



NEW CASTLE COUNTY COUNCIL LAND USE COMMITTEE MEETING

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

January 2, 2024
3:00 PM

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

MINUTES

A. Meeting Call to Order

The meeting was called to order at 3:00 PM.

Members present: J. William Bell, David Carter, John Cartier, Dee Durham, Valerie George, Karen Hartley-Nagle, Janet Kilpatrick, Timothy Sheldon, George Smiley, David Tackett, Brandon Toole

Members excused: Penrose Hollins

Members absent: Jea Street

B. Approval of Minutes

Motion by Mr. Smiley, **second** by Ms. Kilpatrick, to approve the minutes from November 21, 2023. The minutes were approved by voice vote.

C. Review/Discussion of Resolution(s)

R24-: TO AMEND THE MAINTENANCE DECLARATION FOR WHISPERING WOODS BY AN AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS, AND RESTRICTIONS OF WHISPERING WOODS; APPLICATION NO. 2023-0413; COUNCIL DISTRICT 6 Introduced by: Mr. Carter

- Comments from Council – none
- Comments from the public – none
- Vote – No vote was taken

D. Review/Discussion of Ordinance(s)

°23-084: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 ("UNIFIED DEVELOPMENT CODE" OR "UDC"), ARTICLE 25 ("DESIGN") REGARDING HAMLET AND VILLAGE DESIGN AND LOCATION Introduced by: Mr. Tackett, Ms. Kilpatrick

- Presentation by Betsy Hatch, Land Use Planner
- Comments from Council – Comments from Mr. Carter, Ms. Durham, Ms. Hartley-Nagle, Mr. Cartier, Ms. Kilpatrick, and Mr. Bell with response from Assistant Land Use Manager, Antoni Sekowski
- Comments from the public – Comments from Larry Tarabicos, Ann Chisholm, Neal Cantrell, and Shawn Tucker

- Vote – No vote was taken

°23-095: AMENDING NEW CASTLE COUNTY CODE CHAPTER 40 (THE “UNIFIED DEVELOPMENT CODE”) TO ESTABLISH A PROTECTED OPEN SPACE ZONING DISTRICT Introduced by: Mr. Carter, Ms. Durham, Mr. Toole, Mr. Cartier

- Comments from Council – Comments from Ms. Kilpatrick, Mr. Carter, Mr. Tackett, Mr. Sheldon, Mr. Smiley, Mr. Cartier, and Ms. Durham with responses from Land Use General Manager, Charuni Patibanda and Land Use Planner, Matthew Rogers
- Comments from the public – comments from Larry Tarabicos, Neal Cantrell, Ann Chisholm, and Elizabeth Keller from The Committee of 100
- Vote – No vote was taken

SUBSTITUTE NO. 1 TO °23-104: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 (“UNIFIED DEVELOPMENT CODE” OR “UDC”), ARTICLE 3 (“USE REGULATIONS”), ARTICLE 5 (“SITE CAPACITY AND CONCURRENCY CALCULATIONS”), ARTICLE 8 (“NONCONFORMING SITUATIONS”), ARTICLE 26 (“MODIFICATION OF STANDARDS”), ARTICLE 31 (“PROCEDURES AND ADMINISTRATION”), ARTICLE 33 (“DEFINITIONS”), AND APPENDIX 7 (“GUIDING PRINCIPLES FOR DEVELOPMENT”), REGARDING DEVELOPMENT, REDEVELOPMENT, LARGE INDUSTRIAL STRUCTURES AND HEAVY RETAIL AND SERVICE USES, AND UPDATING THE GUIDING PRINCIPLES TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN Introduced by: Mr. Tackett, Ms. Kilpatrick

- Introduction by Land Use General Manager, Charuni Patibanda. Presentation by Land Use Planner, Matthew Rogers
- Comments from Council – Comments from Mr. Bell, Mr. Carter, Ms. Hartley-Nagle, and Ms. Kilpatrick with responses from Land Use Planner, Matthew Rogers
- Comments from the public – Comments by Joe Fitzgerald, Neal Cantrell, Larry Tarabicos, Sharon Steele, Elizabeth Keller from The Committee of 100, and Kim Hoffman with Morris James LLP with responses from Land Use General Manager, Charuni Patibanda and Land Use Planner, Matthew Rogers
- Vote – No vote was taken

E. Presentations

F. Other

G. Public Comment

H. Adjournment

Motion by Mr. Smiley, **second** by Ms. Kilpatrick, to adjourn the **Land Use Committee Meeting**. The motion was approved and the meeting was adjourned at 5:42 PM.