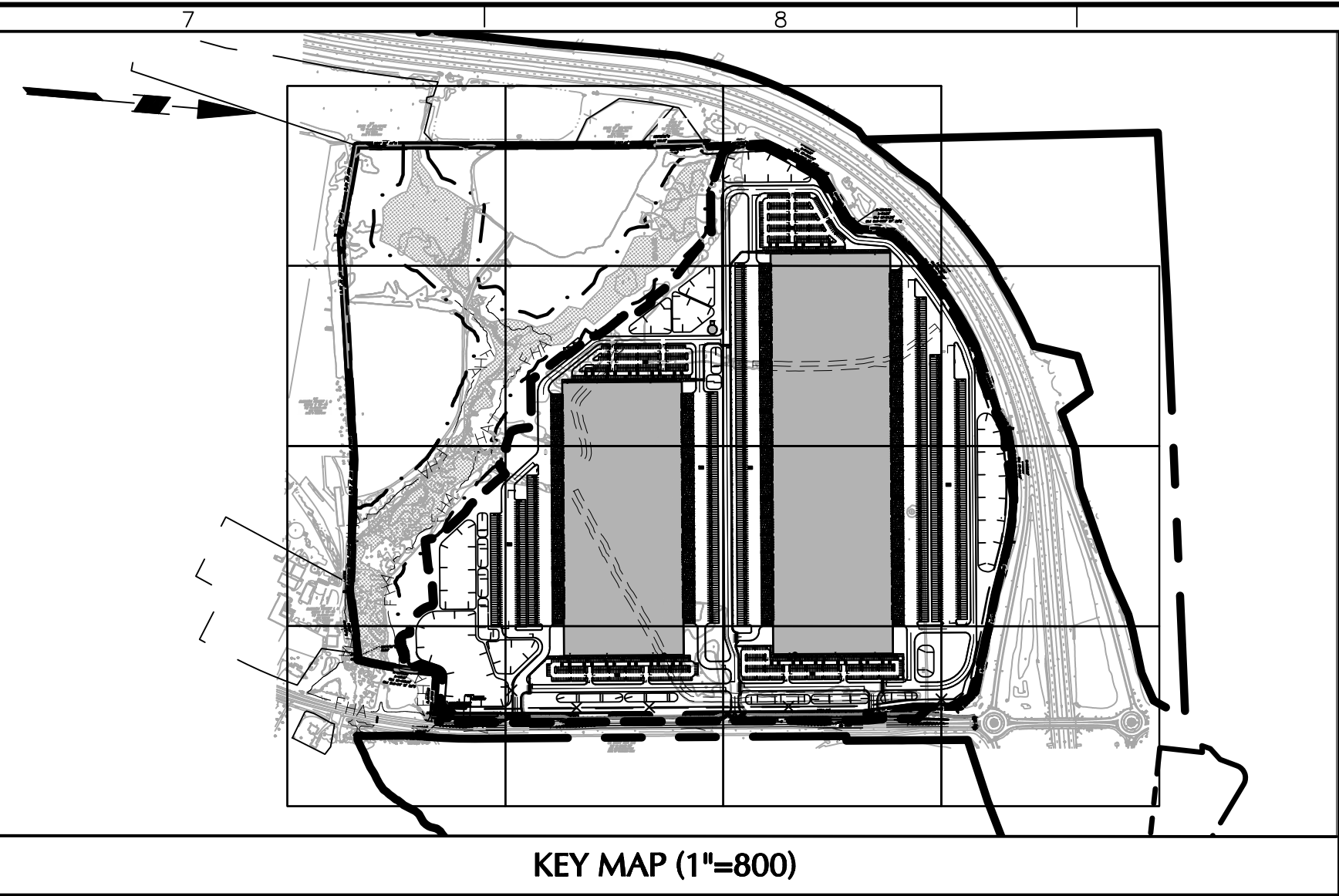
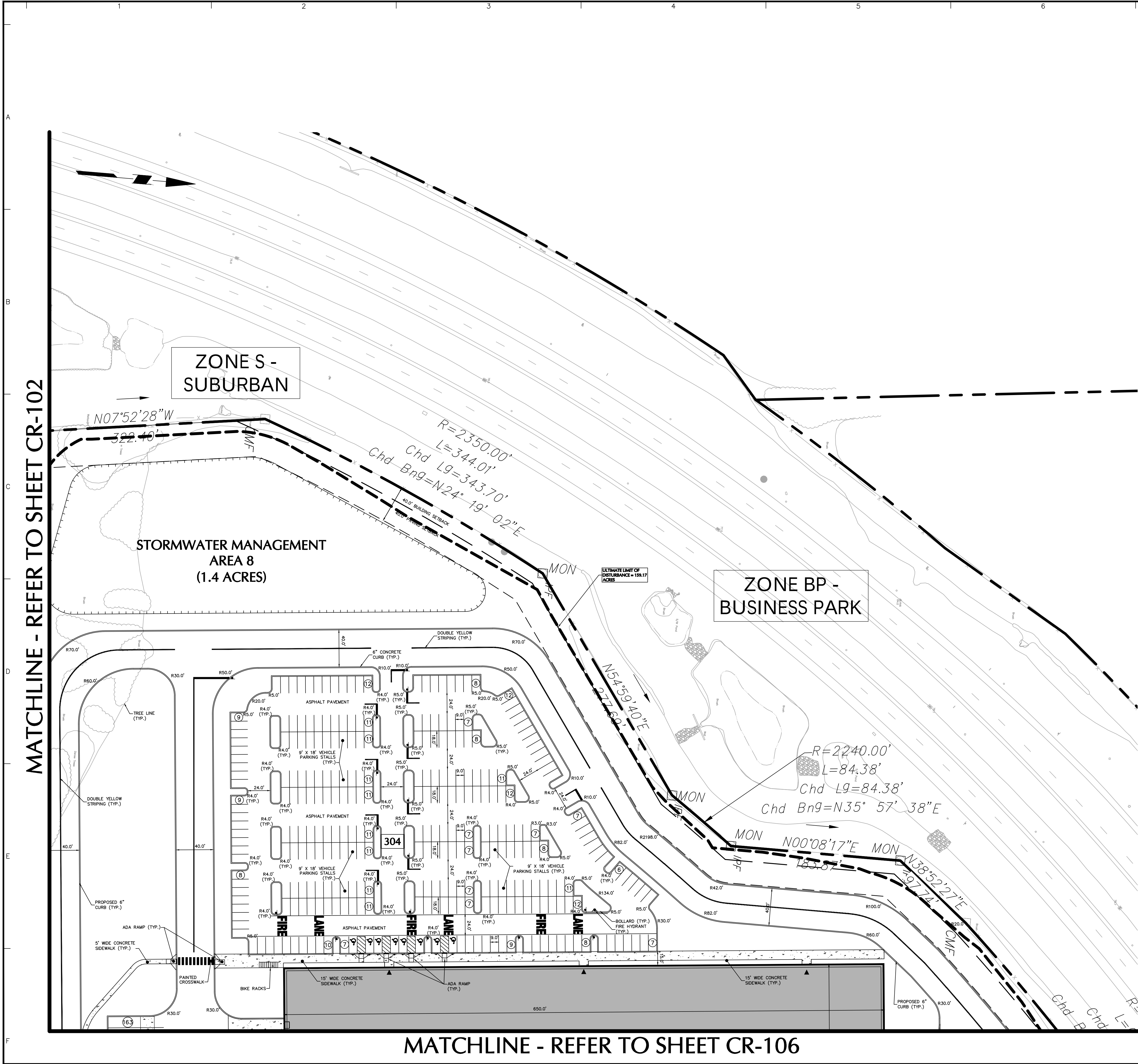
Drawing Title

RECORD MAJOR LAND DEVELOPMENT PLAN

Project No.	220155501	CR-102
Date	31 JANUARY 2022	
Drawn By	TFH	
Checked By	BMC	

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SCALE: 1 INCH = 50 FEET



LEGEND

---	PROPERTY LINE
---	SET BACK LINE
---	LIMIT OF DISTURBANCE
---	ZONING BOUNDARY LINE
---	TREE LINE
---	100 YEAR FLOODPLAIN
---	RIPIARIAN BUFFER
---	WETLAND
●	EXISTING TREE
---	BUILDING LINE
---	CURB
30	PARKING SUBTOTAL
10	PARKING COUNT
▲	DOORWAY
---	FIRE DEMARCATION
●	PROPOSED FIRE HYDRANT
---	CURB
●	BOLLARD
---	CONCRETE
---	SIGN
---	STORMWATER MANAGEMENT AREA
---	EXISTING CONCRETE MONUMENT
---	PROPOSED CONCRETE MONUMENT

11/2/23	REVISED PER FLOODPLAIN UPDATE	7.
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8/05/22	REVISED PER COUNTY COMMENTS	2.
5/12/22	REVISED PER COUNTY COMMENTS	1.
Date	Description	No.

REGISTERED PROFESSIONAL ENGINEER
No. 13413
BRIAN M. CONLON
DELAWARE

SIGNATURE: BRIAN M. CONLON
DATE SIGNED: 11/2/23
PROFESSIONAL ENGINEER DE Lic. No. 13413

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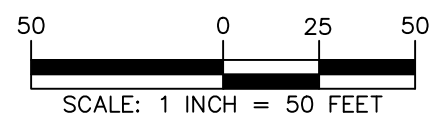
LOGISTICENTER AT NEW CASTLE COUNTY
TAX PARCEL 13-008.00-003
APPLICATION # 2021-0470
EXPLORATORY MAJOR LAND DEVELOPMENT PLAN
ST. GEORGES HUNDRED
NEW CASTLE COUNTY
Drawing Title

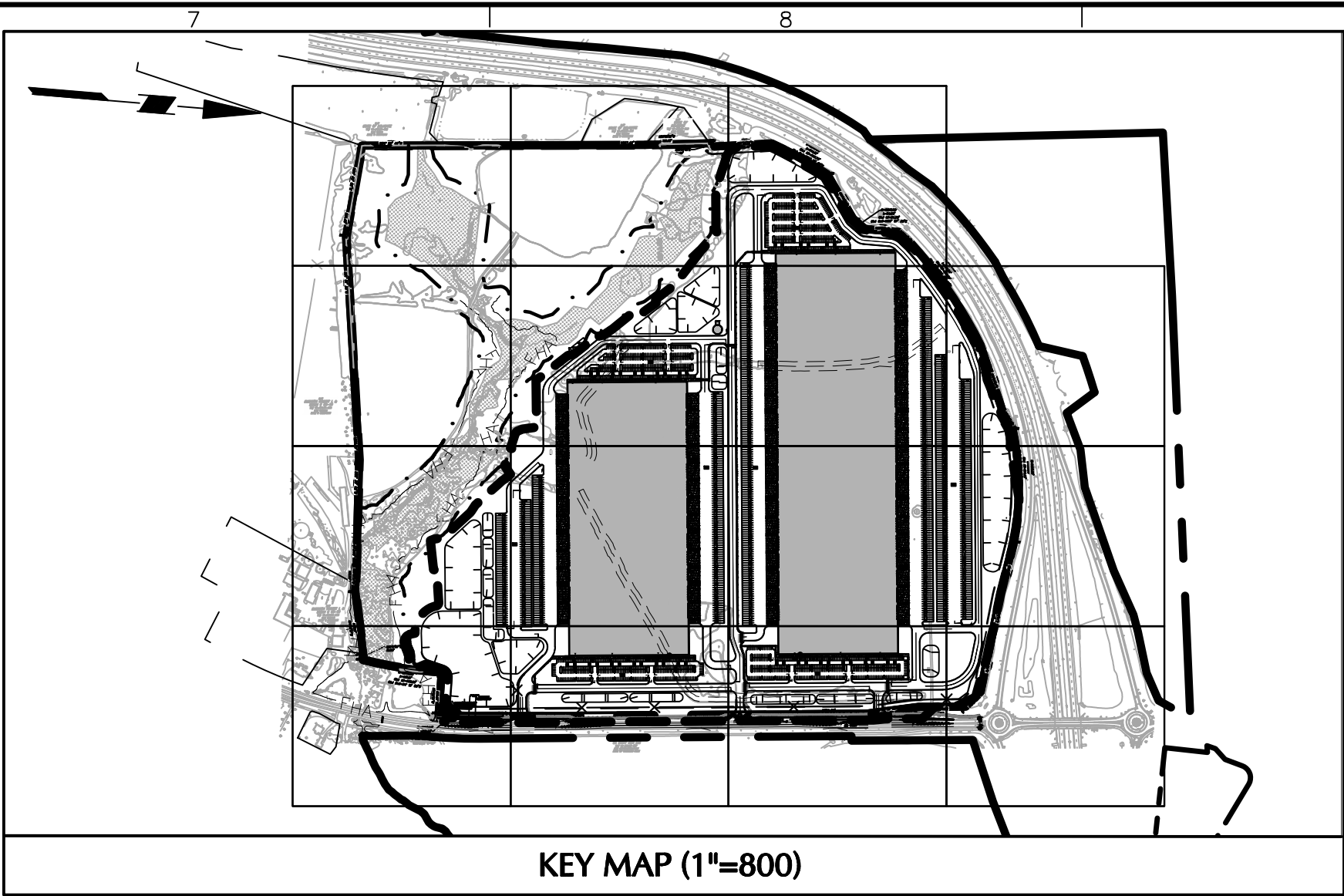
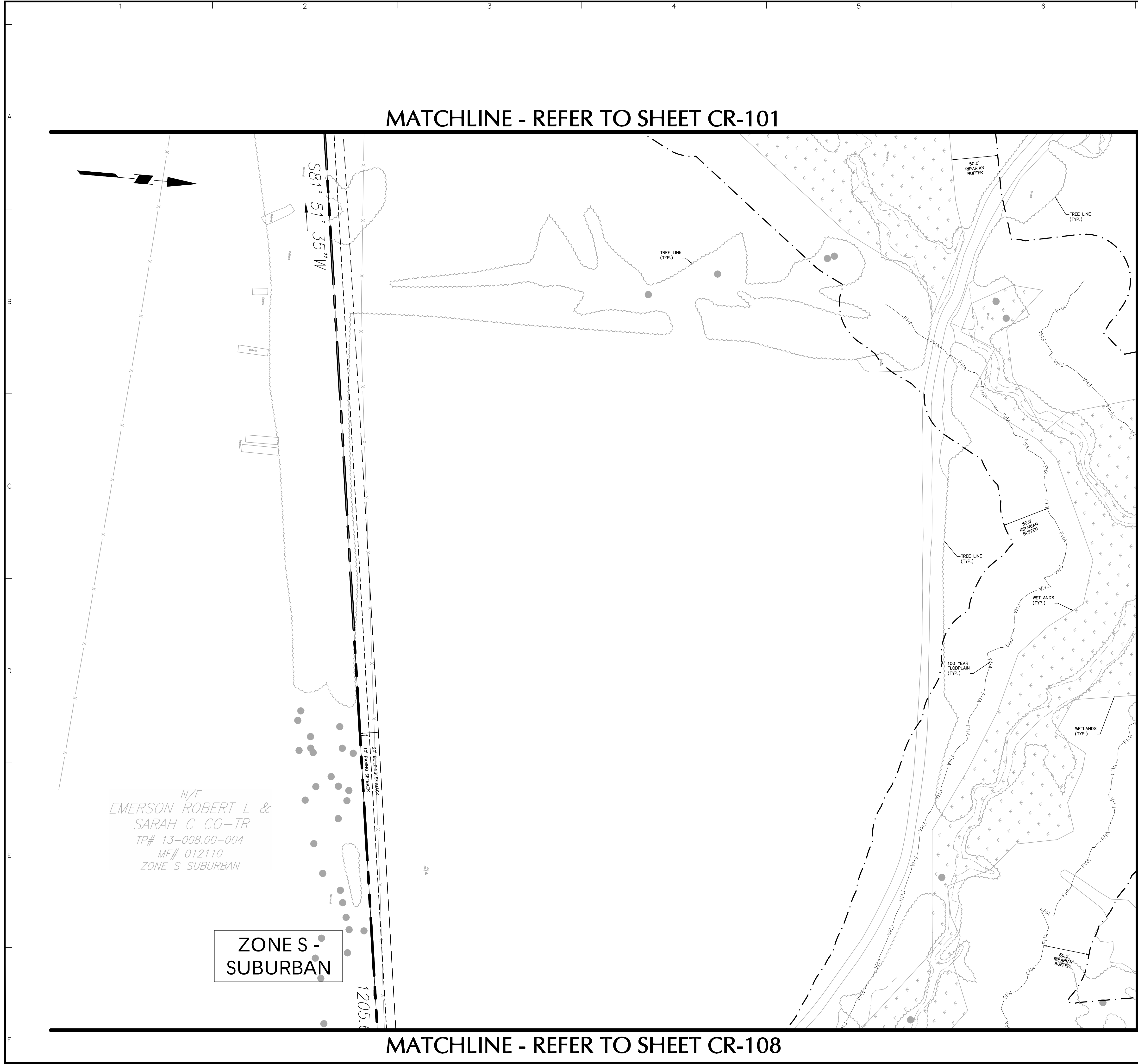
RECORD MAJOR LAND DEVELOPMENT PLAN

Project No.	220155501	CR-103
Date	31 JANUARY 2022	
Drawn By	TFH	
Checked By	BMC	
Sheet 4 of 16		



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LEGEND	
	PROPERTY LINE
	SET BACK LINE
	LIMIT OF DISTURBANCE
	ZONING BOUNDARY LINE
	TREE LINE
	100 YEAR FLOODPLAIN
	RIPIARIAN BUFFER
	WETLAND
	EXISTING TREE
	BUILDING LINE
	CURB
	PARKING SUBTOTAL
	PARKING COUNT
	DOORWAY
	FIRE DEMARCATION
	PROPOSED FIRE HYDRANT
	CURB
	BOLLARD
	CONCRETE
	SIGN
	STORMWATER MANAGEMENT AREA
	EXISTING CONCRETE MONUMENT
	PROPOSED CONCRETE MONUMENT

11/2/23	REVISED PER FLOODPLAIN UPDATE	7.
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9/30/22	REVISED PER COUNTY COMMENTS	3.
8/05/22	REVISED PER COUNTY COMMENTS	2.
5/12/22	REVISED PER COUNTY COMMENTS	1.
Date	Description	No.

SIGNATURE
BRIAN M. CONLON
PROFESSIONAL ENGINEER DE Lic. No. 13413

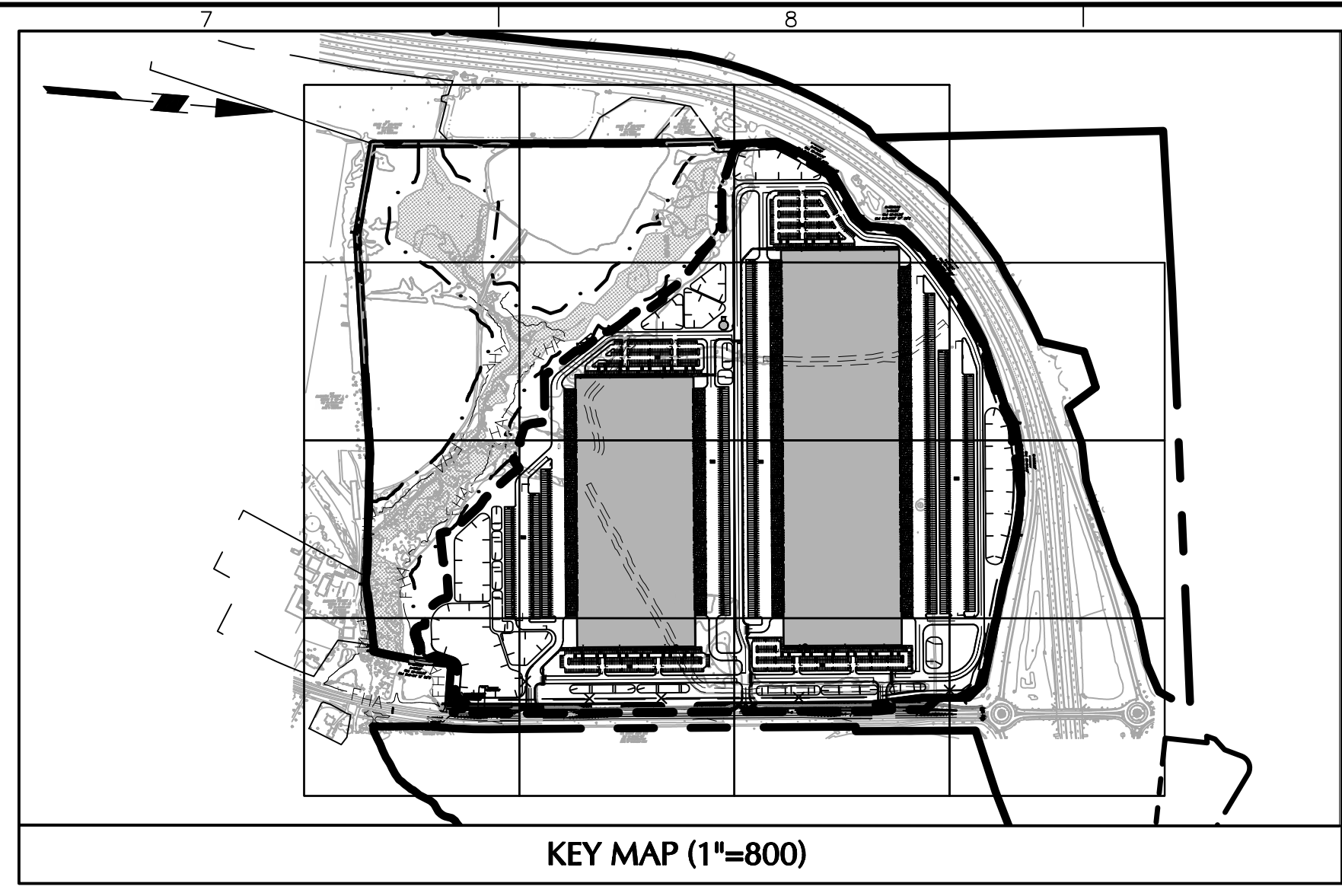
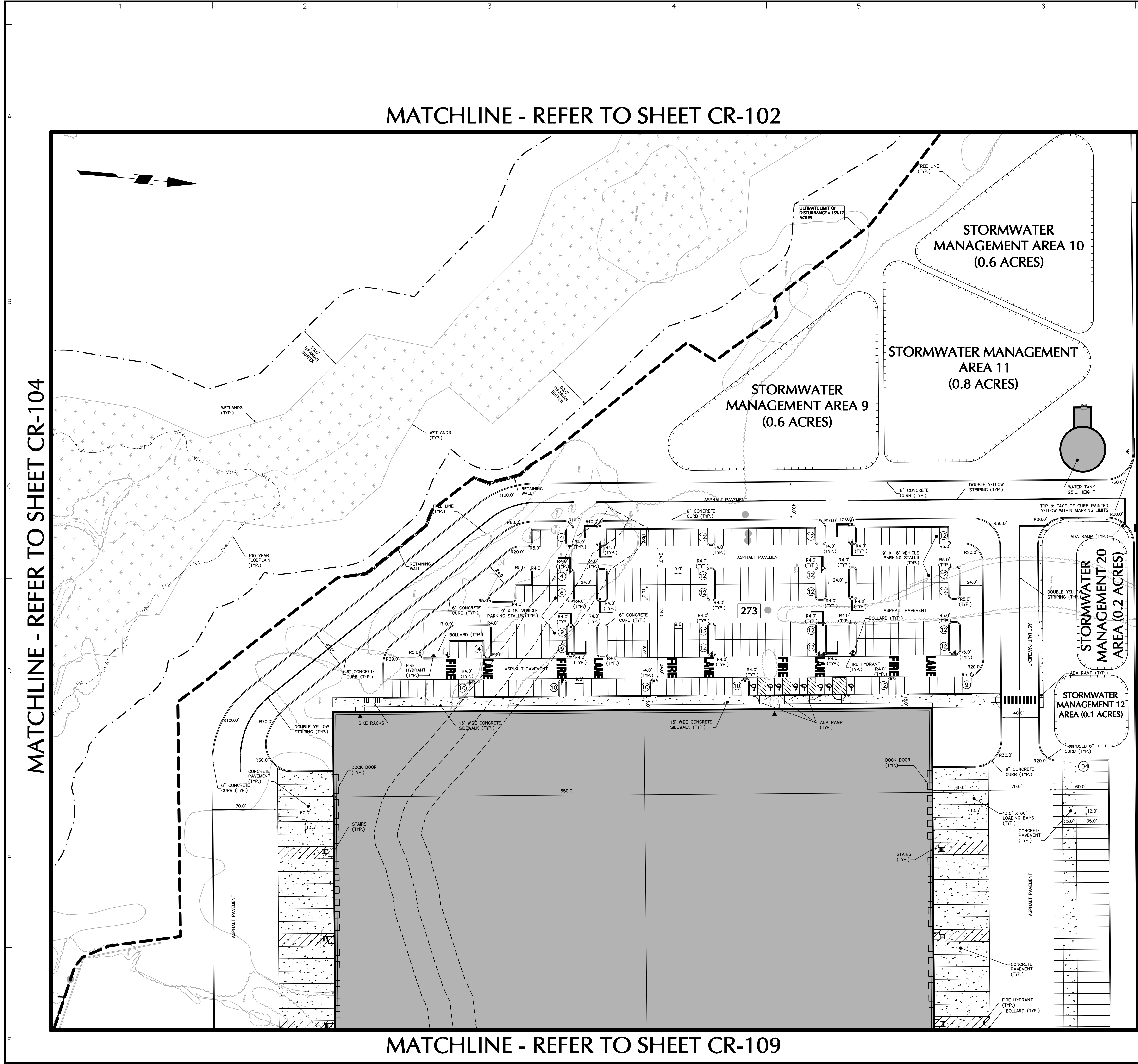
DATE SIGNED

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APPLICATION # 2021-0470
EXPLORATORY MAJOR LAND DEVELOPMENT PLAN
ST. GEORGES HUNDRED
NEW CASTLE COUNTY
DELAWARE
Drawing Title

RECORD MAJOR LAND DEVELOPMENT PLAN	
Project No. 220155501	CR-104
Date 31 JANUARY 2022	
Drawn By TFH	
Checked By BMC	
Sheet 5 of 16	

Miss Utility of Delmarva
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and 1.800.441.8355 in Maryland (MD)



LEGEND	
	PROPERTY LINE
	SET BACK LINE
	LIMIT OF DISTURBANCE
	ZONING BOUNDARY LINE
	TREE LINE
	100 YEAR FLOODPLAIN
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	FIRE DEMARCATION
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	BOLLARD
	CONCRETE
	SIGN
	STORMWATER MANAGEMENT AREA
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Date	Description	No.
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5/12/22	REVISED PER COUNTY COMMENTS	1.

SIGNATURE
BRIAN M. CONLON
PROFESSIONAL ENGINEER DE Lic. No. 13413

DATE SIGNED

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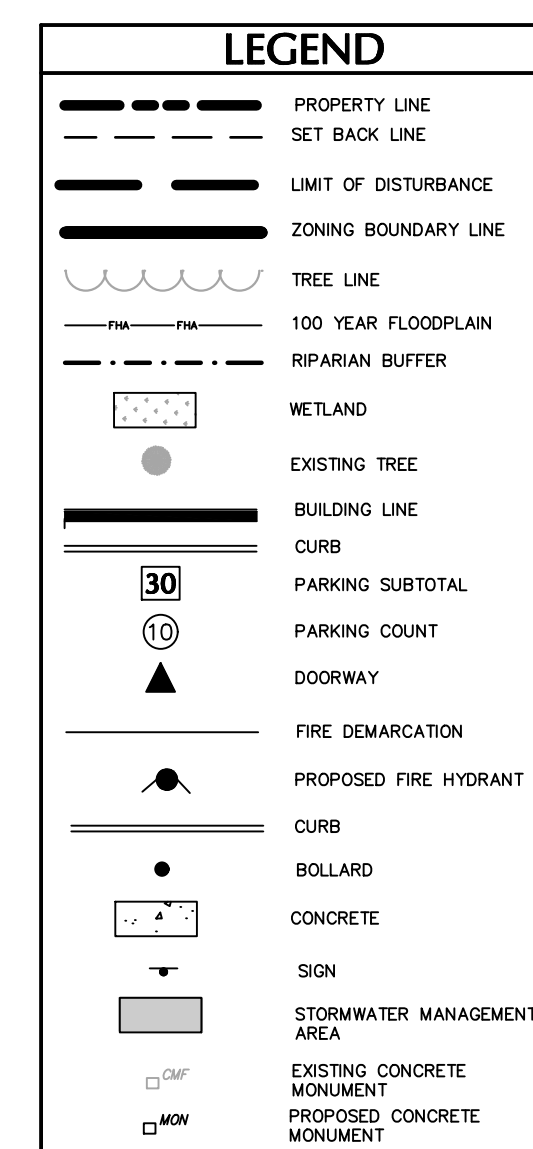
**LOGISTICENTER AT
NEW CASTLE COUNTY**
TAX PARCEL 13-008.00-003
APPLICATION # 2021-0470
EXPLORATORY MAJOR LAND DEVELOPMENT PLAN
ST. GEORGES HUNDRED
NEW CASTLE COUNTY DELAWARE
Drawing Title

**RECORD MAJOR LAND
DEVELOPMENT PLAN**

Project No.	CR-105
220155501	
Date	
31 JANUARY 2022	
Drawn By	
TFH	
Checked By	
BMC	Sheet 6 of 16



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and 1.800.441.8355 in Maryland (MD)
SCALE: 1 INCH = 50 FEET



11/2/23	REVISED PER FLOODPLAIN UPDATE	7
6/15/23	REVISED PER FLOODPLAIN UPDATE	6
1/23/23	REVISED PER COUNTY COMMENTS	5
11/05/22	REVISED PER COUNTY COMMENTS	4
9/30/22	REVISED PER COUNTY COMMENTS	3
8/05/22	REVISED PER COUNTY COMMENTS	2
5/12/22	REVISED PER COUNTY COMMENTS	1
Date	Description	No

Revisions
BRYAN M. COMOLIN
REGISTERED
No. 13413
DELAWARE
PROFESSIONAL ENGINEER

SIGNATURE _____ DATE SIGNED _____
BRIAN M. CONLON
PROFESSIONAL ENGINEER DE Lic. No. 13413

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Philadelphia, PA 19103

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**LOGISTICENTER AT
NEW CASTLE COUNTY**
TAX PARCEL 13-008.00-003

APPLICATION # 2021-0470
EXPLORATORY MAJOR LAND DEVELOPMENT PLAN
ST. GEORGES HUNDRED
NEW CASTLE COUNTY
DELAWARE

RECORD MAJOR LAND DEVELOPMENT PLAN

Project No.	CR-106
220155501	
Date	
31 JANUARY 2022	
Drawn By	Sheet 7 of 16
TFH	
Checked By	
BMC	

CR-106

Sheet 7 of 16

A red circular sign with a diagonal slash over a cigarette and a lit match. The text "STOP - CALL BEFORE YOU DRIVE" is written around the bottom edge.

Miss Utility of Delmarva

Call 1.800.282.8555 in Delaware (DE)
and 1.800.441.8355 in Maryland (MD)

MATCHLINE - REFER TO SHEET CR-103

ZONE BP -
BUSINESS PARK

TP# 13-008.00-003

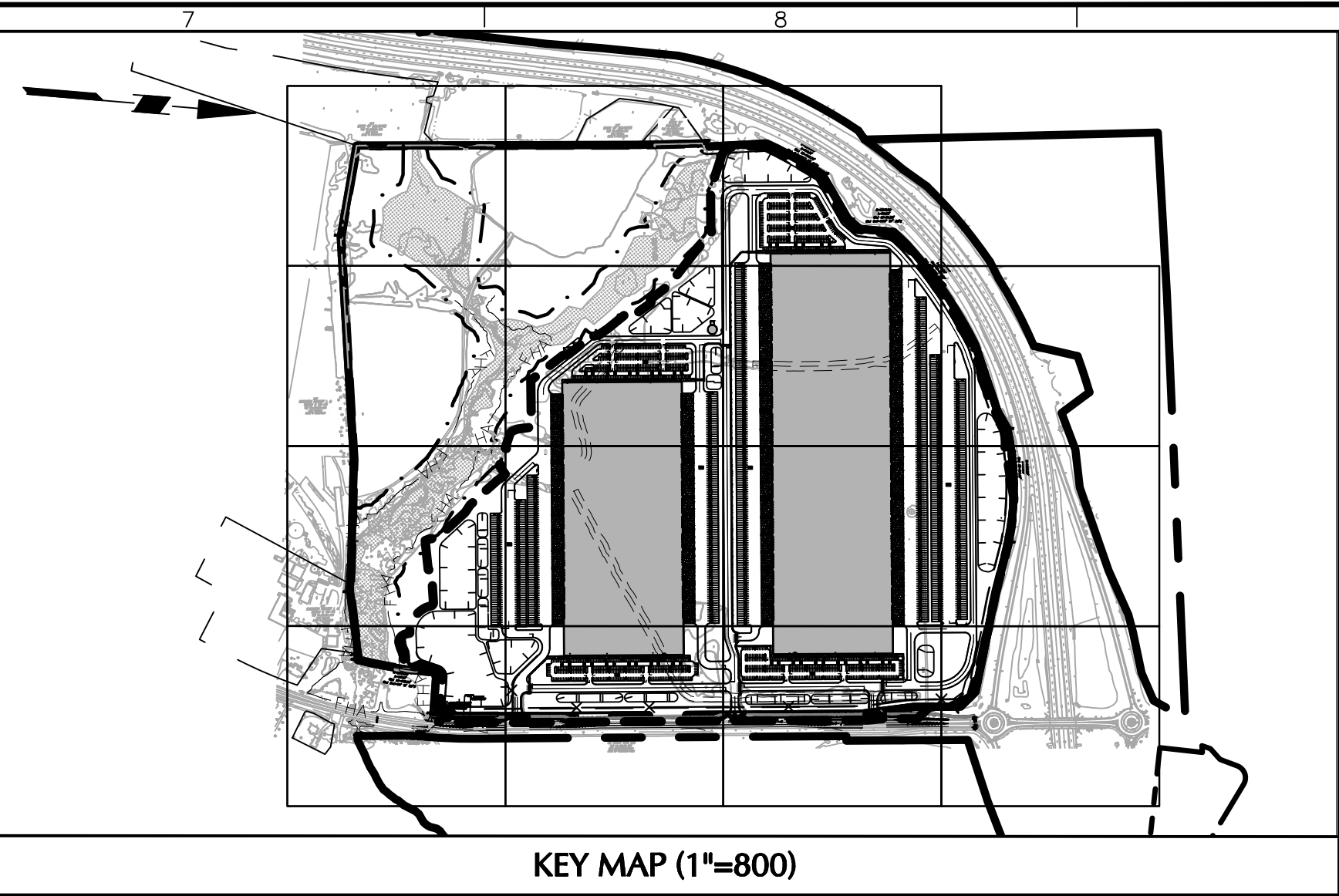
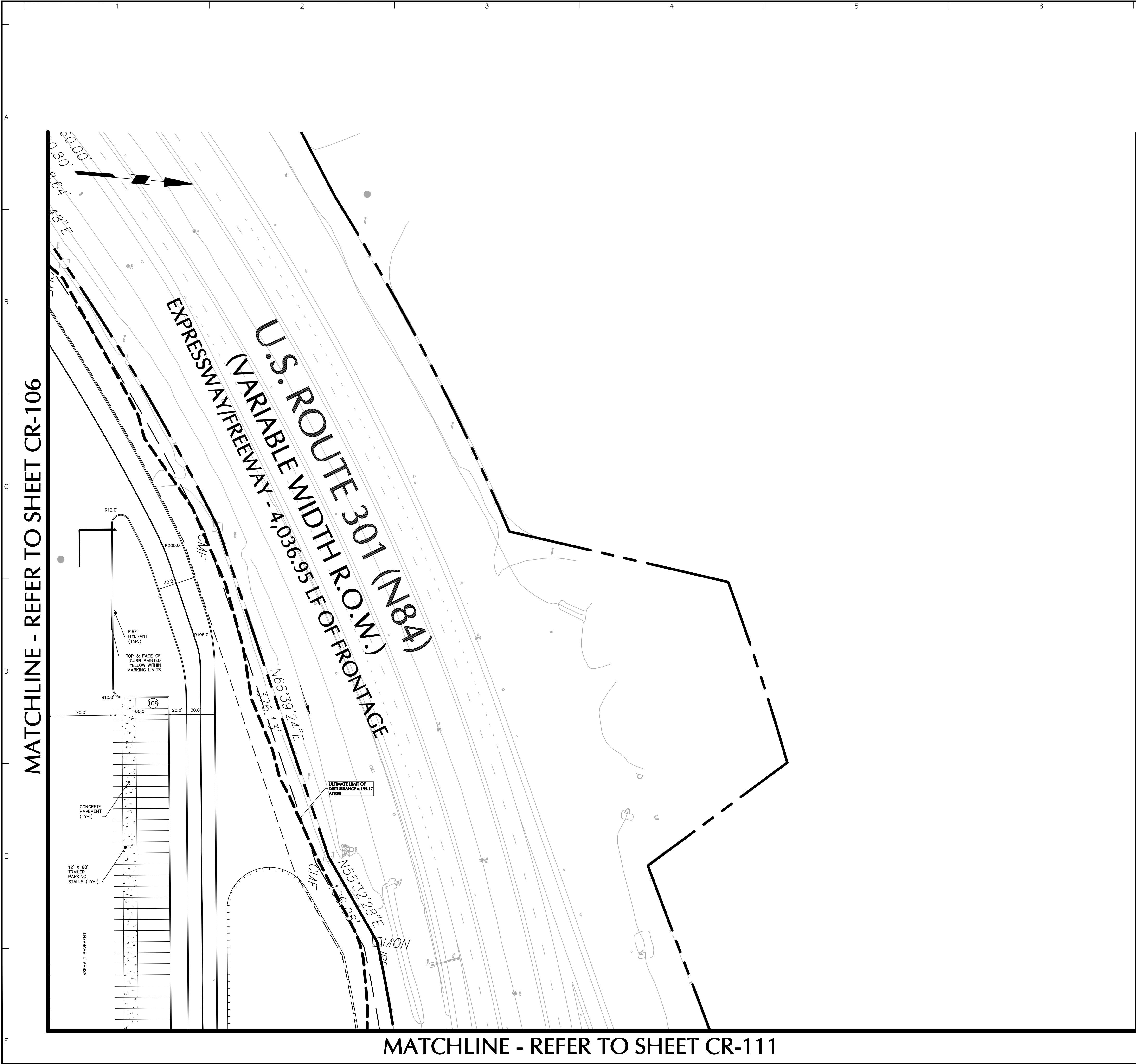
PROPOSED BUILDING 1

1,409,850 GSF
BUILDING HEIGHT: 47'11"
632 VEHICLE PARKING STALLS
235 LOADING DOCKS
537 TRAILER PARKING STALLS

MATCHLINE - REFER TO SHEET CR-110

MATCHLINE - REFER TO SHEET CR-105

MATCHLINE - REFER TO SHEET CR-107



LEGEND	
	PROPERTY LINE
	SET BACK LINE
	LIMIT OF DISTURBANCE
	ZONING BOUNDARY LINE
	TREE LINE
	100 YEAR FLOODPLAIN
	RIPARIAN BUFFER
	WETLAND
	EXISTING TREE
	BUILDING LINE
	CURB
	PARKING SUBTOTAL
	PARKING COUNT
	DOORWAY
	FIRE DEMARCATION
	PROPOSED FIRE HYDRANT
	CURB
	BOLLARD
	CONCRETE
	SIGN
	STORMWATER MANAGEMENT AREA
	EXISTING CONCRETE MONUMENT
	PROPOSED CONCRETE MONUMENT

11/2/23	REVISED PER FLOODPLAIN UPDATE	7.
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Date	Description	No.

SIGNATURE: DATE SIGNED: _____

BRIAN M. CONLON
PROFESSIONAL ENGINEER DE Lic. No. 13413

LANGAN
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Philadelphia, PA 19103

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**LOGISTICENTER AT
NEW CASTLE COUNTY**
TAX PARCEL 13-008.00-003

APPLICATION # 2021-0470
EXPLORATORY MAJOR LAND DEVELOPMENT PLAN
ST. GEORGES HUNDRED
NEW CASTLE COUNTY DELAWARE

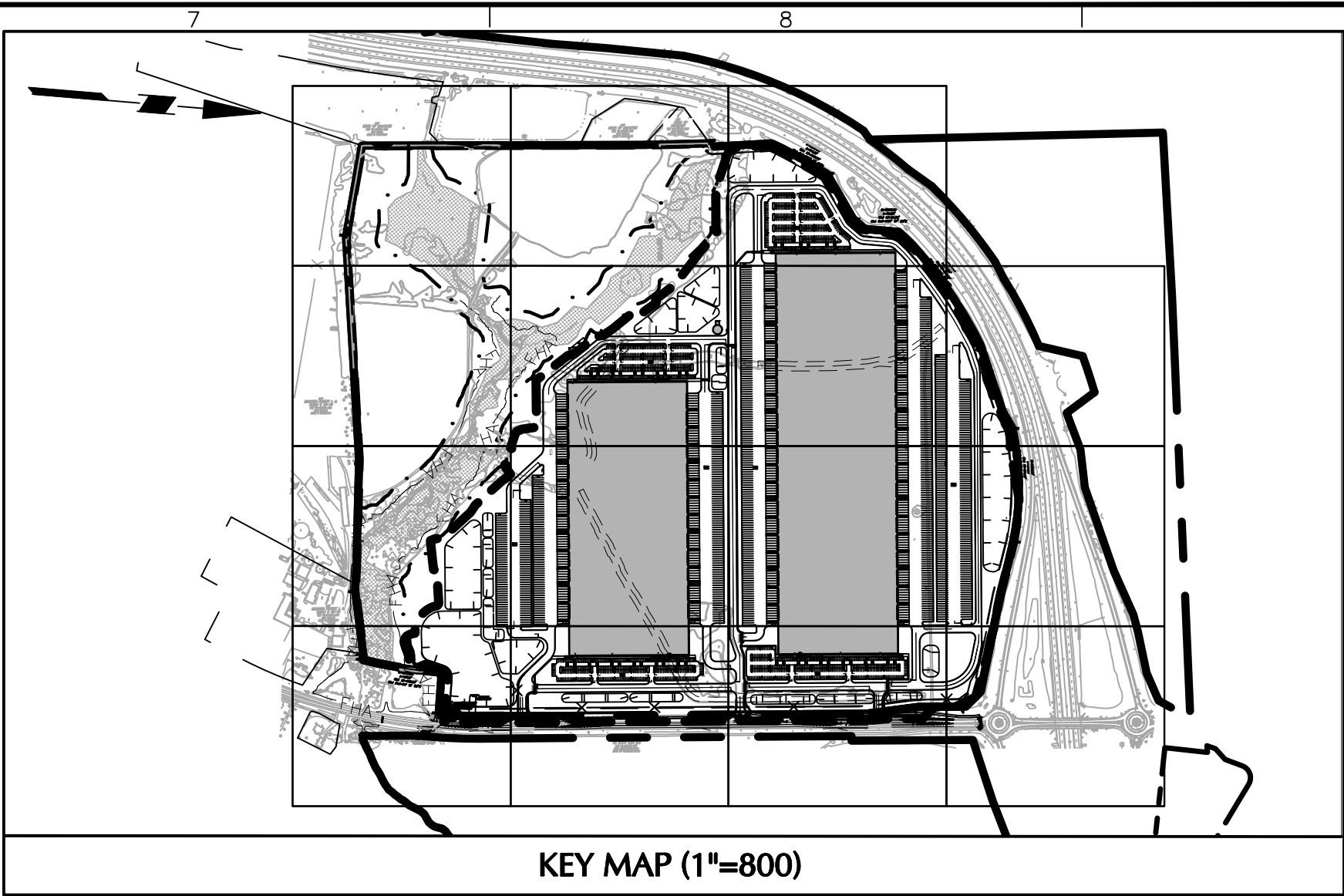
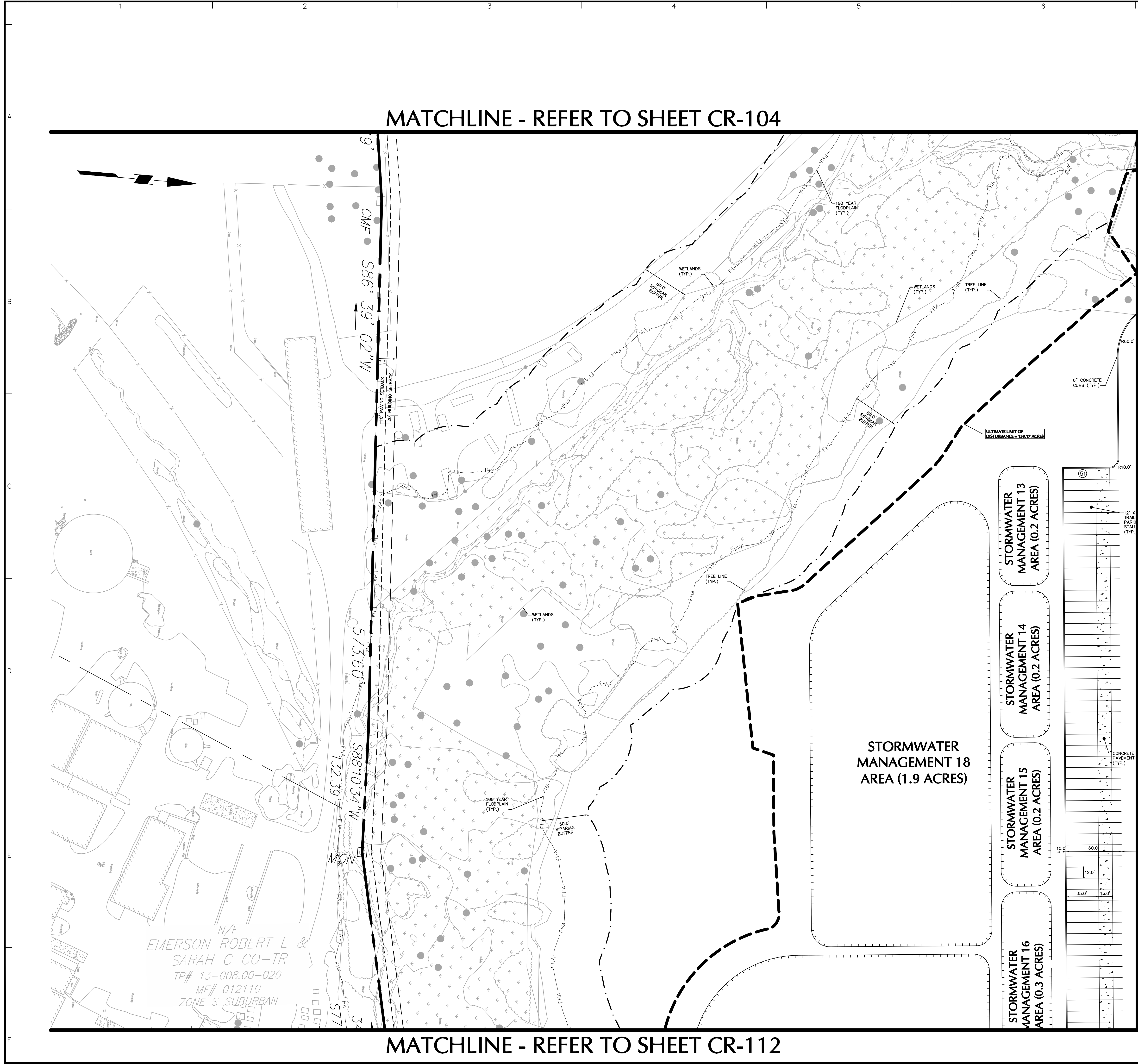
Drawing Title

**RECORD MAJOR LAND
DEVELOPMENT PLAN**

Project No.	220155501	CR-107
Date	31 JANUARY 2022	
Drawn By	TFH	
Checked By	BMC	
Sheet 8 of 16		

Miss Utility of Delmarva
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and 1.800.441.8355 in Maryland (MD)

SCALE: 1 INCH = 50 FEET



LEGEND	
	PROPERTY LINE
	SET BACK LINE
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	CURB
	BOLLARD
	CONCRETE
	SIGN
	STORMWATER MANAGEMENT AREA
	EXISTING CONCRETE MONUMENT
	PROPOSED CONCRETE MONUMENT

MATCHLINE - REFER TO SHEET CR-109

11/2/23	REVISED PER FLOODPLAIN UPDATE	7.
6/15/23	REVISED PER FLOODPLAIN UPDATE	6.
1/23/23	REVISED PER COUNTY COMMENTS	5.
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SIGNATURE: BRIAN M. CONLON DATE SIGNED: 11/2/23
PROFESSIONAL ENGINEER DE Lic. No. 13413

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APPLICATION # 2021-0470
EXPLORATORY MAJOR LAND DEVELOPMENT PLAN
ST. GEORGES HUNDRED
NEW CASTLE COUNTY DELAWARE
Drawing Title

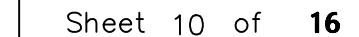
RECORD MAJOR LAND DEVELOPMENT PLAN

Project No.	220155501	CR-108
Date	31 JANUARY 2022	
Drawn By	TFH	
Checked By	BMC	
Sheet 9 of 16		



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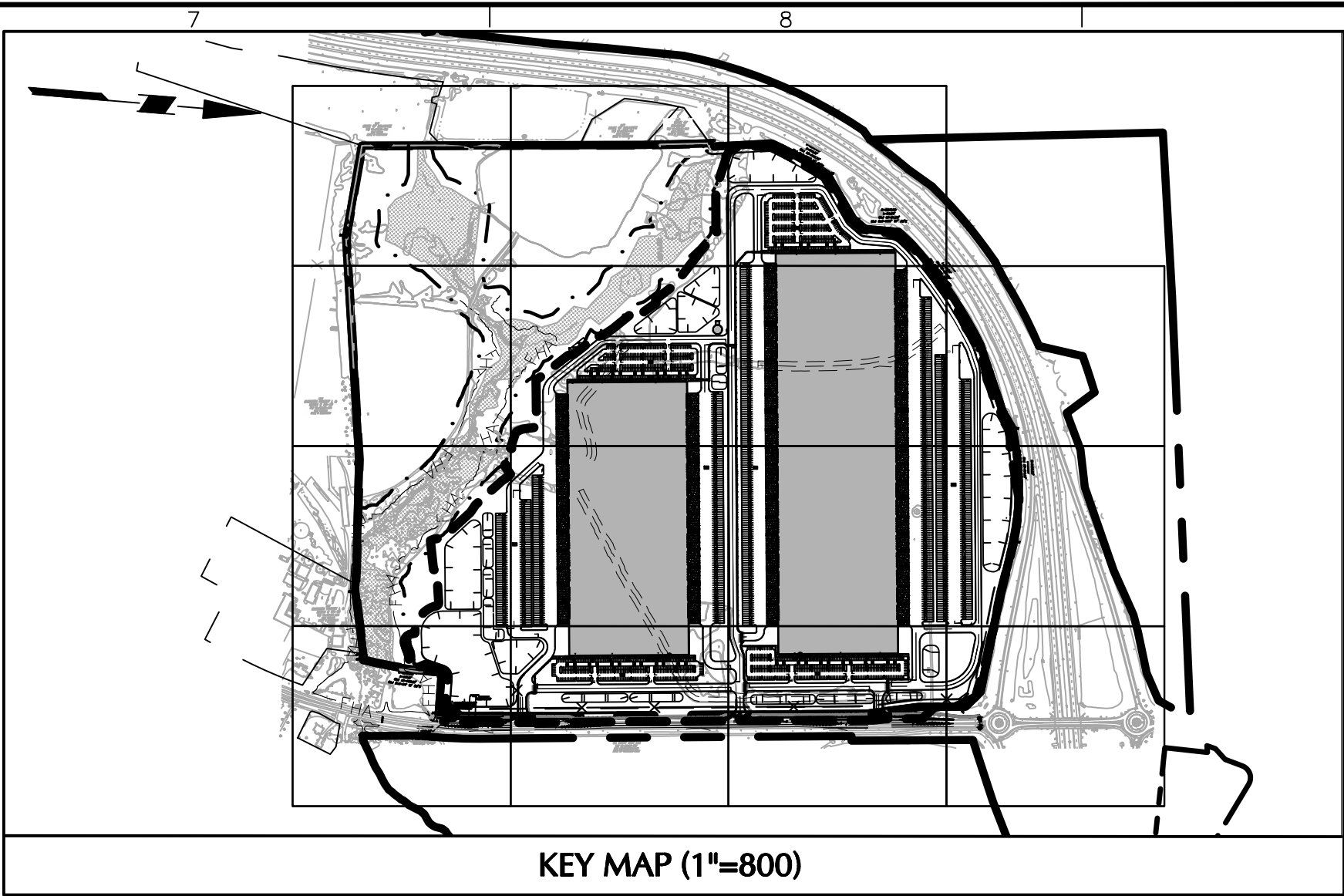
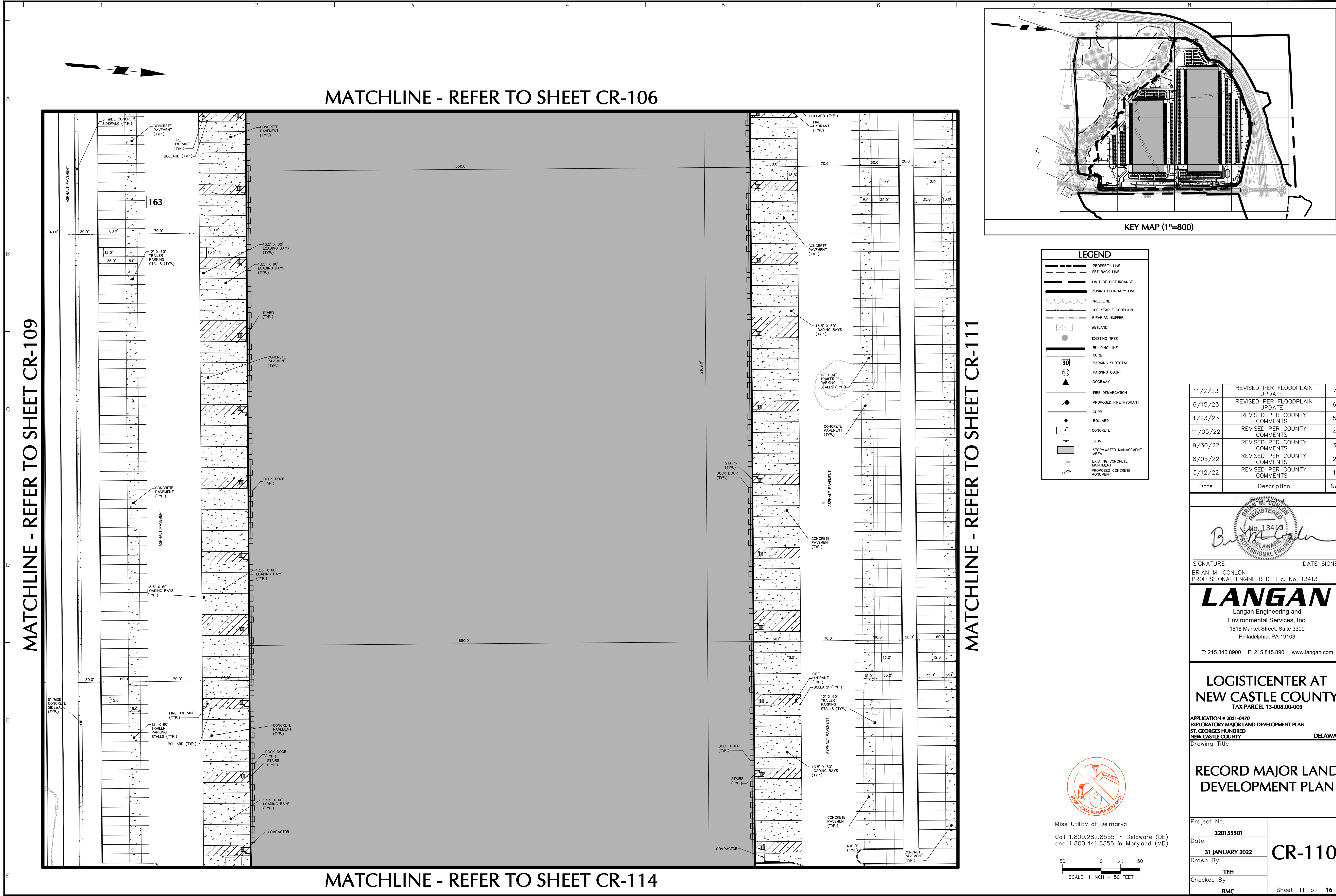


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LOADING

MATCHLINE - REFER TO SHEET CR-109

MATCHLINE - REFER TO SHEET CR-111



LEGEND	
	PROPERTY LINE
	SET BACK LINE
	LIMIT OF DISTURBANCE
	ZONING BOUNDARY LINE
	TREE LINE
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	RIPIARIAN BUFFER
	WETLAND
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	PARKING SUBTOTAL
	PARKING COUNT
	DOORWAY
	FIRE DEMARCATION
	PROPOSED FIRE HYDRANT
	CURB
	BOLLARD
	CONCRETE
	SIGN
	STORMWATER MANAGEMENT AREA
	EXISTING CONCRETE MONUMENT
	PROPOSED CONCRETE MONUMENT

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5/12/22	REVISED PER COUNTY COMMENTS	1.
Date	Description	No.

SIGNATURE
BRIAN M. CONLON
PROFESSIONAL ENGINEER DE Lic. No. 13413

DATE SIGNED

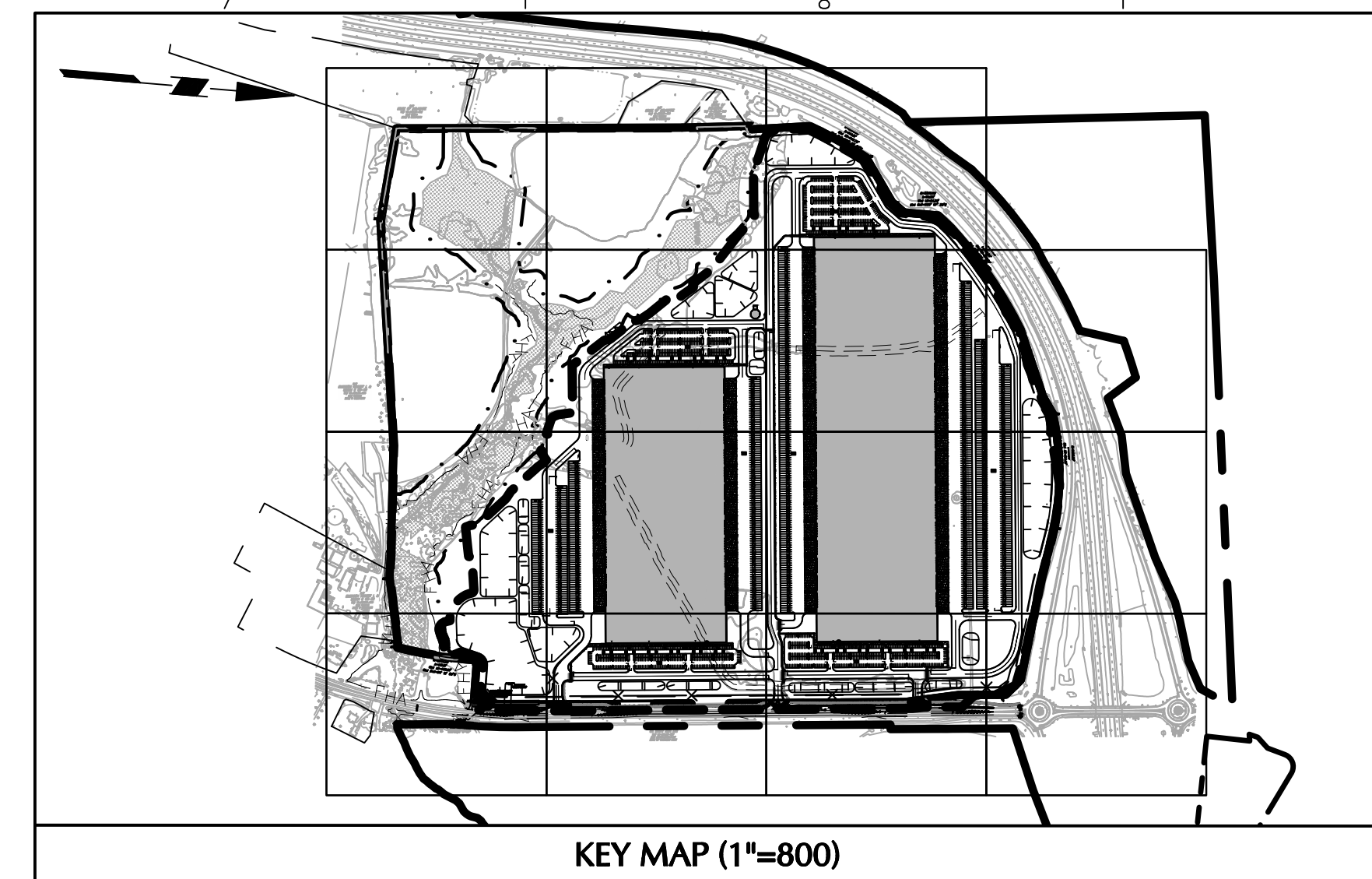
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NEW CASTLE COUNTY**
TAX PARCEL 13-008.00-003
APPLICATION # 2021-0470
EXPLORATORY MAJOR LAND DEVELOPMENT PLAN
ST. GEORGES HUNDRED
NEW CASTLE COUNTY
DELAWARE
Drawing Title

**RECORD MAJOR LAND
DEVELOPMENT PLAN**

Project No.	220155501	CR-110
Date	31 JANUARY 2022	
Drawn By	TFH	
Checked By	BMC	
Sheet 11 of 16		

Miss Utility of Delmarva
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and 1.800.441.8355 in Maryland (MD)



LEGEND

	PROPERTY LINE
	SET BACK LINE
	LIMIT OF DISTURBANCE
	ZONING BOUNDARY LINE
	TREE LINE
	100' YEAR FLOODPLAIN
	RIPARIAN BUFFER
	WETLAND
	EXISTING TREE
	BUILDING LINE
	CURB
	PARKING SUBTOTAL
	PARKING COUNT
	DOORWAY
	FIRE DEMARCATION
	PROPOSED FIRE HYDRANT
	CURB
	BOLLARD
	CONCRETE
	SIGN
	STORMWATER MANAGEMENT AREA
	EXISTING CONCRETE MONUMENT
	PROPOSED CONCRETE MONUMENT

11/2/23	REVISED PER FLOODPLAIN UPDATE	7
6/15/23	REVISED PER FLOODPLAIN UPDATE	6
1/23/23	REVISED PER COUNTY COMMENTS	5
11/05/22	REVISED PER COUNTY COMMENTS	4
9/30/22	REVISED PER COUNTY COMMENTS	3
8/05/22	REVISED PER COUNTY COMMENTS	2
5/12/22	REVISED PER COUNTY COMMENTS	1
Date	Description	No

Revisions
BRIAN M. CONDON
REGISTERED
No. 13413
DELAWARE
PROFESSIONAL ENGINEER

SIGNATURE _____ DATE SIGNED _____
BRIAN M. CONLON
PROFESSIONAL ENGINEER DE Lic. No. 13413

LANGAN
Langan Engineering and
Environmental Services, Inc.
1818 Market Street, Suite 3300
Philadelphia, PA 19103

T: 215.845.8900 F: 215.845.8901 www.langan.com

**LOGISTICENTER AT
NEW CASTLE COUNTY**
TAX PARCEL 13-008.00-003

APPLICATION # 2021-0470
EXPLORATORY MAJOR LAND DEVELOPMENT PLAN
ST. GEORGES HUNDRED
NEW CASTLE COUNTY

RECORD MAJOR LAND DEVELOPMENT PLAN

Project No.	CR-111 Sheet 12 of 16
220155501	
Date	
31 JANUARY 2022	
Drawn By	
TFH	
Checked By	
BMC	

Miss Utility of Delmarva

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and 1.800.441.8355 in Maryland (MD)

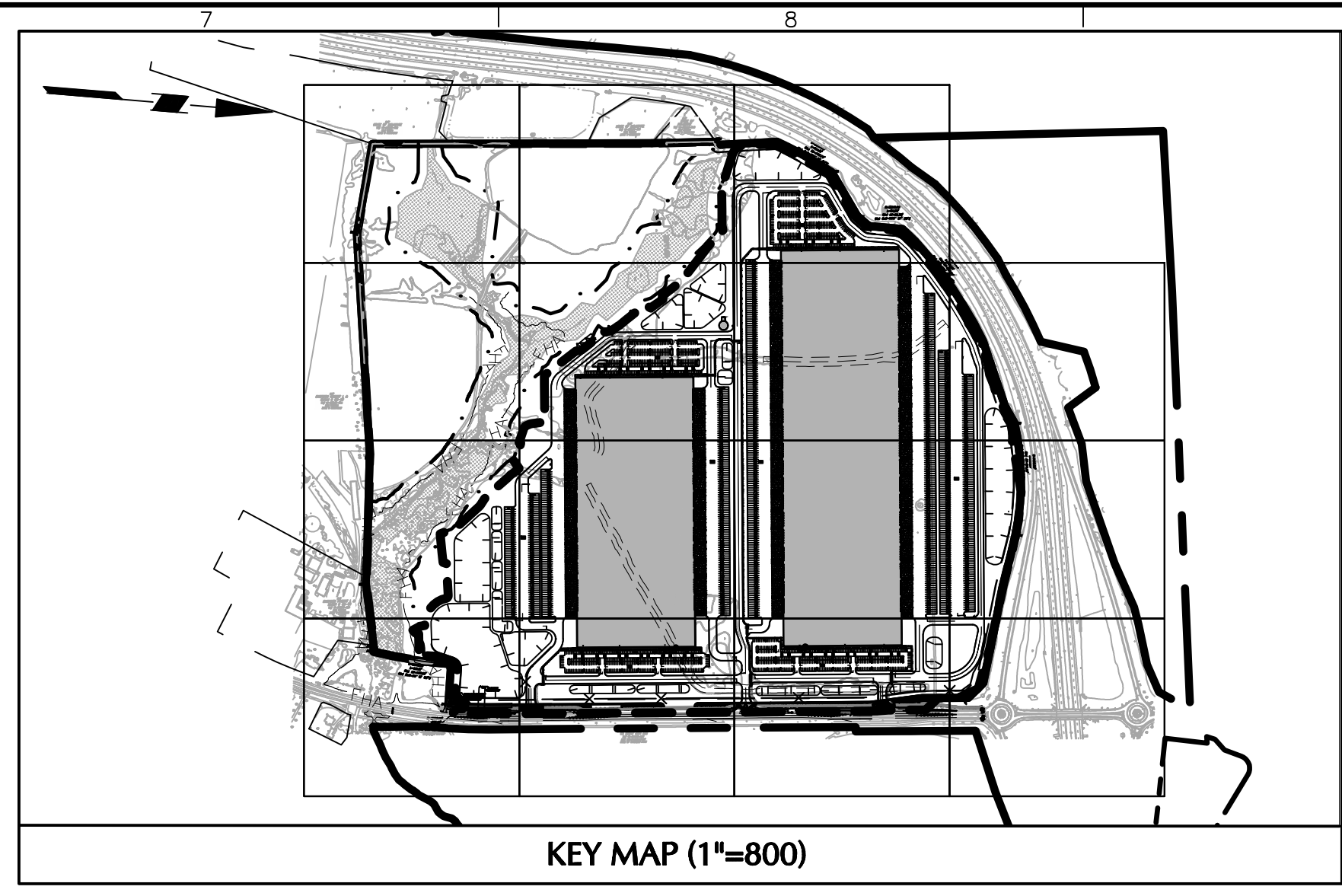
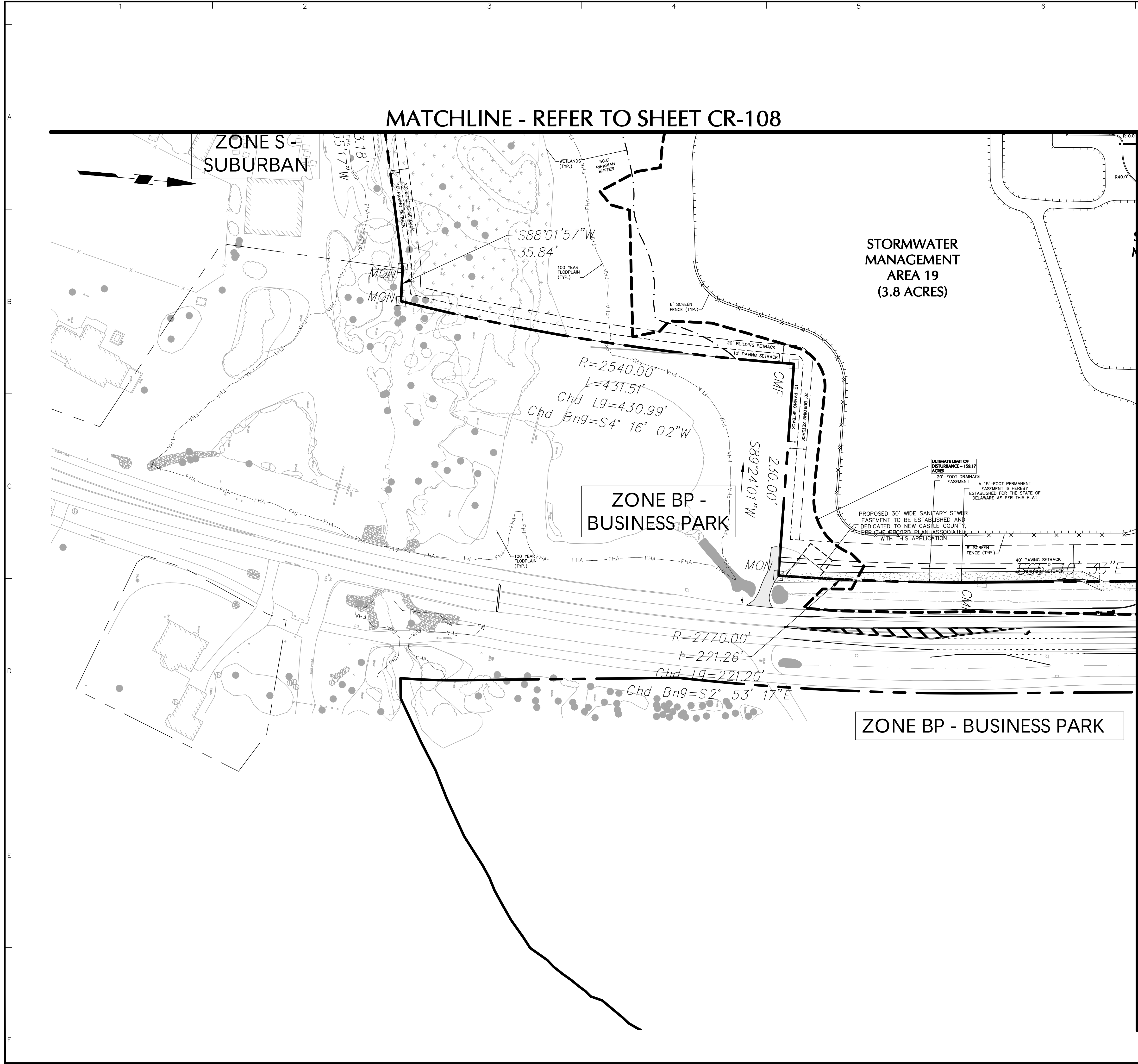


MATCHLINE - REFER TO SHEET CR-110

MATCHLINE - REFER TO SHEET CR-107

STORMWATER MANAGEMENT 7 AREA (2.6 ACRES)

MATCHLINE - REFER TO SHEET CR-115



LEGEND	
	PROPERTY LINE
	SET BACK LINE
	LIMIT OF DISTURBANCE
	ZONING BOUNDARY LINE
	TREE LINE
	100 YEAR FLOODPLAIN
	RIPIARIAN BUFFER
	WETLAND
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6/15/23	REVISED PER FLOODPLAIN UPDATE	6.
1/23/23	REVISED PER COUNTY COMMENTS	5.
11/05/22	REVISED PER COUNTY COMMENTS	4.
9/30/22	REVISED PER COUNTY COMMENTS	3.
8/05/22	REVISED PER COUNTY COMMENTS	2.
5/12/22	REVISED PER COUNTY COMMENTS	1.

SIGNATURE
BRIAN M. CONLON
PROFESSIONAL ENGINEER DE Lic. No. 13413

DATE SIGNED

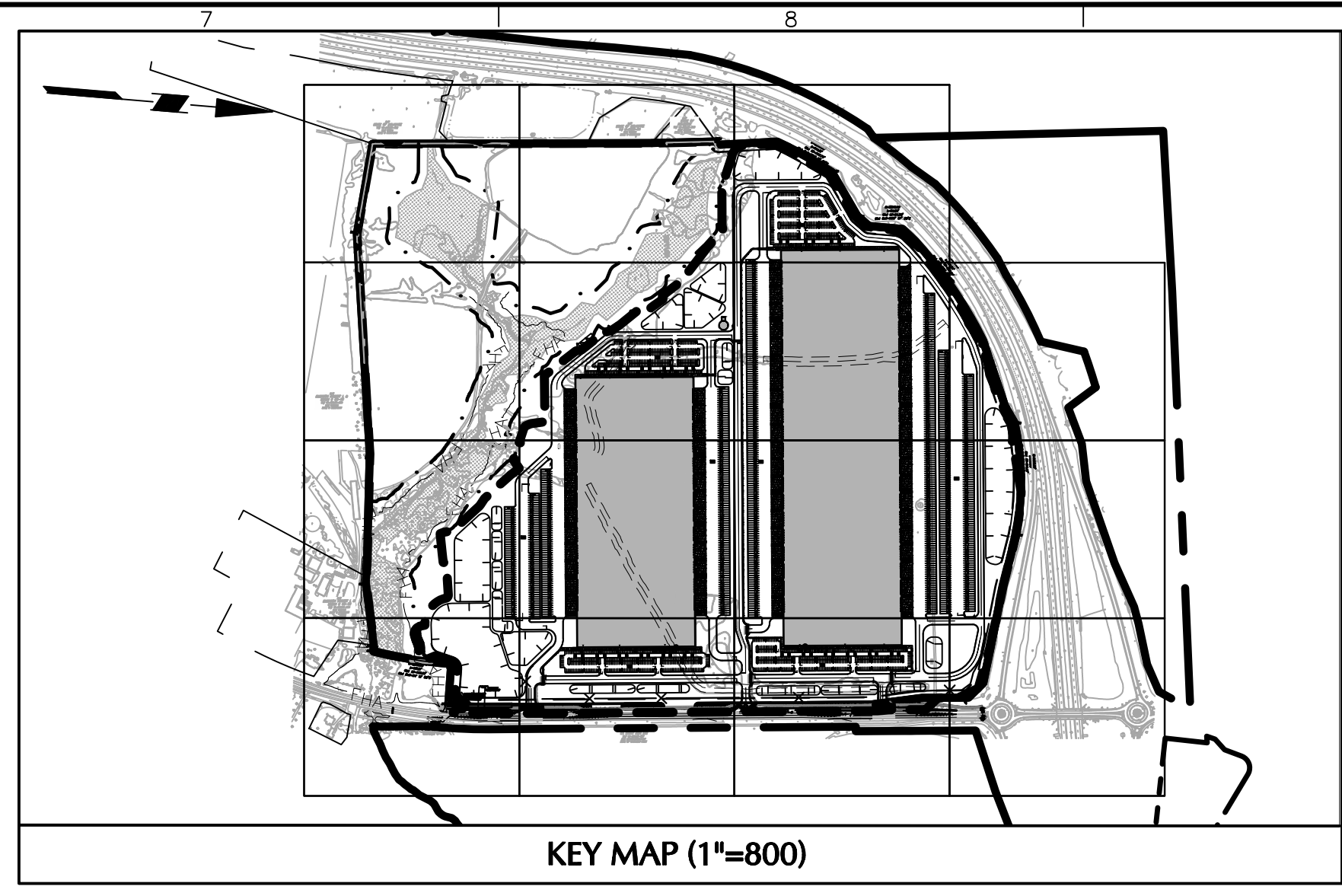
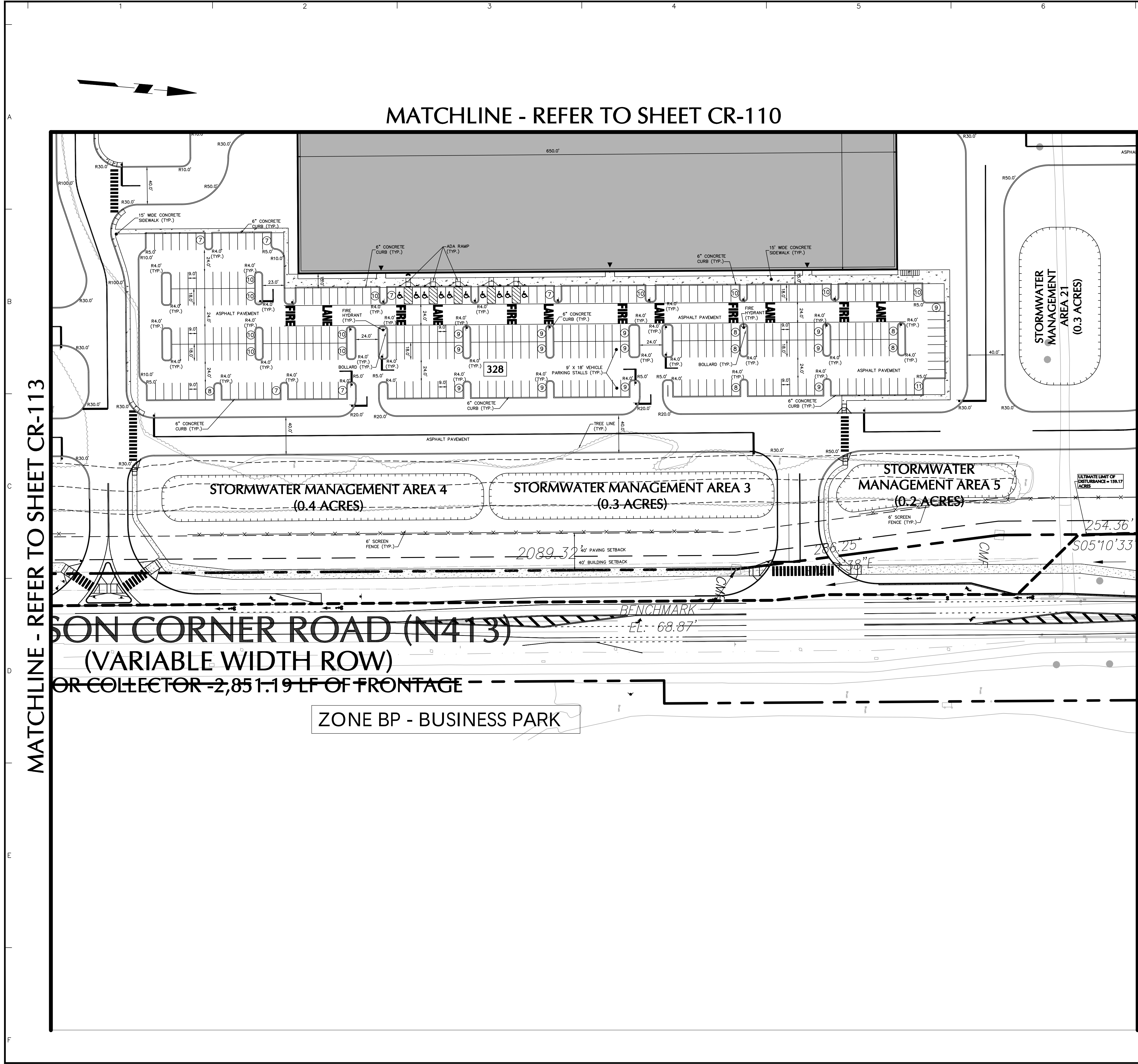
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**LOGISTICENTER AT
NEW CASTLE COUNTY**
TAX PARCEL 13-008.00-003
APPLICATION # 2021-0470
EXPLORATORY MAJOR LAND DEVELOPMENT PLAN
ST. GEORGES HUNDRED
NEW CASTLE COUNTY
DELAWARE
Drawing Title

**RECORD MAJOR LAND
DEVELOPMENT PLAN**

Project No.	220155501	CR-112
Date	31 JANUARY 2022	
Drawn By	TFH	
Checked By	BMC	
Sheet 13 of 16		

Miss Utility of Delmarva
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LEGEND	
	PROPERTY LINE
	SET BACK LINE
	LIMIT OF DISTURBANCE
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	STORMWATER MANAGEMENT AREA
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1/23/23	REVISED PER COUNTY COMMENTS	5.
11/05/22	REVISED PER COUNTY COMMENTS	4.
9/30/22	REVISED PER COUNTY COMMENTS	3.
8/05/22	REVISED PER COUNTY COMMENTS	2.
5/12/22	REVISED PER COUNTY COMMENTS	1.

SIGNATURE
BRIAN M. CONLON
PROFESSIONAL ENGINEER DE Lic. No. 13413

DATE SIGNED

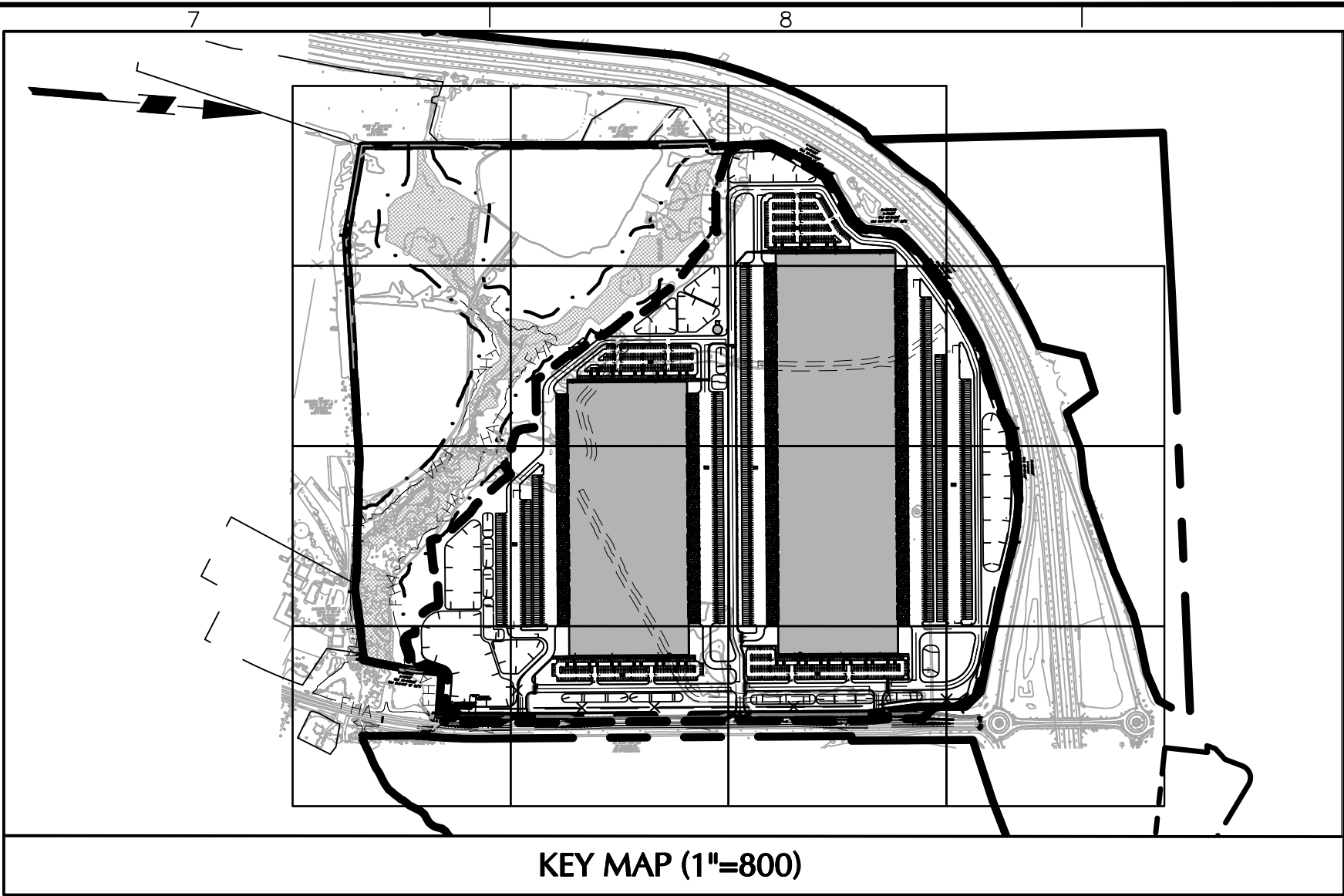
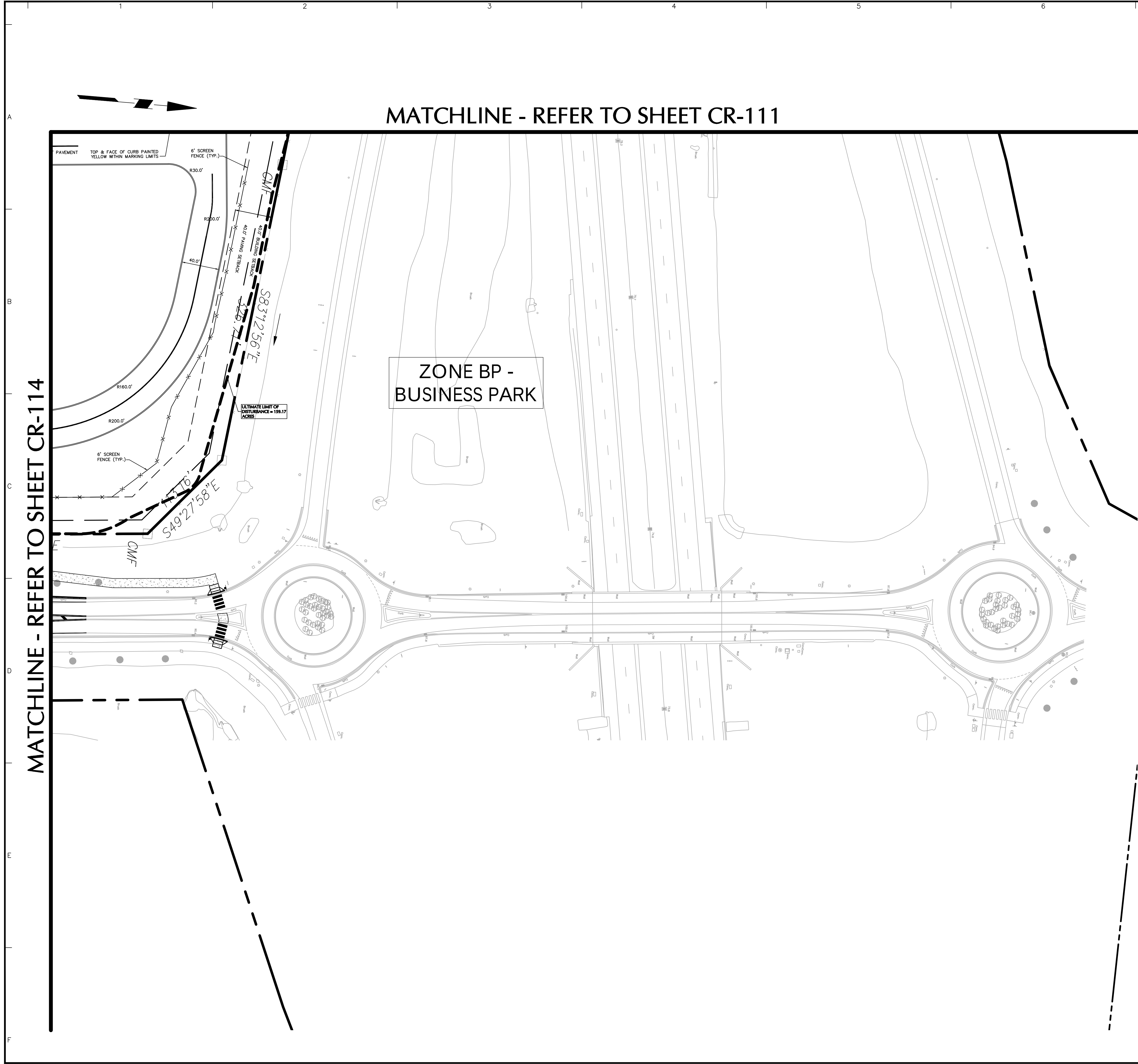
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**LOGISTICENTER AT
NEW CASTLE COUNTY**
TAX PARCEL 13-008.00-003
APPLICATION # 2021-0470
EXPLORATORY MAJOR LAND DEVELOPMENT PLAN
ST. GEORGES HUNDRED
NEW CASTLE COUNTY DELAWARE
Drawing Title

RECORD MAJOR LAND DEVELOPMENT PLAN	
Project No. 220155501	
Date 31 JANUARY 2022	CR-114
Drawn By TFH	
Checked By BMC	
Sheet 15 of 16	
DWG Date: 11/2/2023 Time: 12:30 User: tholmes Style Table: Langan.stb Layout: EXP-11	

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and 1.800.441.8355 in Maryland (MD)

SCALE: 1 INCH = 50 FEET



LEGEND	
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8/05/22	REVISED PER COUNTY COMMENTS	2.
5/12/22	REVISED PER COUNTY COMMENTS	1.



SIGNATURE
BRIAN M. CONLON
PROFESSIONAL ENGINEER DE Lic. No. 13413

DATE SIGNED

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**LOGISTICENTER AT
NEW CASTLE COUNTY**
TAX PARCEL 13-008.00-003

APPLICATION # 2021-0470
EXPLORATORY MAJOR LAND DEVELOPMENT PLAN
ST. GEORGES HUNDRED
NEW CASTLE COUNTY
DELAWARE

Drawing Title

**RECORD MAJOR LAND
DEVELOPMENT PLAN**

Project No.	220155501
Date	31 JANUARY 2022
Drawn By	TFH
Checked By	BMC

Sheet 16 of 16



Miss Utility of Delmarva

Call 1.800.282.8555 in Delaware (DE)
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SCALE: 1 INCH = 50 FEET

Prime Sponsor(s): Ms. Kilpatrick
Requested by: Public Works Department
Date of introduction: November 14, 2023

ORDINANCE NO. 23-156

**TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 13 (“STORMWATER
MAINTENANCE DISTRICTS”) REGARDING STORMWATER MAINTENANCE
AND HILLS OF HOCKESSIN COMMUNITY**

1 **WHEREAS**, stormwater is an important water resource which supports, among
2 other things, groundwater recharge for drinking water supplies and base-flow of streams;
3 and
4

5 **WHEREAS**, the requirements of the United States Environmental Protection
6 Agency and the Delaware Department of Natural Resources and Environmental Control
7 demand a comprehensive approach to stormwater management by New Castle County;
8 and
9

10 **WHEREAS**, the federal regulations and Delaware state regulations require the
11 County to implement and fund a program of stormwater controls that address discharges
12 from the County’s regulated stormwater flows to local water bodies; and
13

14 **WHEREAS**, inadequate management of stormwater runoff throughout a
15 watershed can increase flood depths and velocities, contribute to erosion and sediment,
16 overtax the carrying capacity of existing streams and storm sewers, greatly increase the
17 cost of public facilities to convey and manage stormwater, undermine floodplain
18 management and flood reduction efforts in upstream and downstream communities,
19 reduce groundwater recharge, and impact other related water resource needs and
20 threaten public health and safety; and
21

22 **WHEREAS**, in order to establish, operate, enhance, and maintain an effective and
23 efficient stormwater management, ensure the continued effective operation of the system
24 through installation and best management practices, and to provide other services such
25 as appropriate inspections, asset management, and regulatory oversight associated with
26 stormwater and watershed management, sufficient and stable funding is required to fund
27 these public services; and
28

29 **WHEREAS**, given the above, New Castle County Council determined it to be in
30 the best interests of the County and its residents to create stormwater maintenance
31 districts to accomplish the above and, thereby, promote more attractive, safer, and
32 healthier neighborhoods; and

33 **WHEREAS**, County Council recently enacted *New Castle County Code* Chapter
34 13, Sections 13.01.001 – 13.01.007 (by means of Ordinance No. 21-144), creating
35 stormwater maintenance districts to provide an alternative to and assist property owners
36 who are responsible for performing maintenance of stormwater management facilities
37 within residential and mixed-use subdivisions, and to relieve property owners of the
38 burden of the actual maintenance; and
39

40 **WHEREAS**, Chapter 13 provides that a maintenance organization responsible for
41 a stormwater management facility within a subdivision established prior to enactment
42 thereof may petition to establish a stormwater maintenance district (“SWD”), using forms
43 established by the Public Works Department (the “Department”); moreover, the
44 Department is authorized to determine whether a SWD should be established based on
45 a maintenance organization’s compliance with *New Castle County Code* Chapter 12,
46 Article 6 (“Stormwater Management Facility and Watercourse Maintenance”); and
47

48 **WHEREAS**, the stormwater management facility in Hills of Hockessin falls under
49 the County’s jurisdiction, and is, in the opinion of County government, necessary for
50 efficient and economical stormwater management; and
51

52 **WHEREAS**, by way of background, the Hills of Hockessin maintenance
53 organization timely petitioned the Department for creation of a SWD (between July -
54 September, 2023); the petition (attached hereto) reflects the affirmative vote for inclusion
55 in the SWD program by the Hills of Hockessin community; and
56

57 **WHEREAS**, the petition includes, among other things, the requisite description of
58 the area incorporated in the proposed SWD, a list of the community members and mailing
59 addresses, applicable parcel numbers, signatures of the community members by parcel,
60 and the individual votes, either yes or no, by community members; and
61

62 **WHEREAS**, the Department supports the petition, which awaits the approval of
63 County Council; and
64

65 **WHEREAS**, if County Council enacts this ordinance, the SWD program will be
66 approved for the Hills of Hockessin community; subsequent to any approval by County
67 Council, all relevant information evidencing the establishment of the SWD will be recorded
68 with the Office of the Recorder of Deeds; and
69

70 **WHEREAS**, County Council has determined that the provisions of this Ordinance
71 substantially advance and are reasonably and rationally related to legitimate
72 government interests, including, but not limited to, promoting the public health, safety,
73 welfare, and quality of life of the present and future inhabitants of New Castle County,
74 generally, and the Hills of Hockessin community, in particular.

75 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
76

77 Section 1. *New Castle County Code* Chapter 13 (“Stormwater Maintenance
78 Districts”) is hereby amended by adding the material that is underscored and deleting the
79 material that is stricken, as set forth below:

80 ...
81 Sec. 13.01.008. Stormwater maintenance districts - approved.

82 A. Following are the Stormwater Maintenance Districts approved by County Council:

83 1. Whispering Woods...

84 2. Hills of Hockessin.
85

86 Section 2. This Ordinance shall become effective upon its adoption by County
87 Council and approval by the County Executive, or as otherwise provided in 9 *Del. C. §*
88 1156.
89

Adopted by County Council of
New Castle County on:

Karen M. Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
of New Castle County

SYNOPSIS: This Ordinance, if approved, approves a Stormwater Maintenance District and will establish a Stormwater District Maintenance Fee for the Hills of Hockessin community for the maintenance of one pond servicing 18 lots.

FISCAL NOTE: This Ordinance, if approved, creates a Stormwater Maintenance District and will establish a Stormwater District Maintenance Fee for the Hills of Hockessin community. The fee will be included on the County tax bills beginning in the 2024 tax year to cover anticipated costs for a period of 18 months (January 2024 – June 2025). After which time, the annual tax bills beginning with the 2025 tax year will cover anticipated costs for a period of 12 months (July - June). There will be no fiscal impact since the fee shall cover the maintenance and operational costs of the stormwater infrastructure.

Prime Sponsor(s): Ms. Kilpatrick
Requested by: Public Works Department
Date of introduction: November 14, 2023

ORDINANCE NO. 23-157

**TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 13 (“STORMWATER
MAINTENANCE DISTRICTS”) REGARDING STORMWATER MAINTENANCE
AND THORNBERRY COMMUNITY**

1 **WHEREAS**, stormwater is an important water resource which supports, among
2 other things, groundwater recharge for drinking water supplies and base-flow of
3 streams; and
4

5 **WHEREAS**, the requirements of the United States Environmental Protection
6 Agency and the Delaware Department of Natural Resources and Environmental Control
7 demand a comprehensive approach to stormwater management by New Castle
8 County; and
9

10 **WHEREAS**, the federal regulations and Delaware state regulations require the
11 County to implement and fund a program of stormwater controls that address
12 discharges from the County’s regulated stormwater flows to local water bodies; and
13

14 **WHEREAS**, inadequate management of stormwater runoff throughout a
15 watershed can increase flood depths and velocities, contribute to erosion and sediment,
16 overtax the carrying capacity of existing streams and storm sewers, greatly increase the
17 cost of public facilities to convey and manage stormwater, undermine floodplain
18 management and flood reduction efforts in upstream and downstream communities,
19 reduce groundwater recharge, and impact other related water resource needs and
20 threaten public health and safety; and
21

22 **WHEREAS**, in order to establish, operate, enhance, and maintain an effective
23 and efficient stormwater management, ensure the continued effective operation of the
24 system through installation and best management practices, and to provide other
25 services such as appropriate inspections, asset management, and regulatory oversight
26 associated with stormwater and watershed management, sufficient and stable funding
27 is required to fund these public services; and
28

29 **WHEREAS**, given the above, New Castle County Council determined it to be in
30 the best interests of the County and its residents to create stormwater maintenance
31 districts to accomplish the above and, thereby, promote more attractive, safer, and
32 healthier neighborhoods; and

33 **WHEREAS**, County Council recently enacted *New Castle County Code* Chapter
34 13, Sections 13.01.001 – 13.01.007 (by means of Ordinance No. 21-144), creating
35 stormwater maintenance districts to provide an alternative to and assist property
36 owners who are responsible for performing maintenance of stormwater management
37 facilities within residential and mixed-use subdivisions, and to relieve property owners
38 of the burden of the actual maintenance; and
39

40 **WHEREAS**, Chapter 13 provides that a maintenance organization responsible
41 for a stormwater management facility within a subdivision established prior to enactment
42 thereof may petition to establish a stormwater maintenance district (“SWD”), using
43 forms established by the Public Works Department (the “Department”); moreover, the
44 Department is authorized to determine whether a SWD should be established based on
45 a maintenance organization’s compliance with *New Castle County Code* Chapter 12,
46 Article 6 (“Stormwater Management Facility and Watercourse Maintenance”); and
47

48 **WHEREAS**, the stormwater management facility in Thornberry falls under the
49 County’s jurisdiction, and is, in the opinion of County government, necessary for
50 efficient and economical stormwater management; and
51

52 **WHEREAS**, by way of background, the Thornberry maintenance organization
53 timely petitioned the Department for creation of a SWD (between July - September,
54 2023); the petition (attached hereto) reflects the affirmative vote for inclusion in the
55 SWD program by the Thornberry community; and
56

57 **WHEREAS**, the petition includes, among other things, the requisite description of
58 the area incorporated in the proposed SWD, a list of the community members and
59 mailing addresses, applicable parcel numbers, signatures of the community members
60 by parcel, and the individual votes, either yes or no, by community members; and
61

62 **WHEREAS**, the Department supports the petition, which awaits the approval of
63 County Council; and
64

65 **WHEREAS**, if County Council enacts this ordinance, the SWD program will be
66 approved for the Thornberry community; subsequent to any approval by County
67 Council, all relevant information evidencing the establishment of the SWD will be
68 recorded with the Office of the Recorder of Deeds; and
69

70 **WHEREAS**, County Council has determined that the provisions of this
71 Ordinance substantially advance and are reasonably and rationally related to
72 legitimate government interests, including, but not limited to, promoting the public
73 health, safety, welfare, and quality of life of the present and future inhabitants of New
74 Castle County, generally, and the Thornberry community, in particular.

75 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
76

77 Section 1. *New Castle County Code* Chapter 13 (“Stormwater Maintenance
78 Districts”) is hereby amended by adding the material that is underscored and deleting
79 the material that is stricken, as set forth below.

80 ...
81 Sec. 13.01.008. Stormwater maintenance districts - approved.

82 A. Following are the Stormwater Maintenance Districts approved by County Council:

83 1. Whispering Woods...

84
85 3. Thornberry.

86
87 Section 2. This Ordinance shall become effective upon its adoption by County
88 Council and approval by the County Executive, or as otherwise provided in 9 *Del. C. §*
89 1156.

Adopted by County Council of
New Castle County on

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
of New Castle County

SYNOPSIS: This Ordinance, if approved, approves a Stormwater Maintenance District and will establish a Stormwater District Maintenance Fee for the Thornberry community for the maintenance of one pond servicing 19 lots.

FISCAL NOTE: This Ordinance, if approved, creates a Stormwater Maintenance District and will establish a Stormwater District Maintenance Fee for the Thornberry community. The fee will be included on the County tax bills beginning in the 2024 tax year to cover anticipated costs for a period of 18 months (January 2024 – June 2025). After which time, the annual tax bills beginning with the 2025 tax year will cover anticipated costs for a period of 12 months (July - June). There will be no fiscal impact since the fee shall cover the maintenance and operational costs of the stormwater infrastructure.

Prime Sponsor(s): Ms. George
Requested by: Public Works Department
Date of introduction: November 14, 2023

ORDINANCE NO. 23-158

**TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 13 (“STORMWATER
MAINTENANCE DISTRICTS”) REGARDING STORMWATER MAINTENANCE
AND ACADEMY HILL PHASE IV COMMUNITY**

1 **WHEREAS**, stormwater is an important water resource which supports, among
2 other things, groundwater recharge for drinking water supplies and base-flow of streams;
3 and
4

5 **WHEREAS**, the requirements of the United States Environmental Protection
6 Agency and the Delaware Department of Natural Resources and Environmental Control
7 demand a comprehensive approach to stormwater management by New Castle County;
8 and
9

10 **WHEREAS**, the federal regulations and Delaware state regulations require the
11 County to implement and fund a program of stormwater controls that address discharges
12 from the County’s regulated stormwater flows to local water bodies; and
13

14 **WHEREAS**, inadequate management of stormwater runoff throughout a
15 watershed can increase flood depths and velocities, contribute to erosion and sediment,
16 overtax the carrying capacity of existing streams and storm sewers, greatly increase the
17 cost of public facilities to convey and manage stormwater, undermine floodplain
18 management and flood reduction efforts in upstream and downstream communities,
19 reduce groundwater recharge, and impact other related water resource needs and
20 threaten public health and safety; and
21

22 **WHEREAS**, in order to establish, operate, enhance, and maintain an effective and
23 efficient stormwater management, ensure the continued effective operation of the system
24 through installation and best management practices, and to provide other services such
25 as appropriate inspections, asset management, and regulatory oversight associated with
26 stormwater and watershed management, sufficient and stable funding is required to fund
27 these public services; and
28

29 **WHEREAS**, given the above, New Castle County Council determined it to be in
30 the best interests of the County and its residents to create stormwater maintenance
31 districts to accomplish the above and, thereby, promote more attractive, safer, and
32 healthier neighborhoods; and

33 **WHEREAS**, County Council recently enacted *New Castle County Code* Chapter
34 13, Sections 13.01.001 – 13.01.007 (by means of Ordinance No. 21-144), creating
35 stormwater maintenance districts to provide an alternative to and assist property owners
36 who are responsible for performing maintenance of stormwater management facilities
37 within residential and mixed-use subdivisions, and to relieve property owners of the
38 burden of the actual maintenance; and
39

40 **WHEREAS**, Chapter 13 provides that a maintenance organization responsible for
41 a stormwater management facility within a subdivision established prior to enactment
42 thereof may petition to establish a stormwater maintenance district (“SWD”), using forms
43 established by the Public Works Department (the “Department”); moreover, the
44 Department is authorized to determine whether a SWD should be established based on
45 a maintenance organization’s compliance with *New Castle County Code* Chapter 12,
46 Article 6 (“Stormwater Management Facility and Watercourse Maintenance”); and
47

48 **WHEREAS**, the stormwater management facility in Academy Hill Phase IV falls
49 under the County’s jurisdiction, and is, in the opinion of County government, necessary
50 for efficient and economical stormwater management; and
51

52 **WHEREAS**, by way of background, the Academy Hill Phase IV maintenance
53 organization timely petitioned the Department for creation of a SWD (between July -
54 September, 2023); the petition (attached hereto) reflects the affirmative vote for inclusion
55 in the SWD program by the Academy Hill Phase IV community; and
56

57 **WHEREAS**, the petition includes, among other things, the requisite description of
58 the area incorporated in the proposed SWD, a list of the community members and mailing
59 addresses, applicable parcel numbers, signatures of the community members by parcel,
60 and the individual votes, either yes or no, by community members; and
61

62 **WHEREAS**, the Department supports the petition, which awaits the approval of
63 County Council; and
64

65 **WHEREAS**, if County Council enacts this ordinance, the SWD program will be
66 approved for the Academy Hill Phase IV community; subsequent to any approval by
67 County Council, all relevant information evidencing the establishment of the SWD will be
68 recorded with the Office of the Recorder of Deeds; and
69

70 **WHEREAS**, County Council has determined that the provisions of this Ordinance
71 substantially advance and are reasonably and rationally related to legitimate
72 government interests, including, but not limited to, promoting the public health, safety,
73 welfare, and quality of life of the present and future inhabitants of New Castle County,
74 generally, and the Academy Hill Phase IV community, in particular.

75 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
76

77 Section 1. *New Castle County Code* Chapter 13 (“Stormwater Maintenance
78 Districts”) is hereby amended by adding the material that is underscored and deleting the
79 material that is stricken, as set forth below.

80 ...
81 Sec. 13.01.008. Stormwater maintenance districts - approved.

82 A. Following are the Stormwater Maintenance Districts approved by County Council:

83 1. Whispering Woods...

84 4. Academy Hill Phase IV.

85 Section 2. This Ordinance shall become effective upon its adoption by County
86 Council and approval by the County Executive, or as otherwise provided in 9 *Del. C. §*
87 1156.
88
89

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
of New Castle County

SYNOPSIS: This Ordinance, if approved, approves a Stormwater Maintenance District and will establish a Stormwater District Maintenance Fee for the Academy Hill Phase IV community for the maintenance of one pond servicing 54 lots.

FISCAL NOTE: This Ordinance, if approved, creates a Stormwater Maintenance District and will establish a Stormwater District Maintenance Fee for the Academy Hill Phase IV community. The fee will be included on the County tax bills beginning in the 2024 tax year to cover anticipated costs for a period of 18 months (January 2024 – June 2025). After which time, the annual tax bills beginning with the 2025 tax year will cover anticipated costs for a period of 12 months (July - June). There will be no fiscal impact since the fee shall cover the maintenance and operational costs of the stormwater infrastructure.