



NEW CASTLE COUNTY COUNCIL LAND USE COMMITTEE MEETING

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

January 16, 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

AGENDA

CANCELLED

This meeting is being canceled due to current weather conditions and the expectation of continued poor weather conditions, resulting in safety concerns regarding travel. Ordinance 23-083 will now be discussed at the February 6, 2024, Land Use Meeting, scheduled for 3:00 PM.

A. Meeting Call to Order

B. Approval of Minutes

C. Review/Discussion of Resolution(s)

D. Review/Discussion of Ordinance(s)

23-083: COMPREHENSIVE REZONING: TO REVISE THE NEW CASTLE COUNTY ZONING MAPS PURSUANT TO NEW CASTLE COUNTY CODE CHAPTER 40 (UNIFIED DEVELOPMENT CODE" OR UDC), ARTICLE 31 ("PROCEDURES AND ADMINISTRATION"), SECTION 40.31.113 ("EXPLORATORY PLAN REVIEW STAGE") REGARDING THE FOLLOWING TAX PARCELS Introduced by: Mr. Tackett, Ms. Kilpatrick

E. Presentations

F. Other

G. Public Comment

H. Adjournment

AGENDA POSTED: JANUARY 9, 2024

This meeting is being canceled due to current weather conditions and the expectation of continued poor weather conditions, resulting in safety concerns regarding travel. Ordinance 23-083 will now be discussed at the February 6, 2024, Land Use Meeting, scheduled for 3:00 PM.

*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. Tackett, Ms. Kilpatrick
Date of introduction: June 13, 2023

SUBSTITUTE NO. 1 TO ORDINANCE NO. 23-083

COMPREHENSIVE REZONING: TO REVISE THE NEW CASTLE COUNTY ZONING MAPS PURSUANT TO *NEW CASTLE COUNTY CODE* CHAPTER 40 (UNIFIED DEVELOPMENT CODE" OR UDC), ARTICLE 31 ("PROCEDURES AND ADMINISTRATION"), SECTION 40.31.113 ("EXPLORATORY PLAN REVIEW STAGE") REGARDING THE FOLLOWING TAX PARCELS:

APPOQUINIMINK HUNDRED: 14-010.00-002 (0 Middletown Warwick Rd), 14-010.00-003 (0 Strawberry Ln), 14-010.00-009 (0 Middletown Warwick Rd), 14-010.00-010 (1422 Middletown Warwick Rd), 14-010.00-011(323 Strawberry Ln), 14-010.00-015 (0 Strawberry Ln), 14-010.00-016 (1352 Middletown Warwick Rd), 14-010.00-017 (1330 Middletown Warwick Rd, Stardel Inc), 14-010.00-018 (1280 Middletown Warwick Rd), 14-010.00-026 (301 Strawberry Ln), 14-010.00-028 (0 Middletown Warwick Rd, Stardel Inc), 14-010.00-032 (1416 Middletown Warwick Rd, Shahan Subdivision);

ARDENTOWN: 27-001.00-001(2206 Millers Rd, Ardentown);

BRANDYWINE HUNDRED: 06-040.00-002 (0 Concord Pike Off, Woodlawn Trustees), 06-060.00-010 (1 Naamans Rd, Gilbert Subdivision), 06-077.00-274 (0 Concord Pike Off, First Unitarian Church), 06-122.00-081 (301 Carr Rd, Rockwood Office Park), 06-127.00-001 (742 Alapocas Dr, E I Dupont Denemours), 06-136.00-028 (20 Granite Rd, Wilmington Friends School), 06-147.00-017 (1204 Lighthouse Rd), 26-014.10-006 (1600 N Park Dr, Abessinio Stadium);

CHRISTIANA HUNDRED: 07-009.00-027 (17 Gun Club Rd, Auburn Valley), 07-009.00-028 (0 Creek Rd), 07-030.20-015 (0 New Bridge Rd), 07-043.40-054 (2 Highspeed Way), 07-043.40-055 (1400 Delmarva Ln, Russell W Peterson Urban Wildlife Refuge), 07-044.10-004 (1300 Delmarva Ln), 07-044.30-001 (0 S Madison St Off, Hub Marine & Industrial Acres Corp), 07-044.30-003 (0 S Madison St Off);

MILL CREEK HUNDRED: 07-009.00-027 (17 Gun Club Rd, Auburn Valley), 08-001.00-022 (1166 Yorklyn Rd, Auburn Valley), 08-007.40-124 (623 Yorklyn Rd, Hockessin Center), 09-008.00-010 (0 Creek Rd, 555 Paper Mill Road);

NEW CASTLE HUNDRED: 10-015.00-004 (2162 New Castle Ave), 10-017.00-003 (251 Churchmans Rd, Churchmans Office Complex), 10-030.00-046 (0 River Rd), 10-035.00-002 (300 S Dupont Hwy), 10-035.00-056 (790 Grantham Ln, Dellaversano Subdivision), 10-045.00-011(1345 River Rd), 10-045.00-012 (0 River Rd), 10-049.00-073 (0 River Rd, Delaware City Refining Co), 10-049.00-074 (1042 S Dupont Hwy, Stockton Dev Co), 10-050.00-007 (1421 River Rd, Tall Subdivision), 10-050.00-008 (0 River Rd), 10-050.00-009 (0 River Rd), 10-050.00-011 (1493 River Rd, Red Lion Energy Center), 10-050.00-012 (1545 River Rd, Getty Refining & Marketing Co), 10-050.00-013 (1426 River Rd,Tall Subdivision);

PENCADER HUNDRED: 11-014.00-044 (904 Old Baltimore Pike, Dayett Mills Inc), 11-014.00-045 (2029 Sunset Lake Rd), 11-018.00-012 (0 Eggerts Ln), 11-018.00-060 (0 Old Coochs Bridge Rd, Glasgow Commons), 11-018.00-061 (2001 Old Coochs Bridge Rd, Glasgow Commons), 11-018.00-062 (0 Dusk Run Rd, Glasgow Commons), 11-022.00-014 (2199 Pulaski Hwy, Glasgow Regional Park), 11-022.00-016 (0 Dusk Run Rd, Glasgow Commons), 11-025.00-026 (0 Pulaski Hwy Off, Upper Chesapeake Corporate Ctr), 11-032.00-001 (210 Benjamin Blvd), 11-032.00-259 (209 Benjamin Blvd), 11-058.00-009 (4 Troopers Way, Summit Aviation);

RED LION HUNDRED: 10-049.00-073 (0 River Rd, Delaware City Refining Co), 10-049.00-074 (1042 S Dupont Hwy, Stockton Dev Co), 12-002.00-024 (0 S Dupont Hwy), 12-006.00-041 (1535 Red Lion Rd, Harris Subdivision), 12-007.00-020 (4120 Wrangle Hill Rd, Bear Babe Ruth Kodiak Park), 12-013.00-081 (4110 Wrangle Hill Rd, Bear Babe Ruth Kodiak Park), 12-021.00-003 (4667 Wrangle Hill Rd, Delaware City Refining Co), 12-036.00-001 (0 Biggs Ln, Union Carbide Corp), 13-004.00-001 (309 Port Penn Rd, Union Carbide Corp);

ST GEORGES HUNDRED: 11-058.00-009 (4 Troopers Way, Summit Aviation), 13-004.00-001 (309 Port Penn Rd, Union Carbide Corp), 13-008.00-002 (715 Jamison Corner Rd, Town of Whitehall), 13-008.00-019 (2093 Dupont Pky), 13-008.00-027 (2256 Dupont Pky, Lester Subdivision), 13-008.00-028 (2105 Dupont Pky, Lester Subdivision), 13-008.00-044 (310 Hyetts Corner Rd, Hyetts Corner Road Water Treatment Plant), 13-008.00-045 (2229 Dupont Pky, Van Wingerden Associates), 13-008.00-053 (707 Jamison Corner Rd, Town of Whitehall), 13-008.00-058 (710 Hyetts Corner Rd, 13-009.00-001 (381 Port Penn Rd, Lighthouse Farm), 13-013.00-029 (2344 Dupont Pky), 13-013.00-030 (2348 Dupont Pky), 13-013.00-035 (2398 Dupont Pky, Shoppes of St Georges), 13-013.00-083 (0 Dupont Pky, Lester Subdivision), 13-013.00-148 (2356 Dupont Pky, Shoppes of St Georges), 13-013.00-249 (0 Dupont Pky);

WHITE CLAY CREEK HUNDRED: 09-008.00-010 (0 Creek Rd, 555 Paper Mill Road), 09-011.00-070 (606 Stanton Christiana Rd), 09-029.00-003 (39 E Regal Blvd), 09-029.00-015 (0 Chapman Rd), 09-030.30-091 (2008 Point Hamlet Rd, Christiana Village), 09-033.00-038 (475 Gender Rd, Breezewood Sec III).

WHEREAS, County Council adopted Substitute No. 2 to Ordinance No. 22-024 as amended by Floor Amendment No. 1 (“New Castle County Comprehensive Plan” or “the Plan”), on July 26, 2022, and the County Executive approved the Ordinance on August 4, 2022; and

WHEREAS, the Future Land Use Element and Map Series of the New Castle County Comprehensive Plan designates proposed future general distribution, location and extent of the uses of land consistent with goals, policies and measurable objectives enumerated in the Plan; and

WHEREAS, the New Castle County Comprehensive Plan guides and encourages sustainable economic development sensitive to the context of neighboring residential developments; and

WHEREAS, the New Castle County Comprehensive Plan guides and encourages preservation efforts to best protect important ecological habitats; and

WHEREAS, 9 Del. C. § 2660 requires New Castle County to amend its official zoning map within eighteen months of the date of adoption of a revision to the county comprehensive plan “to rezone all lands in accordance with the uses and intensities of uses provided for in the future land use element for the County”; and

WHEREAS, County Council has determined that the amendments to the zoning map substantially advance, and are reasonably and rationally related to, legitimate government interests (i.e., promoting the health, safety, morals, convenience, order, prosperity and/or welfare of the present and future inhabitants of this State).

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

Section 1. The Zoning Maps of Appoquinimink Hundred, Ardentown, Brandywine Hundred, Christiana Hundred, Mill Creek Hundred, New Castle Hundred, Pencader Hundred, Red Lion Hundred, St Georges Hundred, and White Clay Creek Hundred, as amended, are hereby further amended by changing the zoning classification of the land shown on attached Exhibit “A”, Maps 1-38 dated October 26, 2023, as set forth therein.

Section 2. This Ordinance shall become effective immediately upon passage by New Castle County Council and approval of the County Executive, or as otherwise provided in 9 Del. C. § 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
New Castle County

SYNOPSIS: Same as Title.

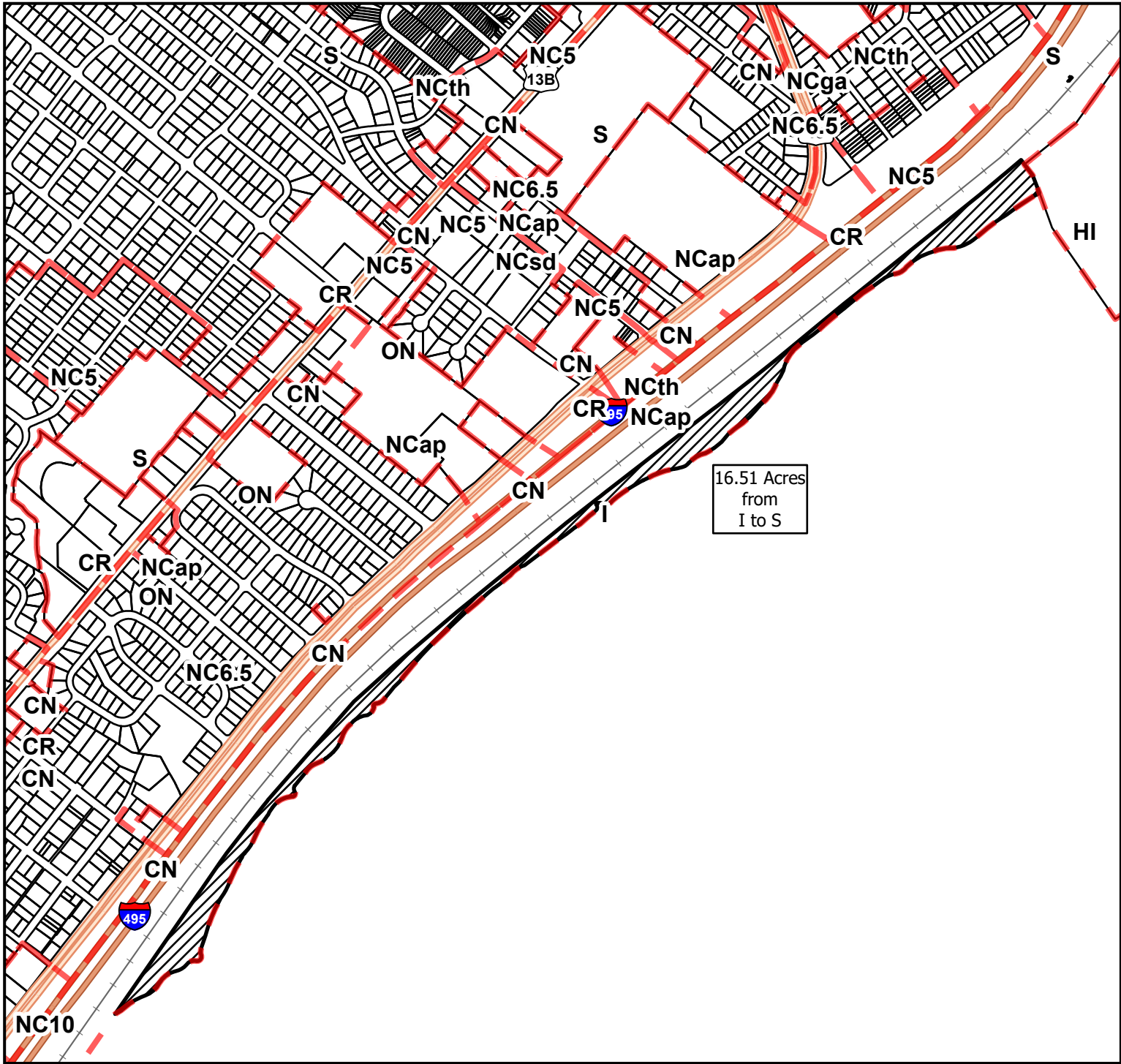
FISCAL IMPACT: There is no discernible fiscal impact with the adoption of this legislation.

SYNOPSIS: The following parcels existing zoning has been reconfirmed and will remain zoned Suburban by this ordinance:

06-136.00-028
10-045.00-011
10-045.00-012
10-049.00-073
10-049.00-074
10-050.00-007
10-050.00-008
10-050.00-009
10-050.00-011
10-050.00-012
10-050.00-013
12-021.00-003
13-004.00-001
13-008.00-002
13-008.00-053
13-009.00-001

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 06-147.00-017



HUNDRED: BRANDYWINE HUNDRED
NEW CASTLE COUNTY, DELAWARE

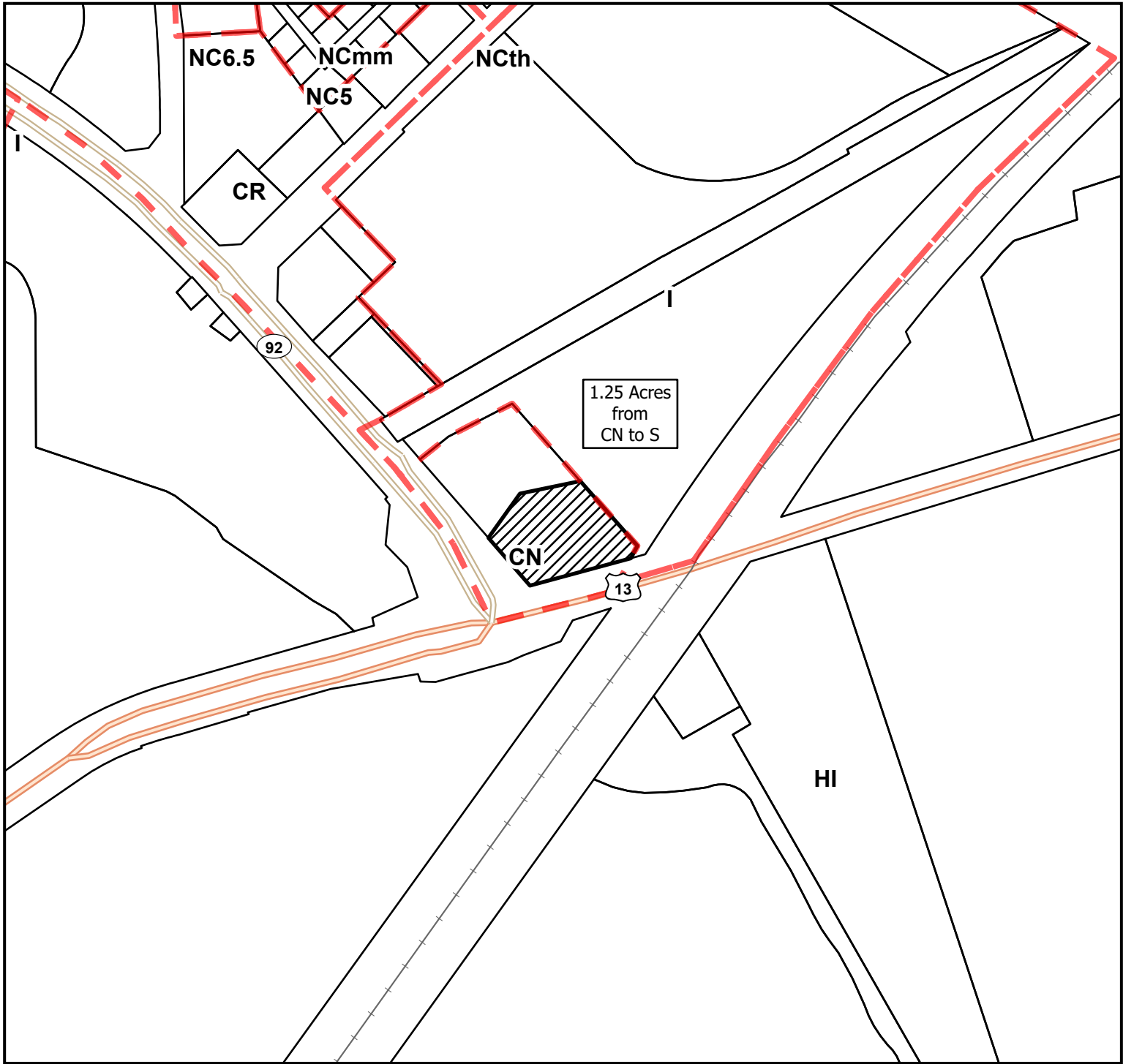
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Prepared by: MTRogers
Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: CN ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 06-060.00-010



HUNDRED: BRANDYWINE HUNDRED
NEW CASTLE COUNTY, DELAWARE

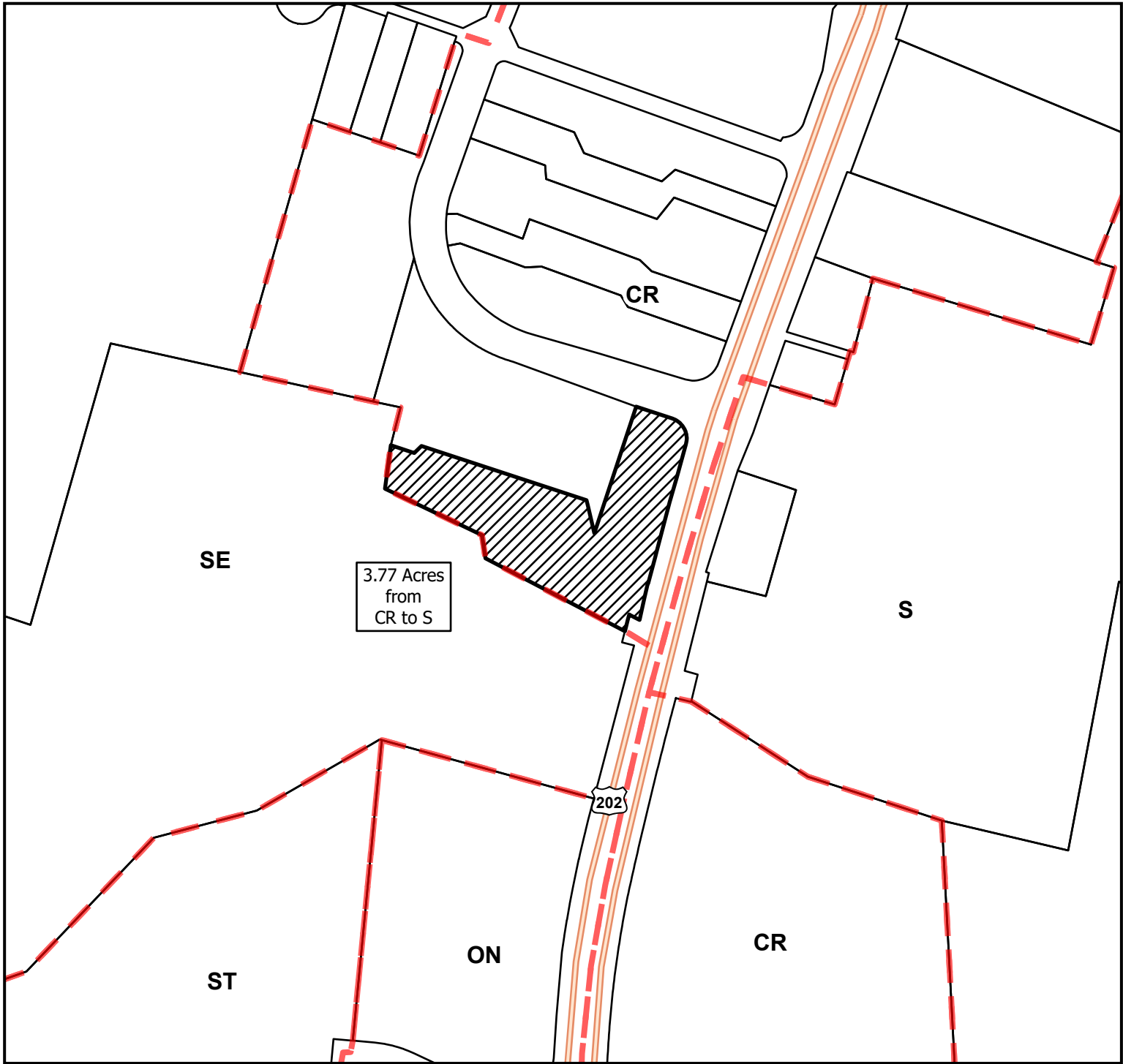
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Prepared by: MTRogers
Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: CR ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 06-040.00-002



HUNDRED: BRANDYWINE HUNDRED
NEW CASTLE COUNTY, DELAWARE

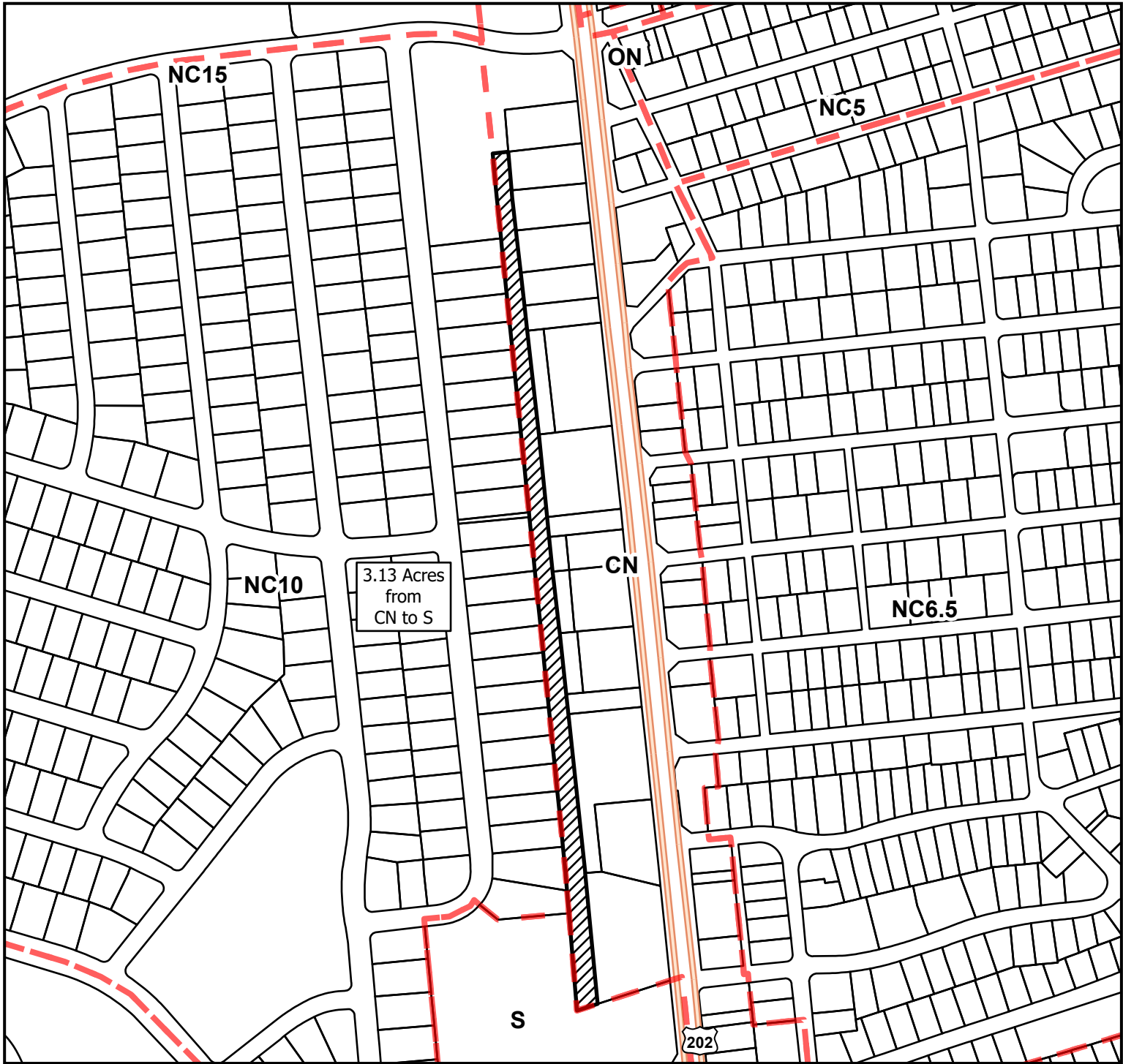
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Prepared by: MTRogers
Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: CN ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 06-077.00-274



HUNDRED: BRANDYWINE HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:5,000
Prepared by: MTRogers
Date: 10/26/2023

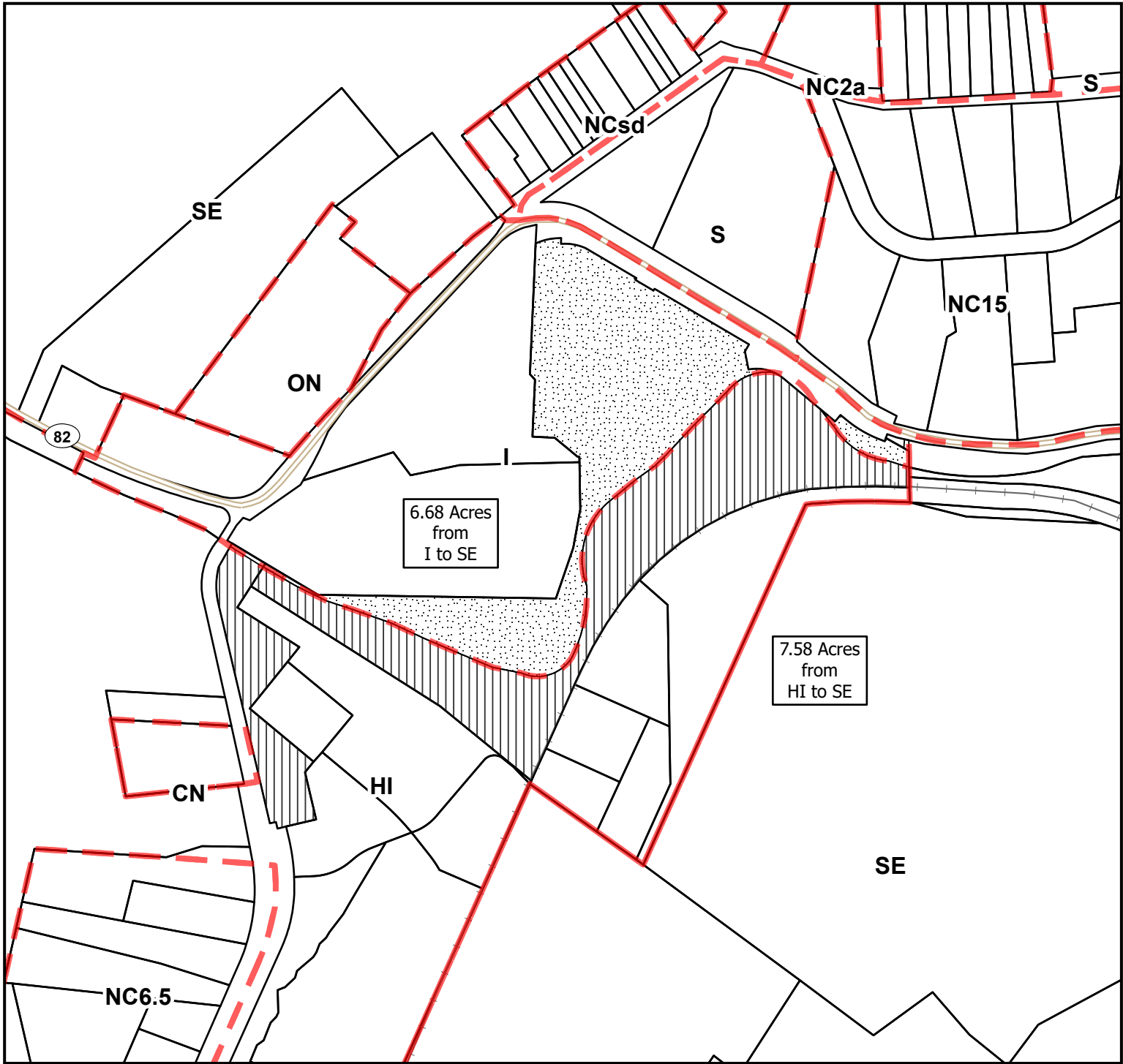


PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

PROPERTY MAP

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: HI ZONING TO SE ZONING
I ZONING TO SE ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 07-009.00-027; 07-009.00-028;
08-001.00-022



HUNDRED: CHRISTIANA HUNDRED
MILL CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:4,000
Prepared by: MTRogers
Date: 10/26/2023

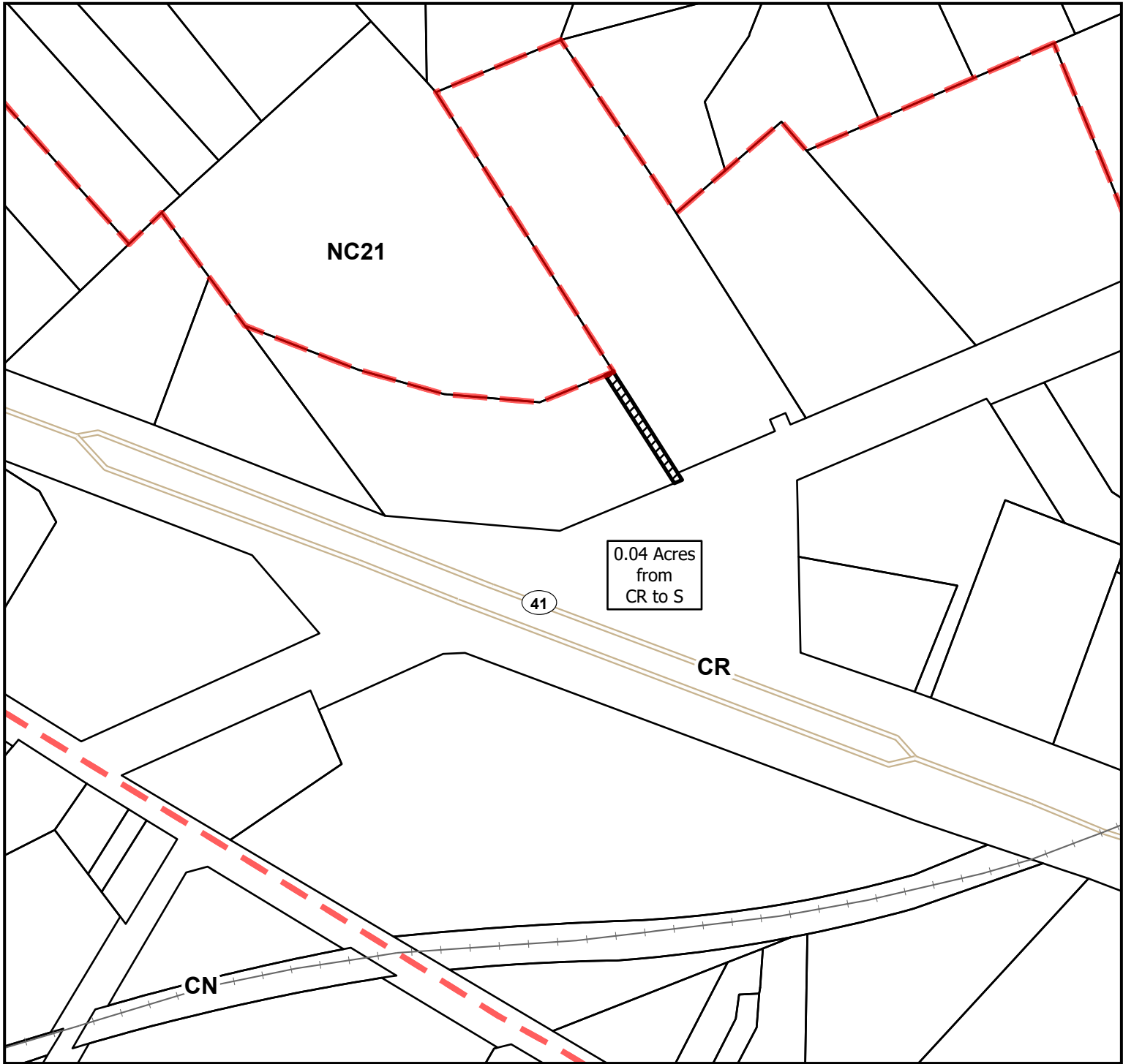


||||| HI to SE
..... I to SE

PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: CR ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 08-007.40-124



HUNDRED: MILL CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

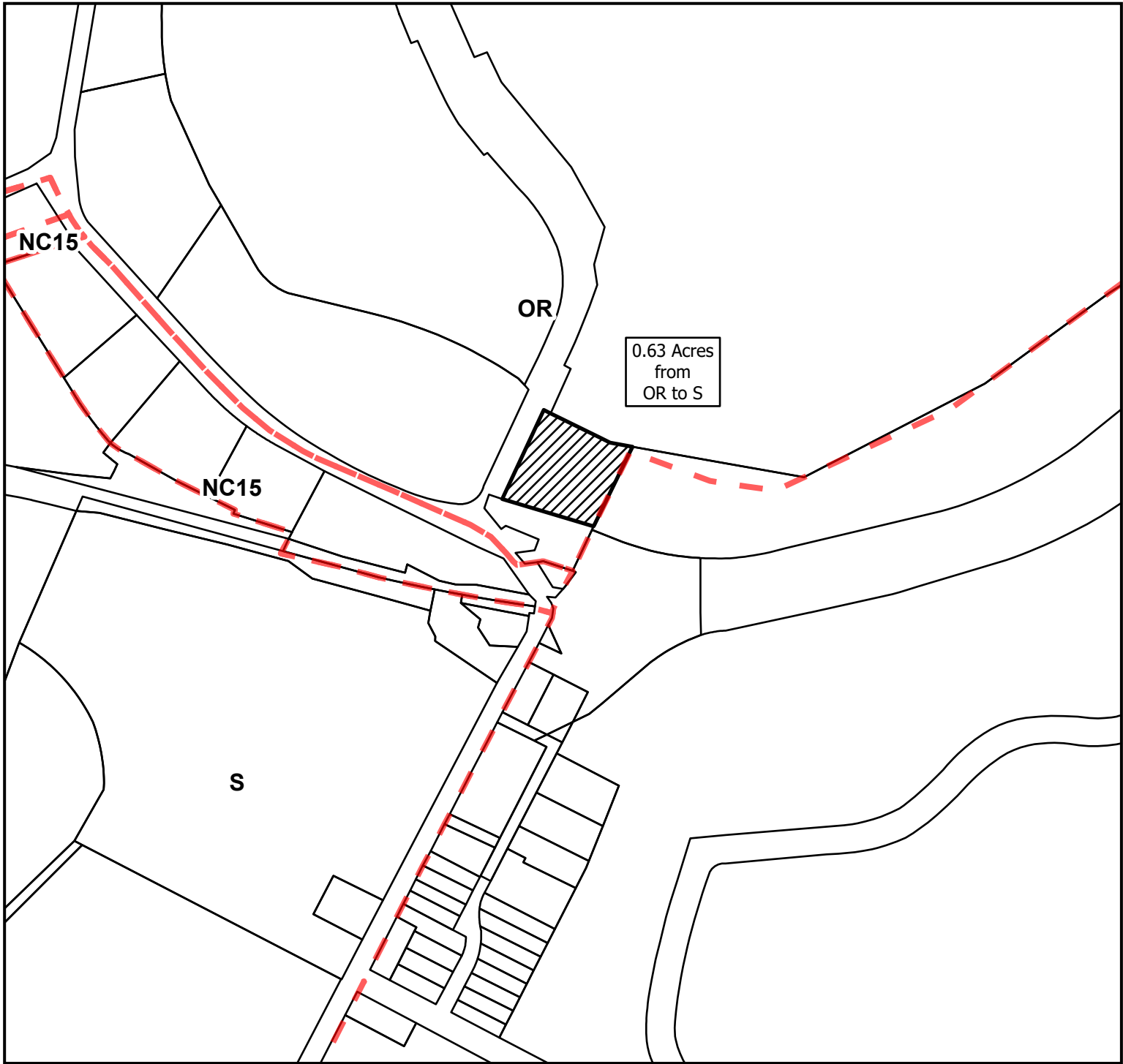
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Prepared by: MTRogers
Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: OR ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 07-030.20-015



HUNDRED: CHRISTIANA HUNDRED
NEW CASTLE COUNTY, DELAWARE

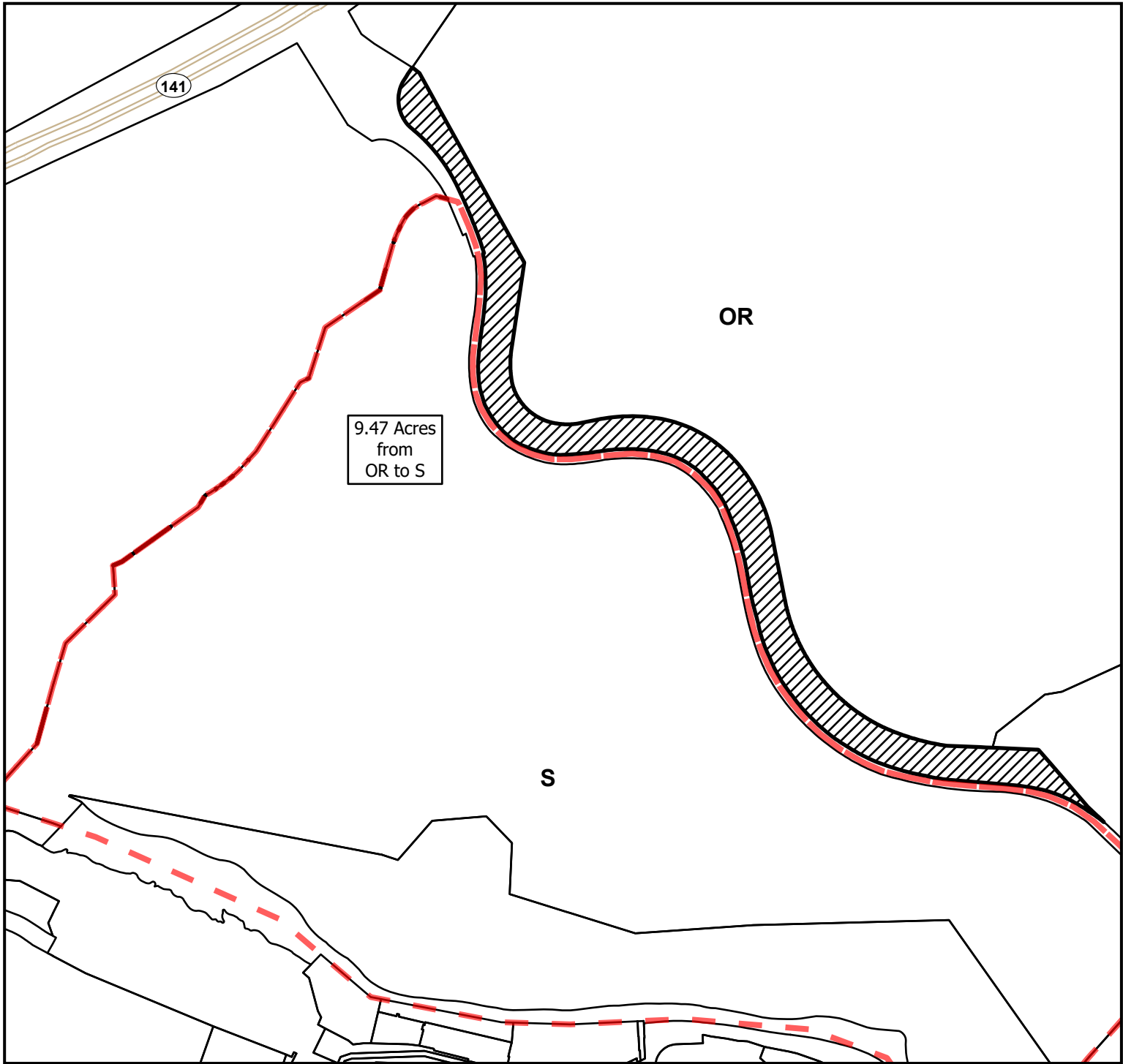
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Prepared by: MTRogers
Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: OR ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 06-127.00-001



HUNDRED: BRANDYWINE HUNDRED
NEW CASTLE COUNTY, DELAWARE

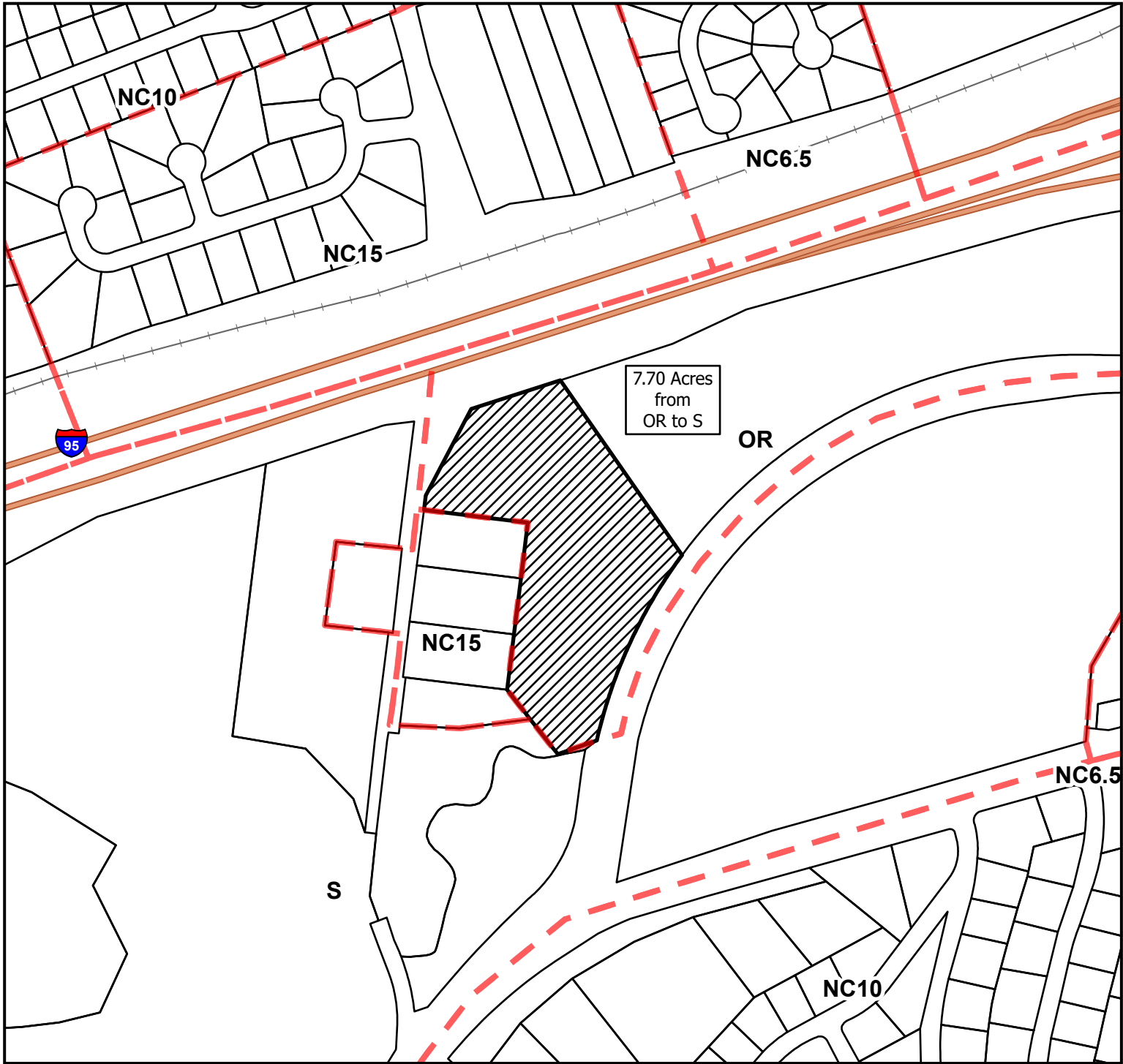
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Prepared by: MTRogers
Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: OR ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 06-122.00-081



HUNDRED: BRANDYWINE HUNDRED
NEW CASTLE COUNTY, DELAWARE

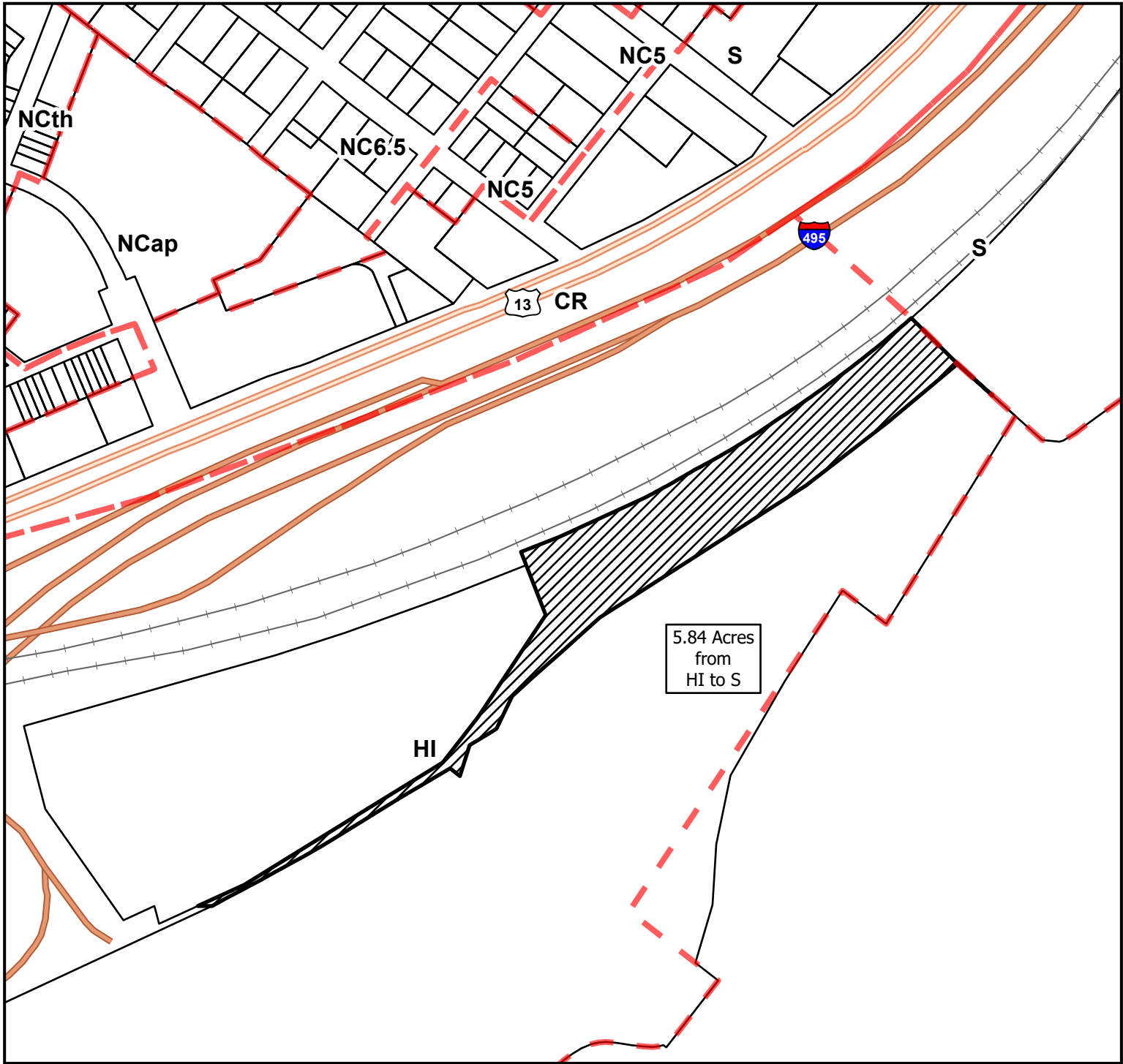
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Prepared by: MTRogers
Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: HI ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 06-147.00-017



HUNDRED: BRANDYWINE HUNDRED
NEW CASTLE COUNTY, DELAWARE

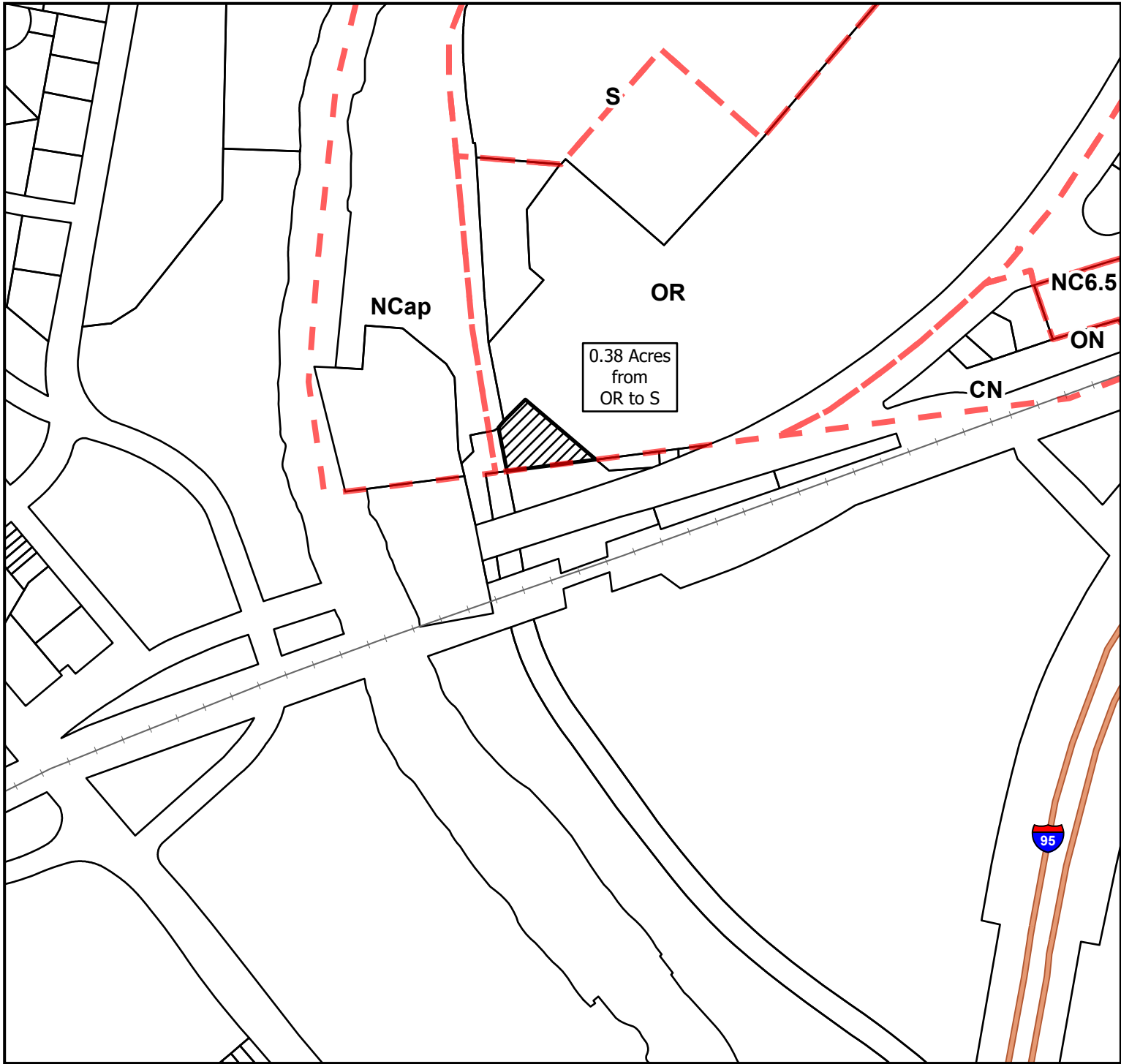
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Prepared by: MTRogers
Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: OR ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 26-014.10-006



HUNDRED: BRANDYWINE HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:3,500
Prepared by: MTRogers
Date: 10/26/2023

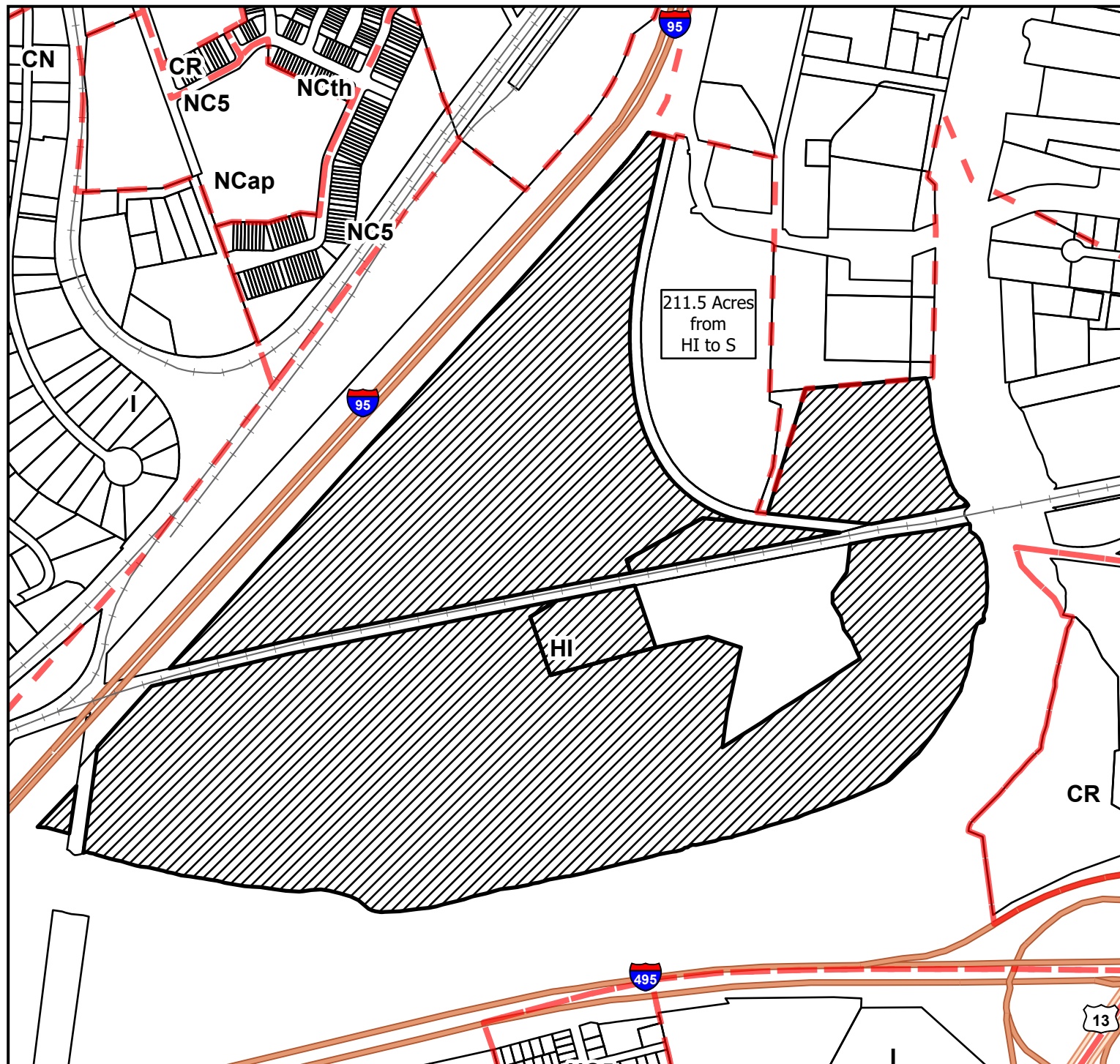


PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: HI ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z

TAX PARCEL NO. 07-043.40-054; 07-043.40-055;
07-044.10-004; 07-044.30-001; 07-044.30-003



HUNDRED: CHRISTIANA HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:9,000

Prepared by: MTRogers

Date: 10/26/2023



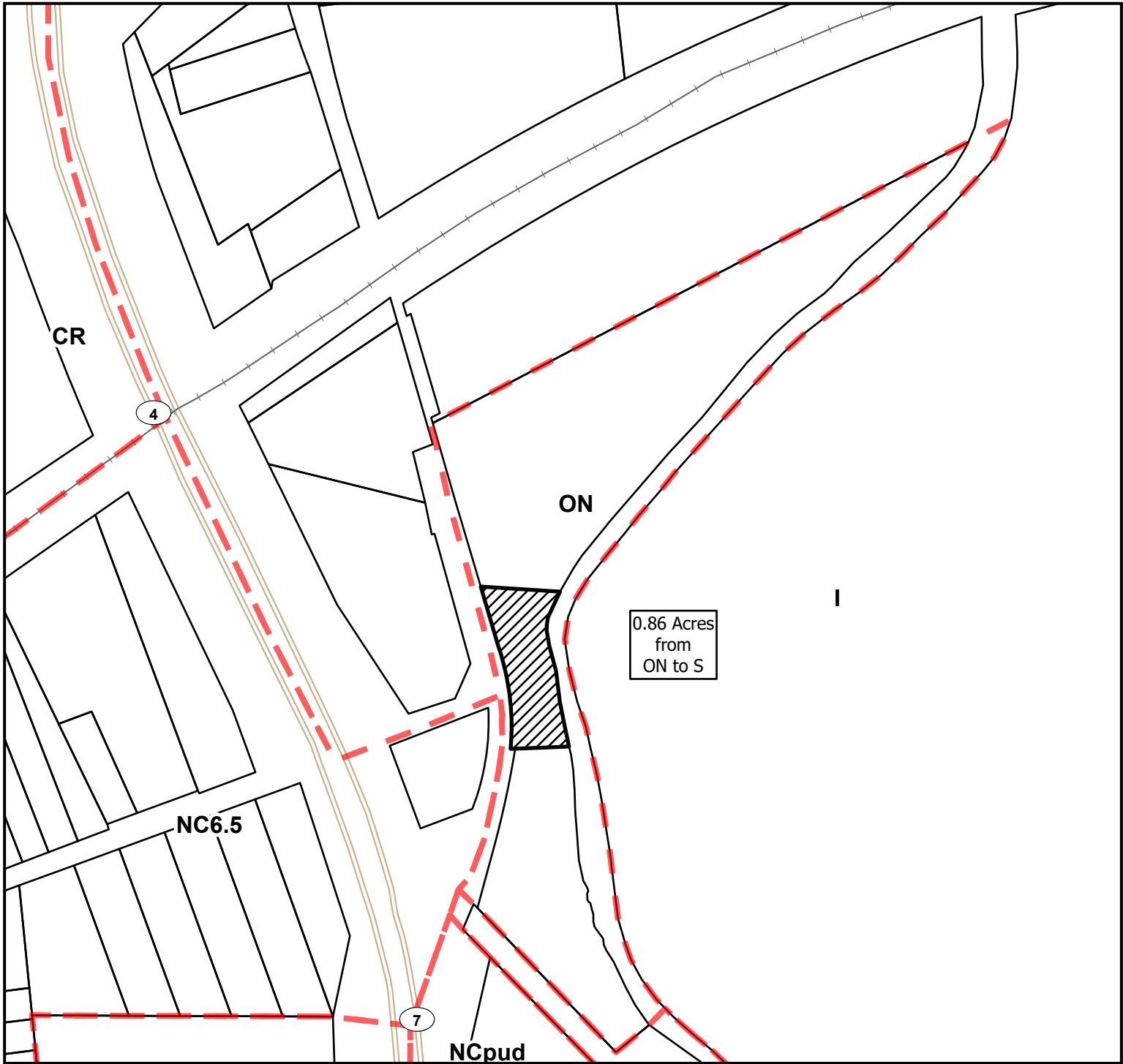
PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: ON ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 09-011.00-070



HUNDRED: WHITE CLAY CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

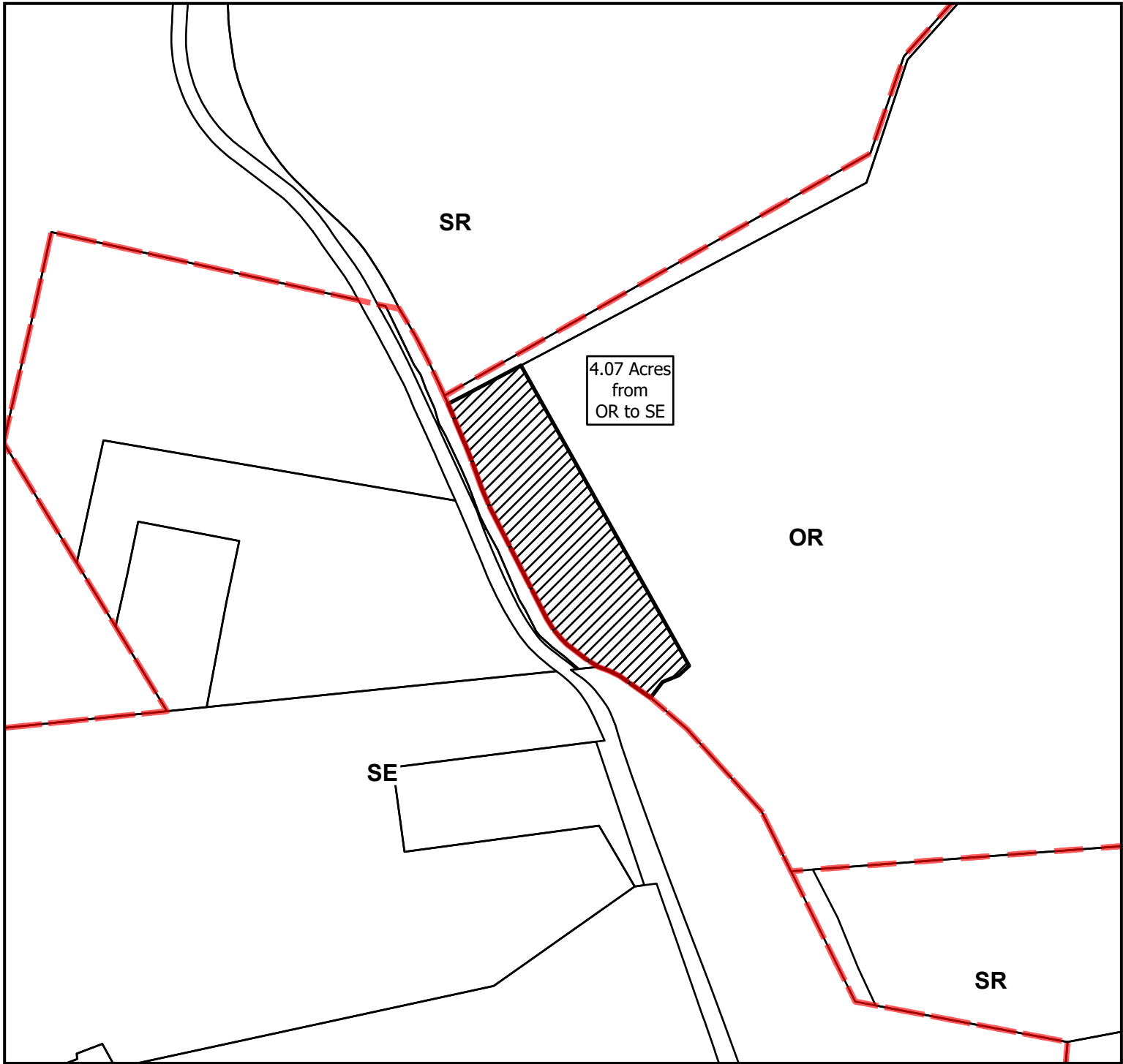
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Prepared by: MTRogers
Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: OR ZONING TO SE ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 09-008.00-010



HUNDRED: MILL CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

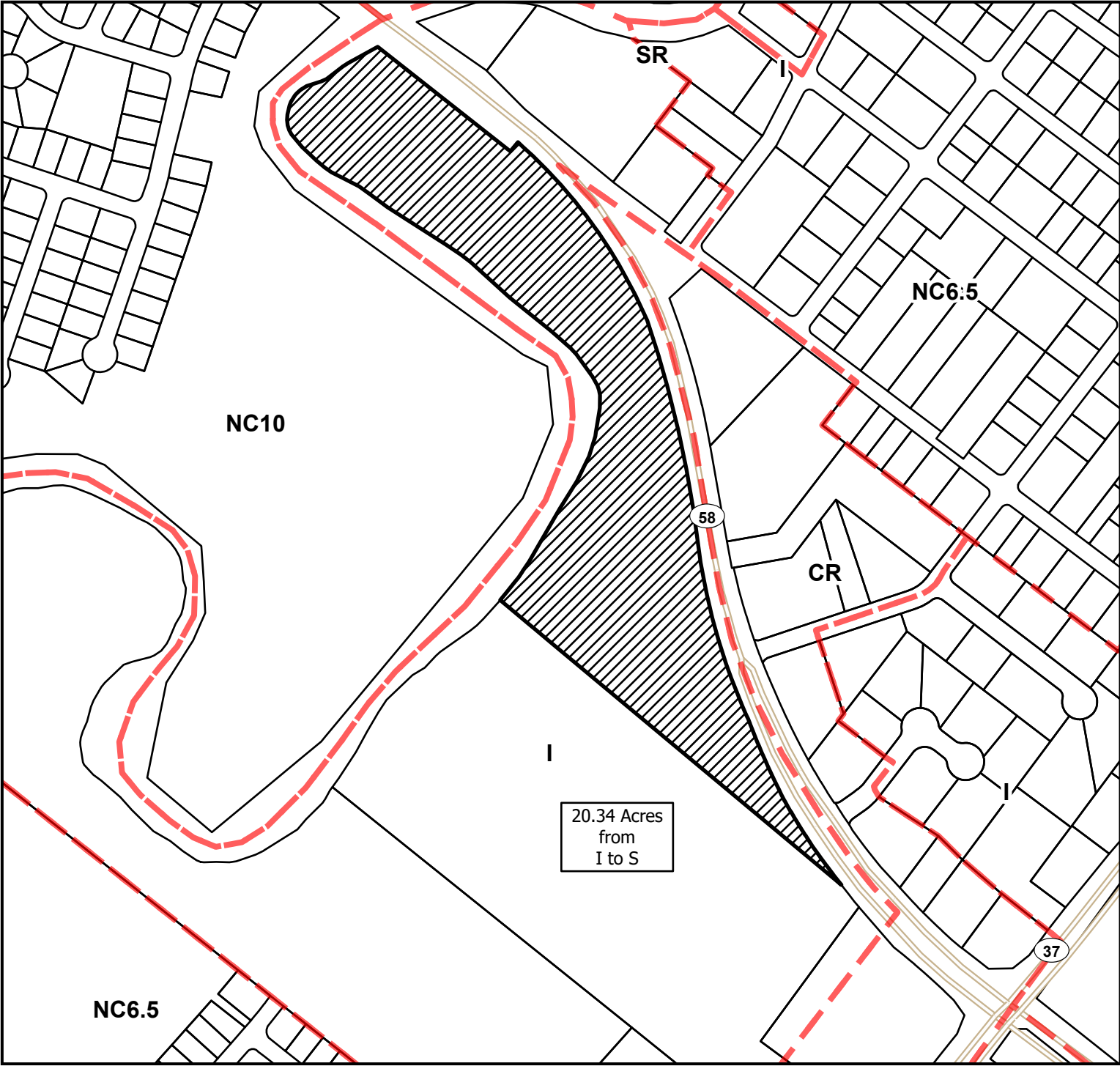
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Prepared by: MTRogers
Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 10-017.00-003



HUNDRED: NEW CASTLE HUNDRED
NEW CASTLE COUNTY, DELAWARE

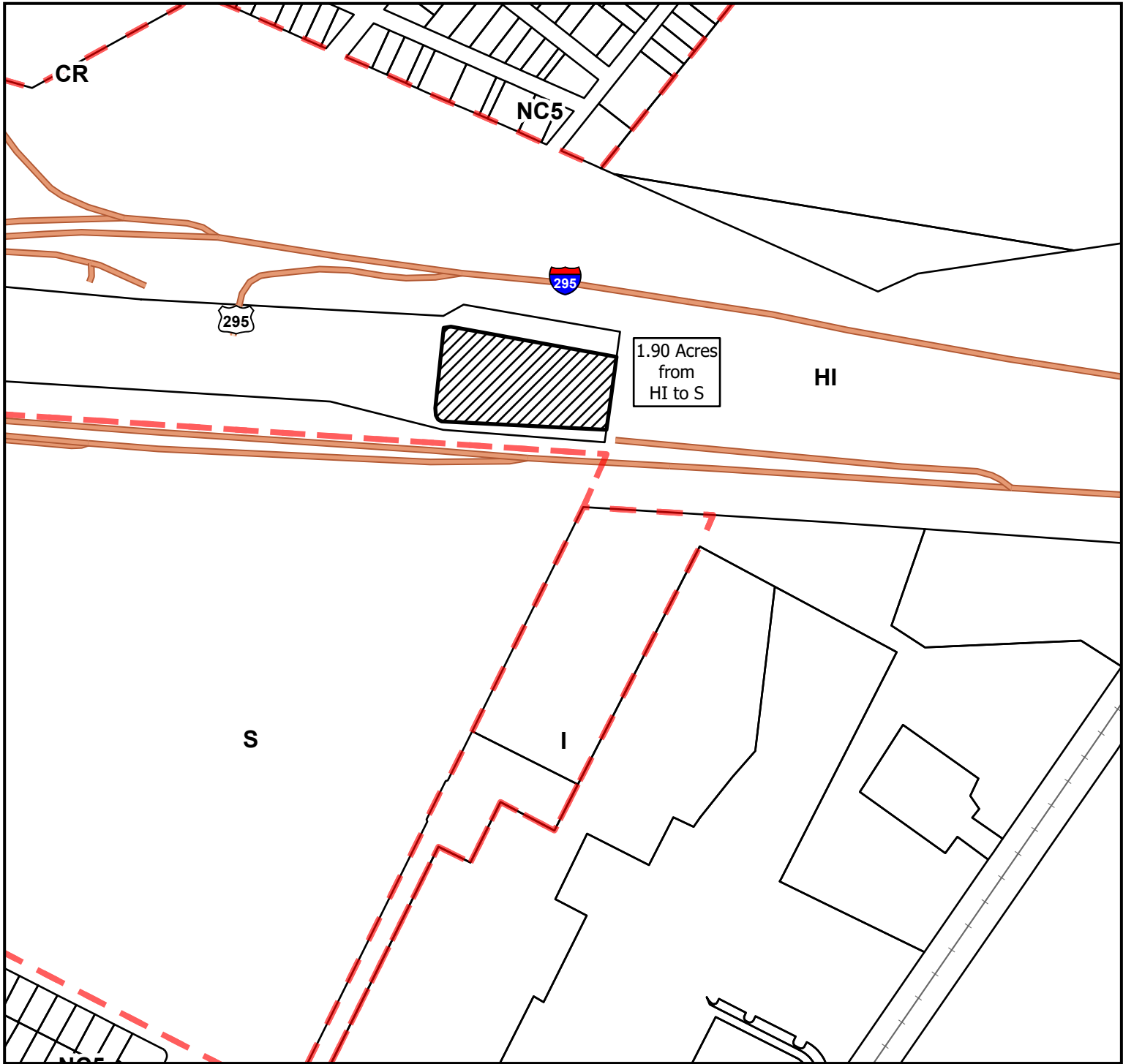
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Prepared by: MTRogers
Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: HI ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 10-015.00-004



HUNDRED: NEW CASTLE HUNDRED
NEW CASTLE COUNTY, DELAWARE

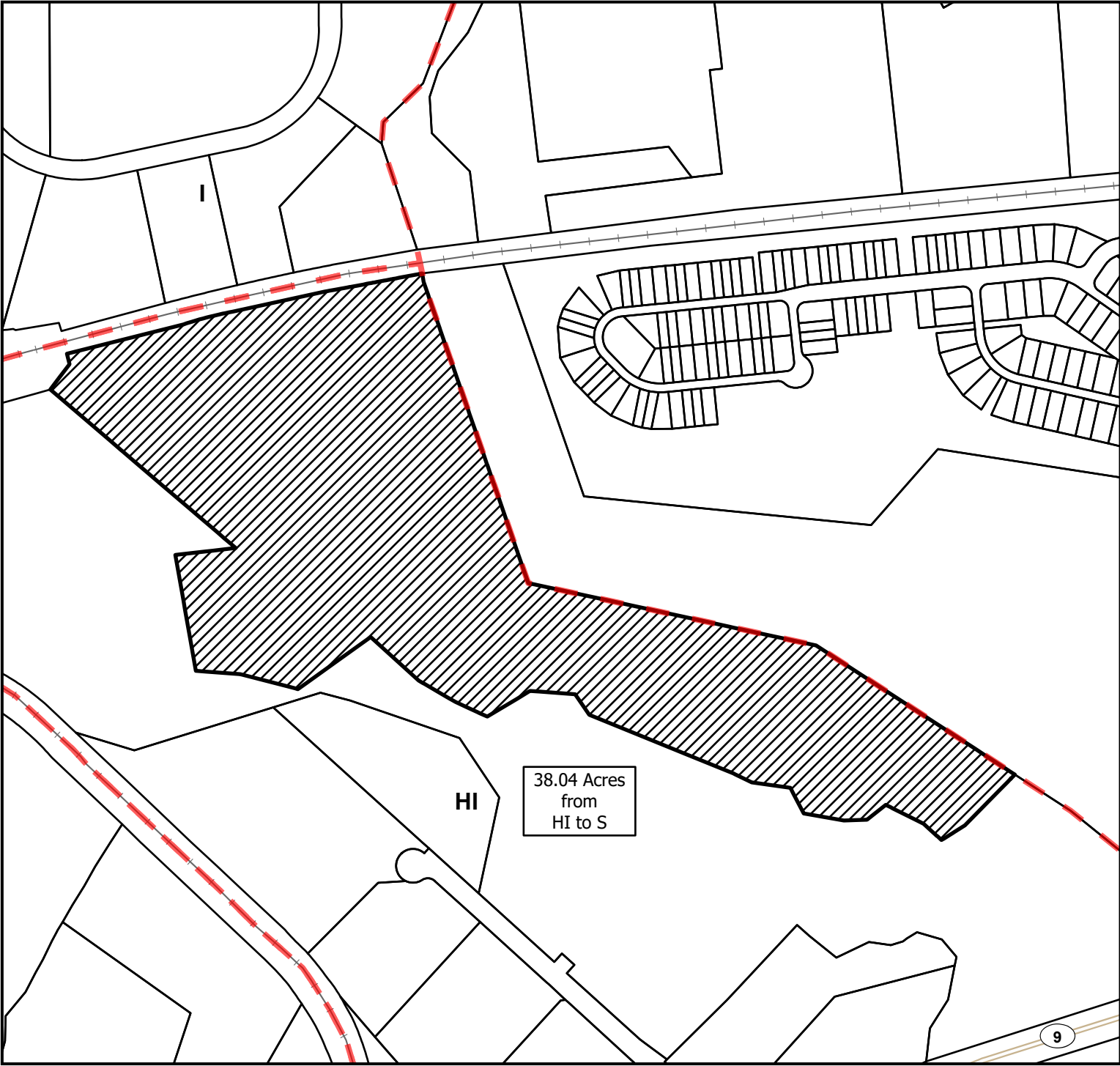
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Prepared by: MTRogers
Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083
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APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: HI ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 10-030.00-046



HUNDRED: NEW CASTLE HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:5,000
Prepared by: MTRogers
Date: 10/26/2023

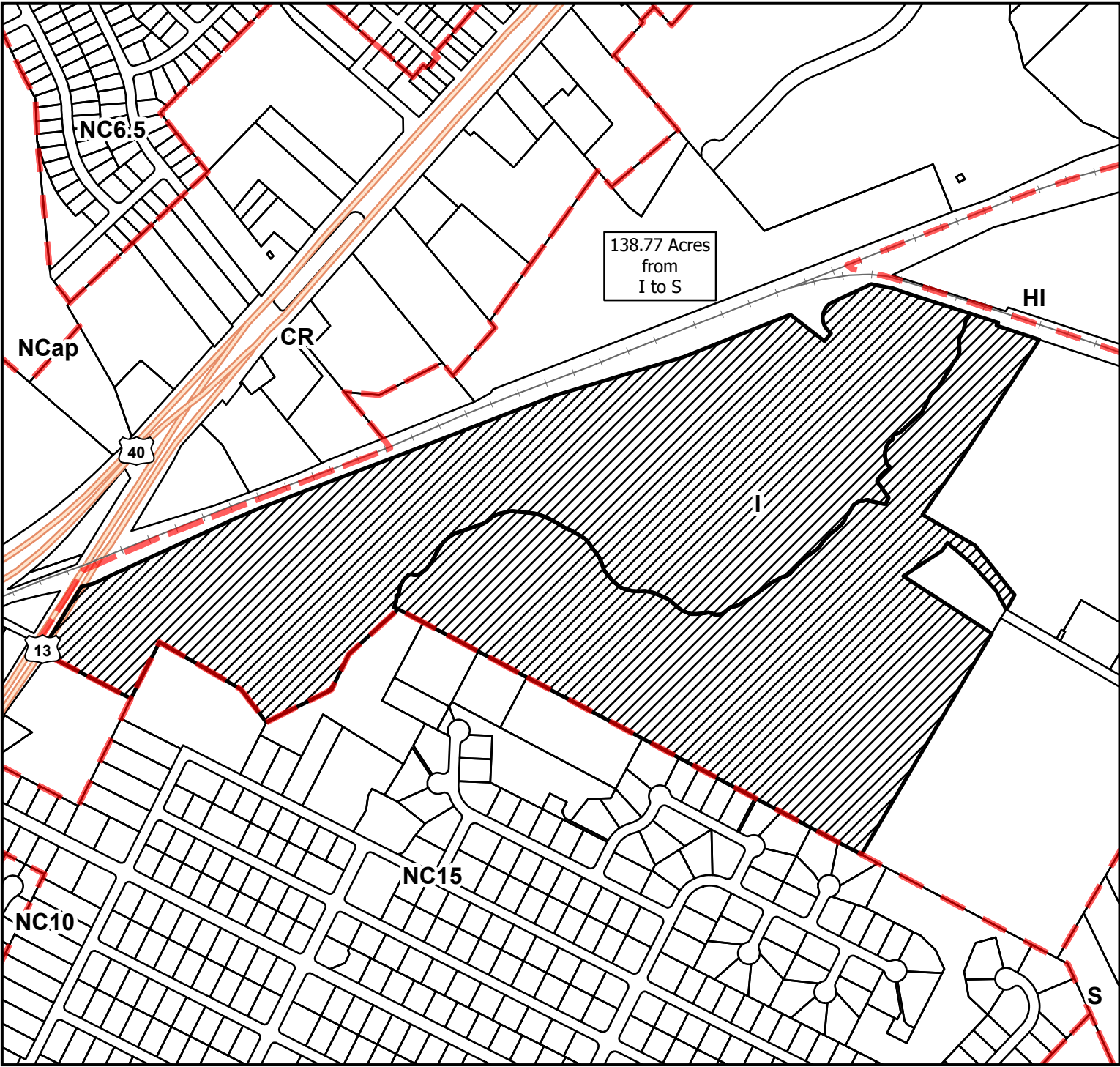


PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

PROPERTY MAP

MAP 18
ZONING ORDINANCE AS AMENDED
APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 10-035.00-002 &
10-035.00-056

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING



HUNDRED: NEW CASTLE HUNDRED
NEW CASTLE COUNTY, DELAWARE

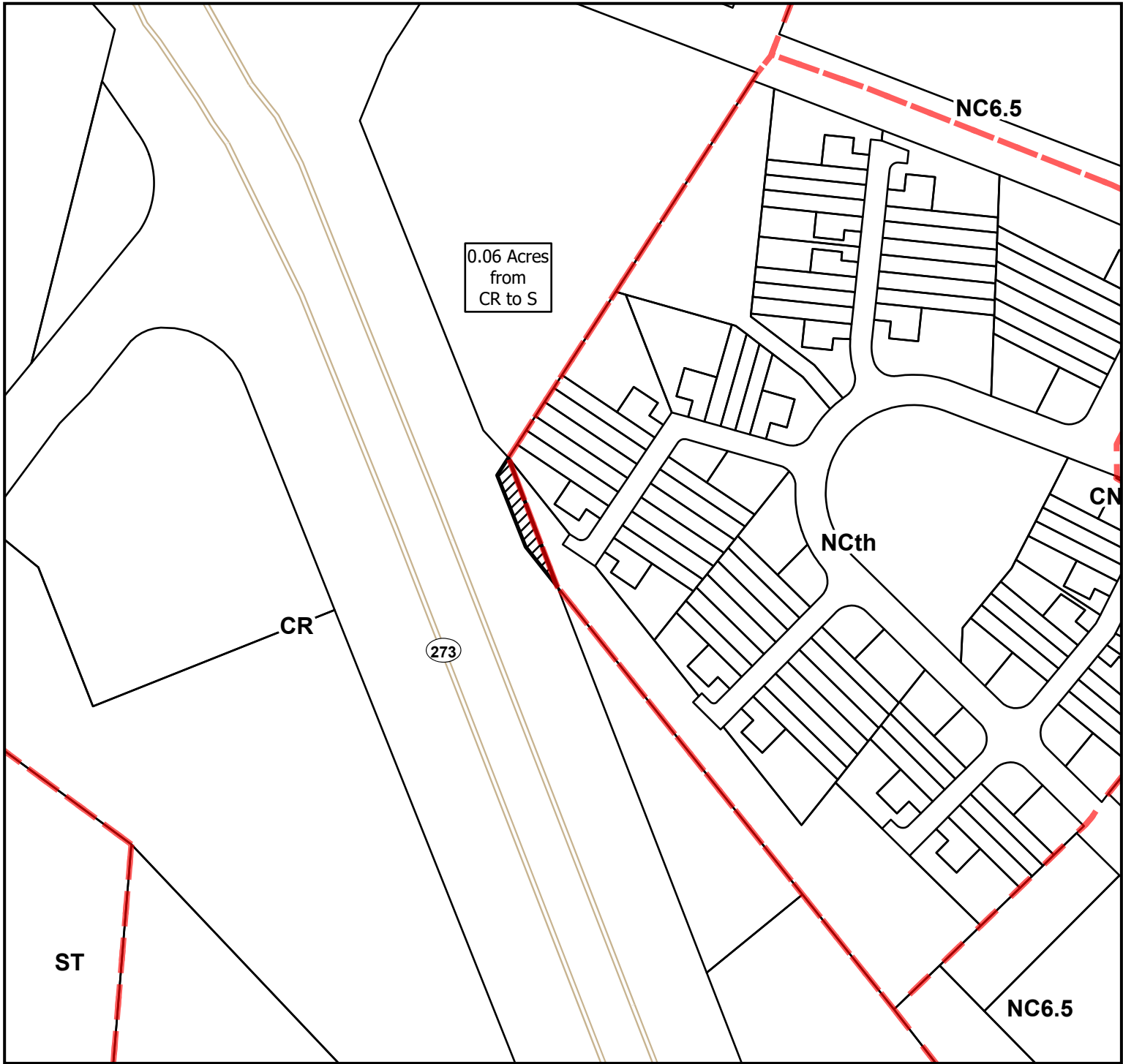
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Prepared by: MTRogers
Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: CR ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 09-030.30-091



HUNDRED: WHITE CLAY CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE
Scale: 1:2,000
Prepared by: MTRogers
Date: 10/26/2023

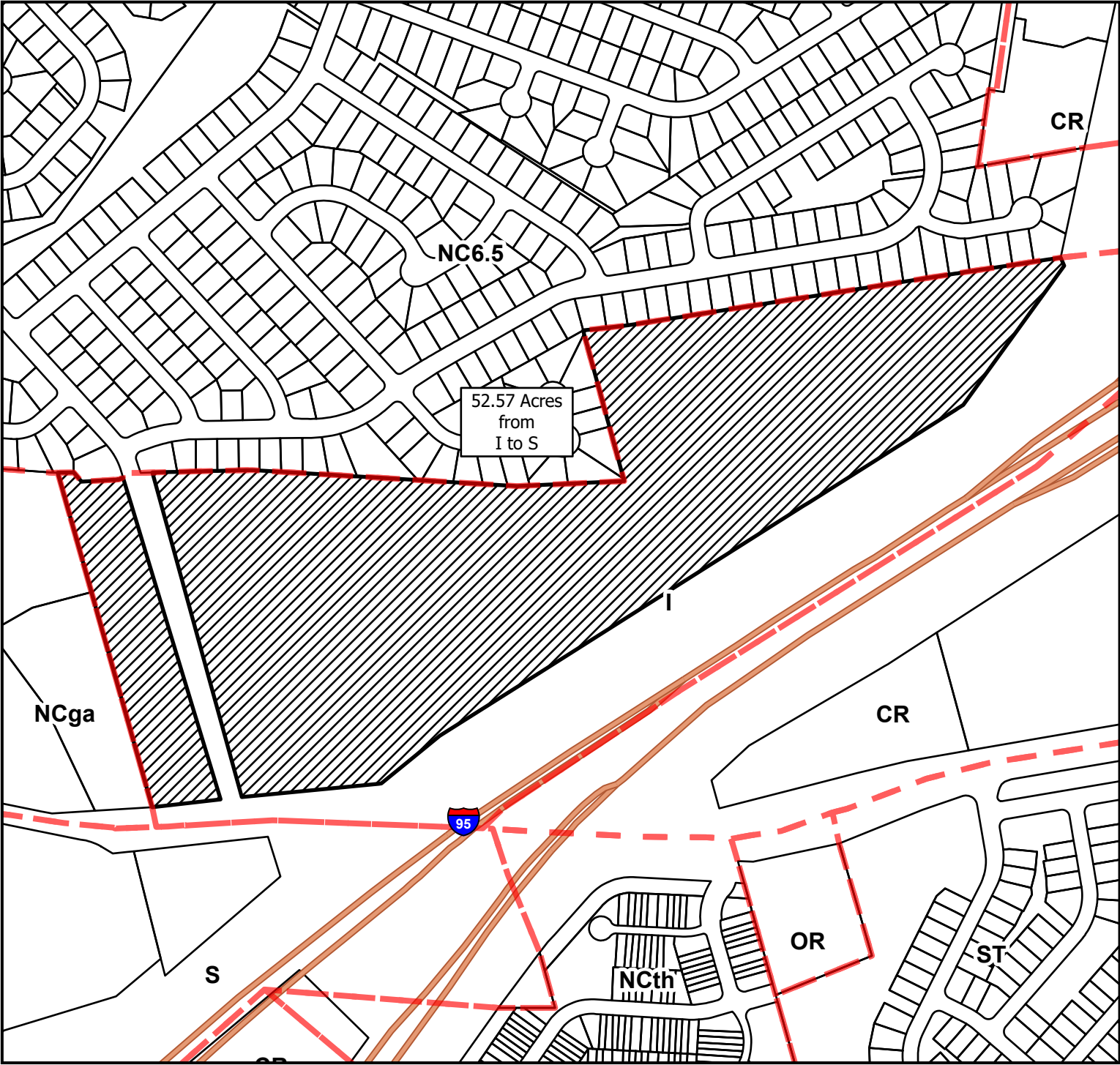


PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

PROPERTY MAP

MAP 20
ZONING ORDINANCE AS AMENDED
APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 09-029.00-003 &
09-029.00-015

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING



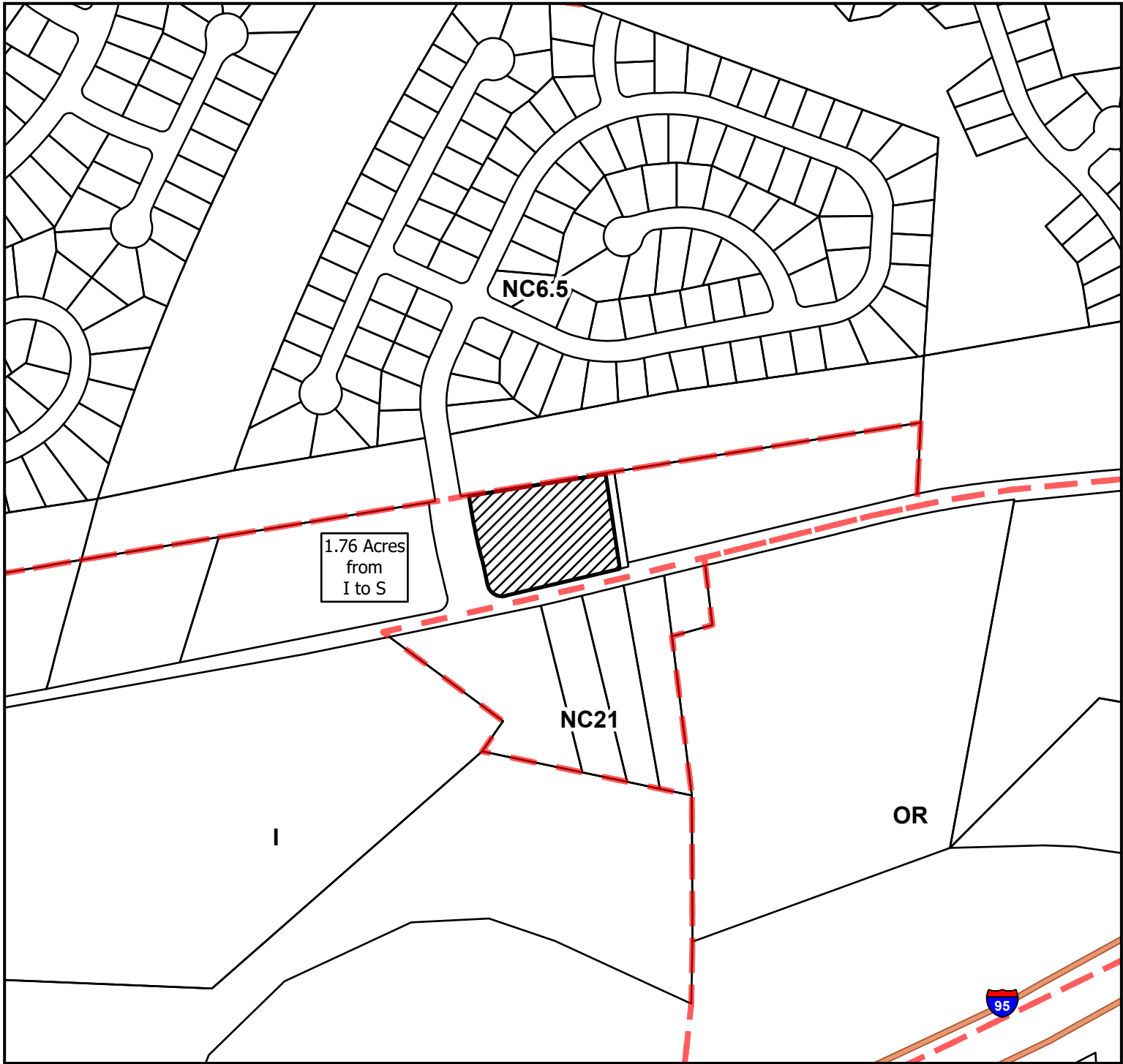
HUNDRED: WHITE CLAY CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE
Scale: 1:5,500
Prepared by: MTRogers
Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 09-033.00-038



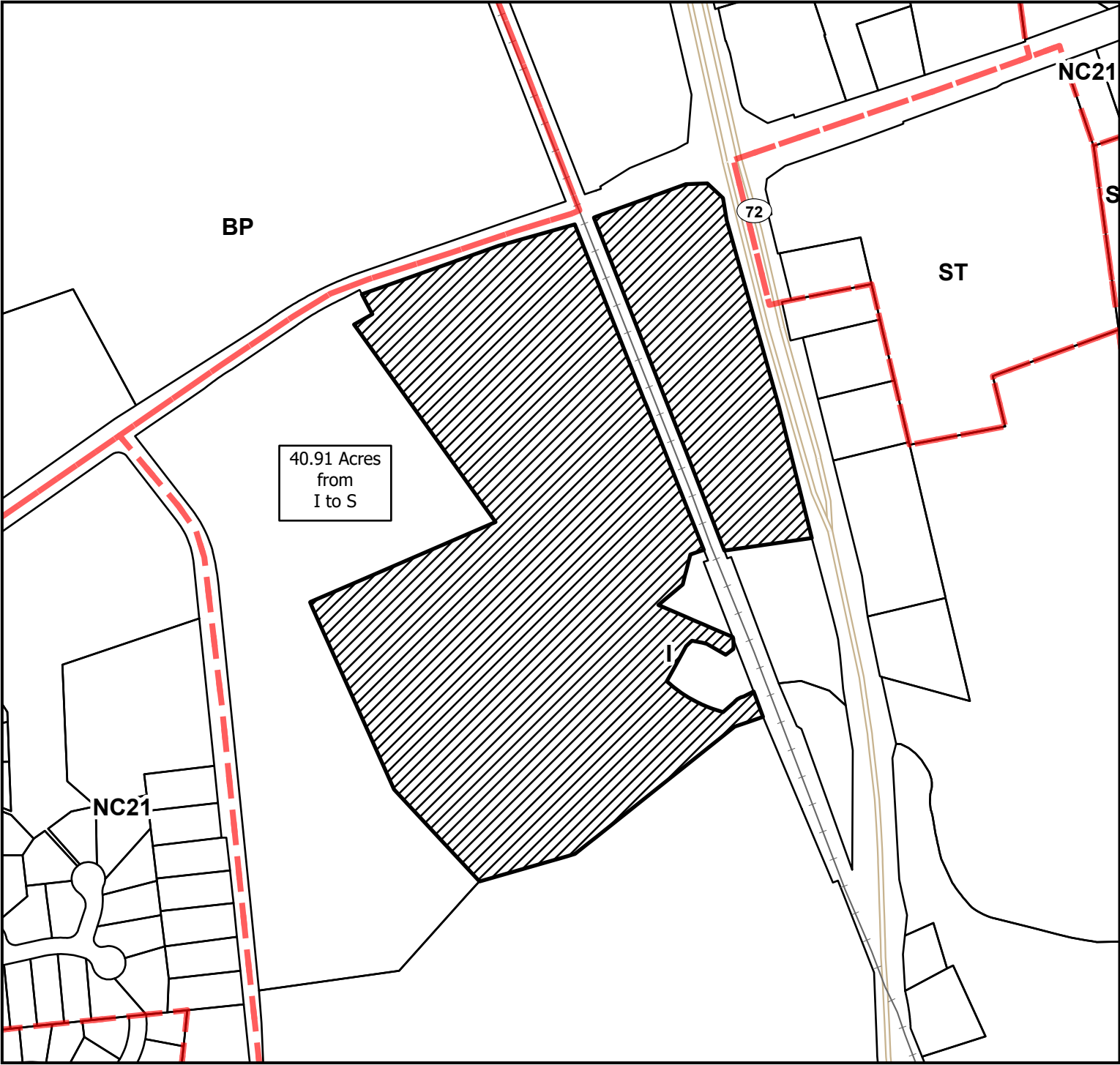
HUNDRED: WHITE CLAY CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:4,000
Prepared by: MTRogers
Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING



HUNDRED: PENCADER HUNDRED
NEW CASTLE COUNTY, DELAWARE

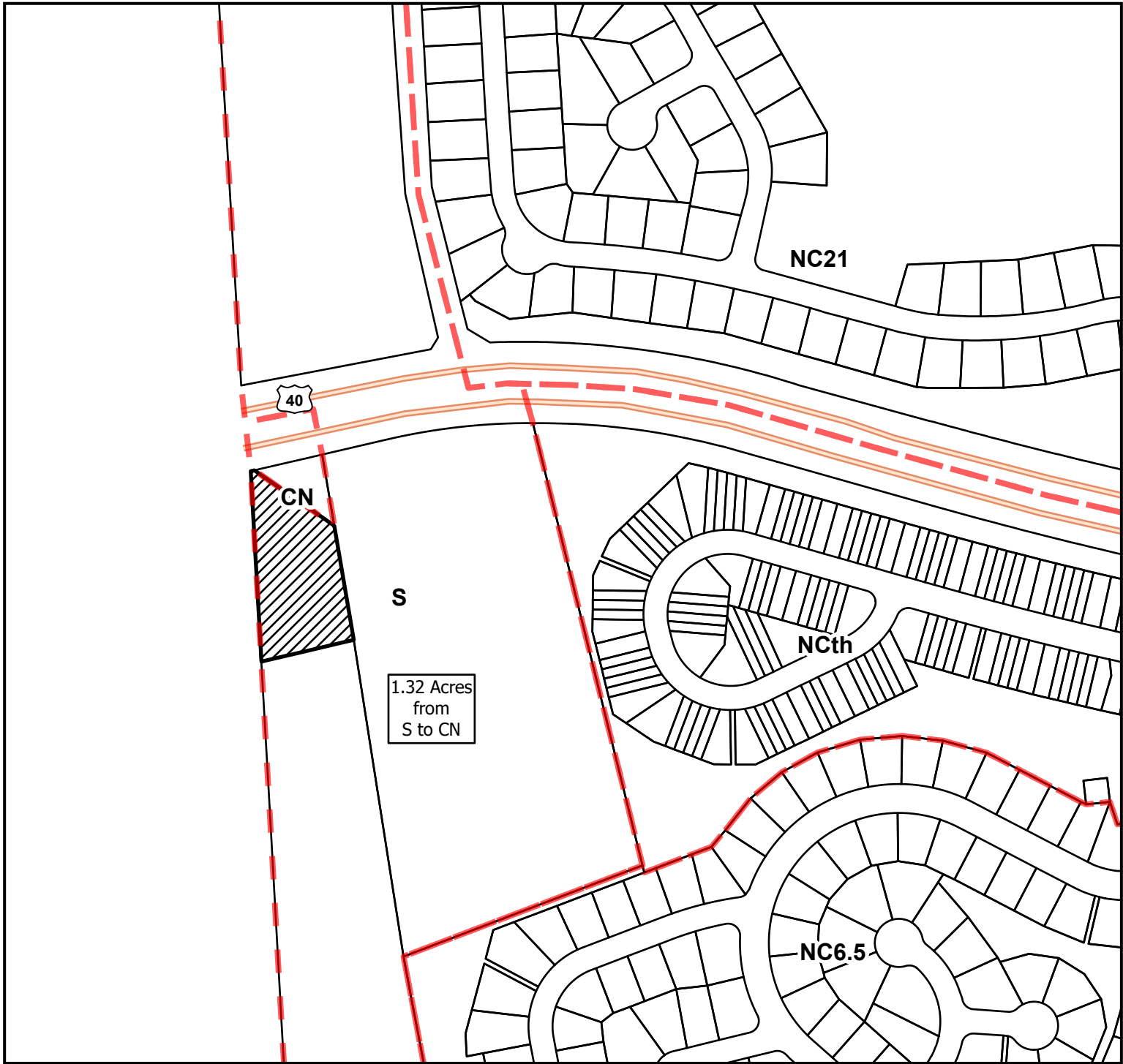
Scale: 1:5,000
Prepared by: MTRogers
Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: S ZONING TO CN ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 11-025.00-026



HUNDRED: PENCADER HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:3,500
Prepared by: MTRogers
Date: 10/26/2023



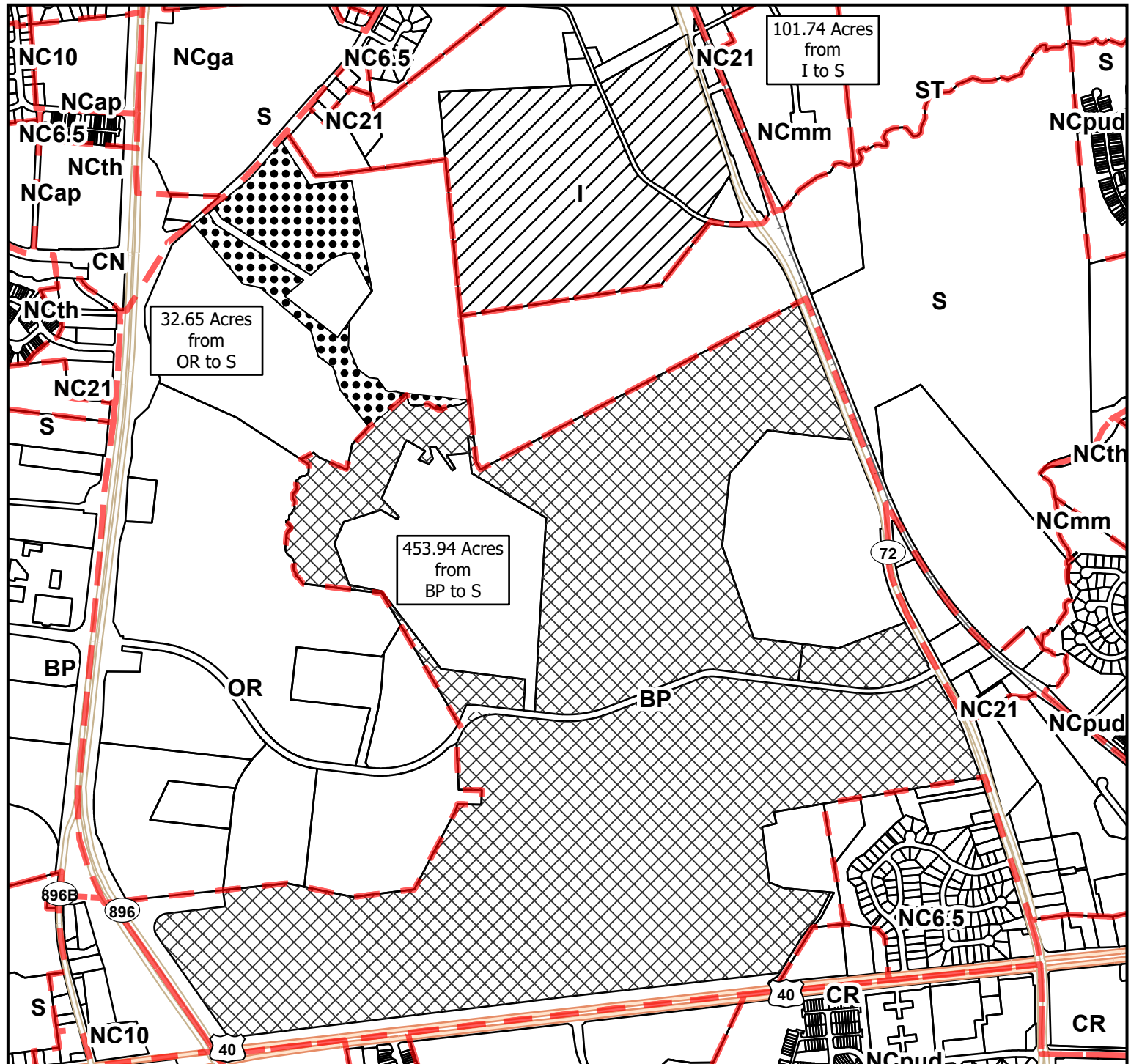
PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

PROPERTY MAP

APPLICANT: NEW CASTLE COUNTY
 PROPOSED REZONING: BP ZONING TO S ZONING
 I ZONING TO S ZONING
 OR ZONING TO S ZONING

MAP 24
 ZONING ORDINANCE AS AMENDED

APPLICATION NO. 2023-0325-Z
 TAX PARCEL NO. 11-018.00-012; 11-018.00-060;
 11-018.00-061; 11-018.00-062; 11-022.00-014; 11-022.00-016



HUNDRED: PENCADER HUNDRED
 NEW CASTLE COUNTY, DELAWARE

Scale: 1:15,000

Prepared by: MTRogers

Date: 10/26/2023



- BP to S
- I to S
- OR to S

PERMANENT ORDINANCE NO. 23-083

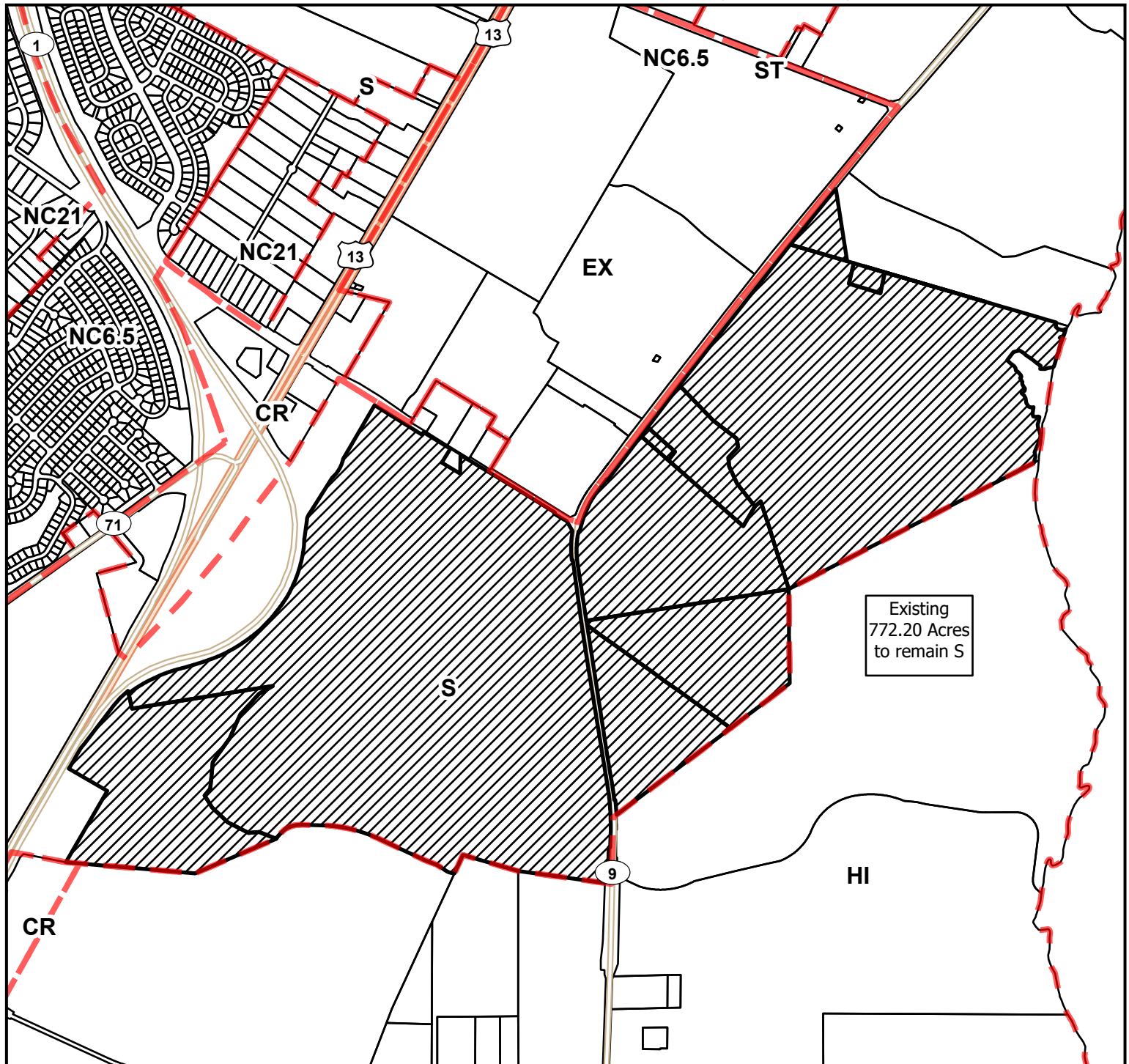
Date Adopted by County Council _____

Date Approved by County Executive _____ Page 30 of 150

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: S REMAINING S

APPLICATION NO. 2023-0325-Z

TAX PARCEL NO. 10-045.00-011; 10-045.00-012; 10-049.00-073;
10-049.00-074; 10-050.00-007; 10-050.00-008; 10-050.00-009;
10-050.00-011; 10-050.00-012; 10-050.00-013



HUNDRED: NEW CASTLE HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:18,000

Prepared by: MTRogers

Date: 10/26/2023



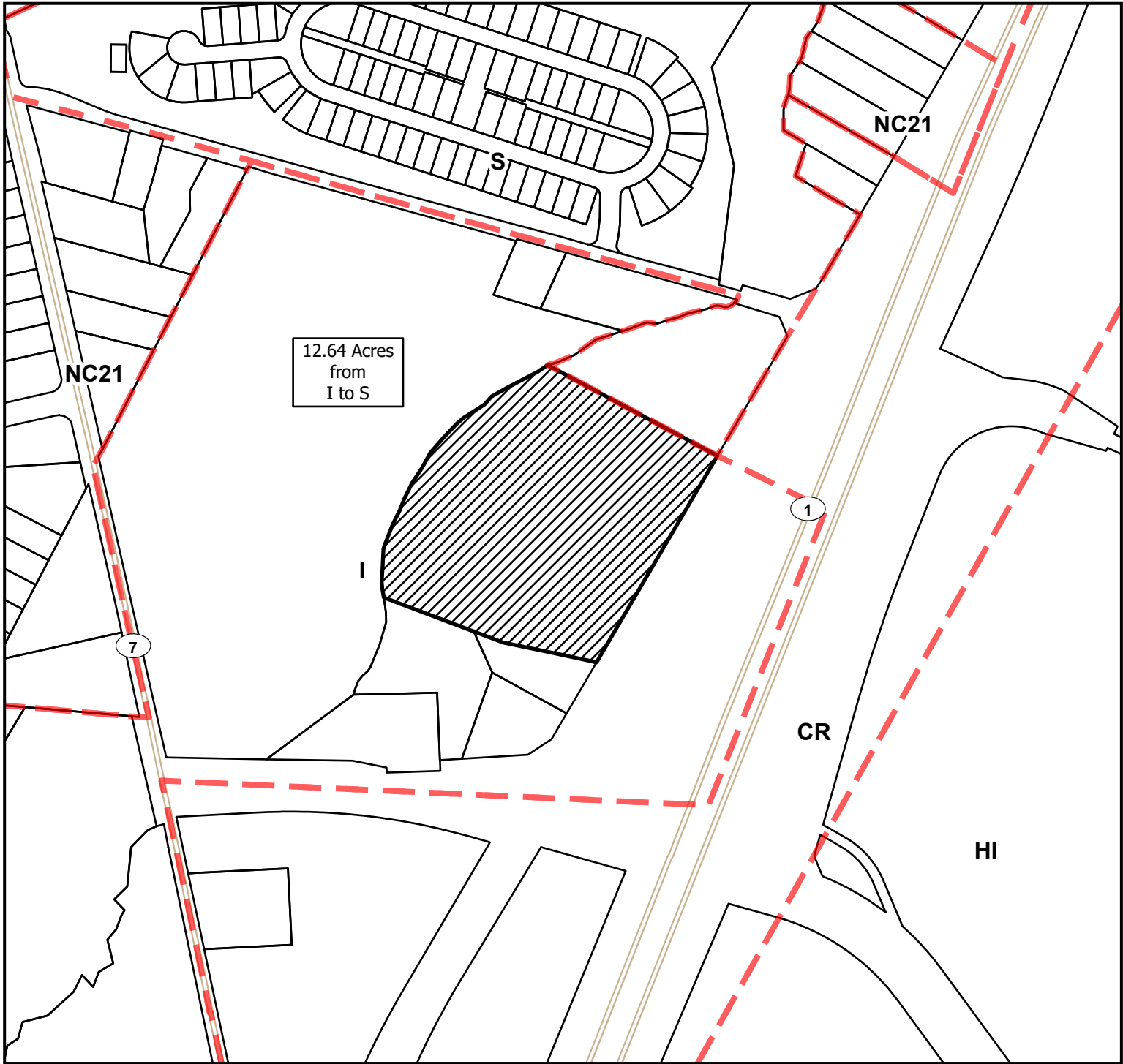
PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 12-002.00-024



HUNDRED: RED LION HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:5,000
Prepared by: MTRogers
Date: 10/26/2023



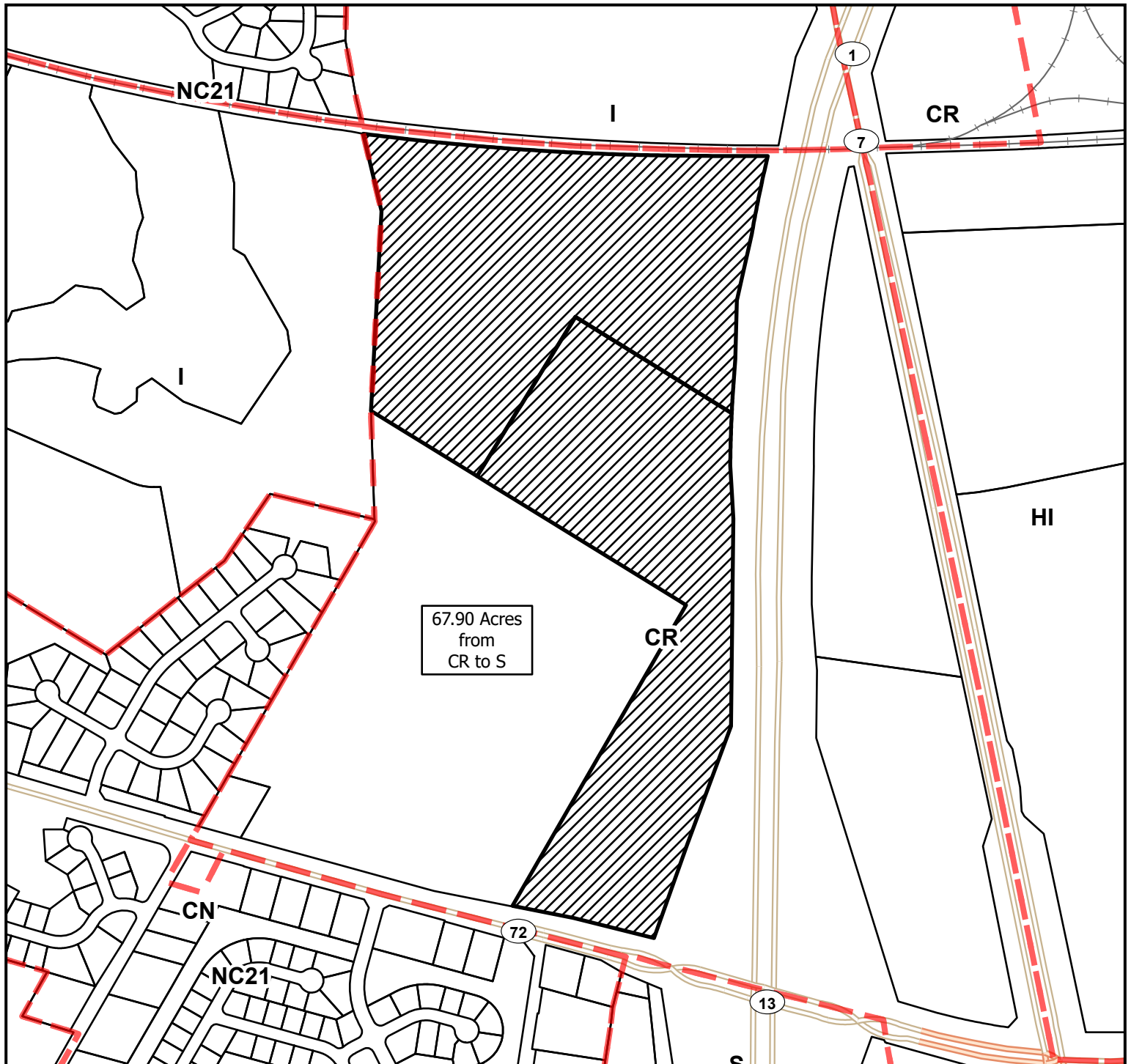
PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

PROPERTY MAP

MAP 27
ZONING ORDINANCE AS AMENDED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: CR ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 12-007.00-020 &
12-013.00-081



HUNDRED: RED LION HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:7,000

Prepared by: MTRogers

Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

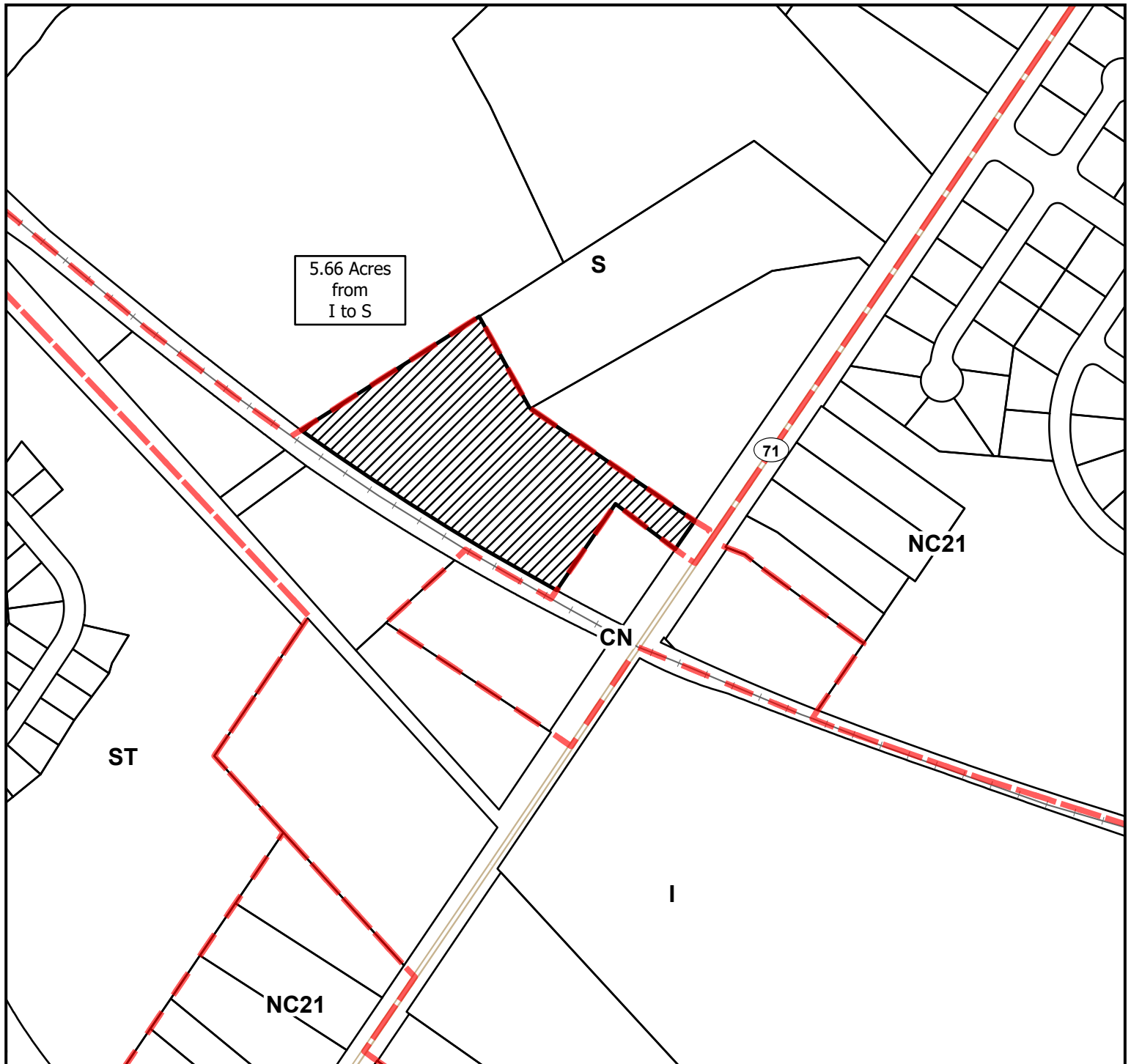
Date Approved by County Executive _____

PROPERTY MAP

MAP 28
ZONING ORDINANCE AS AMENDED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 12-006.00-041



HUNDRED: RED LION HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:4,000

Prepared by: MTRogers

Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

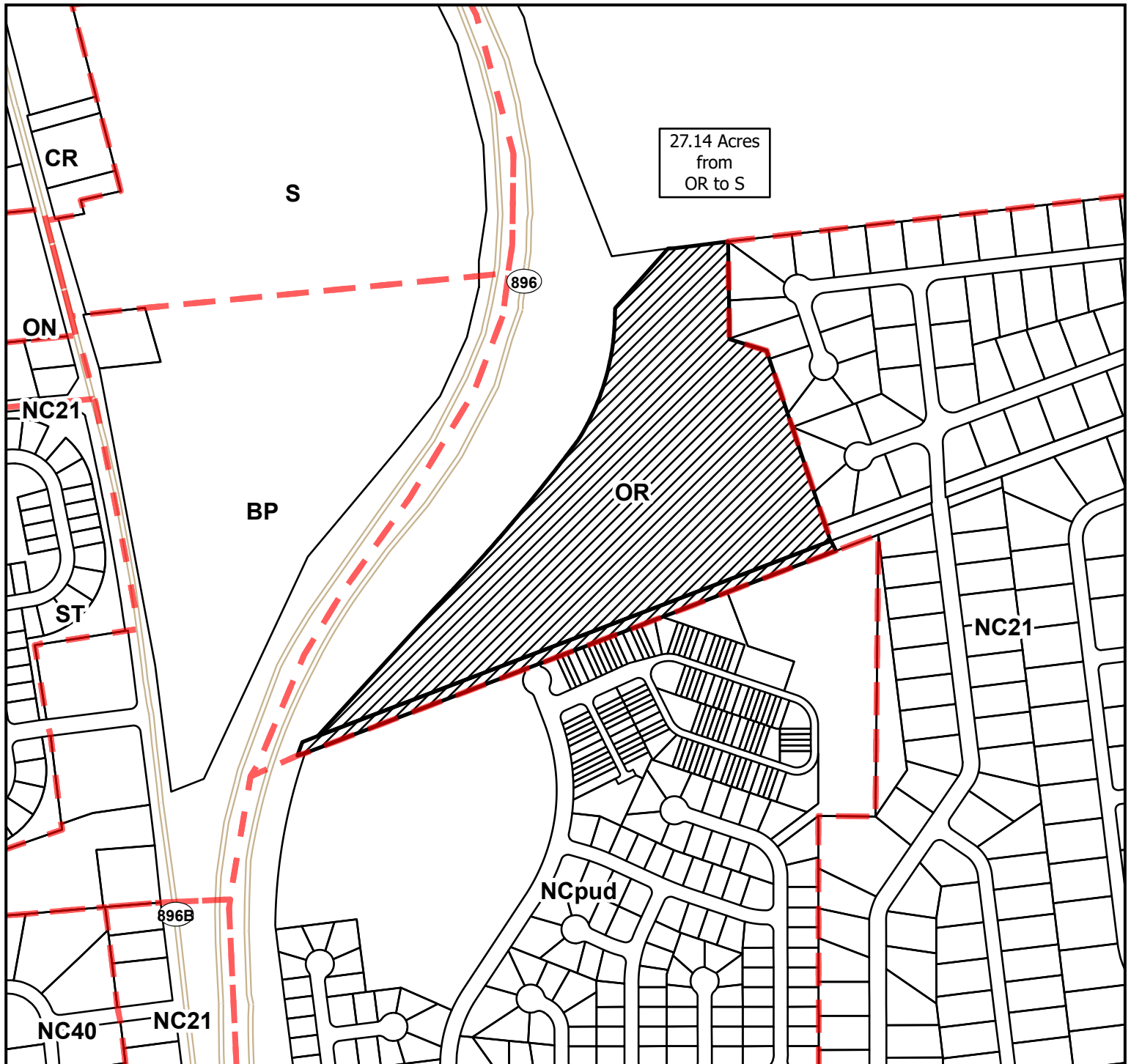
Date Approved by County Executive _____

PROPERTY MAP

MAP 29
ZONING ORDINANCE AS AMENDED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: OR ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 11-032.00-001 &
11-032.00-259



HUNDRED: PENCADER HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:6,000

Prepared by: MTRogers

Date: 10/26/2023



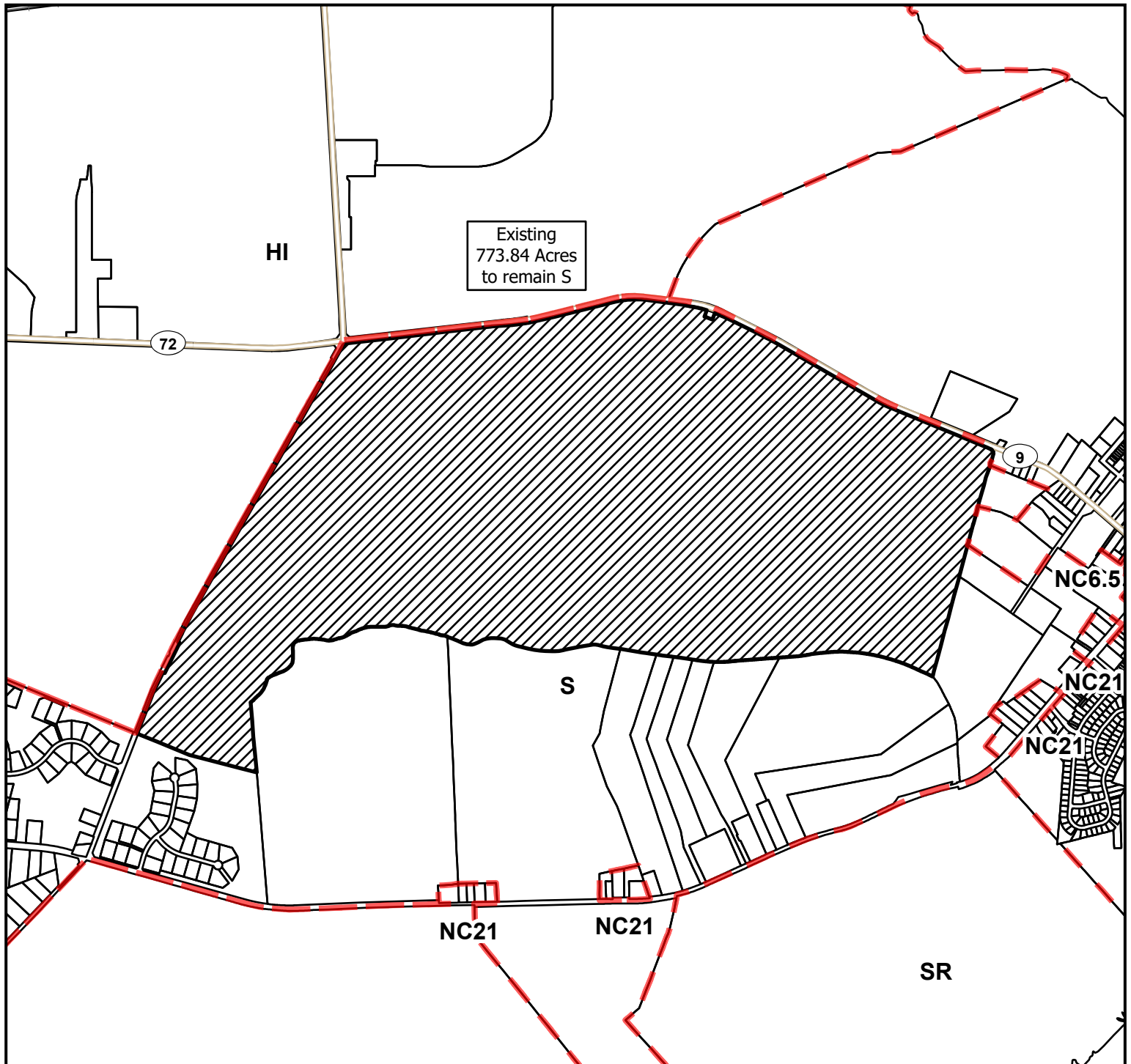
PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: S REMAINING S

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 12-021.00-003



HUNDRED: RED LION HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:20,000

Prepared by: MTRogers

Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

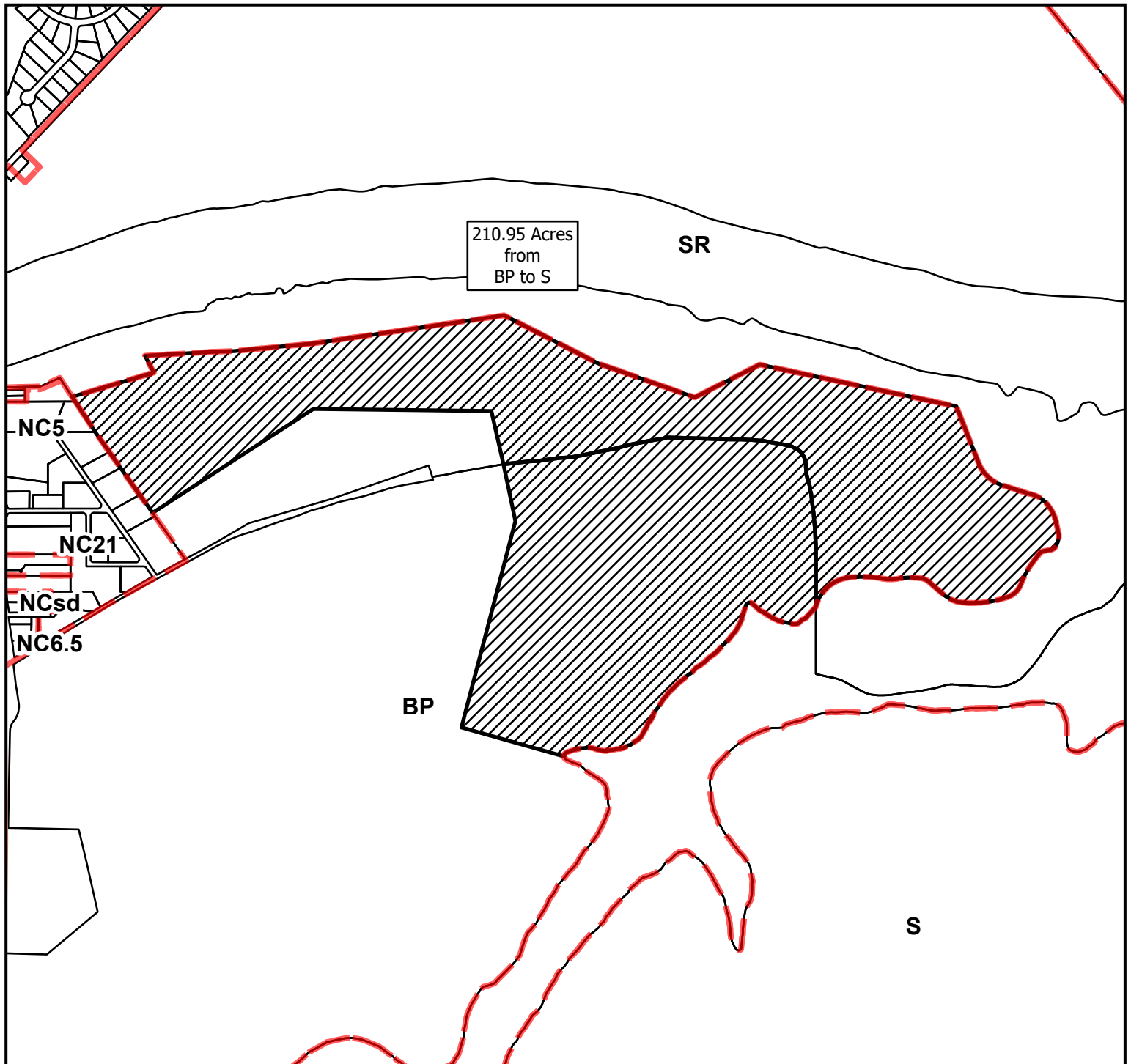
Date Approved by County Executive _____

PROPERTY MAP

MAP 31
ZONING ORDINANCE AS AMENDED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: BP ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 12-036.00-001 &
13-004.00-001



HUNDRED: RED LION HUNDRED AND
ST. GEORGE'S HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:12,000

Prepared by: MTRogers

Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

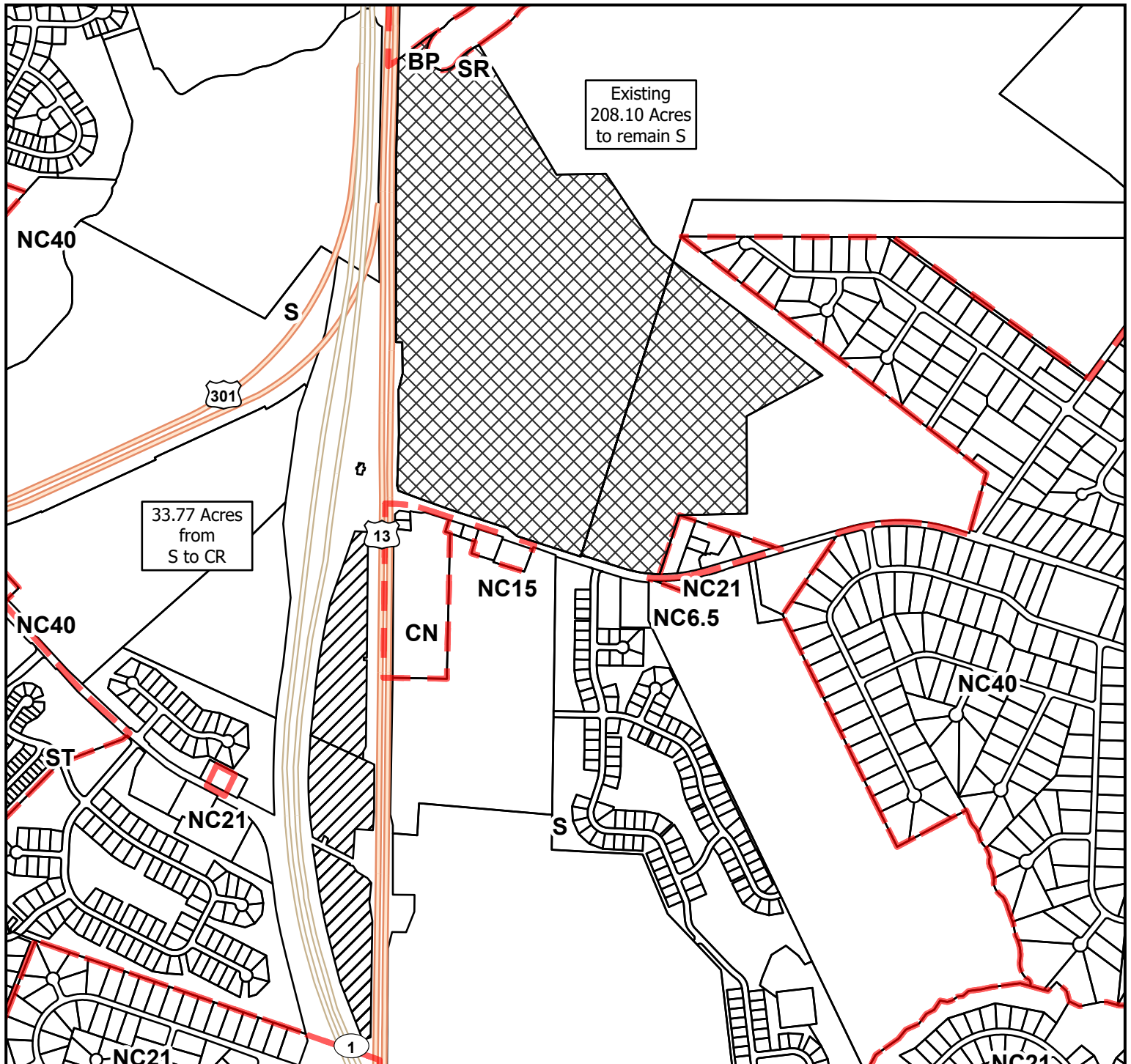
Date Approved by County Executive _____

PROPERTY MAP

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: S ZONING TO CR ZONING
S REMAINING S

MAP 32
ZONING ORDINANCE AS INTRODUCED

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 13-004.00-001; 13-009.00-001;
13-008.00-019; 13-008.00-028; 13-008.00-044;
13-008.00-045



HUNDRED: ST. GEORGE'S HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:14,000

Prepared by: MTRogers

Date: 10/26/2023



- S to remain S
- S to CR

PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

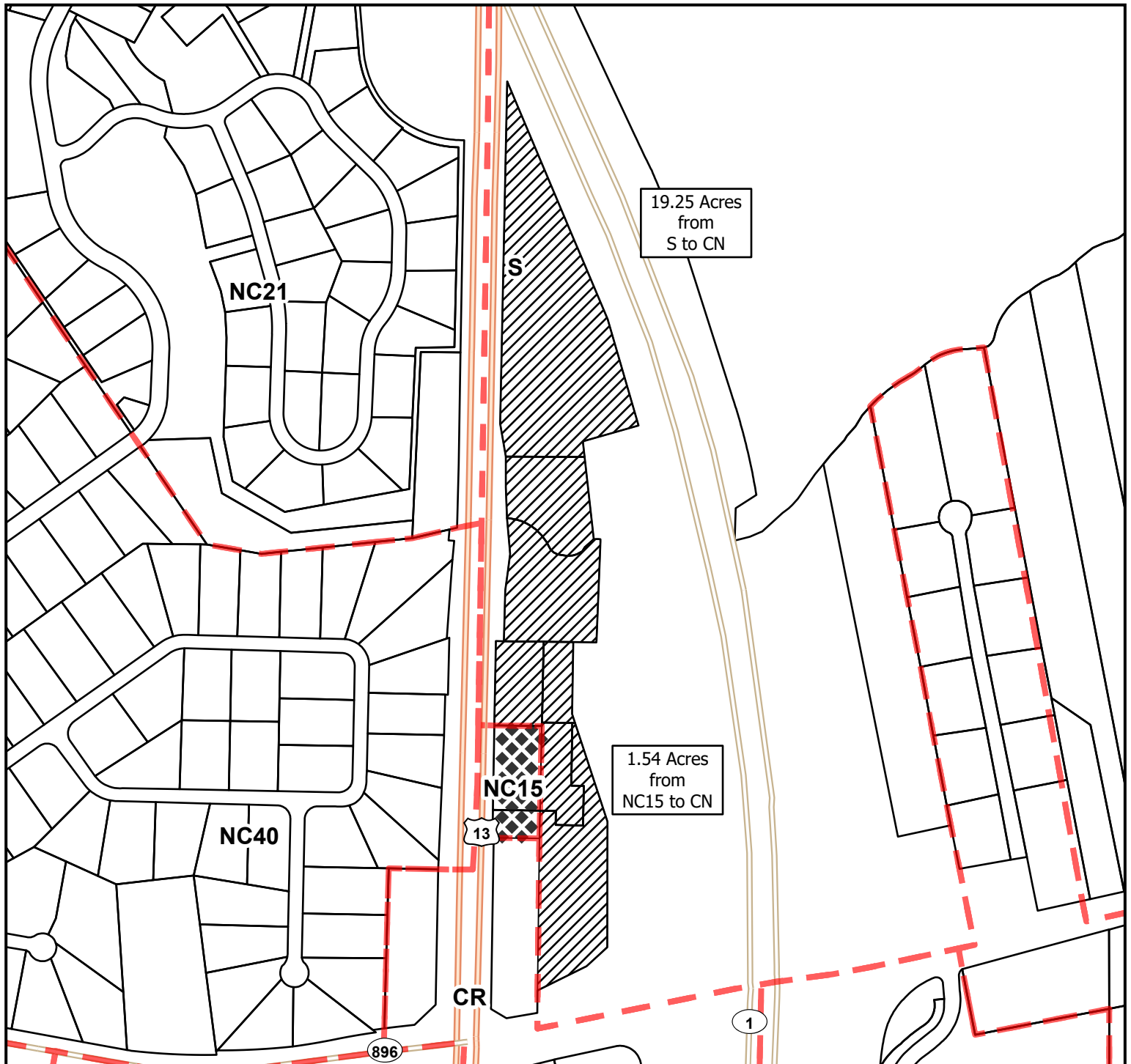
Date Approved by County Executive _____

PROPERTY MAP

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NC15 ZONING TO CN ZONING
S ZONING TO CN ZONING

MAP 33
ZONING ORDINANCE AS AMENDED

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 13-008.00-027; 13-013.00-029;
13-013.00-030; 13-013.00-035; 13-013.00-083;
13-013.00-148; 13-013.00-249



HUNDRED: ST. GEORGE'S HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:6,000

Prepared by: MTRogers

Date: 10/26/2023



NC15 to CN

S to CN

PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

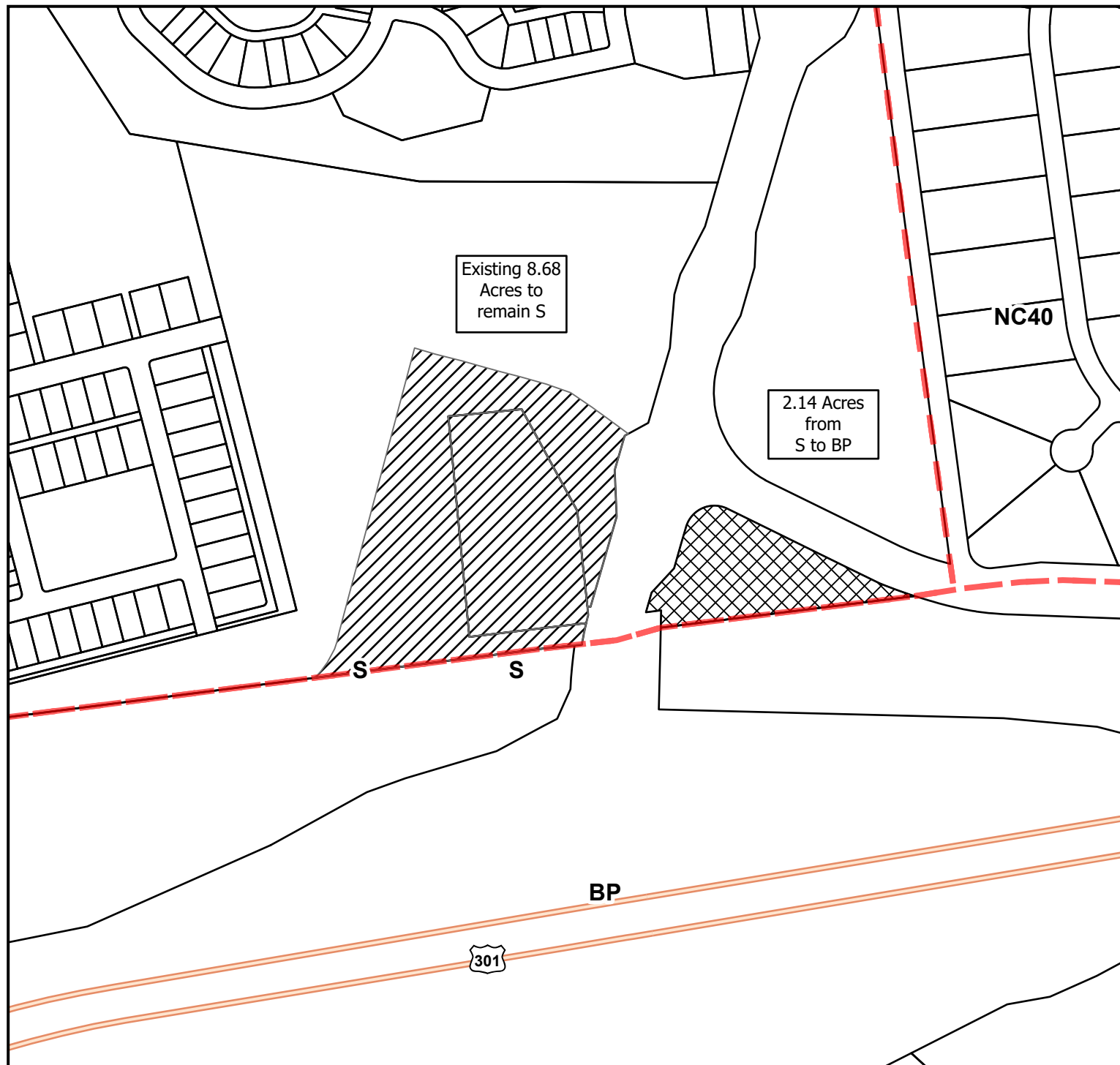
Date Approved by County Executive _____

PROPERTY MAP

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: S ZONING TO BP ZONING
S REMAINING S

MAP 34
ZONING ORDINANCE AS AMENDED

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 13-008.00-002; 13-008.00-053;
13-008.00-058



HUNDRED: ST. GEORGE'S HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:4,000

Prepared by: MTRogers

Date: 10/26/2023



 S to BP

 S to remain S

PERMANENT ORDINANCE NO. 23-083

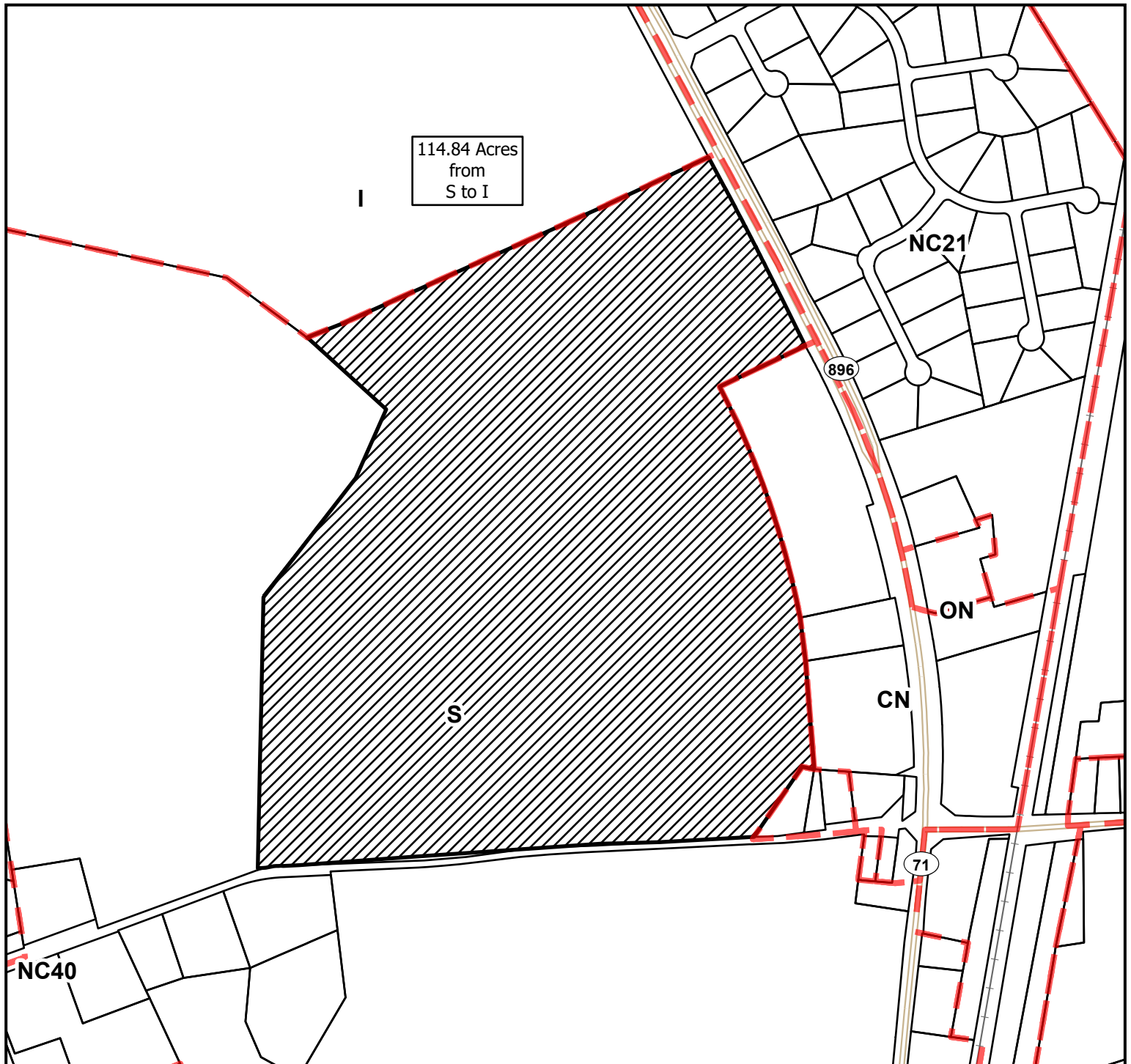
Date Adopted by County Council _____

Date Approved by County Executive _____

PROPERTY MAP

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: S ZONING TO I ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 11-058.00-009



HUNDRED: PENCANDER HUNDRED &
ST. GEORGE'S HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:7,000

Prepared by: MTRogers

Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083

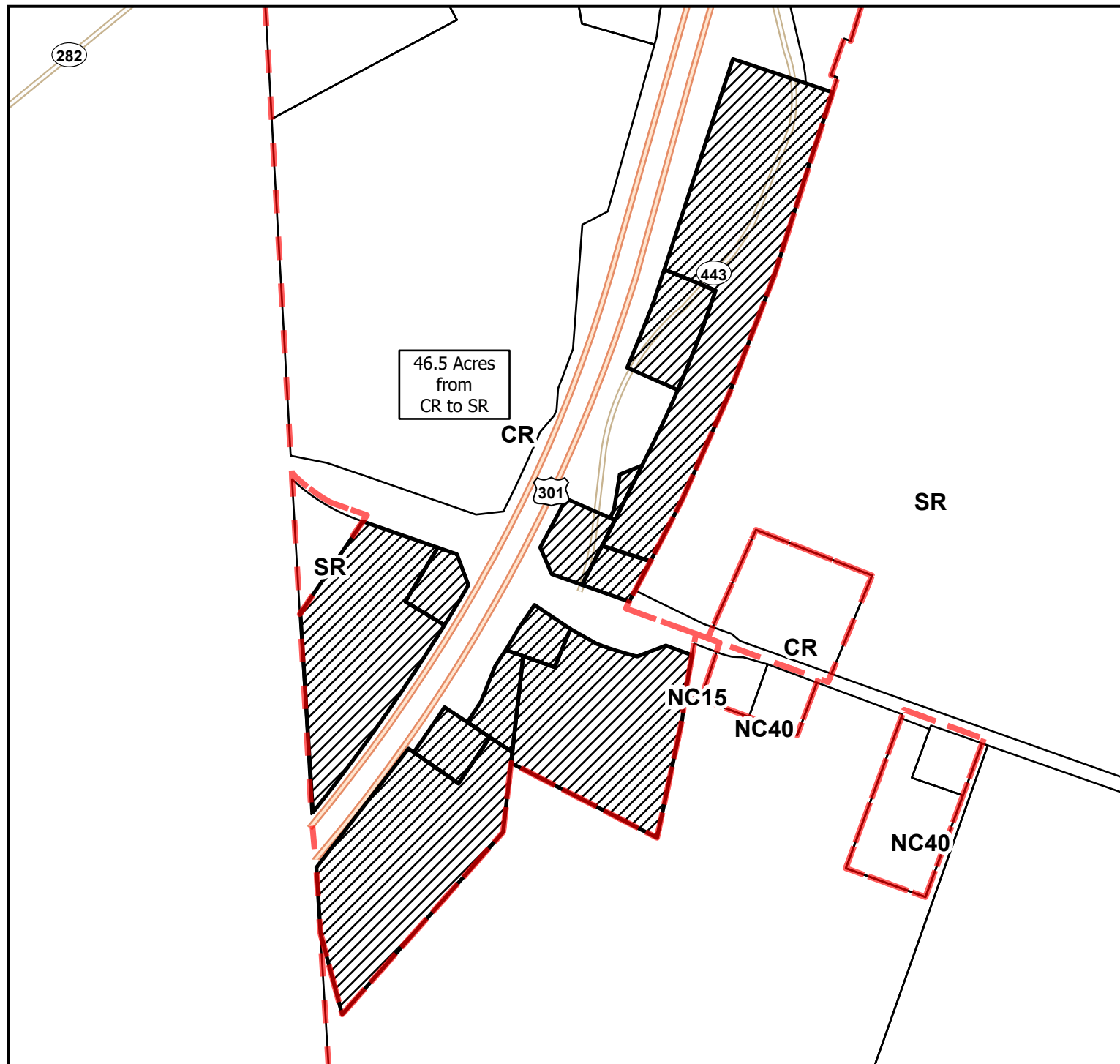
Date Adopted by County Council _____

Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: CR ZONING TO SR ZONING

APPLICATION NO. 2023-0325-Z

TAX PARCEL NO. 14-010.00-002; 14-010.00-003; 14-101.00-009; 14-010.00-010;
14-010.00-011; 14-010.00-015; 14-010.00-016; 14-010.00-017; 14-010.00-018;
14-010.00-026; 14-010.00-028; 14-010.00-032



HUNDRED: APPOQUINIMINK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:6,500

Prepared by: MTRogers

Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

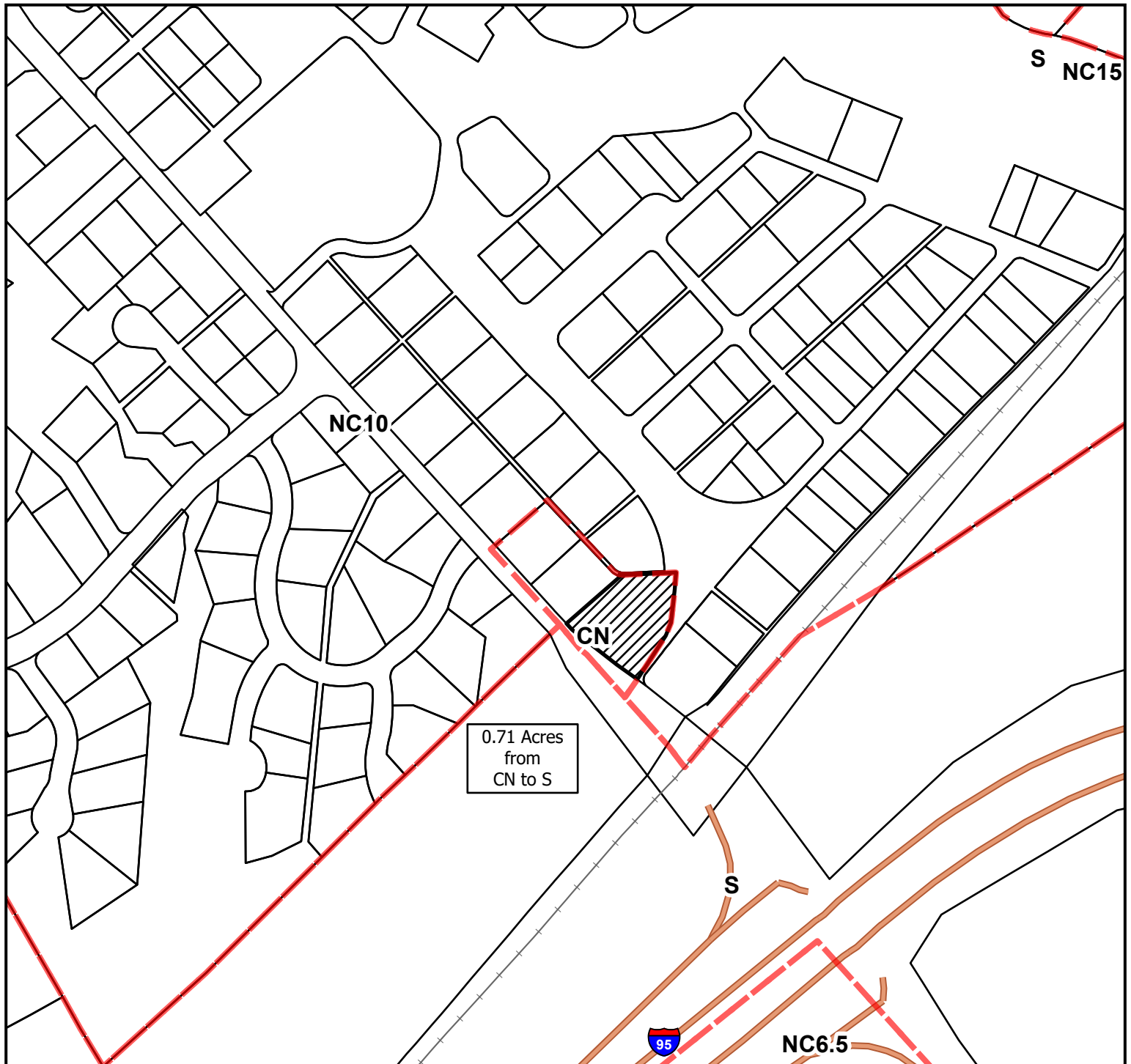
Date Approved by County Executive _____

PROPERTY MAP

MAP 37
ZONING ORDINANCE AS AMENDED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: CN ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 27-001.00-001



HUNDRED: ARDENTOWN
NEW CASTLE COUNTY, DELAWARE

Scale: 1:4,000

Prepared by: MTRogers

Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083

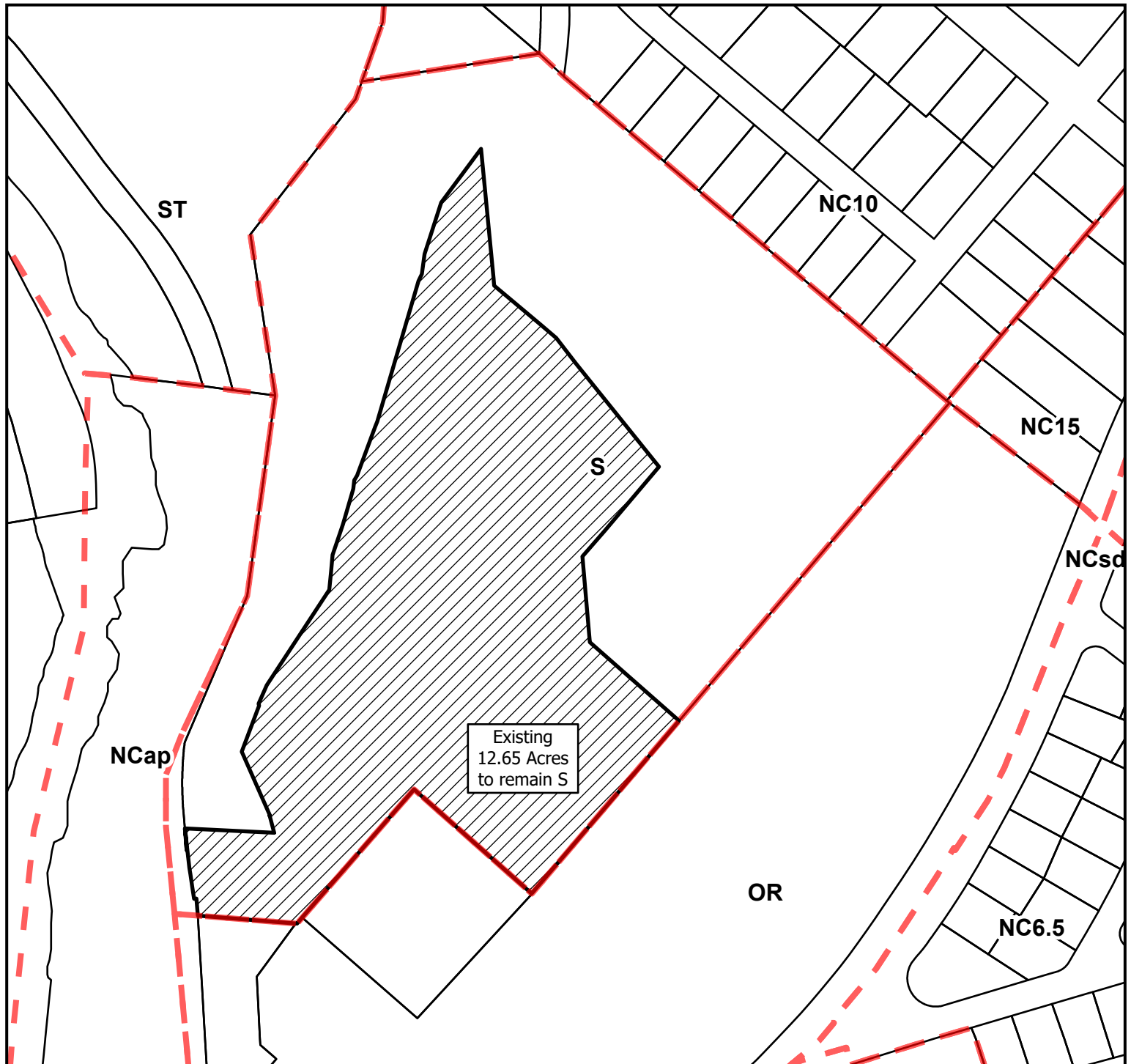
Date Adopted by County Council _____

Date Approved by County Executive _____

PROPERTY MAP

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: S REMAINING S

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 06-136.00-028



HUNDRED: BRANDYWINE
NEW CASTLE COUNTY, DELAWARE

Scale: 1:2,998

Prepared by: MTRogers

Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

Date Approved by County Executive _____

**DEPARTMENT OF LAND USE
RECOMMENDATION REPORT**

**Ordinance No. 23-083
Application No. 2023-0325-Z
Comprehensive Rezoning**

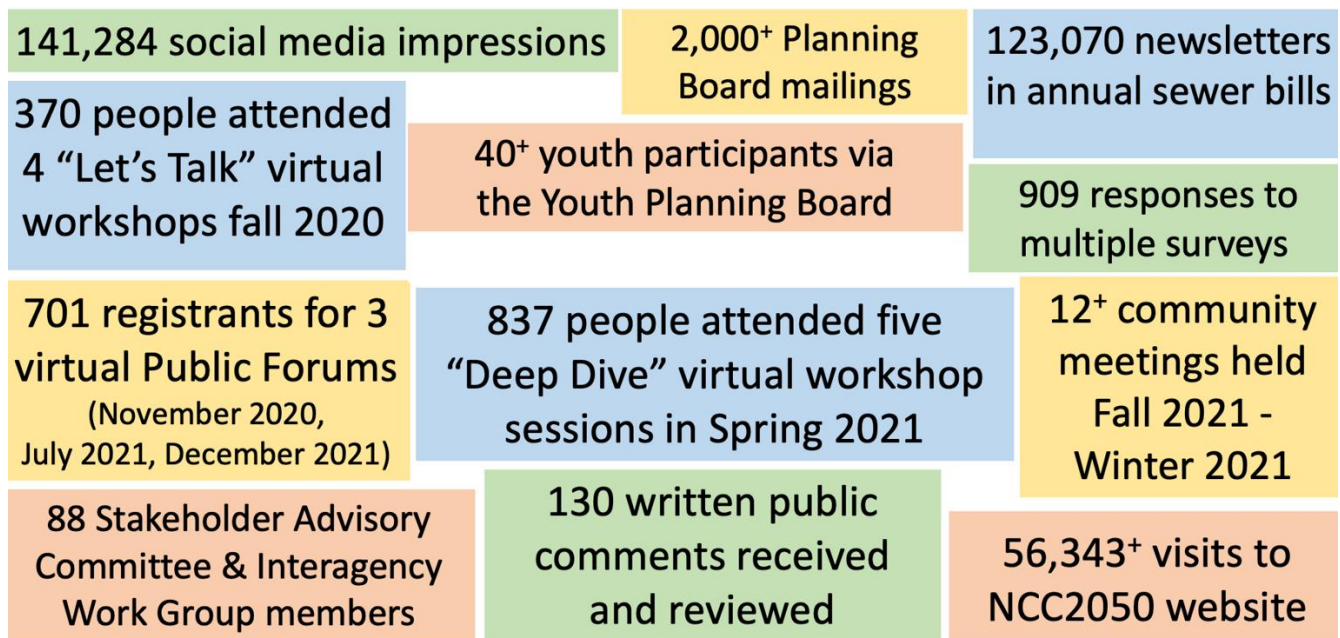
December 12, 2023

Sponsor: Councilman Tackett (District 11), Councilwoman Kilpatrick (District 3)

Description: Amend the Zoning Map consistent with the Future Land Use Map

EXECUTIVE SUMMARY

The 2022 Update to the New Castle County Comprehensive Development Plan (NCC2050) was the product of more than 2 years of extensive public outreach interacting with thousands of County residents through a variety of virtual and in person meetings.



Ordinance 23-083 proposes to amend the County's official zoning map to rezone all lands in accordance with the uses and intensities of uses provided for in the future land use element for the County pursuant to the Quality of Life Act of 1988. The rezoning process set forth by State and County Code mandates opportunities at various critical junctures for the public to inform and impact the process at the public hearings. The first opportunity is during the comprehensive

planning process, which creates the Future Land Use Element/Map. The second opportunity for public participation in the process is rezoning, which adds more specificity to the types and intensities of uses permitted on property. Since uses, intensities and standards are uniform across zoning districts, it is imperative that public comment be weighed heavily when evaluating the *consistency with the character of the neighborhood and effect on nearby properties* standards for a rezoning.

The Future Land Use map itself is by Code *not a rezoning*¹ but effectuates future development and rezonings in the County.² It prescribes a range of permissible zoning districts within each designation. The County rezoning process and standards are how the appropriate district for each parcel is designated. While designations such as Business Flex limit future rezonings to specific districts, development of a property for uses such as large-scale solar energy systems, institutional, and agricultural is permissible in all zoning districts and therefore does not require a rezoning to permit development consistent with the Future Land Use map.

The Department of Land Use has considered the Standards for Zoning Map Amendment in Section 40.31.410, A through E *of the Unified Development Code*, the Future Land Use map, comments received from outside agencies, and comments received from the public. Based on this analysis, the Department is of the opinion that the standards are met by this proposal. Therefore, the Department of Land Use recommends **CONDITIONAL APPROVAL** of the rezoning application with the following condition:

County Council consider a Substitute Ordinance that reconfirms the existing zoning of the following parcels to retain their existing residential zoning designations:

06-136.00-028
10-045.00-011
10-045.00-012
10-049.00-073
10-049.00-074
10-050.00-007
10-050.00-008
10-050.00-009
10-050.00-011
10-050.00-012
10-050.00-013
12-021.00-003
13-004.00-001
13-008.00-002
13-008.00-053
13-009.00-001

¹ Del Code, Title 9, Chapter 26, § 2656, New Castle County Code Chapter 28, & NCC2050 Future Land Use Element Page 86.

² *Farmers For Fairness v. Kent County Levy Court*, 2012 WL 295060: Chancery Court discussed that since no development can occur that is inconsistent with the Land Use Map, that it can be an “effective rezoning”

DESCRIPTION

Ordinance 23-083 is a rezoning ordinance that rezones 33 parcels from residential zoning designations to nonresidential zoning designations and 61 parcels from nonresidential designations to residential designations consistent with the Future Land Use map and pursuant to Delaware State Law.³

BACKGROUND

The history of the comprehensive rezoning process dates to the 1950s. Subsequent sections examine how State and County codes evolved over time as well as important comprehensive rezonings in New Castle County history.

Establishment of Zoning & the Rezoning Process

The process and set of standards established in Delaware State Code for rezonings has largely been unchanged since 1951. On June 5, 1951, the State of Delaware granted the Levy Court of New Castle County the authority to adopt zoning regulations and provided a process and legal notice requirements for the establishment and amendment of zoning maps. The process required that the Levy Court establish a Zoning Plan, have a public hearing with the Zoning Commission with notice at least 15 days prior to the hearing in the newspaper of general circulation in the County and adoption by the Levy Court. The process for amendments to the zoning map largely mirrored that of establishing zoning, with the exception of reducing the notice requirement to seven days prior to the Zoning Commission hearing.⁴ New Castle County adopted zoning regulations in September of 1954.

Levy Court to County Executive/Council/Planning Board & Comprehensive Planning⁵

In 1965, the structure of New Castle County government was reorganized, replacing the Levy Court with a County Executive and County Council. The rezoning regulations were revised to accommodate this change. This legislation also set forth the requirement that the County adopt a Comprehensive Plan to guide future development but provided limited guidance regarding the drafting or utility of the document.

³ Ibid.

⁴ Zoning Enabling Legislation: <https://legis.delaware.gov/SessionLaws/Chapter?id=33182> Dillon's Rule additional reading: <https://www.planning.org/planning/2020/mar/tools-legal-lessons/>

⁵ Reorganization Of The Government Of New Castle County And Amending And Repealing Existing Laws Pertaining Thereto: <https://legis.delaware.gov/SessionLaws/Chapter?id=17035>

Quality of Life Act of 1988⁶

Delaware State government adopted the Quality of Life Act in 1988 to further “*strengthen the existing role, processes, and powers of County governments in the establishment and implementation of comprehensive planning programs to guide and control future development.*” Adoption of the Quality of Life Act largely established and standardized the requirements, elements, and overall utility of the County’s Comprehensive Development Plan that exists today. A key provision in the Quality of Life Act detailed the effect of the adoption of comprehensive plan’s land use maps:

*After a comprehensive plan or element or portion thereof has been adopted by County Council or Levy Court in conformity with this Act, the land use map or map series forming part of the comprehensive plan as required by this Act shall have the **force of law**, and no development, as defined in this Act, shall be permitted except in conformity with the land use map or map series and with land development regulations enacted to implement the other elements of the adopted comprehensive plan.*⁷

The Delaware Chancery Court confirmed that the land use element/map had the force of law, and that no development is permitted that is not in conformity to it.⁸ When the Quality of Life Act was adopted, there was no time requirement for the zoning map to be brought into conformity with the land use map. In 2001, State Code was revised to read:

*Within 18 months of the date of adoption of the county comprehensive plan or revisions thereof, New Castle County shall amend its official zoning map(s) to rezone all lands in accordance with the uses and intensities of uses provided for in the future land use element for the county. In the event that the comprehensive plan includes provisions governing the rate of growth of particular planning districts or sub-areas of the county, the County's zoning district regulations shall be amended to reflect the timing elements of the comprehensive plan.*⁹

Rezoning in New Castle County

Since the adoption of zoning in 1954, all changes to New Castle County’s zoning map have fundamentally followed the process that was originally established in 1951, whether for 1 or 100,000 parcels. The utility of these rezonings ranged from larger initiatives, such as the adoption of the UDC, Diversified Planned Unit Developments, Hometown and Historic Overlays to smaller initiatives such as to legalize existing uses or to support the subsequent recordation of a plan that provides for important residential and nonresidential development.

⁶ Quality of Life Act of 1988: <https://legis.delaware.gov/SessionLaws/Chapter?id=22445>

⁷ Ibid. Emphasis added.

⁸ In *Farmers for Fairness v. Kent County Levy Court*, 2012 WL 295060, the Court of Chancery stated; *The Act is unambiguous. The land use map or map series has “the force of law,” and the County may not permit development contrary to that provided for in the land use map. The statutory language ...is straightforward and uncomplicated. The “force of law” means that any provisions in the land use map or map series have a “legally binding effect.”*

⁹ <https://legis.delaware.gov/SessionLaws/Chapter?id=19151>

Adoption of the Unified Development Code (UDC) & the County's First Modern Comprehensive Rezoning

The adoption of the UDC (Ordinance 97-172) fundamentally changed how development occurred across the County through two actions: it consolidated the Subdivision and Zoning Codes and changed the County's zoning principles from Euclidean to Performance zoning.

As a consolidated code, the public review process for development plans was streamlined with rezonings.¹⁰ Until October of 2022, the UDC required that County-initiated rezoning applications only needed to provide notice consistent with state law (notice in the newspaper of circulation). The Department of Land Use worked with Councilman Tackett and Councilwoman Kilpatrick to draft Ordinance 22-053 to expand notice requirements for **all rezonings** to include mailing adjacent property owners as well as online notification.¹¹ While the notice requirements may have differed between County-initiated rezonings and land development plans that needed a change in zoning, the standards were consistent regardless of the application type.¹²

As stated above, the County also altered its zoning structure from Euclidean to Performance Zoning, which seeks to achieve specific targeted goals within the geometric constraints of the parcel. New Castle County set the objective to achieve preservation of open space accompanying development. The success of this approach is evident when looking at the significant quantity of private open space preserved since the adoption of the UDC. This however, would not have been possible absent the County-Initiated Comprehensive Rezoning that was part of Ordinance 97-172 that rezoned the entire unincorporated portion of the county (more than 100,000 parcels) to conform with the new Performance Zoning districts. Between 1998 and 2015, the County has rezoned 7,675 parcels in 64 ordinances through Corrective Rezonings to refine changes resulting from Ordinance 97-172.

Hometown Overlay Zoning Districts (Ordinance 03-107)

The 2002 Comprehensive Plan recommended that the County expand community governing opportunities through the establishment of Hometown Overlay Zoning Districts. These are areas that conduct a comprehensive community planning effort at the local level, evaluating site, building, and sign design, etc. Adopted community plans set standards that supersede existing regulations in the Unified Development Code for those areas. Ordinance 03-107 established a unique process that **rezoned more than 1,200 parcels** through County Council Resolution. Without these comprehensive rezonings, innovative developments such as Darley Green would not have been possible.¹³

¹⁰ Section 40.31.113:

https://library.municode.com/de/new_castle_county/codes/code_of_ordinances?nodeId=CH40UNDECO_ART31PRA_D_S40.31.113EXPLREST

¹¹ Ord. 22-053: <https://www3.newcastlede.gov/legislation/Details/> & https://library.municode.com/de/new_castle_county/ordinances/code_of_ordinances?nodeId=1183931

¹² Section 40.31.410

¹³ Ord 03-107: <https://www3.newcastlede.gov/Project/details/default.aspx?ProjectKey=146314>

Neighborhood Protection Overlay Districts (Ordinance 16-067)

In 2016, New Castle County Council adopted Ordinance 16-067, which established the Neighborhood Preservation Overlay District (NPOD) zoning designation to provide regulatory tools for communities concerned with incompatible infill that could inappropriately change the appearance or character of existing residential neighborhoods or streetscapes. The Department or an applicant can initiate an overlay district designation to develop and adopt regulations that are tailored to maintaining, strengthening and enhance the unique scale and character of an existing neighborhood. The establishment of an NPOD, requires a petition by $\frac{2}{3}$ of all property in the proposed district and a comprehensive rezoning ordinance approved by County Council.

Protected Open Space Zoning District (OS) (Ordinance 23-095)

On July 11, 2023, County Council introduced Ordinance 23-095 proposing the establishment of an Open Space zoning district. If adopted, the ordinance will require that all lands that are protected in perpetuity through protective covenants that utilize public funds or that were donated to a public entity (except for agricultural land in the State preservation program) be **comprehensively rezoned to Protected Open Space**. Every 2 years after the initial rezoning, the County will be required to comprehensively rezone any land that subsequently meets the requirements set forth in the ordinance. Both the Department and Planning Board have recommended in favor approving the ordinance without condition.

Ordinance 23-083 Comprehensive Rezoning and NCC2050

The 2022 Update to the New Castle County Comprehensive Plan (The Plan) was the product of more than two years of extensive public outreach. During that process, the Department made extensive efforts to reach out and garner public feedback on not only the overall Goals/Objectives/Strategies expressed in the plan, but also the Future Land Use map and Element.

The Future Land Use map prescribed changing designations from residential to nonresidential in instances where property owners believed that development was likely within the next ten years, to avoid repetitive amendments to the Future Land Use map outside of the formal comprehensive planning process.

The Future Land Use map prescribed changing designations from nonresidential to Resource Preservation in recognition of protected open space and to further protect ecological resources such as Critical Natural Areas.

Except for one parcel (TP 06-136.00-028, for which the owner requested a change in the future land use designation while the record was open) all land that was proposed to have such change was in Ordinance 22-024, as originally drafted. The Department of Land Use notified all property owners within a 300-foot distance of any property with a future land use designation that would subsequently require a rezoning to be consistent with the Future Land Use Map to give neighbors ample notice and opportunity to participate in the process. The Department also provided a list of

proposed changes by parcel number, an interactive web map, and an online HubSite for residents and government officials to gain information regarding the Comprehensive Plan and Future Land Use changes.

While the record was open, the Department received a request from William Rhodunda, Esq. that parcel 06-136.00-028 be considered for Business Flex designation. The Department, as with other requests made while the record was open considered the request individually in the recommendation report. Land Use recommended that the portion that was encumbered by Critical Natural Areas retain the Resource Preservation designation and that County Council consider a Business Flex designation for a portion of the parcel. The Planning Board concurred with the recommendation and County Council voted to amend the map accordingly as part of Substitute Ordinance No. 1 to Ord. 22-024.

Ordinance 23-083 proposes to rezone 33 parcels to support Business Flex uses and down zone 61 parcels to support Resource Preservation. As with all rezoning applications since 2022, with the adoption of Ordinance 22-053, the Department sent written notice preceding the Planning Board public hearing and solicited public comment.

PLUS REVIEW (Preliminary Land Use Service)

The PLUS Report, dated August 23, 2023, contains comments from several State agencies. The Office of State Planning Coordination reiterated their support for the 2022 New Castle County Comprehensive Plan and its goals and strategies as well as for the rezonings proposed by Ordinance 23-083. No other State agency had any comments.¹⁴

PLANNING BOARD PUBLIC HEARING – October 17, 2023

*Please note, the below is a summary. A recording and transcripts of the public hearing are available at the Department of Land Use and hyperlinked below.¹⁵

Presentation

Charuni Patibanda, the General Manager of the Department of Land Use, and Betsy Hatch, Planner at the Department of Land Use, spoke on behalf of the application before the Planning Board. Ms. Patibanda spoke to the comprehensive planning process that was recently undertaken by the County. She noted that it was a very ambitious comprehensive planning process and included goals, policies and new elements- specifically on the Future Land Use map (Business Flex and Resource Preservation). She spoke to the specifics of the Resource Preservation designation and the plan's intention of identifying existing preserved lands as well as areas that are appropriate for future preservation. Ms. Patibanda noted that the future land use map also included a Business Flex designation. She stated that the Planning Board is considering an amendment to the zoning map that proposes to rezone all land in accordance with the Future Land Use map, which is required by State code, following the adoption of the Comprehensive Plan. She stated that the

¹⁴ PLUS Report: <https://www3.newcastlede.gov/project/details/default.aspx?ProjectKey=770318>

¹⁵ October 17, 2023 Planning Board Public Hearing Recording; October 17, 2023 Planning Board Public Hearing Transcript: <https://www3.newcastlede.gov/project/details/default.aspx?ProjectKey=770318>

ordinance is part of the implementation of the approved Comprehensive Plan. She reiterated that the recently adopted Comprehensive Plan took a hard look at issues, incompatibilities, and inconsistencies that have long plagued the County and made its best efforts to rectify several injustices. Ms. Patibanda stated that the foundation of planning and land use is public participation and she acknowledged the public present at the meeting to speak on the subject ordinance.

In speaking to the ordinance, Ms. Patibanda stated that the proposed legislation deals with two categories of rezoning, with the majority of the parcels proposed to be rezoned to a Resource Preservation designation and corresponding low intensity zones. Many of these lands are already publicly owned or protected. The second category Ms. Patibanda spoke to was Business Flex. She stated that the ordinance proposes to rezone 33 parcels of land to a Business Flex designation with corresponding zoning districts, including BP, CR, CN, and OR.

Ms. Hatch provided the Planning Board with a brief background on the recent Comprehensive Plan update that was undertaken by the County between 2019 and 2022. She spoke to the detailed analysis of the Future Land Use map and existing land uses across the county. She noted that there were 61 parcels identified during this process that were protected either through public means or due to environmental constraints that had existing zoning inconsistent with Resource Preservation. Ms. Hatch stated that 33 parcels were identified as appropriate for a Business Flex designation, as they had an opportunity to provide a better transition between residential uses and industrial uses, specifically heavy industrial uses. She spoke to the extensive public engagement that occurred during the four years the county worked on the Comprehensive Plan update. Ms. Hatch noted that the Comprehensive Plan proceeded through various public meetings through the adoption process following the public outreach that occurred and noted the extensive public notification that coincided with the adoption process. She outlined the public notification that was provided for Ordinance 23-083 ahead of the Planning Board public hearing and provided a summary of the process after the ordinance is considered by the Planning Board. Ms. Hatch proceeded to walk the Planning Board through the parcels that are proposed to be rezoned.

Following Ms. Hatch's presentation, Ms. Patibanda noted that the record for the proposed ordinance will remain open for 30 days in order to provide the public an opportunity to submit comment to be considered by the Department and the Planning Board. She noted that while the department would be providing a more detailed recommendation at the Planning Board business meeting tentatively scheduled for December, she noted that the Department is recommending that a number of parcels proposed to be rezoned under the Business Flex designation be removed so that they can be considered individually under a different application. She spoke to the individual parcels that the Department recommended removing from the ordinance under the umbrella of a substitute. She concluded by thanking the Planning Board and the public for their participation and comments on this subject ordinance.

Ms. Peterson asked if the Department was recommending that the parcels associated with Incyte be removed from the ordinance. Ms. Patibanda confirmed that was correct. Ms. Peterson inquired about the Planning Board's process moving forward since the Department had already indicated they were recommending the parcels be removed from Ordinance 23-083. Ms. Patibanda clarified that while it is not commonplace to include preliminary recommendations to the Planning Board

at the public hearing, she wanted to note these recommendations so that they can be included in the joint recommendation report that is provided to County Council.

Ms. Gray inquired about the structure of Ordinance 23-083. Ms. Patibanda noted that the ordinance includes multiple parcels to make a good-faith effort to comply with State code, which requires that all parcels identified in the Future Land Use map be rezoned for consistency within eighteen months of adoption. Ms. Gray asked about the rezoning requests that were requested by property owners. Ms. Patibanda stated that the County did a comprehensive review of pretty much every parcel in the county and also solicited recommendations from property owners and received input from owners within the County on what they believed the property could or should be zoned because of inconsistencies and surrounding parcels. Ms. Gray inquired if there are specific parcels that are not approved how would that impact the whole process. Ms. Patibanda stated that she has reached out to the State to discuss how the County should move forward should the parcels identified in the Future Land Use map not be rezoned. She reiterated that during the Comprehensive Plan update, the County did something that other counties within the State haven't done before and sought to make a good faith effort by identifying future land uses in the Comprehensive Plan. Ms. Gray inquired if the Department is planning to prepare a substitute ordinance. Ms. Patibanda stated that it would be her recommendation that the Department assist in drafting a substitute ordinance.

Ms. Peterson inquired if there would be a substitute ordinance drafted prior to the Planning Board's recommendation. Ms. Patibanda stated that she would consult with Department staff and attorneys to determine if that was possible.

Public Comment

The Planning Board heard testimony from 67 members of the public. Public testimony included areas of concern regarding the ordinance, including the following specific topics:

- Rezoning of lands near Jamison Corner Road due to concerns regarding a proposed warehouse development adjacent to the Traditions at Whitehall.
- Rezoning of lands near Alapocas and Incyte Corporation due to concerns regarding impacts to the surrounding neighborhood.
- Rezoning of lands near the Delaware City Refinery may impact surrounding residents and character of the surrounding neighborhood.
- The overall structure of the ordinance and transparency due to the number of parcels proposed to be rezoned under Ordinance 23-083.

Support

Ted Lester
Shawn Tucker
Bob Lester

Fred Wittig
Sean Stevenson

Opposition

David Carter
Peggy Schultz
Ilana Parsons
David Shankman
Dr. William Robins
Leslie Grower
Dr. Laura Hummel
Whitehall Resident (audio inaudible)
Whitehall Resident (audio inaudible)
Whitehall Resident (audio inaudible)
John Tate
Bob Proietto
Whitehall Resident (audio inaudible)
Barry Rega
Colleen Fortunato
Fred Fortunato
Kathleen Robins
Reed Paynter
Kelly Wright
Whitehall Resident (audio inaudible)
Shannon Steele
Oliver Major
Allison West
Gus Cileone
Christine Perkins
Charlie Sorce
Melanie Faith
Edward Mintzer
David McRaney
John Livewell
Carol Wilson

Joanne Henrick Rori Flloyd Langston
Neo Contra
Whitehall Resident (audio inaudible)
Sarah (did not indicate last name)
Jeff Leonard
Tom Gordan
RJ Miles
Todd Schiltz
David Hamilton
Cliff Lange
Alapocas Resident (audio inaudible)
Jeff Goddess
Nancy Kay
Elisa Morriss
Cindy Althouse
Kathryn Walker
Jim (Alapocas Resident, audio inaudible)
Alapocas Resident (audio inaudible)
Chuck Durante
Bobby (last name inaudible)
Rosa Cantina
Alan Griffiths
John Irwin
Member of Public (name inaudible)
Christina Lynn
Dustin Thompson
Amy Rowe
T. Kendrick Hall
Willie Scott
Ms. Pride (first name inaudible)
Eileen Gallabeda

Written Public Comment:

Prior to the public hearing, the Department of Land Use received 68 letters / emails of public comment. Following the public hearing and prior to the close of the record, the Department received over 100 emails / letters of public comment. All public comment is included as an attachment to this report and is also accessible on the Project Details page, which can be accessed <https://www3.newcastlede.gov/project/details/default.aspx?ProjectKey=770318>.

ANALYSIS

During both the Planning Board public hearing as well as in correspondence received while the record was open, public feedback centered on concerns and critiques on the process, with questions about public participation opportunities and the legality of comprehensive rezonings. Other concerns voiced by the public related to specific proposed rezonings from a current residential designation to a nonresidential designation.

Participation and Legality of the Process

As discussed in the background section of this report, the comprehensive rezoning process has not only followed the rezoning process prescribed in both Delaware State Code and New Castle County Code (UDC) that has its basis in more than 70 years of precedent but has also afforded public participation opportunities that well exceed the requirements set by statute. Comprehensive rezonings as a practice have been essential in the establishment of zoning, the adoption of the UDC, and creating opportunities for Hometown Overlay Areas. The comprehensive zoning process will also continue to be essential in creating Neighborhood Preservation Overlay Districts and rezoning land to Protected Open Space (OS) should Ordinance 23-095 be adopted. While Ordinance 23-083 **adheres to the process and exceeds the notice requirements set by both State and County Code** it is important to understand why and how the process functions to clear up confusion.

Ordinance 23-083 has provided opportunities for the public to provide feedback on the process for land development plans that require a rezoning. When a land development plan requires a rezoning, the process which was formally streamlined through the adoption of the UDC, requires plan and rezoning review through one Planning Board public hearing, as well as the associated County Council meetings.

Adoption of the Future Land Use Map (NCC2050)

The planning process that resulted in the Future Land Use map decisions occurred over more than two years, with extensive public feedback and opportunities for public participation as discussed during the adoption of the 2022 Comprehensive Plan (Ordinance 22-024). Prior to the Planning Board public hearing, while not required by State or County Code, the Department of Land Use sent notification (more than 2,000 letters) to all property owners within a 300-foot distance of land where a future land use change could result in a rezoning. Residents were provided with links

to the Comprehensive Plan Hub Site which included the draft plan, presentations, and videos. The Department also included a link to a web map that residents who could utilize to locate and understand changes proposed by the Future Land Use map. The Department, as a result of this outreach, received a significant number of phone calls prior to the public participation at the Planning Board public hearing. The Comprehensive Plan was adopted in July of 2022, through County Council public hearings.

Comprehensive Plans in Delaware are required to include a Future Land Use Element/Map that designates:

*...proposed future general distribution, location and extent of the uses of land for such activities as residential uses, commercial uses, industry, agriculture, recreation, conservation, education, public buildings and grounds, other public facilities and other categories of the public and private uses of land...*¹⁶

The comprehensive development planning process is described in New Castle Code Chapter 28 as an “ongoing and evolving process conducted by the Department of Land Use with the participation of the County Council, the County Executive, the Planning Board and citizen committees.”¹⁷ Rezoning that result in a comprehensive planning process have perhaps the most immediate impacts on County residents of all implementation efforts. This is factored in when developing the Future Land Use map. The map prescribes general land use categories, with zoning districts that can meet the objectives of the future land use designation. The map does not grant or convey a specific zoning district or development potential to any one parcel.

Comprehensive Rezoning (Ord. 23-083)

Ordinance 23-083 proposes to rezone land consistent with the Future Land Use map and pursuant to Delaware State Law:

*Within **18 months** of the date of adoption of the county comprehensive plan or revisions thereof, New Castle County shall amend its official zoning map or maps to **rezone all lands in accordance with the uses and intensities of uses provided for in the future land use element for the County.***

When determining how to meet the rezoning requirements of Delaware State code, the Department employed an objective approach to proposed zoning designations:

- For all rezonings within the Resource Preservation Future Land Use designation, land is proposed to be rezoned to a residential zoning district consistent with surrounding

¹⁶ 9 Del.C.26 § 2656(g)(1) <https://delcode.delaware.gov/title9/c026/sc02/index.html>

¹⁷ Chapter 28:

https://library.municode.com/de/new_castle_county/codes/code_of_ordinances?nodeId=PTIICO_CH28PL_S28.01.00_3CODEPL

land providing additional protections for open space preservation. This is consistent with how park land and open space land is zoned throughout the county.

- For Business Flex designated areas, the Department proposed the Business Park zoning designation to transition from Heavy Industry and Industrial zoned land to residential.
- For parcels that have had submissions in the review process, the Department proposed zoning designations consistent with the plan under review.
- The Department also considered requests from property owners.

As discussed above, Ordinance 23-083 has followed the process set forth in Delaware State Law and New Castle County Code for all rezoning applications. As required by the UDC, prior to the Planning Board public hearing, the Department of Land Use sent notification to all property owners within a 300-foot distance of land where a future land use change could result in a rezoning (in excess of 2,000 letters). In addition to the information provided during the adoption of NCC2050, the Department also included in the notice a link to a web map that depicted the zoning designations proposed by the ordinance. Residents that had not participated in the comprehensive planning process or may not have resided in the county during the comprehensive planning process, have, as County Code intends, become an integral part of the planning process. Public input from this process is instrumental in considering if the rezonings proposed by Ordinance 23-083 are consistent with the character of the neighborhoods and have adequately considered the effect on nearby properties.¹⁸

Potential Future Development

After the Planning Board Business Meeting, Ordinance 23-083 will proceed to County Council to be considered through another public hearing. All future land development plans proposed on land rezoned by Ord. 23-083 are required to follow the normal public process provided for in the UDC. Major Land Development plans are required to meet traffic and school concurrency requirements as well as have a public hearing, where residents within 300-feet are sent a mailed notice in addition to web and newspaper notice requirements.

Unlike rezoning applications that accompany land development plans, providing one path and opportunity for the public to provide feedback at a Planning Board public hearing, the Comprehensive Rezoning process undertaken by the County provides multiple opportunities for the public to engage in planning process at critical junctures.

¹⁸ Section 40.31.410:

https://library.municode.com/de/new_castle_county/codes/code_of_ordinances?nodeId=CH40UNDECO_ART31PRAD_S40.31.410STZOMAAM

Parcels Recommended to Retain their Existing Zoning Designation

The Future Land Use map designates future general distribution, location, and extent of uses, possible on land. Its role is to provide guidance and effectuate future development and rezonings in the county.¹⁹ While it prescribes permissible zoning districts within each designation not **all zoning districts and uses are appropriate for all parcels within a district**. Furthermore, designations such as Business Flex, limit future rezonings to specific districts. Development of the property for uses such as large-scale solar energy systems, institutional, agricultural, are permissible in all zoning districts and therefore do not require a rezoning to permit development consistent with the Future Land Use Map. The appropriate zoning designation is determined by evaluating the minimum district requirements and standards for an amendment to the zoning map set by the UDC.²⁰

During the public process, the Department received significant public comment regarding the following parcels:

06-136.00-028
10-045.00-011
10-045.00-012
10-049.00-073
10-049.00-074
10-050.00-007
10-050.00-008
10-050.00-009
10-050.00-011
10-050.00-012
10-050.00-013
12-021.00-003
13-004.00-001
13-008.00-002
13-008.00-053
13-009.00-001

Many of the comments centered on the premise of development that has not been proposed through a submission to the County. Determining the appropriateness of a rezoning based on the supposition of a specific development occurring that has not been proposed could risk being found to be an arbitrary act. That said, public comments and concerns have voiced concerns that

¹⁹ Del Code, Title 9, Chapter 26, § 2656, New Castle County Code Chapter 28, & NCC2050 Future Land Use Element Page 86.

²⁰ Section 40.04.110:

[https://library.municode.com/de/new_castle_county/codes/code_of_ordinances?nodeId=CH40UNDECO_ART4DIINBUST_S40.04.110DIBUST & 40.31.420:](https://library.municode.com/de/new_castle_county/codes/code_of_ordinances?nodeId=CH40UNDECO_ART4DIINBUST_S40.04.110DIBUST&40.31.420)

https://library.municode.com/de/new_castle_county/codes/code_of_ordinances?nodeId=CH40UNDECO_ART31PRAD_S40.31.420STTEAM

development permissible under the Business Park zoning district may result in development that is inconsistent with the character of the neighborhoods and adversely impact nearby properties. The Department finds that based on these concerns that the existing zoning should be reconfirmed. Future land development plans and rezoning requests should be considered on applications that have been the result of outreach, communication, and collaboration with nearby communities to make sure that they are consistent with the character of neighborhoods and sensitive to the potential impact on nearby properties.

Parcels Recommended to be Rezoned

Sixty-one parcels are designated to be rezoned from a nonresidential to residential zoning districts in recognition of ecological and historic goals of NCC2050. Additionally, land that has been acquired by the County, State and Federal Government for parks and other open space uses is to be rezoned to residential designations consistent with surrounding land. Councilman Carter voiced concerns over the potential for government owned Superfund sites being developed as a residential development, specifically the Army Creek site, as well as the impact on rumination efforts. A residential zoning designation does not nullify or adversely impact remediation efforts. Additionally, although a contaminated site could potentially be developed as a residential development in the future, it would only be possible after the site was remediated. The same site could also be developed as an Industrial use, likely with less required remediation, whose proximity to adjacent communities could further adversely impact county residents. Public comments included calls for the rezoning of this land to be removed from the ordinance and rezoned only after the adoption of the Protected Open Space zoning district. There are two concerns regarding this: (1) not all of the land designated as Resource Preservation, requiring a rezoning will be eligible for the Protected Open Space zoning district (some of it is private land with Critical Natural Areas) and (2) that the Protected Open Space zoning district is yet to be adopted.²¹

Ordinance 23-083 also includes eighteen parcels that the Department recommends be rezoned, in a substitute ordinance, from a residential designation to a nonresidential designation. These are located in land between Rt 1 and Rt 13, the southern portion of Summit Airport and adjacent the Maryland border. Much of the land between Rt 1 & 13 has not developed residentially since being isolated by the construction of the roadways. Commercial designations such as CN and CR were determined to be appropriate for the viability of the corridor during the comprehensive planning process. The southern portion of parcel 11-058.00-009 (Summit Airport) has a nonconforming runway. Rezoning this portion of the site will resolve the nonconformity, while assisting the future viability of the airport. Parcel 11-025.00-026 is a landlocked parcel. Parcel 11-025.00-002 is zoned CN and fronts Pulaski Highway isolating parcel 11-025.00-026. Rezoning the property to CN will be consistent with the parcel fronting Pulaski Highway and enable future viability of the site.

²¹ The 2022 Comprehensive Plan update is the third Update to the New Castle County Comprehensive Plan that has recommended the establishment of an Open Space Zoning District.

All of the properties the Department recommends in a substitute ordinance have undergone the process for rezoning and meet the requirements set forth for an amendment of the zoning map.

Standards of Review

Pursuant to Section 40.31.410 of the New Castle County Code, in determining whether an amendment to the zoning map shall be recommended or approved, the following factors shall be considered:

A. Consistency with the Comprehensive Development Plan and the purposes of this Chapter.

Land That Is Recommended to Be Rezoned (as depicted in the attached draft Substitute Ordinance)

Land that the Department is recommending for rezoning is consistent with the Future Land Use designations and other provisions of the Comprehensive Plan.

Land That Is Not Recommended to Be Rezoned (as depicted in the attached draft Substitute Ordinance)

While consistency with the Future Land Use Map is one factor in determining that a rezoning is consistent with the Comp Plan, it is not the sole factor. The Business Flex Future Land Use designation permits a range of nonresidential designations that vary in the intensity of permitted uses. Any property retaining its existing zoning designation has been determined to need additional consideration as to whether the proposed zoning or a different designation is appropriate based on concerns and considerations resulting raised during the public process. To make sure that each of the potentially removed rezonings only permits the type and intensity of use consistent with recommendations in the Comprehensive Plan, each parcel removed should be considered individually. The Future Land Use Map, as with other recommendations in the Comprehensive Plan, are reviewed at the 5-year review (2027) and 10-year update (2032). Should the designation be determined to need a revision it would be part of a formal public amendment process.

B. Consistency with the character of the neighborhood.

Land That Is Recommended to Be Rezoned (as depicted in the attached draft Substitute Ordinance)

Land that the Department is recommending for rezoning (as depicted in the attached draft Substitute Ordinance) has been determined to be is consistent with the character of the neighborhood. The majority of the parcels to be rezoned is under the umbrella of the Resource Preservation designation, which encourages the preservation of environmental, agricultural, and historic resources and would permit development consistent and sensitive to existing community character. Based on the review undertaken by the Department during

the Comprehensive Plan, the eighteen remaining nonresidential rezonings are largely consistent with existing nonresidential development patterns.

Land That Is Not Recommended to Be Rezoned (as depicted in the attached draft Substitute Ordinance)

As discussed in the Analysis section, public comment has highlighted potential inconsistencies with the character of neighborhoods should these properties be rezoned BP at this time. Future land development plans and rezoning requests should be considered on applications that have been the result of outreach, communication, and collaboration with nearby communities to make sure that they are consistent with the character of neighborhoods.

C. *Consistency with zoning and use of nearby properties.*

All properties have been evaluated and are consistent with the zoning and uses of adjacent properties. Further rationale for each proposed rezoning can be referenced in appended spreadsheet.

D. *Suitability of the property for the uses for which it has been proposed or restricted.*

All proposed rezonings in Ord. 83-083 are consistent with the Future Land Use Map, and meet the minimum requirements for the zoning districts to which they are proposed. Through the Comprehensive Plan process, the properties proposed to be rezoned were identified as suitable for zoning districts that coincide with Resource Preservation and Business Flex designations.

E. *Effect on nearby properties.*

Land That Is Recommended to Be Rezoned (as depicted in the attached draft Substitute Ordinance)

Land that the Department is recommending for rezoning (as depicted in the attached draft Substitute Ordinance) has been determined to have a positive impact (down zoning parks and open space areas) or retaining economic viability in an existing area (Summit Airport and land between Rt 1 & 13).

Land That Is Not Recommended to Be Rezoned (as depicted in the attached draft Substitute Ordinance)

As discussed in the Analysis section, public comment has highlighted potential adverse impacts on nearby properties should these properties be rezoned BP at this time. Future land development plans and rezoning requests should be considered on applications that have been the result of outreach, communication, and collaboration with nearby communities to make sure that minimizes adverse impact on nearby properties.

DEPARTMENT OF LAND USE RECOMMENDATION

The Department of Land Use has considered the Standards for Zoning Map Amendment in Section 40.31.410, A through E of the *Unified Development Code*, the Future Land Use Map, the comments received from outside agencies, and the comments received by the public. Based on this analysis, the Department is of the opinion that the standards are met by this proposal. Therefore, the Department of Land Use recommends **CONDITIONAL APPROVAL** of the rezoning application with the following condition:

County Council consider a Substitute Ordinance that reconfirms the existing zoning of the following parcels to retain their existing residential zoning designations:

06-136.00-028
10-045.00-011
10-045.00-012
10-049.00-073
10-049.00-074
10-050.00-007
10-050.00-008
10-050.00-009
10-050.00-011
10-050.00-012
10-050.00-013
12-021.00-003
13-004.00-001
13-008.00-002
13-008.00-053
13-009.00-001

PLANNING BOARD RECOMMENDATION

At its business meeting held on December 12, 2023, the Planning Board considered the proposed application, public testimony provided at the October 17, 2023, public hearing, and the recommendation offered by the Department of Land Use. On a motion made by Mr. Snowden and seconded by Ms. Visvardis, the Board voted to recommend **CONDITIONAL APPROVAL** of Ordinance 23-104 subject to the conditions made by the Department of Land Use by a vote of 4-2-0-2 (Yes: Gray, Peterson, Snowden, Visvardis; No: Cahill-Krout, Daigle; Abstain: none; Absent: Cochran, Drake).

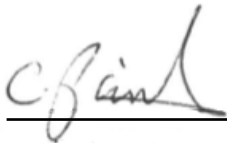
In discussion preceding the vote, the following comments were offered:

Ms. Peterson inquired as to the total number of parcels proposed to retain their existing residential zoning. Mr. Rogers confirmed that there are 16 parcels proposed to retain their

existing residential zoning including the parcels adjacent to Incyte, the Delaware City Refinery, and the Whitehall development as well as the Frightland and former Lighthouse Farm property. Mr. Snowden stated that in essence, retaining the existing zoning removes the parcels from the list to be rezoned. Mr. Rogers explained that the recommendation is to reconfirm the residential zoning designations akin to confirmations of previously approved rezonings. Mr. Daigle inquired about the rationale for removing select parcels from being considered for a rezoning at this time. Mr. Rogers explained that the rationale relies on two specific criteria (1) consistency with the character of the neighborhood and (2) effect on nearby properties. Ms. Peterson clarified with Mary Jacobson, that only one motion was needed for the application.

STATUTORY GUIDELINES

In the phraseology of 9 Delaware Code Section 2603 (a), the Department of Land Use finds that this rezoning would promote the convenience, order, and welfare of the present and future inhabitants of this state.



12/15/23

Charuni Patibanda
General Manager
Department of Land Use

date



12/14/23

Karen Peterson
Chair
Planning Board

date

Exhibit 1:

Rationale

Council District	Councilperson	Parcel Number	Future Land Use Designation	Current Zoning	Proposed Zoning	Owner	Acres	Rationale
	1 BRANDON TOOLE	0901100070	Resource Preservation	ON	S	STATE OF DELAWARE	0.86	Government Owned Environmentally Constrained Land: Flood Plains
	1 BRANDON TOOLE	0903030091	Resource Preservation	CR	S	NEW CASTLE COUNTY	0.06	Public Open Space
	2 DEE DURHAM	0604000002	Resource Preservation	CR	S	UNITED STATES OF AMERICA DEPT OF INTERIOR	3.77	Public Open Space
	2 DEE DURHAM	06077700274	Resource Preservation	CN	S	NEW CASTLE COUNTY	3.13	NCC Owned Land Buffering the SHARPLEY SEC I Subdivision
	2 DEE DURHAM	0612700001	Resource Preservation	OR	S	CITY OF WILMINGTON-MAYOR & C	9.47	Alapocas State Park
	2 DEE DURHAM	0613600028	Business Flex	S	S	WILMINGTON FRIENDS	12.61	Remain Suburban
	2 DEE DURHAM	0703020015	Resource Preservation	OR	S	CITY OF WILMINGTON	0.63	Floodplain, Wetlands, & Steep Slopes
	2 DEE DURHAM	2601410006	Resource Preservation	OR	S	CITY OF WILMINGTON-MAYOR & C	0.38	Government Land Steep Slopes & Erosion Prone Slopes
	3 JANET KILPATRICK	0700900027	Resource Preservation	HI	SE	STATE OF DELAWARE	6.20	Government Owned Environmentally Constrained Land: Flood Plains, Wetlands, Steep Slopes
	3 JANET KILPATRICK	0700900027	Resource Preservation	I	SE	STATE OF DELAWARE	6.67	Government Owned Environmentally Constrained Land: Flood Plains, Wetlands, Steep Slopes
	3 JANET KILPATRICK	0700900028	Resource Preservation	I	SE	HISTORIC RED CLAY VALLEY INC	0.01	Environmentally Constrained Land: Critical Natural Area: Red Clay Creek Valley Natural Area, Flood Plains, Wetlands, Steep Slopes
	3 JANET KILPATRICK	0800100022	Resource Preservation	HI	SE	STATE OF DELAWARE	1.38	Government Owned Environmentally Constrained Land: Flood Plains, Wetlands, Steep Slopes
	3 JANET KILPATRICK	0800740124	Resource Preservation	CR	S	NEW CASTLE COUNTY	0.04	County Owned Open Space
	3 JANET KILPATRICK	0900800010	Resource Preservation	OR	SE	STATE OF DELAWARE	4.07	Government Owned Environmentally Constrained Land: Critical Natural Area: White Clay Creek Valley Natural Area, Flood Plains, Wetlands, Steep Slopes
	4 PENROSE HOLLINS	0703020015	Resource Preservation	OR	S	CITY OF WILMINGTON	0.63	Government Owned Environmentally Constrained Land Brandywine Creek Flood Plains, Wetlands, Steep Slopes
	5 VALERIE GEORGE	0903300038	Resource Preservation	I	S	NEW CASTLE COUNTY	1.76	County Owned Land Left Open by BREEZEWOOD SEC III
	5 VALERIE GEORGE	1102500026	Business Flex	S	CN	DELAWARE LAND COMPANY LLC	1.32	Applicant Requested Land Locked directly behind Joe's Tobacco Superstore
	6 DAVID CARTER	1105800009	Business Flex	S	BP	SUMMIT AVIATION INC	114.84	Rectify Nonconforming Airport Runway
	6 DAVID CARTER	1300800002	Business Flex	S	S	WELFARE FOUNDATION INC	3.09	Remain Suburban
	6 DAVID CARTER	1300800053	Business Flex	S	S	WELFARE FOUNDATION INC	5.59	Remain Suburban
	6 DAVID CARTER	1300800058	Business Flex	S	BP	WELFARE FOUNDATION INC	2.14	Consistent with BP Zoning District to South
	6 DAVID CARTER	1401000002	Resource Preservation	CR	SR	STATE OF DELAWARE	0.94	State of Delaware Land Not in Sewer Service Area, 301 Prevents Development Into a Regional Commercial Corridor
	6 DAVID CARTER	1401000003	Resource Preservation	CR	SR	STATE OF DELAWARE	7.90	State of Delaware Land Not in Sewer Service Area, 301 Prevents Development Into a Regional Commercial Corridor
	6 DAVID CARTER	1401000009	Resource Preservation	CR	SR	STATE OF DELAWARE	9.35	State of Delaware Land Not in Sewer Service Area, 301 Prevents Development Into a Regional Commercial Corridor
	6 DAVID CARTER	1401000010	Resource Preservation	CR	SR	STATE OF DELAWARE	1.02	State of Delaware Land Not in Sewer Service Area, 301 Prevents Development Into a Regional Commercial Corridor
	6 DAVID CARTER	1401000011	Resource Preservation	CR	SR	LAWSON CHRISTINE M	8.46	Land Not in Sewer Service Area, 301 Prevents Development Into a Regional Commercial Corridor
	6 DAVID CARTER	1401000015	Resource Preservation	CR	SR	STATE OF DELAWARE	0.76	State of Delaware Land Not in Sewer Service Area, 301 Prevents Development Into a Regional Commercial Corridor
	6 DAVID CARTER	1401000016	Resource Preservation	CR	SR	STATE OF DELAWARE	1.29	State of Delaware Land Not in Sewer Service Area, 301 Prevents Development Into a Regional Commercial Corridor
	6 DAVID CARTER	1401000017	Resource Preservation	CR	SR	STATE OF DELAWARE	0.19	State of Delaware Land Not in Sewer Service Area, 301 Prevents Development Into a Regional Commercial Corridor
	6 DAVID CARTER	1401000018	Resource Preservation	CR	SR	STATE OF DELAWARE	12.79	State of Delaware Land Not in Sewer Service Area, 301 Prevents Development Into a Regional Commercial Corridor
	6 DAVID CARTER	1401000026	Resource Preservation	CR	SR	DELMARVA POWER & LIGHT CO	0.77	State of Delaware Land Not in Sewer Service Area, 301 Prevents Development Into a Regional Commercial Corridor
	6 DAVID CARTER	1401000028	Resource Preservation	CR	SR	STATE OF DELAWARE	1.99	State of Delaware Land Not in Sewer Service Area, 301 Prevents Development Into a Regional Commercial Corridor
	6 DAVID CARTER	1401000032	Resource Preservation	CR	SR	STATE OF DELAWARE	1.04	State of Delaware Land Not in Sewer Service Area, 301 Prevents Development Into a Regional Commercial Corridor
	7 GEORGE SMILEY	1001700003	Resource Preservation	I	S	NEW CASTLE COUNTY	20.34	Open Space Anderson Property Park
	8 JOHN CARTIER	0606000010	Resource Preservation	CN	S	STATE OF DELAWARE	1.25	State Owned Historic Resource: Robinson House
	8 JOHN CARTIER	0612200081	Resource Preservation	OR	S	NEW CASTLE COUNTY	7.70	Public Open Space
	8 JOHN CARTIER	0614700017	Resource Preservation	HI	S	STATE OF DELAWARE	5.84	Part of Fox Point State Park
	8 JOHN CARTIER	0614700017	Resource Preservation	I	S	STATE OF DELAWARE	16.51	Part of Fox Point State Park
	8 JOHN CARTIER	2700100001	Resource Preservation	CN	S	TRUSTEES OF ARDENTOWN	0.90	Part of Ardentown Open Space
	10 JEA STREET	0704340054	Resource Preservation	HI	S	RIVERFRONT DEVELOPMENT CORPORATION OF DELAWARE	67.45	Environmental Resource Constrained
	10 JEA STREET	0704340055	Resource Preservation	HI	S	RIVERFRONT DEVELOPMENT CORPORATION OF DELAWARE	122.44	Environmental Resource Constrained
	10 JEA STREET	0704410004	Resource Preservation	HI	S	DELMARVA POWER & LIGHT CO	13.65	Environmental Resource Constrained
	10 JEA STREET	0704430001	Resource Preservation	HI	S	DELMARVA POWER & LIGHT CO	3.19	Environmental Resource Constrained
	10 JEA STREET	0704430003	Resource Preservation	HI	S	RIVERFRONT DEVELOPMENT CORPORATION OF DELAWARE	4.80	Environmental Resource Constrained
	10 JEA STREET	1001500004	Resource Preservation	HI	S	DELAWARE RIVER & BAY AUTH	1.90	Parkland
	11 DAVID TACKETT	0902900003	Resource Preservation	I	S	STATE OF DELAWARE	47.23	Originally Open Space for Sherwood Forest Development Acquired by State of Delaware
	11 DAVID TACKETT	0902900015	Resource Preservation	I	S	STATE OF DELAWARE	5.34	Originally Open Space for Sherwood Forest Development Acquired by State of Delaware
	11 DAVID TACKETT	1101400044	Resource Preservation	I	S	STATE OF DELAWARE	32.92	Government Owned Environmentally Constrained Land Flood Plains, Wetlands, Steep Slopes
	11 DAVID TACKETT	1101400045	Resource Preservation	I	S	STATE OF DELAWARE	7.98	Government Owned Environmentally Constrained Land Flood Plains, Wetlands, Steep Slopes
	11 DAVID TACKETT	1101800012	Resource Preservation	I	S	STATE OF DELAWARE	101.74	Government Owned Environmentally Constrained Land Critical Natural Area: Christina River Natural Area
	11 DAVID TACKETT	1101800060	Resource Preservation	OR	S	STATE OF DELAWARE	19.27	Government Owned Environmentally Constrained Land Critical Natural Area: Christina River Natural Area
	11 DAVID TACKETT	1101800061	Resource Preservation	BP	S	LPC FIRST STATE HOLDING COMPANY LP	0.02	Critical Natural Area: Christina River Natural Area
	11 DAVID TACKETT	1101800061	Resource Preservation	OR	S	LPC FIRST STATE HOLDING COMPANY LP	0.96	Critical Natural Area: Christina River Natural Area
	11 DAVID TACKETT	1101800062	Resource Preservation	BP	S	STATE OF DELAWARE	31.86	Government Owned Environmentally Constrained Land Critical Natural Area: Christina River Natural Area, Flood Plains, Wetlands
	11 DAVID TACKETT	1101800062	Resource Preservation	OR	S	STATE OF DELAWARE	12.40	Government Owned Environmentally Constrained Land Critical Natural Area: Christina River Natural Area, Flood Plains, Wetlands
	11 DAVID TACKETT	1102200014	Resource Preservation	BP	S	NEW CASTLE COUNTY	284.88	Public Open Space
	11 DAVID TACKETT	1102200016	Resource Preservation	BP	S	STATE OF DELAWARE	137.20	Government Owned Environmentally Constrained Land Critical Natural Area: Christina River Natural Area, Flood Plains, Wetlands
	11 DAVID TACKETT	1103200001	Resource Preservation	OR	S	NEW CASTLE COUNTY	25.28	Brevort Park
	11 DAVID TACKETT	1103200259	Resource Preservation	OR	S	NEW CASTLE COUNTY	1.86	Public Open Space
	12 BILL BELL	1003000046	Resource Preservation	HI	S	STATE OF DELAWARE	38.04	Army Creek, Floodplain, Wetlands
	12 BILL BELL	1003500002	Resource Preservation	I	S	NEW CASTLE COUNTY	77.97	Public Open Space
	12 BILL BELL	1003500056	Resource Preservation	I	S	NEW CASTLE COUNTY	60.80	Llangollen Park
	12 BILL BELL	1004500011	Business Flex	S	S	UNITED STATES POSTAL SERVICE	5.13	Remain Suburban
	12 BILL BELL	1004500012	Business Flex	S	S	DELAWARE CITY REFINING COMPANY LLC	1.81	Remain Suburban
	12 BILL BELL	1004900073	Business Flex	S	S	DELAWARE CITY REFINING COMPANY LLC	342.43	Remain Suburban
	12 BILL BELL	1004900074	Business Flex	S	S	WAGNER J NOEL & BRYAN D	62.23	Remain Suburban
	12 BILL BELL	1005000007	Business Flex	S	S	MOUNTAIN OF FIRE & MIRACLES MINISTRIES INC OF DE	16.10	Remain Suburban
	12 BILL BELL	1005000008	Business Flex	S	S	DELAWARE CITY REFINING COMPANY LLC	200.19	Remain Suburban
	12 BILL BELL	1005000009	Business Flex	S	S	DELAWARE CITY REFINING COMPANY LLC	62.29	Remain Suburban
	12 BILL BELL	1005000011	Business Flex	S	S	DELMARVA POWER & LIGHT CO	42.37	Remain Suburban
	12 BILL BELL	1005000012	Business Flex	S	S	DELMARVA POWER & LIGHT CO	31.55	Remain Suburban
	12 BILL BELL	1005000013	Business Flex	S	S	FRISBY FRANCIS & DEVORA	1.04	Remain Suburban
	12 BILL BELL	1200200024	Resource Preservation	I	S	STATE OF DELAWARE	12.64	State Owned Environmentally Constrained Land
	12 BILL BELL	1200600041	Resource Preservation	I	S	NEW CASTLE COUNTY	5.66	Prest Property Park
	12 BILL BELL	1200700020	Resource Preservation	CR	S	NEW CASTLE COUNTY	36.06	Kodiak Park
	12 BILL BELL	1201300081	Resource Preservation	CR	S	STATS TOURNAMENTS LLC	31.84	Kodiak Park/Bear Babe Ruth
	12 BILL BELL	1202100003	Business Flex	S	S	DELAWARE CITY REFINING COMPANY LLC	733.84	Remain Suburban
	12 BILL BELL	1203600001	Resource Preservation	BP	S	PARKWAY GRAVEL INC	119.15	Applicant Requested/Relocate BP Zoned Land Along Rt 13 and Away from Environmental Resources
	12 BILL BELL	1300400001	Business Flex	S	BP	PARKWAY GRAVEL INC	153.31	Applicant Requested/Relocate BP Zoned Land Along Rt 13 and Away from Environmental Resources
	12 BILL BELL	1300400001	Resource Preservation	BP	S	PARKWAY GRAVEL INC	91.79	Applicant Requested/Relocate BP Zoned Land Along Rt 13 and Away from Environmental Resources
	12 BILL BELL	1300800019	Business Flex	S	CN	STATE OF DELAWARE	0.11	Makes Building Zoning Consistent with Zoning of the Land
	12 BILL BELL	1300800027	Business Flex	S	CN	LESTER FAMILY L P	8.23	Applicant Requested/Difficulty Developing Land between Rt 1 & 13 as Residential
	12 BILL BELL	1300800028	Business Flex	S	CR	GICKER DONNA M	13.91	Applicant Requested/Difficulty Developing Land between Rt 1 & 13 as Residential
	12 BILL BELL	1300800044	Business Flex	S	CR	ARTESIAN WATER COMPANY INC	9.34	Applicant Requested/Difficulty Developing Land between Rt 1 & 13 as Residential
	12 BILL BELL	1300800045	Business Flex	S	CR	CC MARYLAND EQUITIES CORP	10.41	Applicant Requested/Difficulty Developing Land between Rt 1 & 13 as Residential
	12 BILL BELL	1300800045	Business Flex	S	CR	SENTINEL SELF STORAGE LLC	10.41	Applicant Requested/Difficulty Developing Land between Rt 1 & 13 as Residential
	12 BILL BELL	1300900001	Business Flex	S	BP	PARKWAY GRAVEL INC	54.79	Applicant Requested/Relocate BP Zoned Land Along Rt 13 and Away from Environmental Resources
	12 BILL BELL	1301300029	Business Flex	S	CN	WOOD RONALD B & KAREN W	2.72	Applicant Requested/Difficulty Developing Land between Rt 1 & 13 as Residential
	12 BILL BELL	1301300030	Business Flex	S	CN	BALDWIN EDWARD N JR	1.17	Applicant Requested/Difficulty Developing Land between Rt 1 & 13 as Residential
	12 BILL BELL	1301300035	Business Flex	NC15	CN	SHOPPES OF ST GEORGES INC SUCCESSOR TRUSTEE	0.38	Applicant Requested/Difficulty Developing Land between Rt 1 & 13 as Residential
	12 BILL BELL	1301300035	Business Flex	S	CN	SHOPPES OF ST GEORGES INC SUCCESSOR TRUSTEE	3.45	Applicant Requested/Difficulty Developing Land between Rt 1 & 13 as Residential
	12 BILL BELL	1301300083	Business Flex	S	CN	LESTER KENNETH E	1.99	Applicant Requested/Difficulty Developing Land between Rt 1 & 13 as Residential
	12 BILL BELL	1301300148	Business Flex	NC15	CN	AGE PROPERTIES LLC	1.16	Applicant Requested/Difficulty Developing Land between Rt 1 & 13 as Residential
	12 BILL BELL	1301300148	Business Flex	S	CN	AGE PROPERTIES LLC	0.99	Applicant Requested/Difficulty Developing Land between Rt 1 & 13 as Residential
	12 BILL BELL	1301300249	Business Flex	S	CN	STATE OF DELAWARE	0.70	Applicant Requested/Difficulty Developing Land between Rt 1 & 13 as Residential

Exhibit 2:
DRAFT
Substitute Ordinance to
Ordinance 23-083

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

**SUBSTITUTE NO. 1 TO
ORDINANCE NO. 23-083**

**COMPREHENSIVE REZONING: TO REVISE THE NEW CASTLE COUNTY ZONING
MAPS PURSUANT TO *NEW CASTLE COUNTY CODE* CHAPTER 40 (UNIFIED
DEVELOPMENT CODE” OR UDC), ARTICLE 31 (“PROCEDURES AND
ADMINISTRATION”), SECTION 40.31.113 (“EXPLORATORY PLAN REVIEW
STAGE”) REGARDING THE FOLLOWING TAX PARCELS:**

APPOQUINIMINK HUNDRED: 14-010.00-002 (0 Middletown Warwick Rd), 14-010.00-003 (0 Strawberry Ln), 14-010.00-009 (0 Middletown Warwick Rd), 14-010.00-010 (1422 Middletown Warwick Rd), 14-010.00-011(323 Strawberry Ln), 14-010.00-015 (0 Strawberry Ln), 14-010.00-016 (1352 Middletown Warwick Rd), 14-010.00-017 (1330 Middletown Warwick Rd, Stardel Inc), 14-010.00-018 (1280 Middletown Warwick Rd), 14-010.00-026 (301 Strawberry Ln), 14-010.00-028 (0 Middletown Warwick Rd, Stardel Inc), 14-010.00-032 (1416 Middletown Warwick Rd, Shahan Subdivision);

ARDENTOWN: 27-001.00-001(2206 Millers Rd, Ardentown);

BRANDYWINE HUNDRED: 06-040.00-002 (0 Concord Pike Off, Woodlawn Trustees), 06-060.00-010 (1 Naamans Rd, Gilbert Subdivision), 06-077.00-274 (0 Concord Pike Off, First Unitarian Church), 06-122.00-081 (301 Carr Rd, Rockwood Office Park), 06-127.00-001 (742 Alapocas Dr, E I Dupont Denemours), 06-136.00-028 (20 Granite Rd, Wilmington Friends School), 06-147.00-017 (1204 Lighthouse Rd), 26-014.10-006 (1600 N Park Dr, Abessinio Stadium);

CHRISTIANA HUNDRED: 07-009.00-027 (17 Gun Club Rd, Auburn Valley), 07-009.00-028 (0 Creek Rd), 07-030.20-015 (0 New Bridge Rd), 07-043.40-054 (2 Highspeed Way), 07-043.40-055 (1400 Delmarva Ln, Russell W Peterson Urban Wildlife Refuge), 07-044.10-004 (1300 Delmarva Ln), 07-044.30-001 (0 S Madison St Off, Hub Marine & Industrial Acres Corp), 07-044.30-003 (0 S Madison St Off);

MILL CREEK HUNDRED: 07-009.00-027 (17 Gun Club Rd, Auburn Valley), 08-001.00-022 (1166 Yorklyn Rd, Auburn Valley), 08-007.40-124 (623 Yorklyn Rd, Hockessin Center), 09-008.00-010 (0 Creek Rd, 555 Paper Mill Road);

NEW CASTLE HUNDRED: 10-015.00-004 (2162 New Castle Ave), 10-017.00-003 (251 Churchmans Rd, Churchmans Office Complex), 10-030.00-046 (0 River Rd), 10-035.00-002 (300 S Dupont Hwy), 10-035.00-056 (790 Grantham Ln, Dellaversano Subdivision), 10-045.00-

011(1345 River Rd), 10-045.00-012 (0 River Rd), 10-049.00-073 (0 River Rd, Delaware City Refining Co), 10-049.00-074 (1042 S Dupont Hwy, Stockton Dev Co), 10-050.00-007 (1421 River Rd, Tall Subdivision), 10-050.00-008 (0 River Rd), 10-050.00-009 (0 River Rd), 10-050.00-011 (1493 River Rd, Red Lion Energy Center), 10-050.00-012 (1545 River Rd, Getty Refining & Marketing Co), 10-050.00-013 (1426 River Rd, Tall Subdivision);

PENCADER HUNDRED: 11-014.00-044 (904 Old Baltimore Pike, Dayett Mills Inc), 11-014.00-045 (2029 Sunset Lake Rd), 11-018.00-012 (0 Eggerts Ln), 11-018.00-060 (0 Old Coochs Bridge Rd, Glasgow Commons), 11-018.00-061 (2001 Old Coochs Bridge Rd, Glasgow Commons), 11-018.00-062 (0 Dusk Run Rd, Glasgow Commons), 11-022.00-014 (2199 Pulaski Hwy, Glasgow Regional Park), 11-022.00-016 (0 Dusk Run Rd, Glasgow Commons), 11-025.00-026 (0 Pulaski Hwy Off, Upper Chesapeake Corporate Ctr), 11-032.00-001 (210 Benjamin Blvd), 11-032.00-259 (209 Benjamin Blvd), 11-058.00-009 (4 Troopers Way, Summit Aviation);

RED LION HUNDRED: 10-049.00-073 (0 River Rd, Delaware City Refining Co), 10-049.00-074 (1042 S Dupont Hwy, Stockton Dev Co), 12-002.00-024 (0 S Dupont Hwy), 12-006.00-041 (1535 Red Lion Rd, Harris Subdivision), 12-007.00-020 (4120 Wrangle Hill Rd, Bear Babe Ruth Kodiak Park), 12-013.00-081 (4110 Wrangle Hill Rd, Bear Babe Ruth Kodiak Park), 12-021.00-003 (4667 Wrangle Hill Rd, Delaware City Refining Co), 12-036.00-001 (0 Biggs Ln, Union Carbide Corp), 13-004.00-001 (309 Port Penn Rd, Union Carbide Corp);

ST GEORGES HUNDRED: 11-058.00-009 (4 Troopers Way, Summit Aviation), 13-004.00-001 (309 Port Penn Rd, Union Carbide Corp), 13-008.00-002 (715 Jamison Corner Rd, Town of Whitehall), 13-008.00-019 (2093 Dupont Pky), 13-008.00-027 (2256 Dupont Pky, Lester Subdivision), 13-008.00-028 (2105 Dupont Pky, Lester Subdivision), 13-008.00-044 (310 Hyetts Corner Rd, Hyetts Corner Road Water Treatment Plant), 13-008.00-045 (2229 Dupont Pky, Van Wingerden Associates), 13-008.00-053 (707 Jamison Corner Rd, Town of Whitehall), 13-008.00-058 (710 Hyetts Corner Rd, 13-009.00-001 (381 Port Penn Rd, Lighthouse Farm), 13-013.00-029 (2344 Dupont Pky), 13-013.00-030 (2348 Dupont Pky), 13-013.00-035 (2398 Dupont Pky, Shoppes of St Georges), 13-013.00-083 (0 Dupont Pky, Lester Subdivision), 13-013.00-148 (2356 Dupont Pky, Shoppes of St Georges), 13-013.00-249 (0 Dupont Pky);

WHITE CLAY CREEK HUNDRED: 09-008.00-010 (0 Creek Rd, 555 Paper Mill Road), 09-011.00-070 (606 Stanton Christiana Rd), 09-029.00-003 (39 E Regal Blvd), 09-029.00-015 (0 Chapman Rd), 09-030.30-091 (2008 Point Hamlet Rd, Christiana Village), 09-033.00-038 (475 Gender Rd, Breezewood Sec III).

WHEREAS, County Council adopted Substitute No. 2 to Ordinance No. 22-024 as amended by Floor Amendment No. 1 (“New Castle County Comprehensive Plan” or “the Plan”), on July 26, 2022, and the County Executive approved the Ordinance on August 4, 2022; and

WHEREAS, the Future Land Use Element and Map Series of the New Castle County Comprehensive Plan designates proposed future general distribution, location and extent of the uses of land consistent with goals, policies and measurable objectives enumerated in the Plan; and

WHEREAS, the New Castle County Comprehensive Plan guides and encourages sustainable economic development sensitive to the context of neighboring residential developments; and

WHEREAS, the New Castle County Comprehensive Plan guides and encourages preservation efforts to best protect important ecological habitats; and

WHEREAS, 9 Del. C. § 2660 requires New Castle County to amend its official zoning map within eighteen months of the date of adoption of a revision to the county comprehensive plan “to rezone all lands in accordance with the uses and intensities of uses provided for in the future land use element for the County”; and

WHEREAS, County Council has determined that the amendments to the zoning map substantially advance, and are reasonably and rationally related to, legitimate government interests (i.e., promoting the health, safety, morals, convenience, order, prosperity and/or welfare of the present and future inhabitants of this State).

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

Section 1. The Zoning Maps of Appoquinimink Hundred, Ardentown, Brandywine Hundred, Christiana Hundred, Mill Creek Hundred, New Castle Hundred, Pencader Hundred, Red Lion Hundred, St Georges Hundred, and White Clay Creek Hundred, as amended, are hereby further amended by changing the zoning classification of the land shown on attached Exhibit “A”, Maps 1-38 dated **October 26, 2023**, as set forth therein.

Section 2. This Ordinance shall become effective immediately upon passage by New Castle County Council and approval of the County Executive, or as otherwise provided in 9 Del. C. § 1156.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: Same as Title.

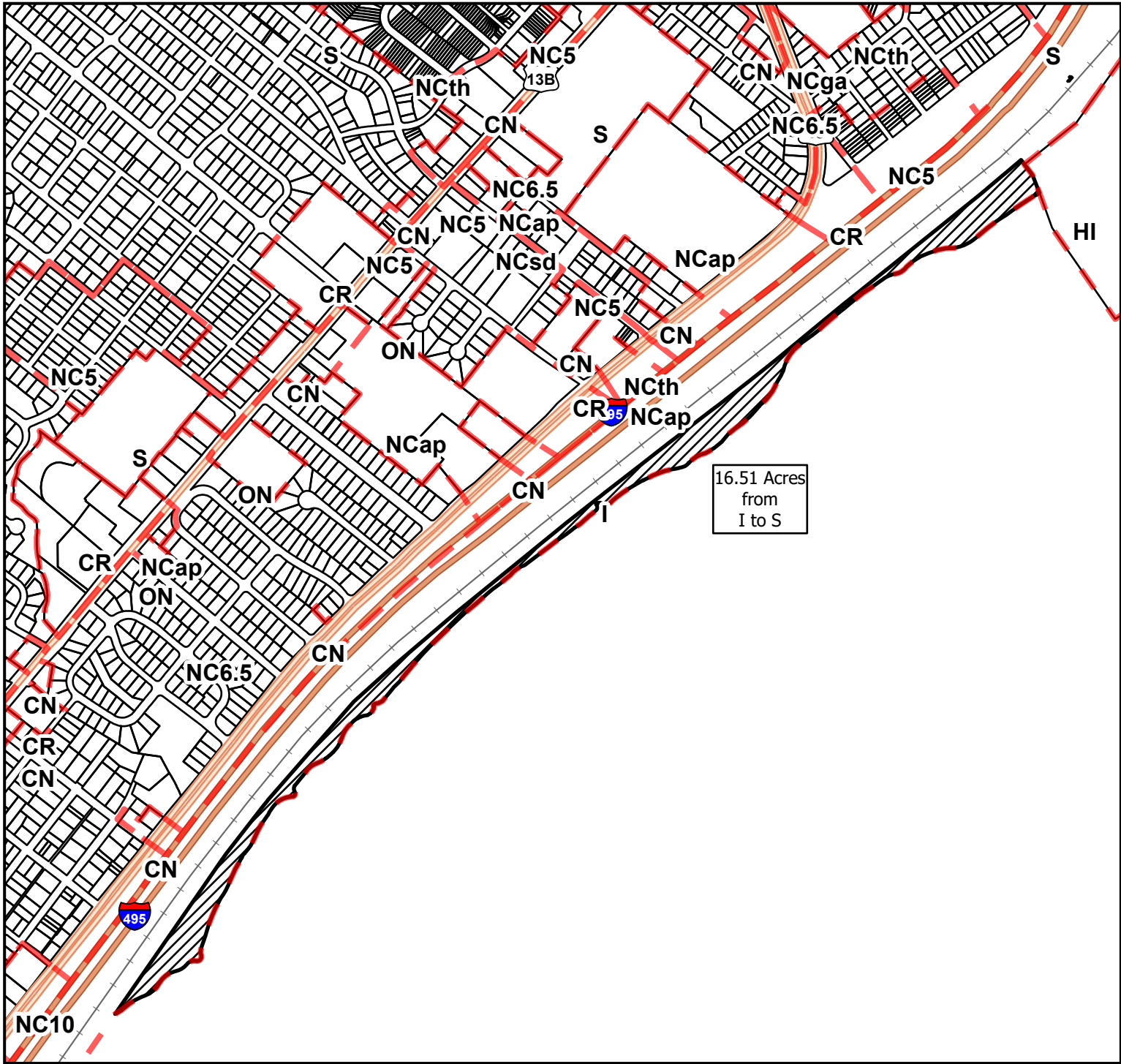
FISCAL IMPACT: None

SYNOPSIS: The following parcels existing zoning has been reconfirmed and will remain zoned Suburban by this ordinance:

06-136.00-028
10-045.00-011
10-045.00-012
10-049.00-073
10-049.00-074
10-050.00-007
10-050.00-008
10-050.00-009
10-050.00-011
10-050.00-012
10-050.00-013
12-021.00-003
13-004.00-001
13-008.00-002
13-008.00-053
13-009.00-001

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 06-147.00-017



HUNDRED: BRANDYWINE HUNDRED
NEW CASTLE COUNTY, DELAWARE

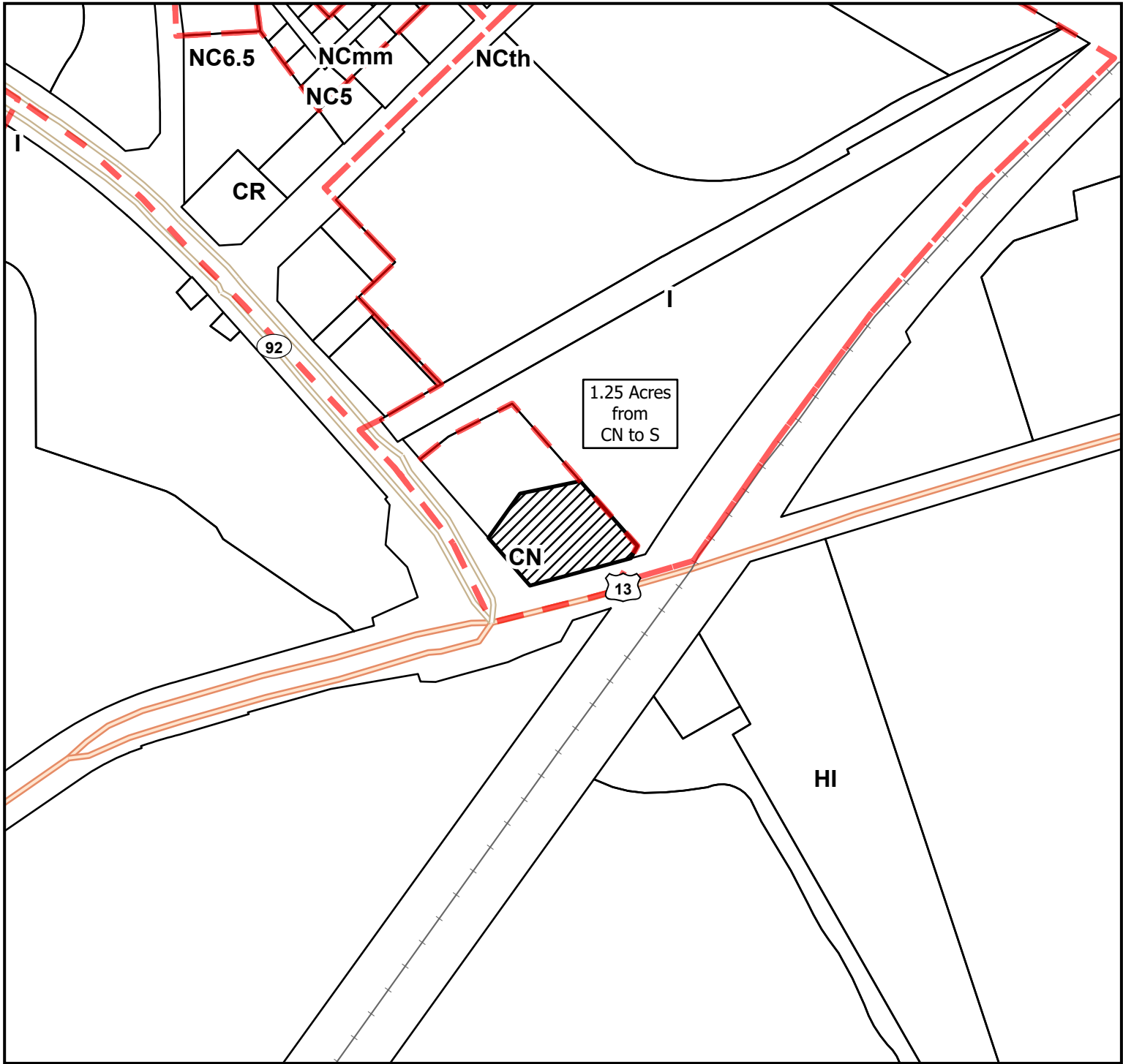
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Prepared by: MTRogers
Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: CN ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 06-060.00-010



HUNDRED: BRANDYWINE HUNDRED
NEW CASTLE COUNTY, DELAWARE

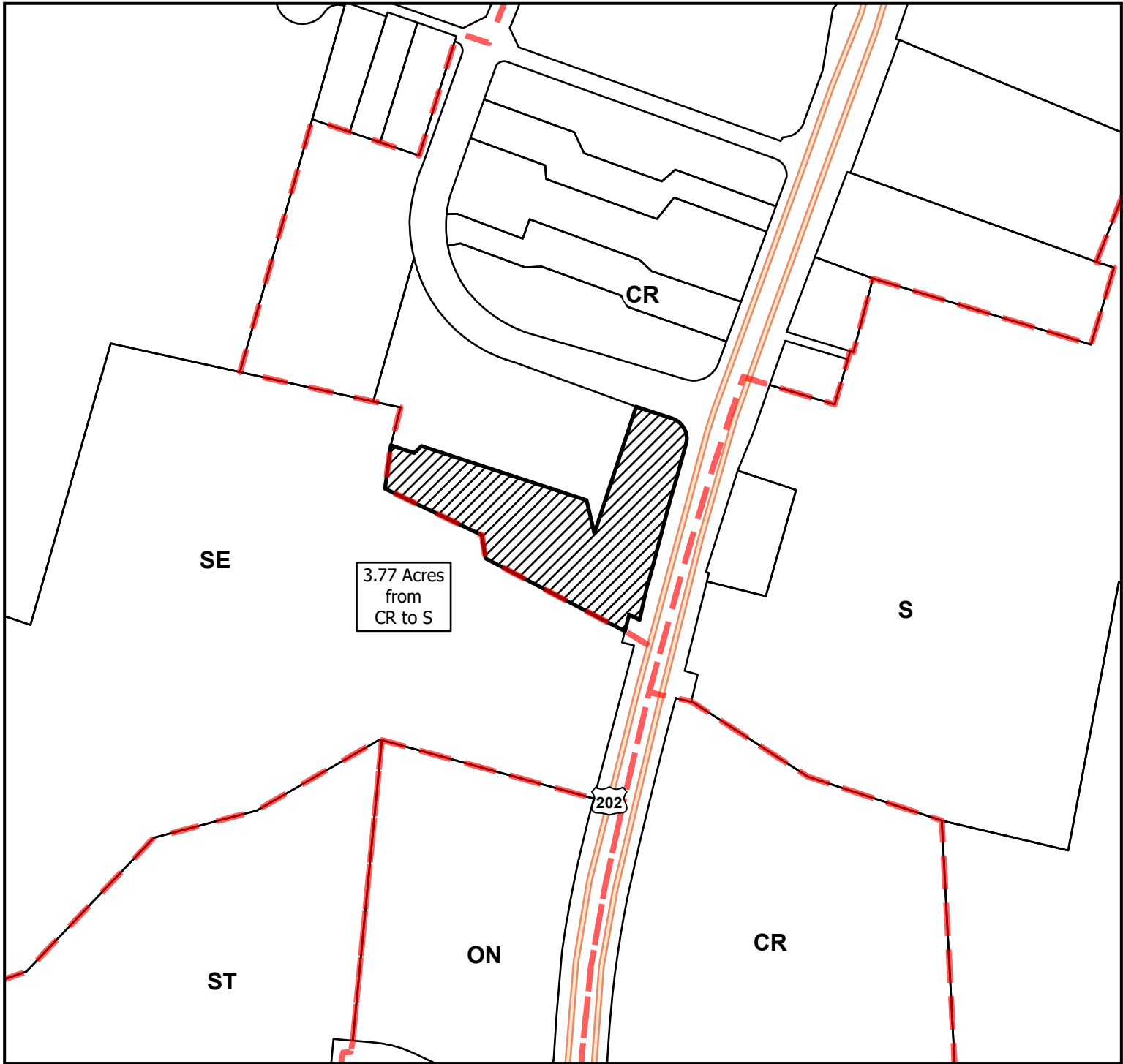
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Prepared by: MTRogers
Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: CR ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 06-040.00-002



HUNDRED: BRANDYWINE HUNDRED
NEW CASTLE COUNTY, DELAWARE

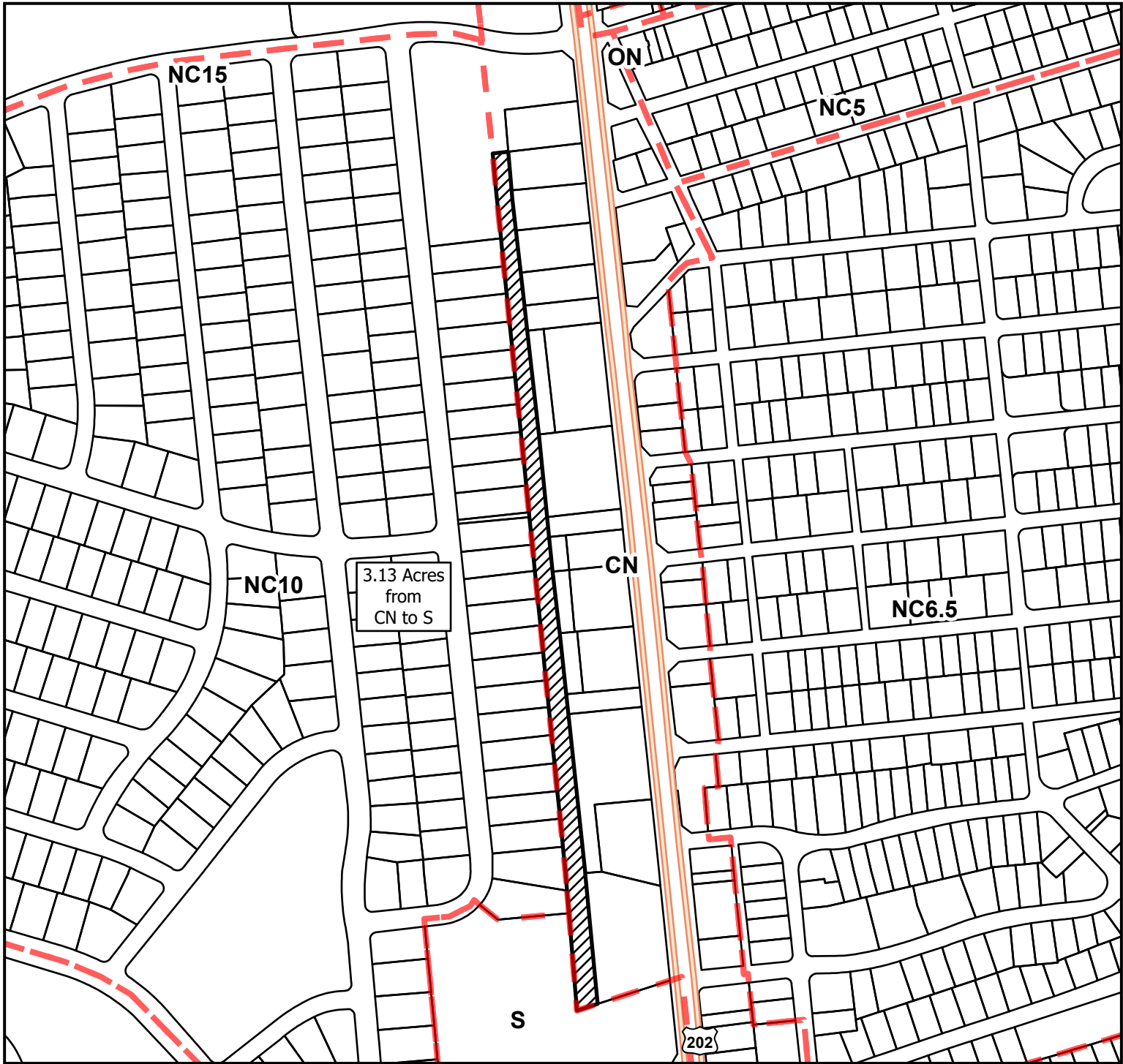
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Prepared by: MTRogers
Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: CN ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 06-077.00-274



HUNDRED: BRANDYWINE HUNDRED
NEW CASTLE COUNTY, DELAWARE

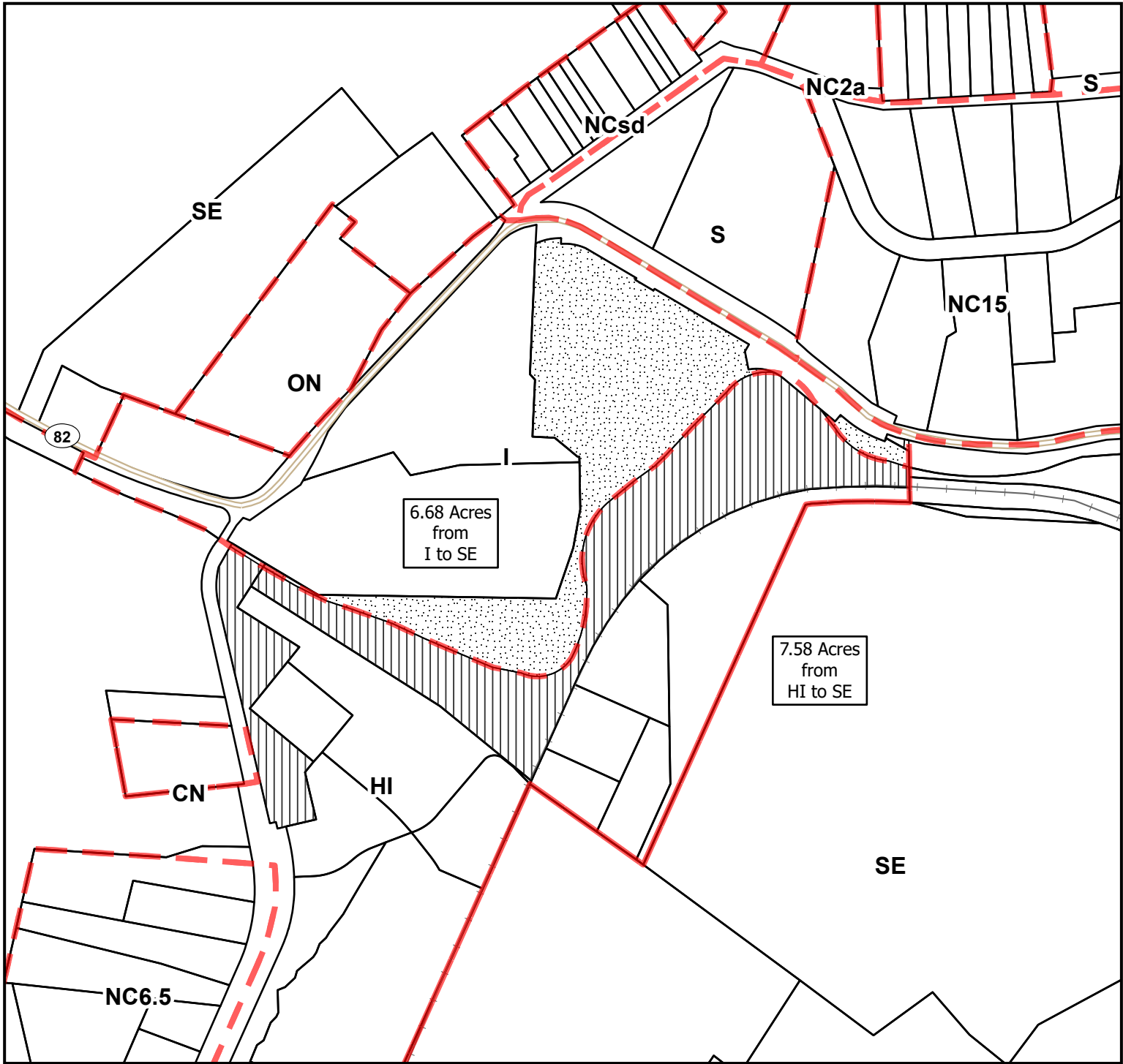
Scale: 1:5,000
Prepared by: MTRogers
Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: HI ZONING TO SE ZONING
I ZONING TO SE ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 07-009.00-027; 07-009.00-028;
08-001.00-022



HUNDRED: CHRISTIANA HUNDRED
MILL CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

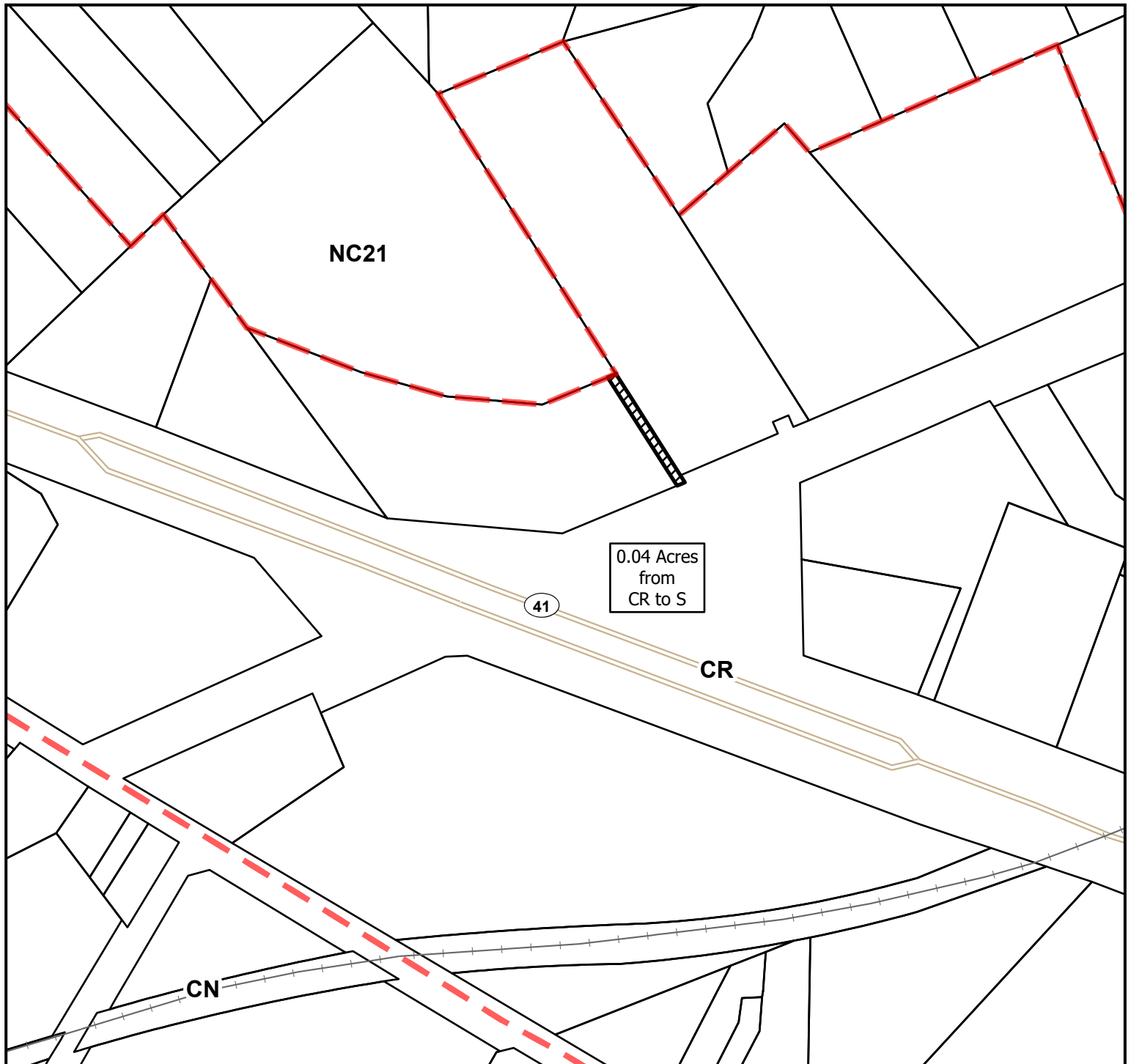
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Prepared by: MTRogers
Date: 10/26/2023



 HI to SE
 I to SE

PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 08-007.40-124



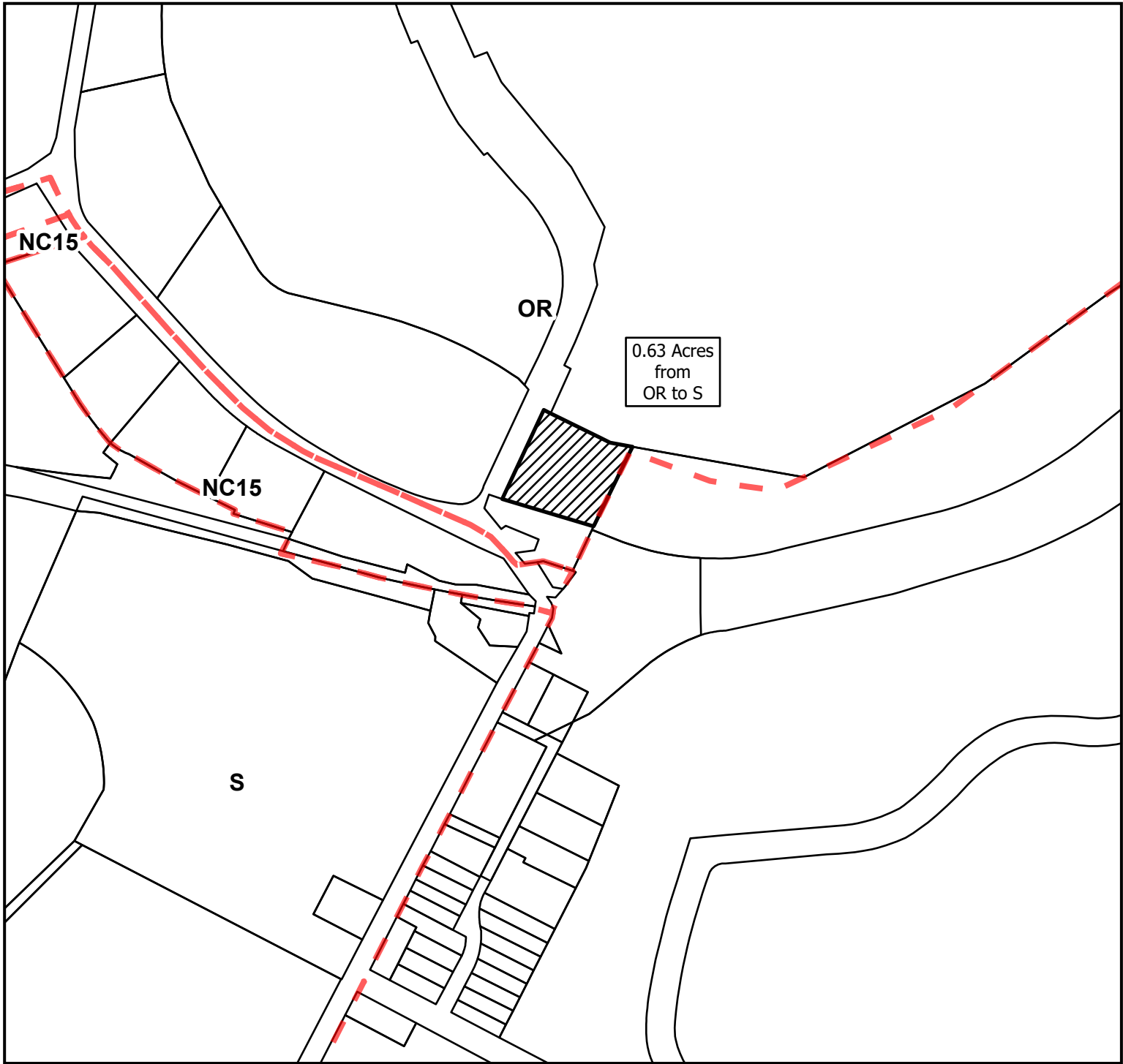
PERMANENT ORDINANCE NO. 23-083

Date Approved by County Executive _____

Date: 10/26/2023

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: OR ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 07-030.20-015



HUNDRED: CHRISTIANA HUNDRED
NEW CASTLE COUNTY, DELAWARE

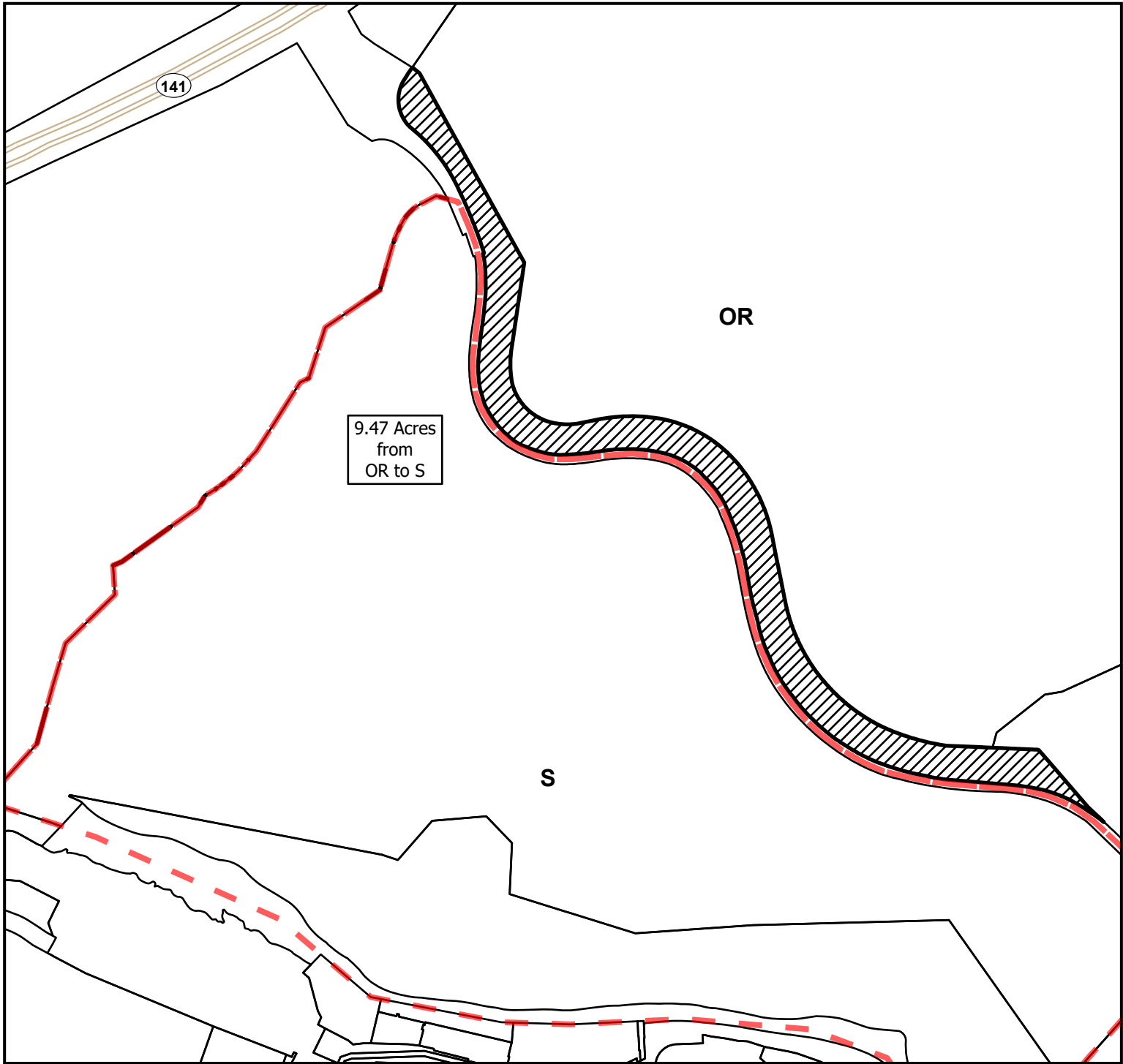
Scale: 1:3,000
Prepared by: MTRogers
Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: OR ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 06-127.00-001



HUNDRED: BRANDYWINE HUNDRED
NEW CASTLE COUNTY, DELAWARE

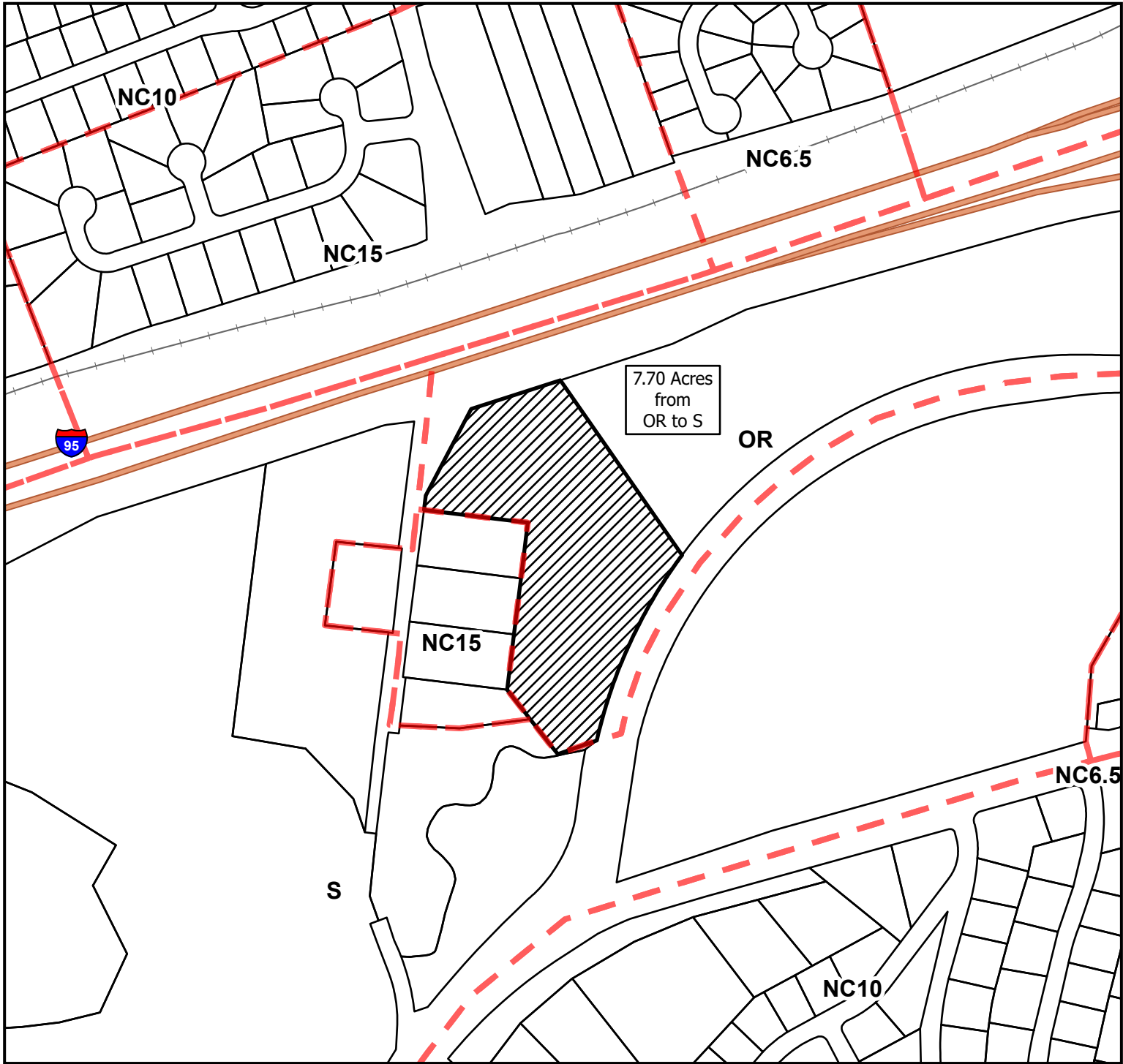
Scale: 1:5,700
Prepared by: MTRogers
Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: OR ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 06-122.00-081



HUNDRED: BRANDYWINE HUNDRED
NEW CASTLE COUNTY, DELAWARE

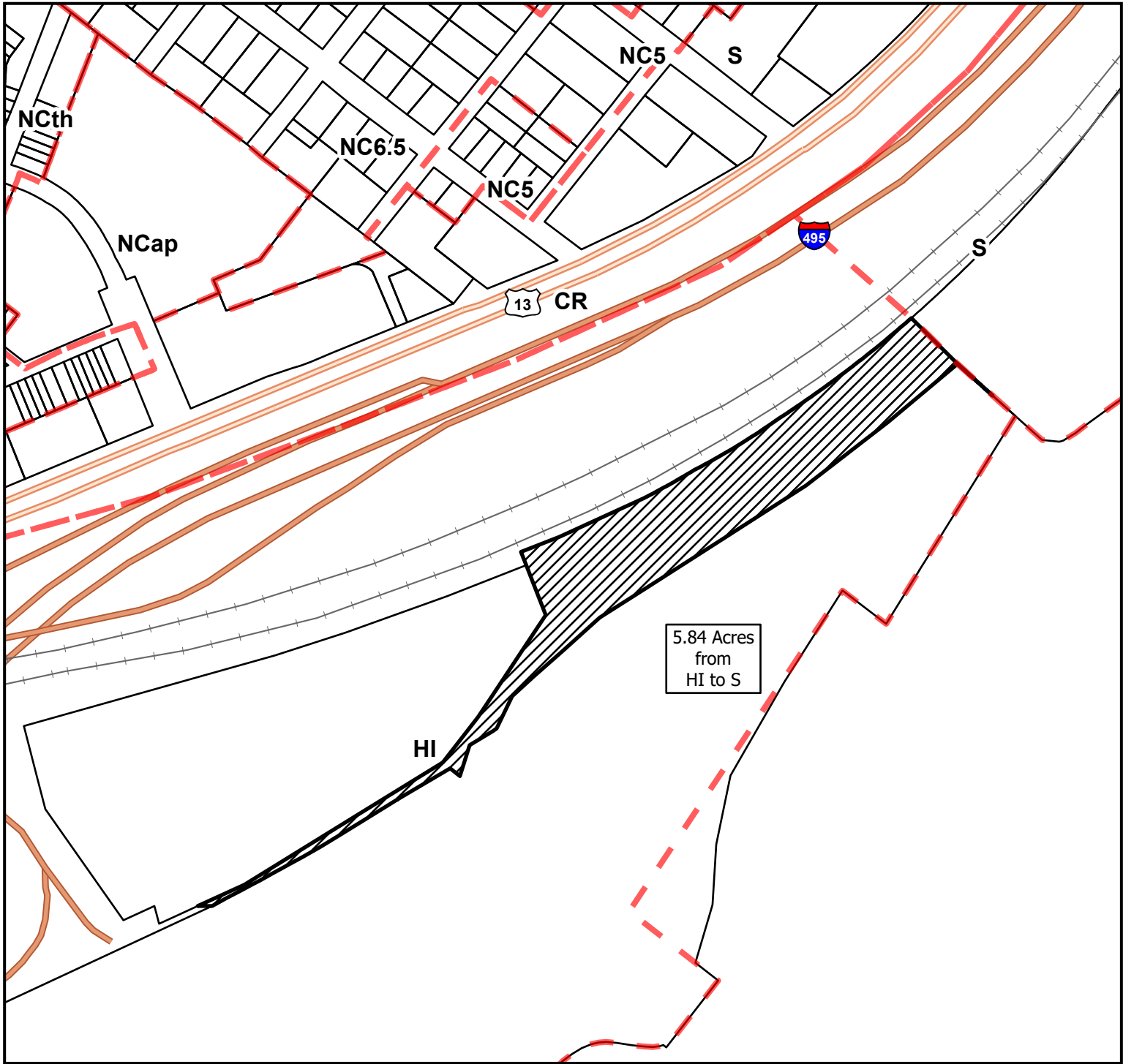
Scale: 1:4,500
Prepared by: MTRogers
Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: HI ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 06-147.00-017



HUNDRED: BRANDYWINE HUNDRED
NEW CASTLE COUNTY, DELAWARE

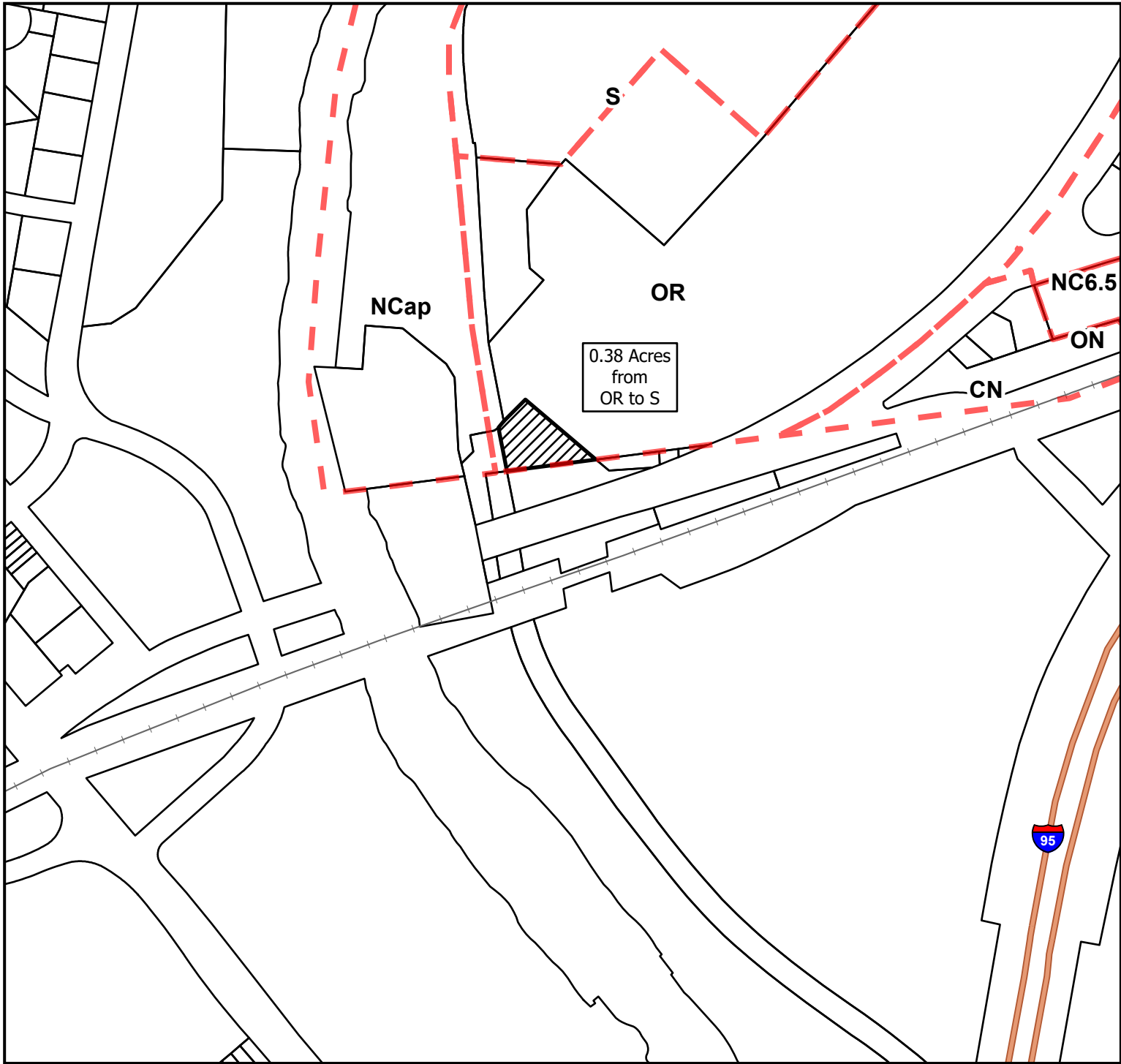
Scale: 1:4,200
Prepared by: MTRogers
Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: OR ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 26-014.10-006



HUNDRED: BRANDYWINE HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:3,500
Prepared by: MTRogers
Date: 10/26/2023

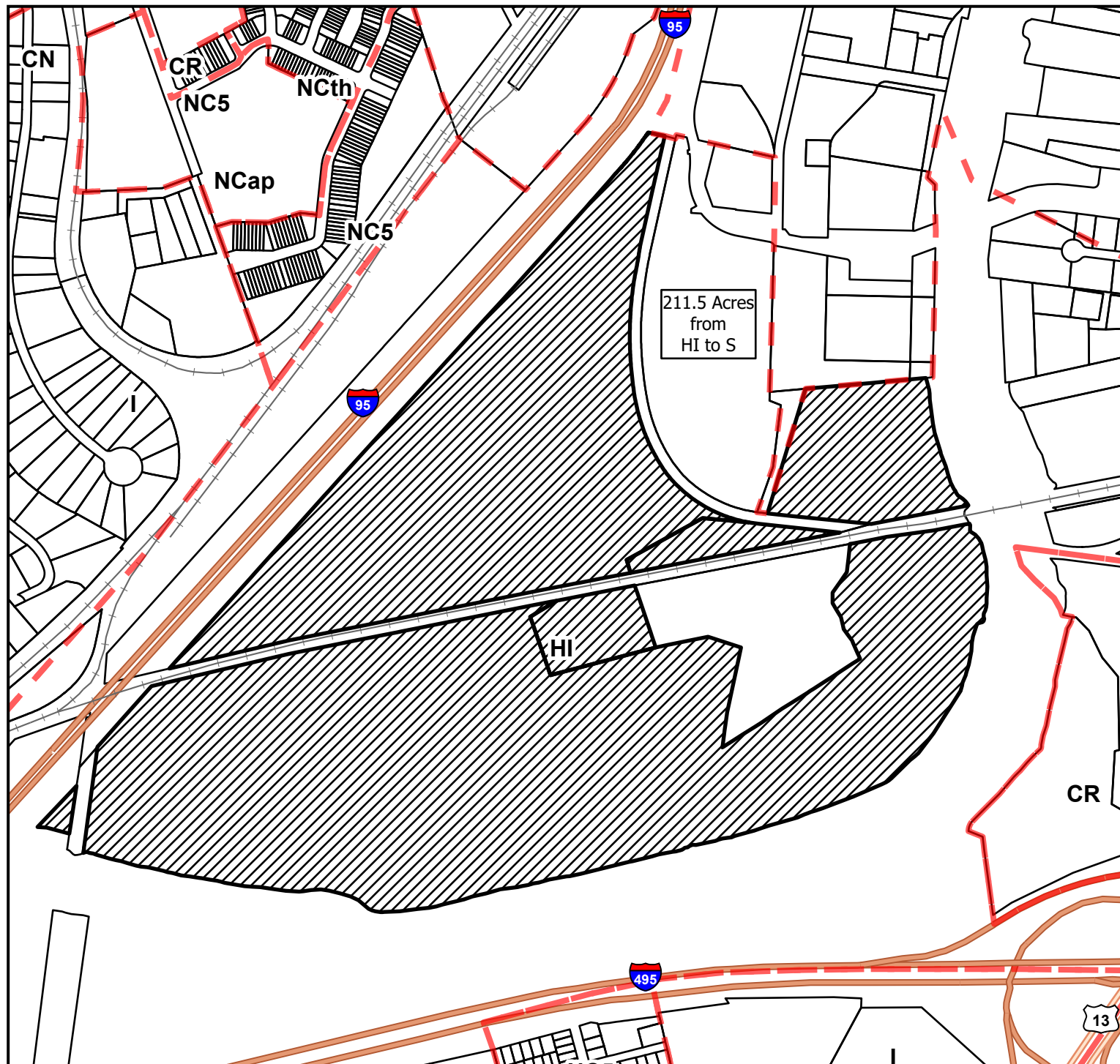


PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: HI ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z

TAX PARCEL NO. 07-043.40-054; 07-043.40-055;
07-044.10-004; 07-044.30-001; 07-044.30-003



HUNDRED: CHRISTIANA HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:9,000

Prepared by: MTRogers

Date: 10/26/2023



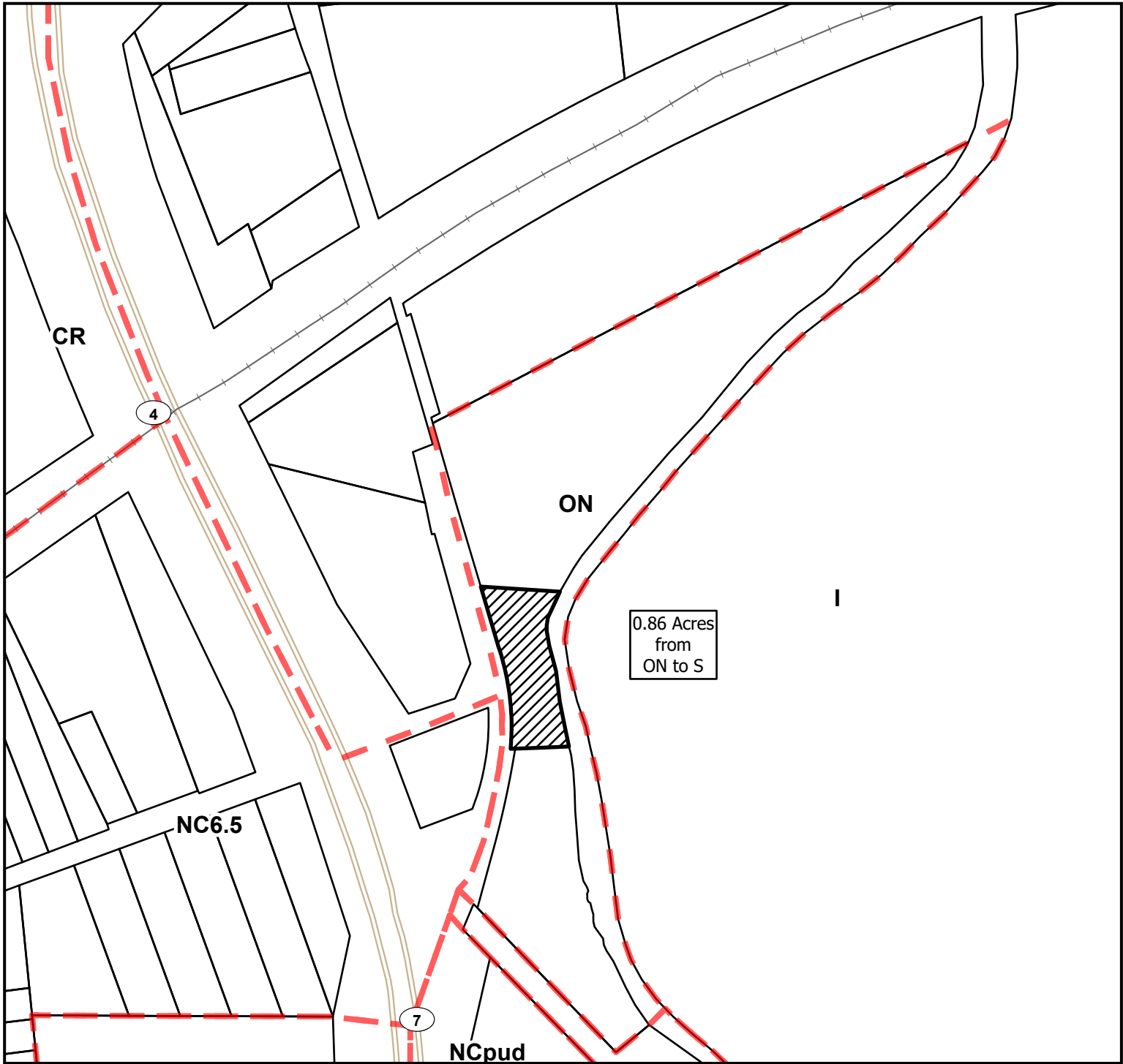
PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: ON ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 09-011.00-070



HUNDRED: WHITE CLAY CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

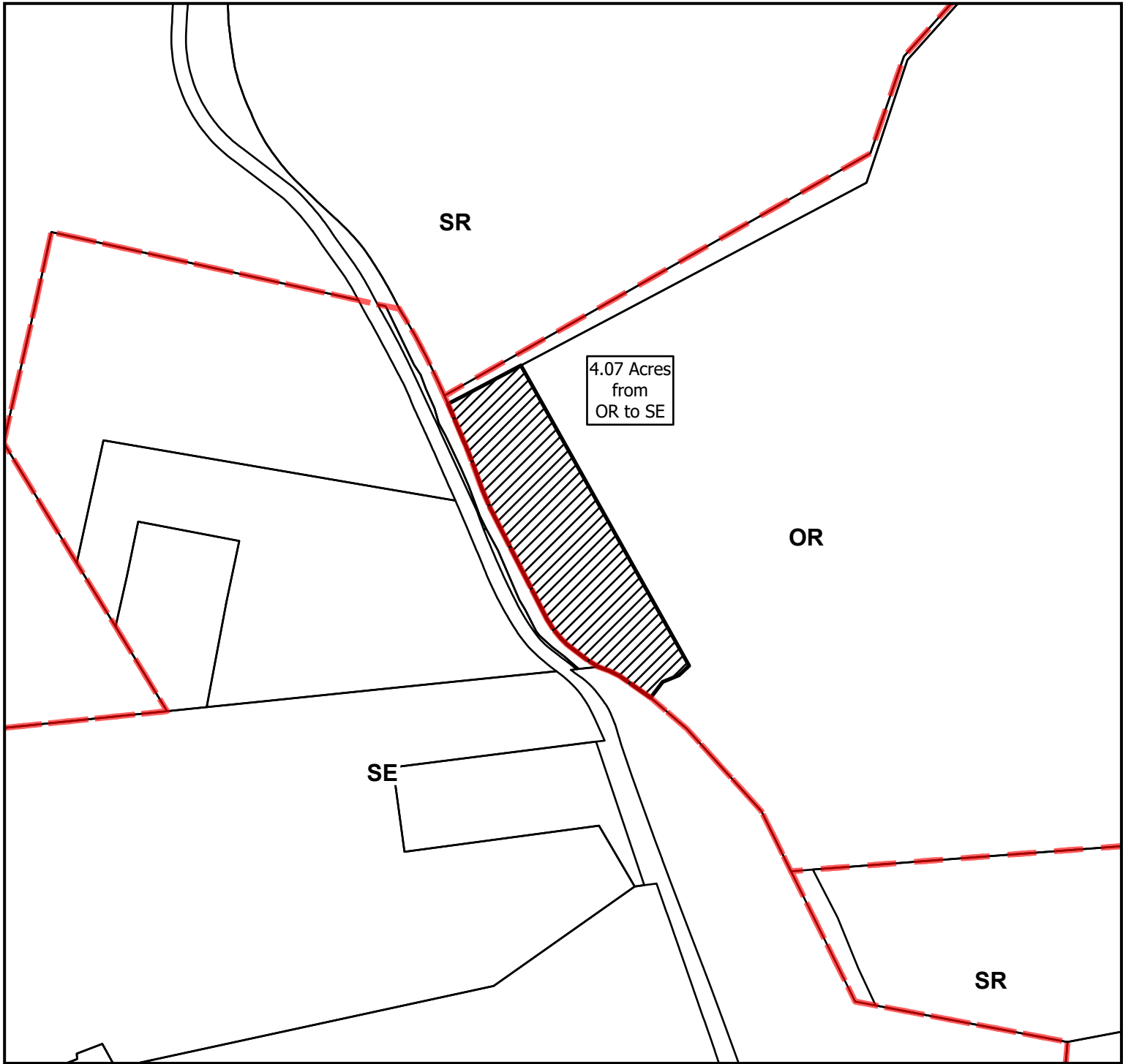
Scale: 1:3,500
Prepared by: MTRogers
Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: OR ZONING TO SE ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 09-008.00-010



HUNDRED: MILL CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

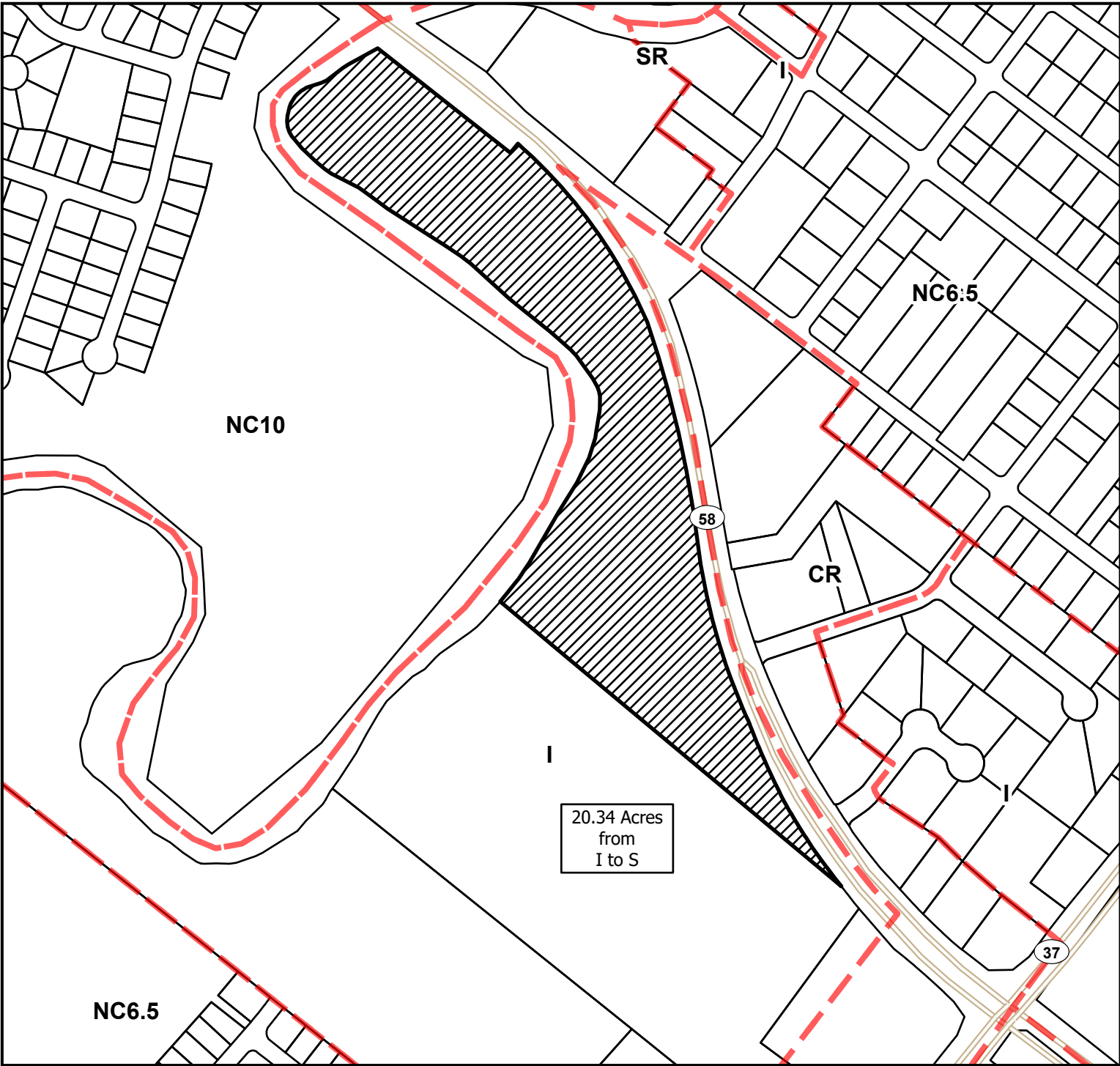
Scale: 1:4,000
Prepared by: MTRogers
Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 10-017.00-003



HUNDRED: NEW CASTLE HUNDRED
NEW CASTLE COUNTY, DELAWARE

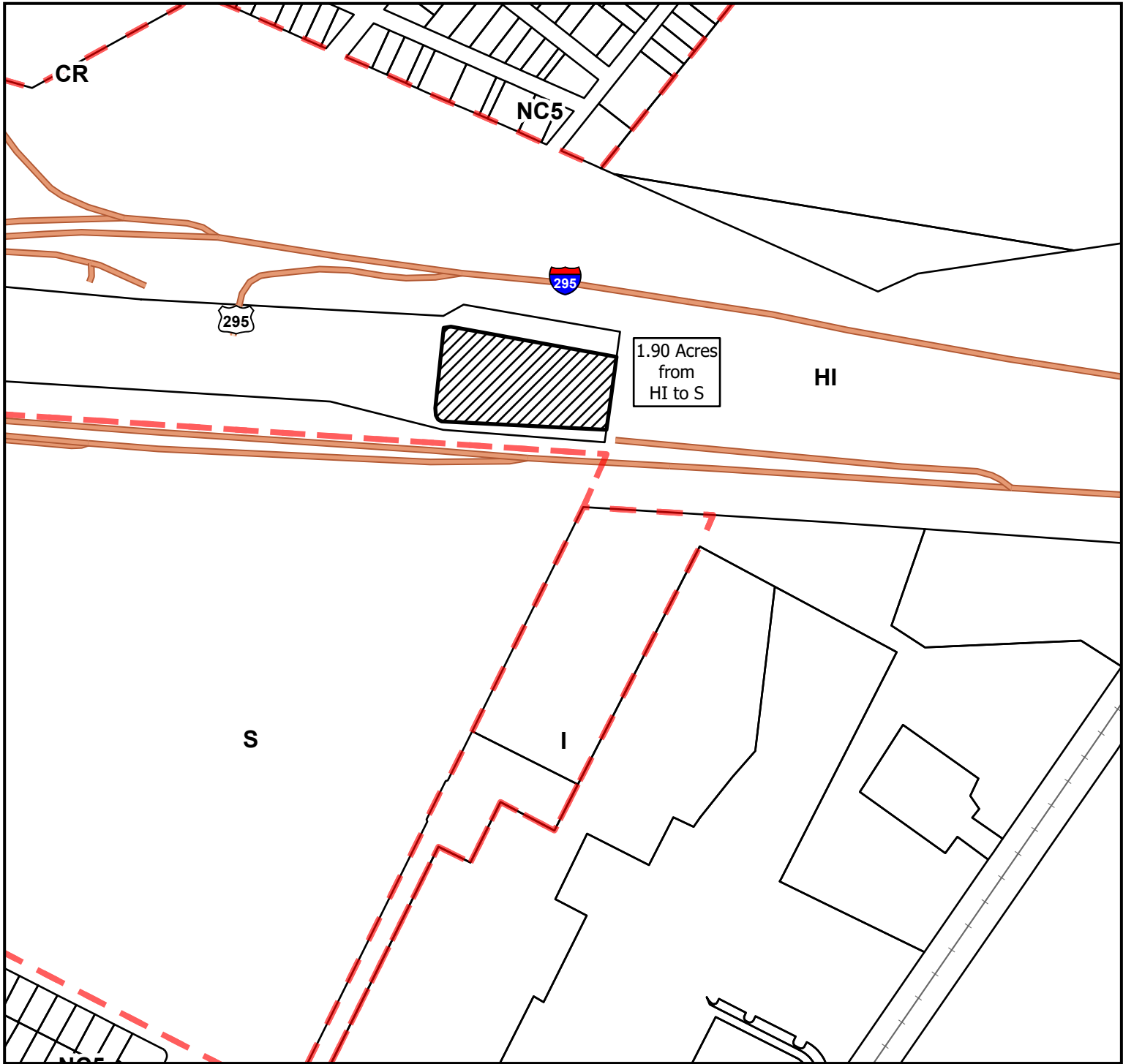
Scale: 1:5,000
Prepared by: MTRogers
Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: HI ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 10-015.00-004



HUNDRED: NEW CASTLE HUNDRED
NEW CASTLE COUNTY, DELAWARE

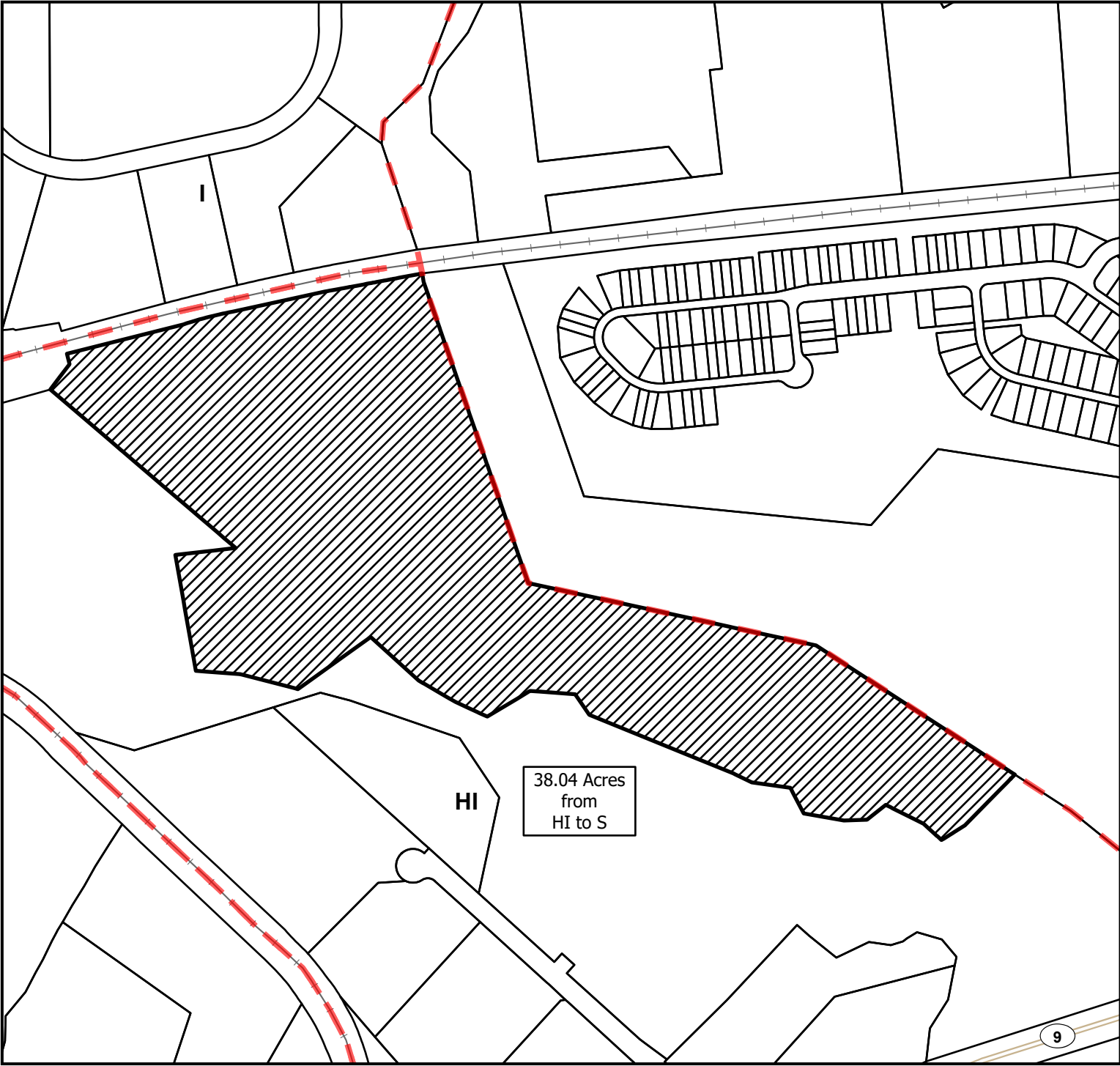
Scale: 1:4,000
Prepared by: MTRogers
Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: HI ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 10-030.00-046



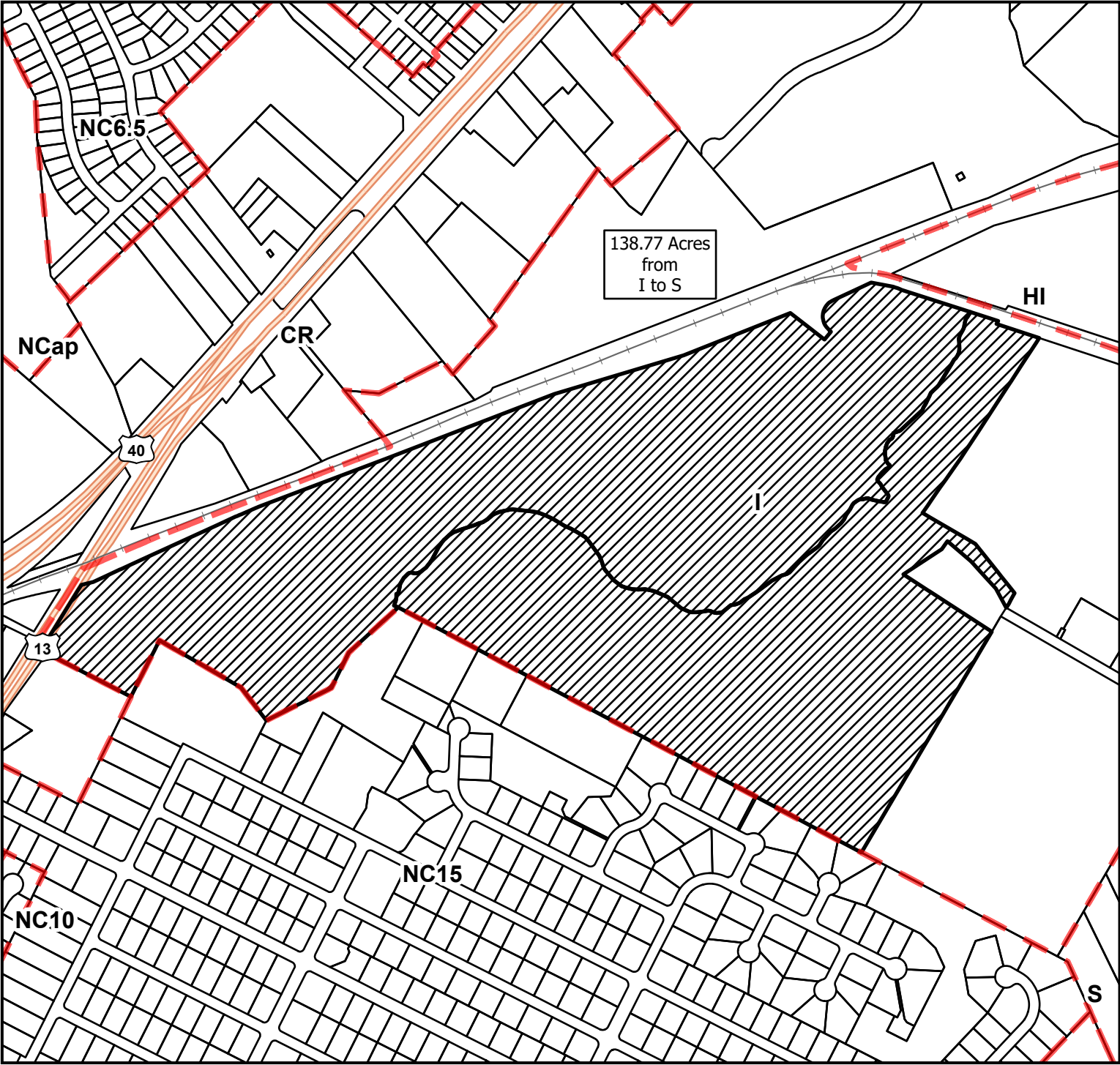
HUNDRED: NEW CASTLE HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:5,000
Prepared by: MTRogers
Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING



HUNDRED: NEW CASTLE HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:8,000
Prepared by: MTRogers
Date: 10/26/2023



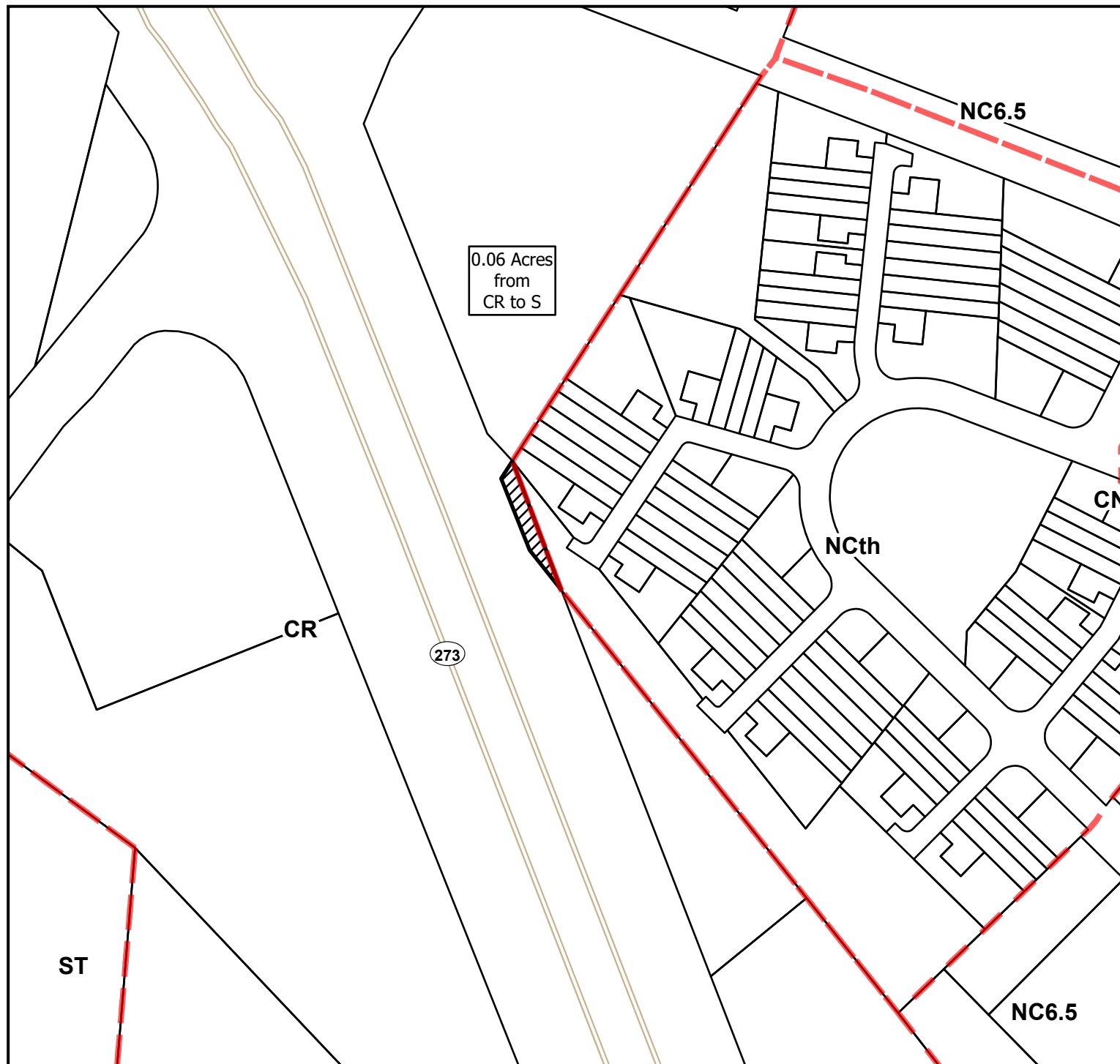
PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

PROPERTY MAP

MAP 19
ZONING ORDINANCE AS AMENDED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: CR ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 09-030.30-091



HUNDRED: WHITE CLAY CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:2,000

Prepared by: MTRogers

Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

Date Approved by County Executive _____

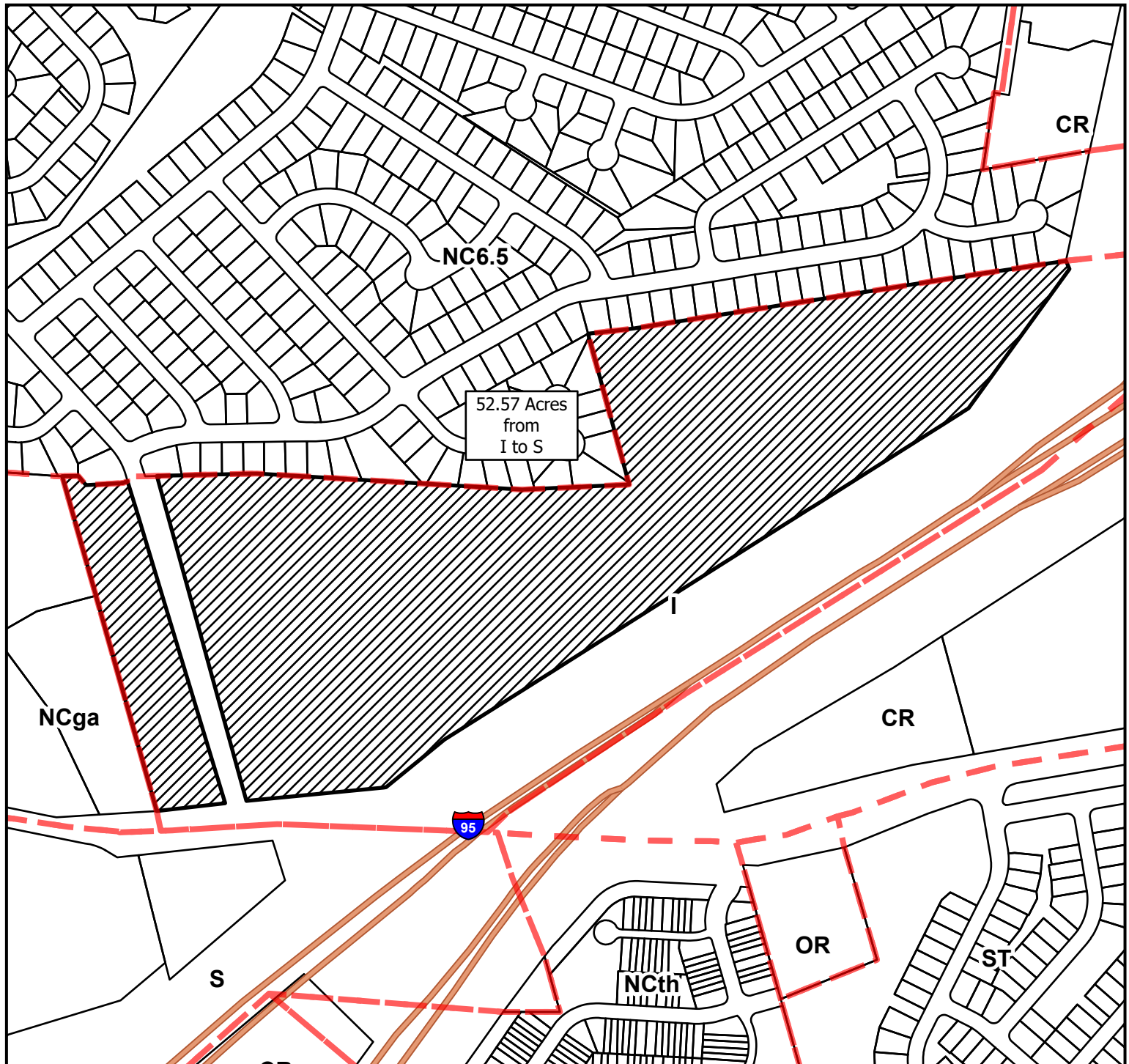
PROPERTY MAP

MAP 20
ZONING ORDINANCE AS AMENDED

APPLICATION NO. 2023-0325-Z

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING

TAX PARCEL NO. 09-029.00-003 &
09-029.00-015



HUNDRED: WHITE CLAY CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:5,500

Prepared by: MTRogers

Date: 10/26/2023



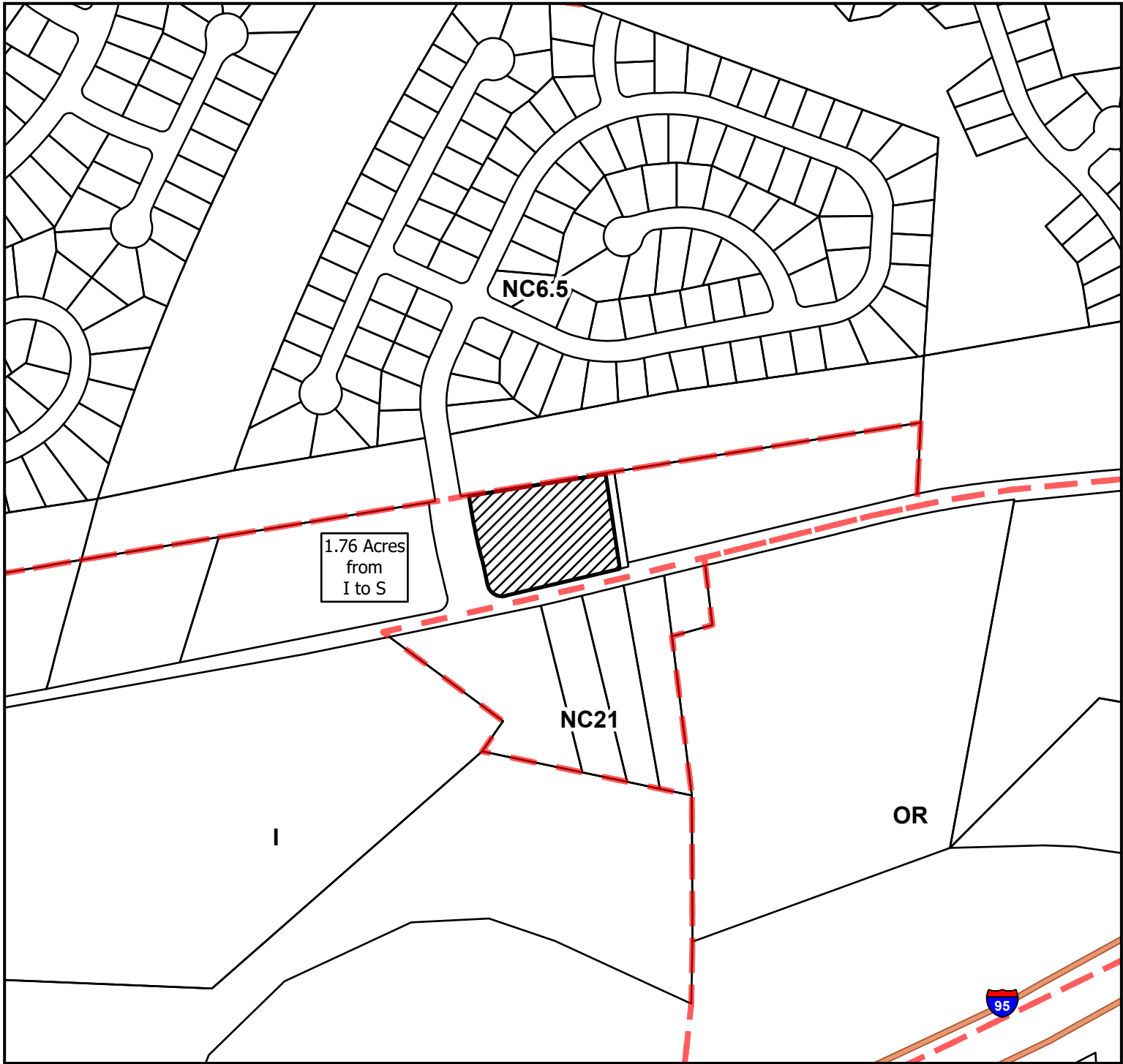
PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 09-033.00-038



HUNDRED: WHITE CLAY CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:4,000
Prepared by: MTRogers
Date: 10/26/2023

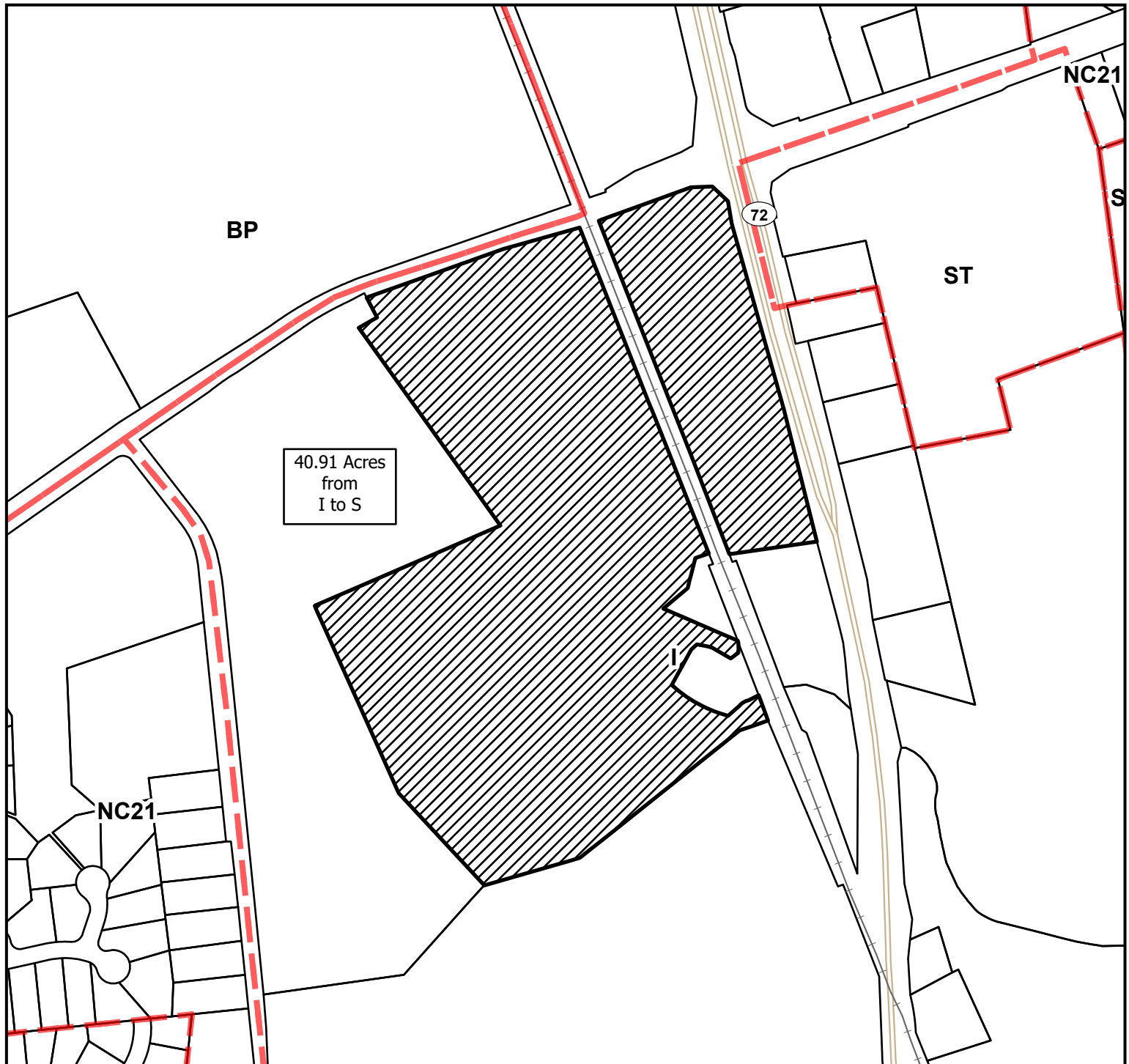


PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

PROPERTY MAP

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING

MAP 22
ZONING ORDINANCE AS AMENDED
APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 11-014.00-044 &
11-014.00-045



HUNDRED: PENCADER HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:5,000

Prepared by: MTRogers

Date: 10/26/2023



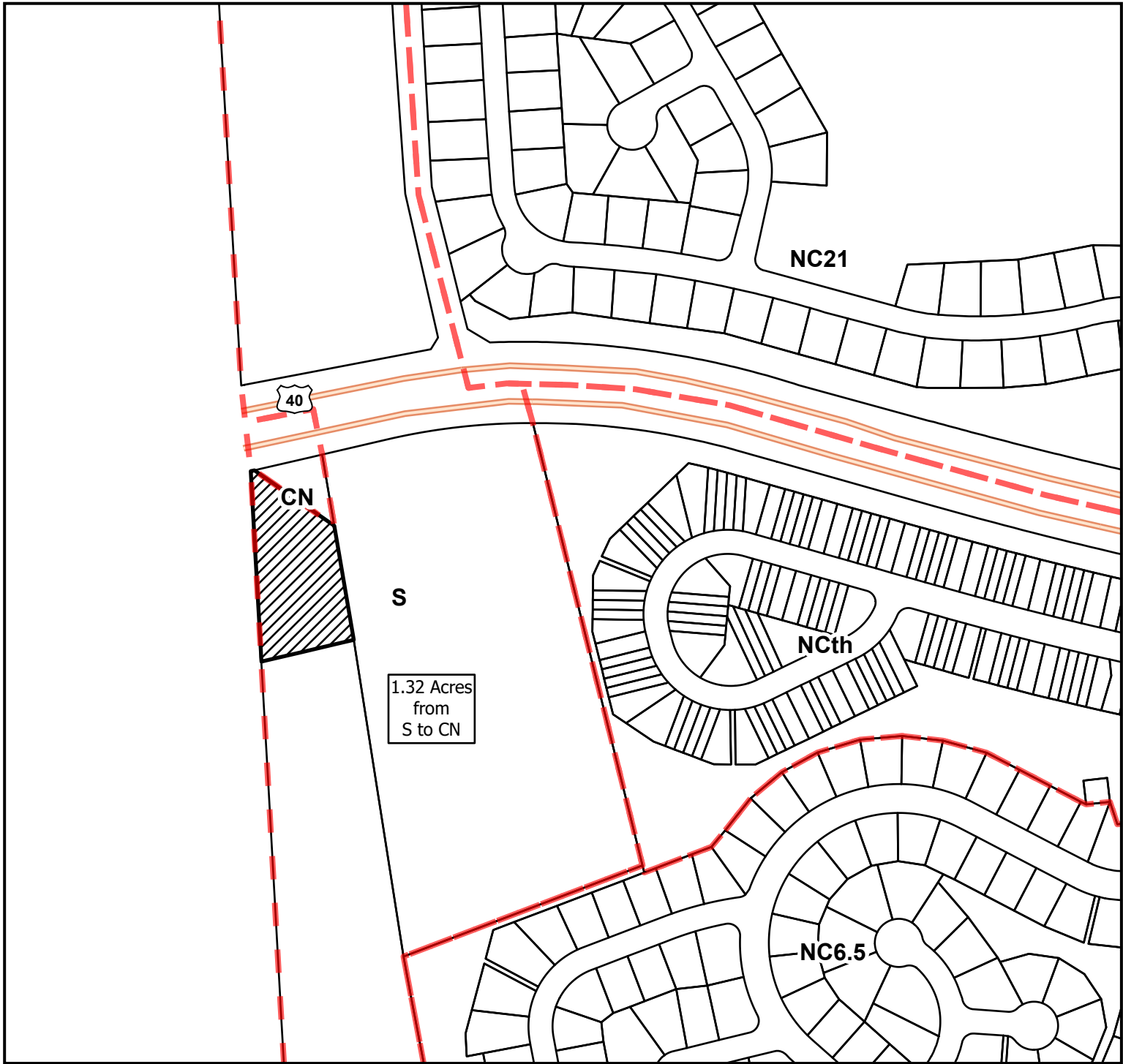
PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: S ZONING TO CN ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 11-025.00-026



HUNDRED: PENCADER HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:3,500
Prepared by: MTRogers
Date: 10/26/2023



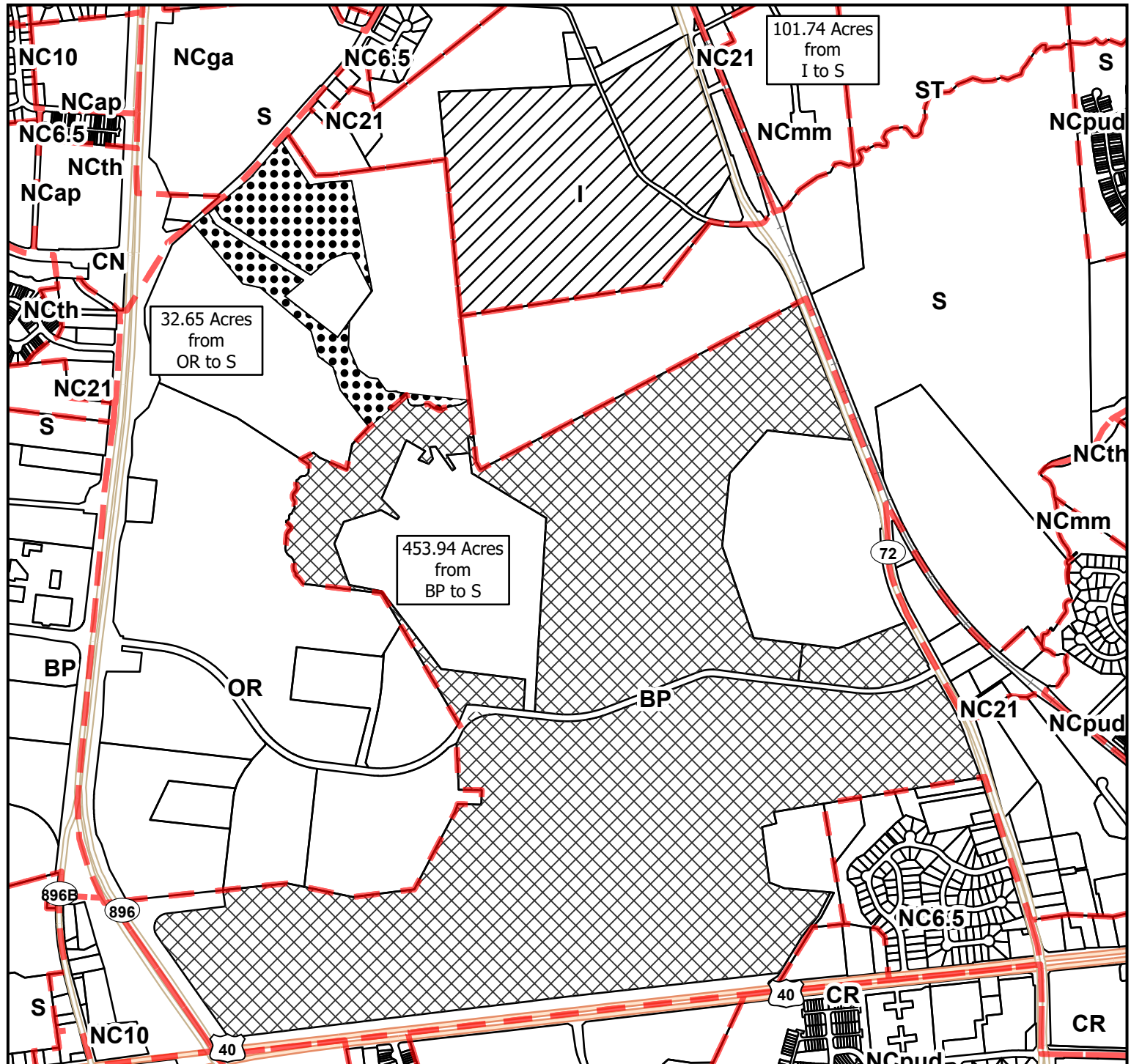
PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

PROPERTY MAP

APPLICANT: NEW CASTLE COUNTY
 PROPOSED REZONING: BP ZONING TO S ZONING
 I ZONING TO S ZONING
 OR ZONING TO S ZONING

MAP 24
 ZONING ORDINANCE AS AMENDED

APPLICATION NO. 2023-0325-Z
 TAX PARCEL NO. 11-018.00-012; 11-018.00-060;
 11-018.00-061; 11-018.00-062; 11-022.00-014; 11-022.00-016



HUNDRED: PENCADER HUNDRED
 NEW CASTLE COUNTY, DELAWARE

Scale: 1:15,000

Prepared by: MTRogers

Date: 10/26/2023



- BP to S
- I to S
- OR to S

PERMANENT ORDINANCE NO. 23-083

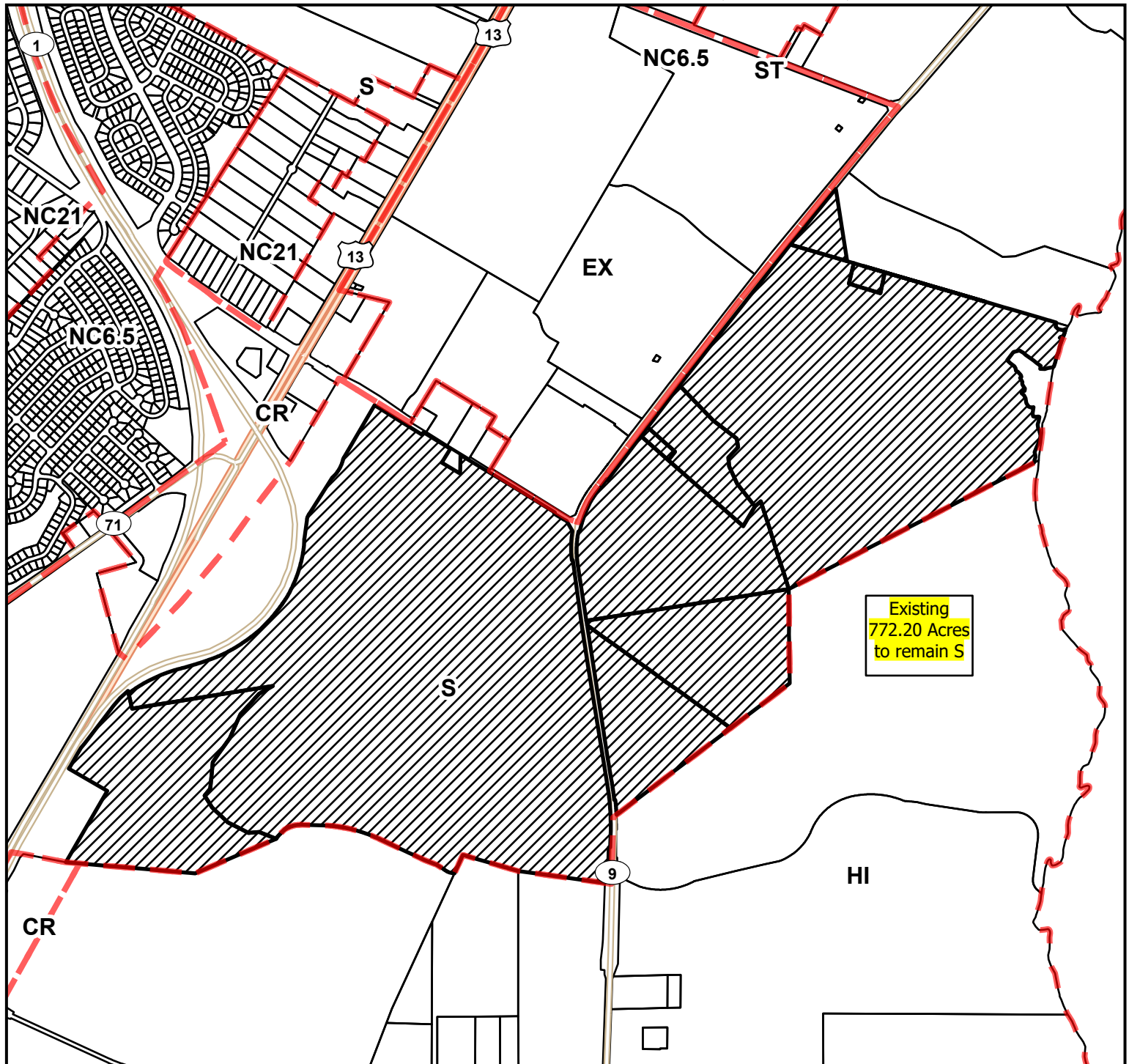
Date Adopted by County Council _____

Date Approved by County Executive _____ Page 94 of 150

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: **S REMAINING S**

APPLICATION NO. 2023-0325-Z

TAX PARCEL NO. 10-045.00-011; 10-045.00-012; 10-049.00-073;
10-049.00-074; 10-050.00-007; 10-050.00-008; 10-050.00-009;
10-050.00-011; 10-050.00-012; 10-050.00-013



HUNDRED: NEW CASTLE HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:18,000

Prepared by: MTRogers

Date: 10/26/2023



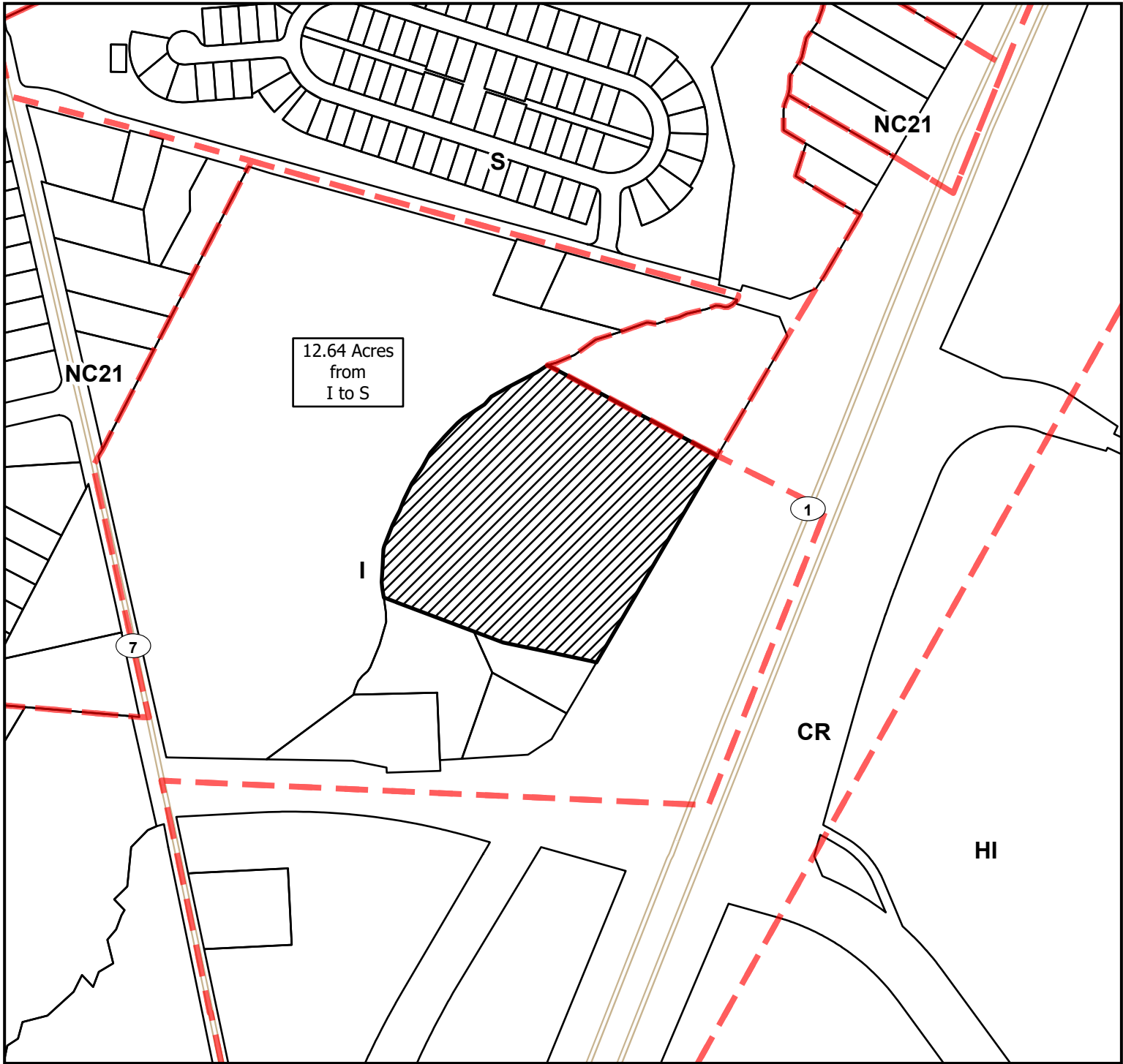
PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 12-002.00-024



HUNDRED: RED LION HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:5,000
Prepared by: MTRogers
Date: 10/26/2023



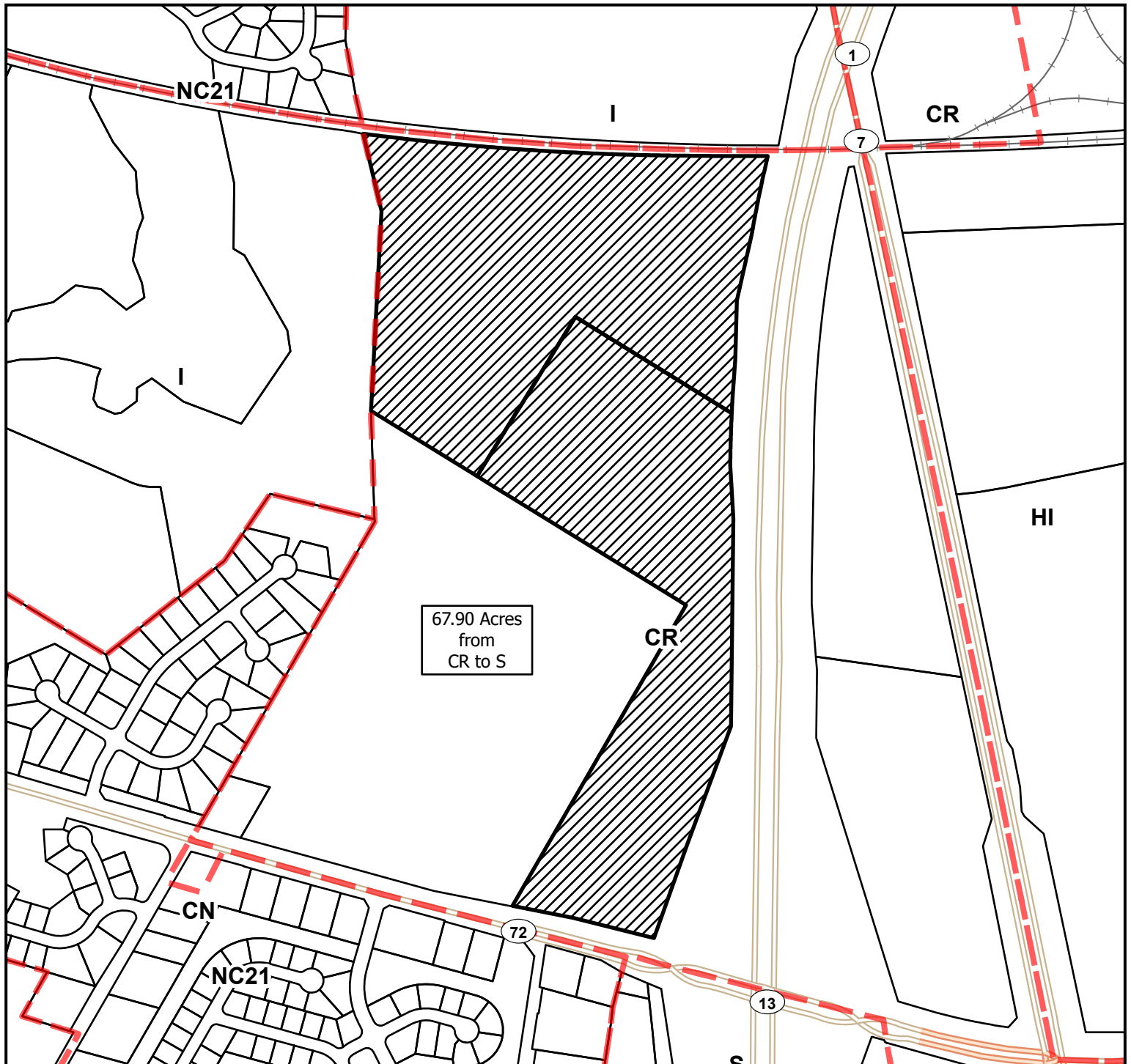
PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

PROPERTY MAP

MAP 27
ZONING ORDINANCE AS AMENDED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: CR ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 12-007.00-020 &
12-013.00-081



HUNDRED: RED LION HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:7,000

Prepared by: MTRogers

Date: 10/26/2023



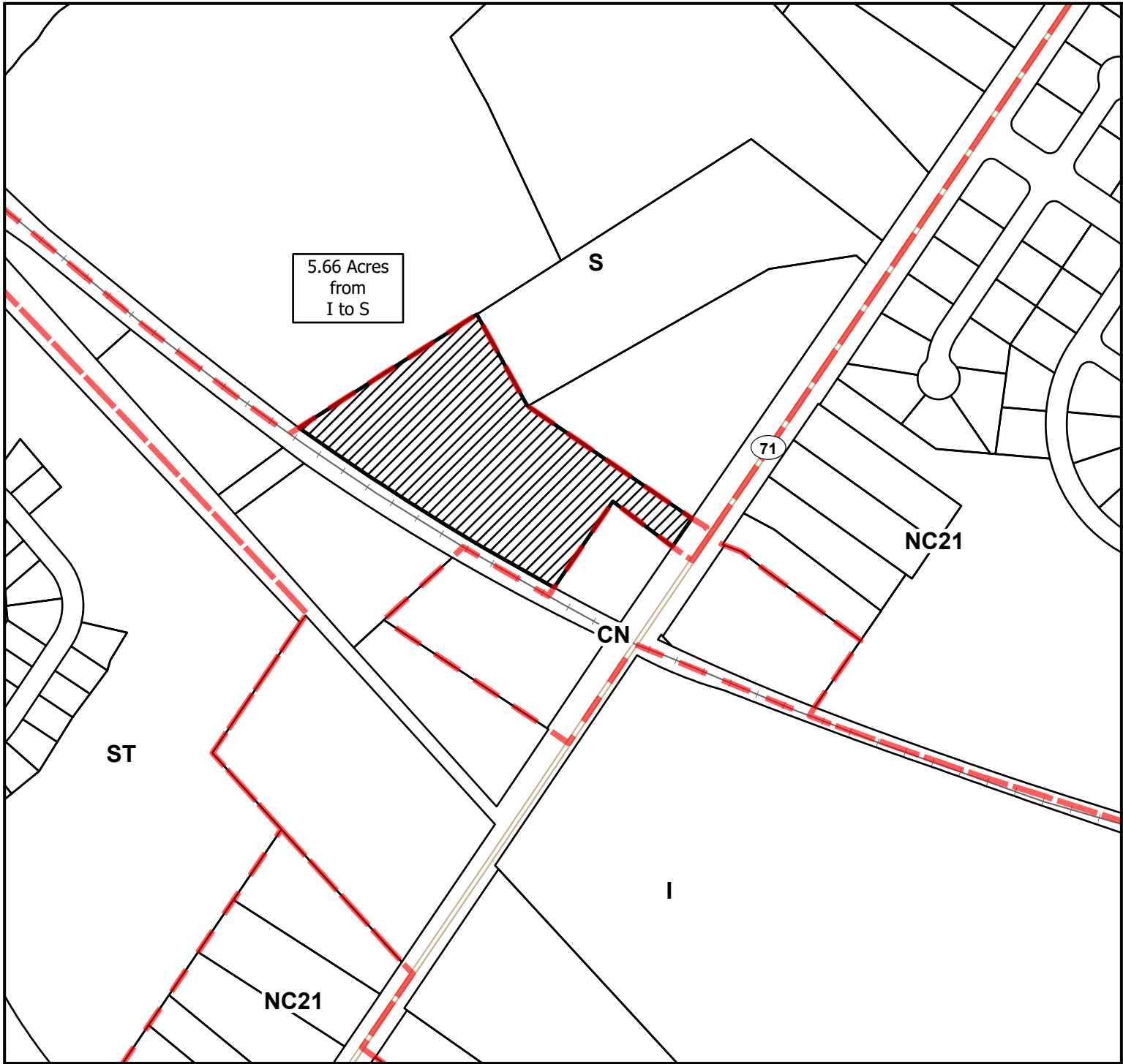
PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 12-006.00-041

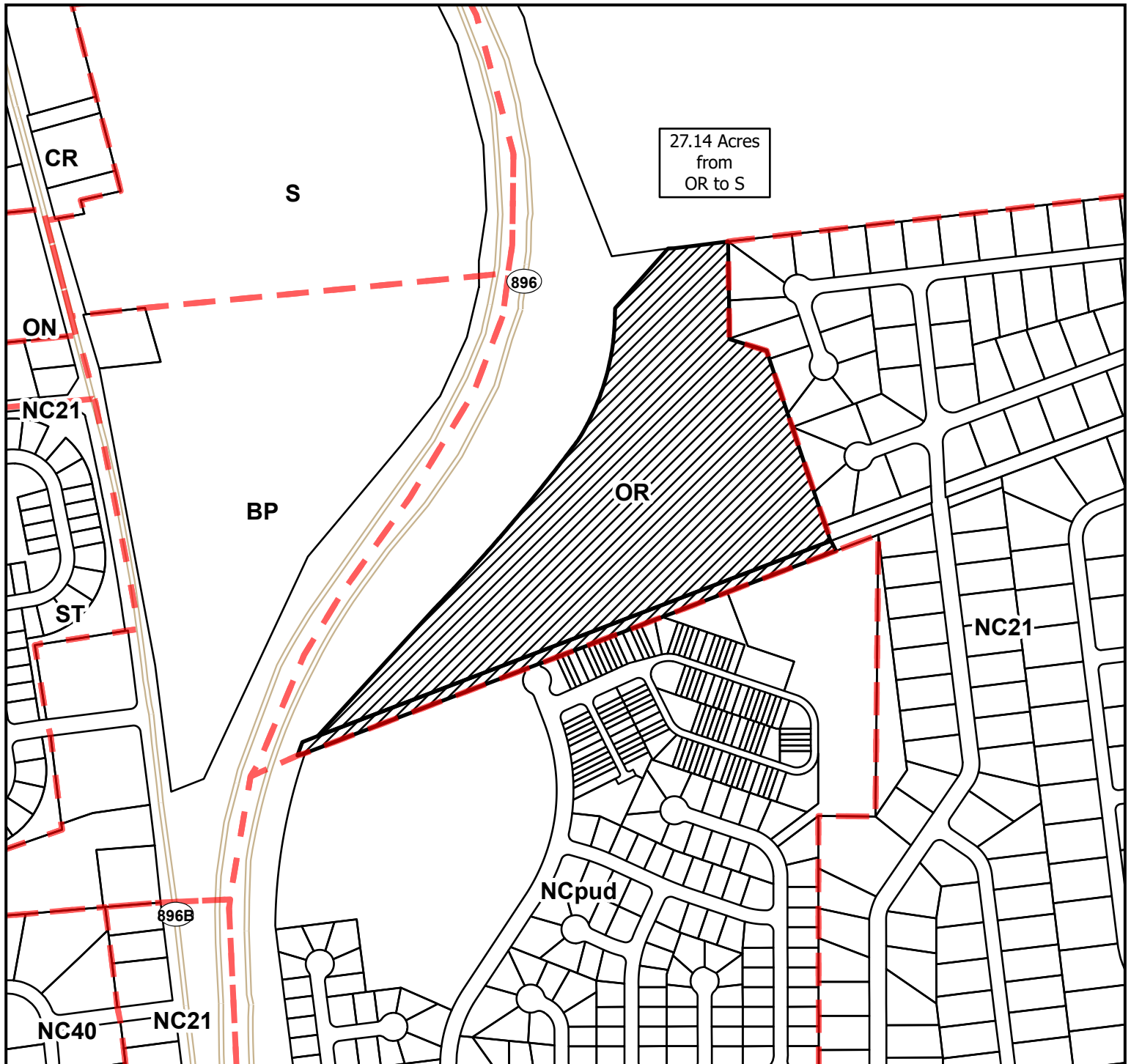


HUNDRED: RED LION HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:4,000
Prepared by: MTRogers
Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____



HUNDRED: PENCADER HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:6,000

Prepared by: MTRogers

Date: 10/26/2023



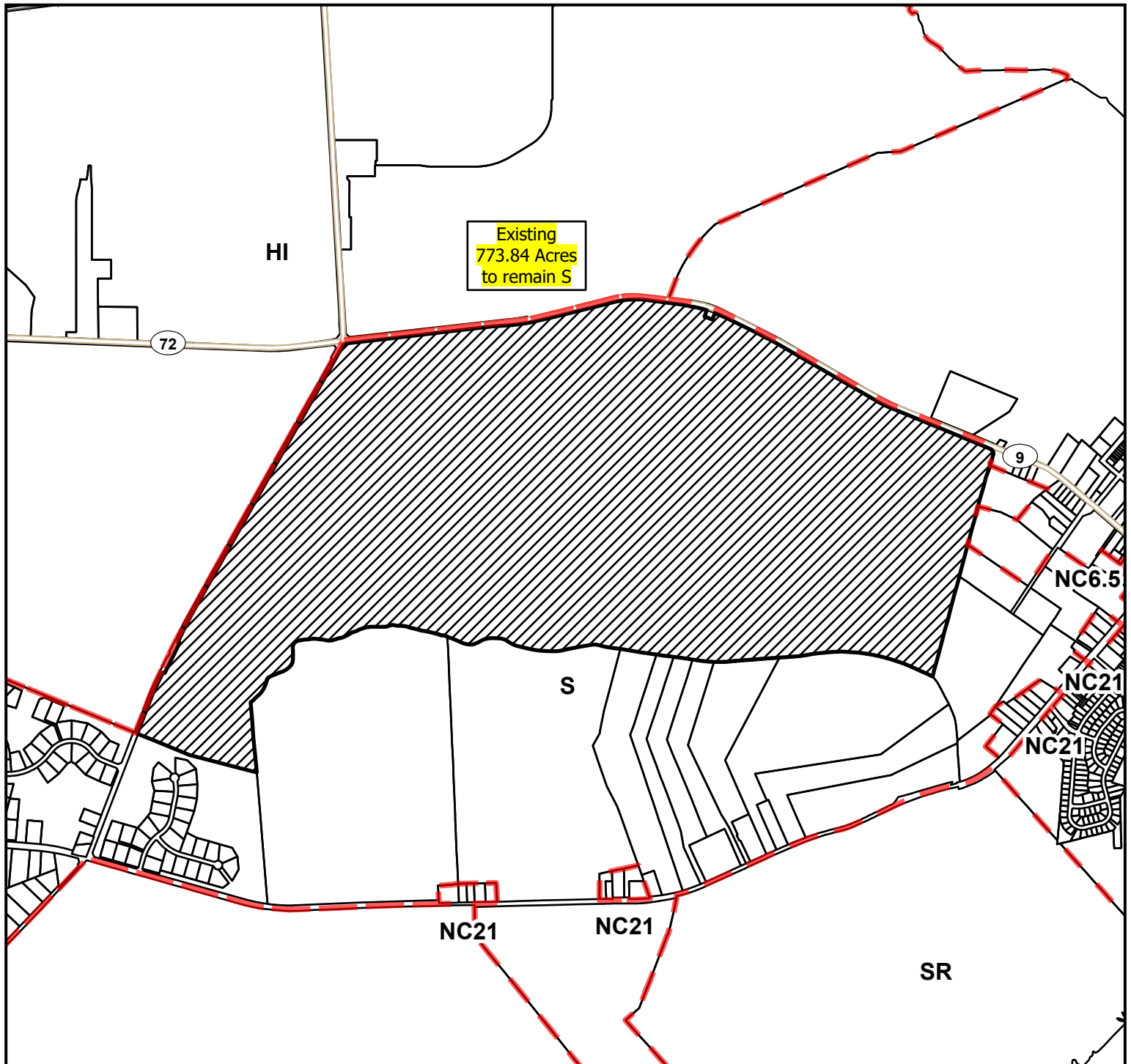
PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council

Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: **S REMAINING S**

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 12-021.00-003



HUNDRED: RED LION HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:20,000

Prepared by: MTRogers

Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

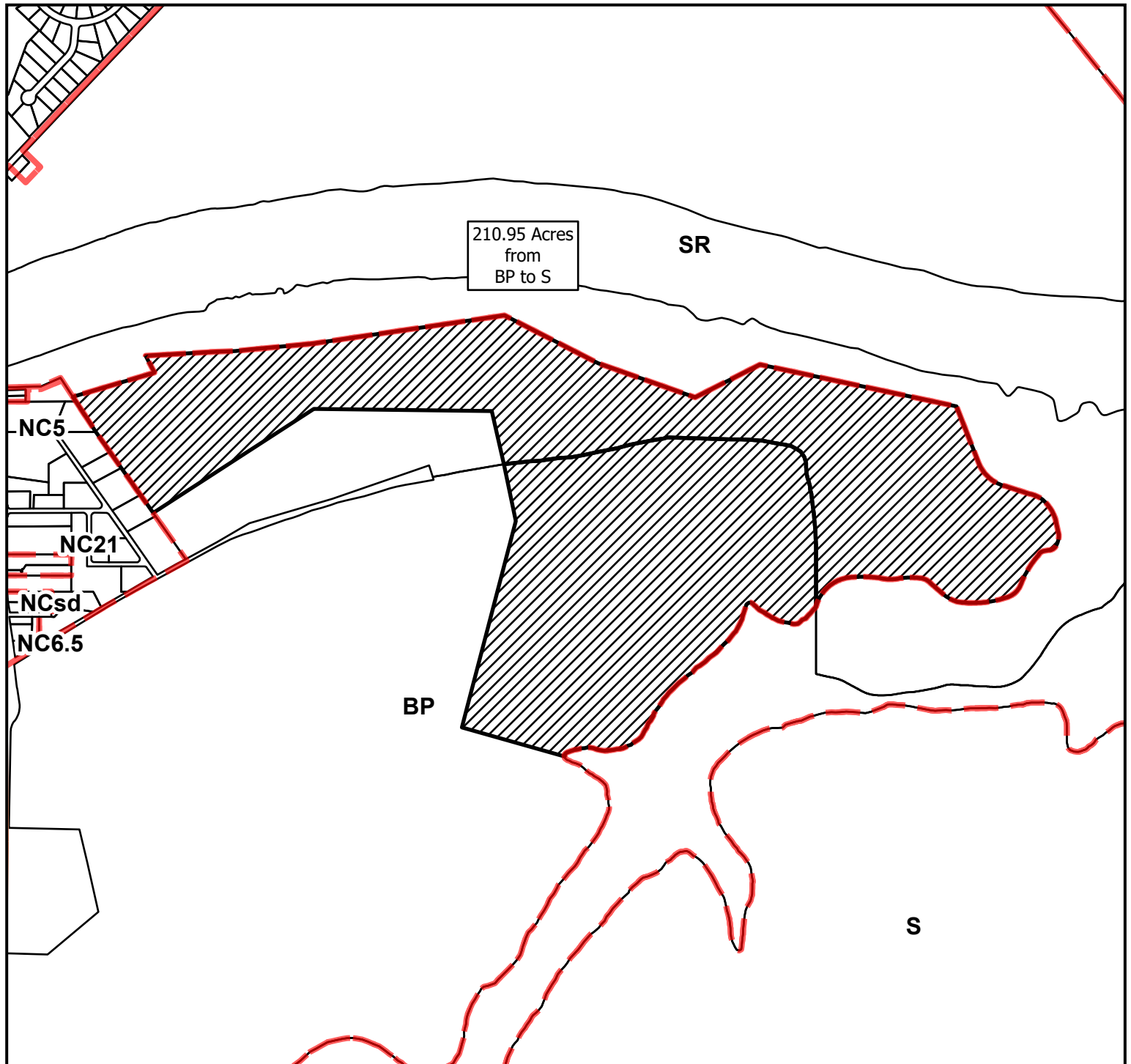
Date Approved by County Executive _____

PROPERTY MAP

MAP 31
ZONING ORDINANCE AS AMENDED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: BP ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 12-036.00-001 &
13-004.00-001



HUNDRED: RED LION HUNDRED AND
ST. GEORGE'S HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:12,000

Prepared by: MTRogers

Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

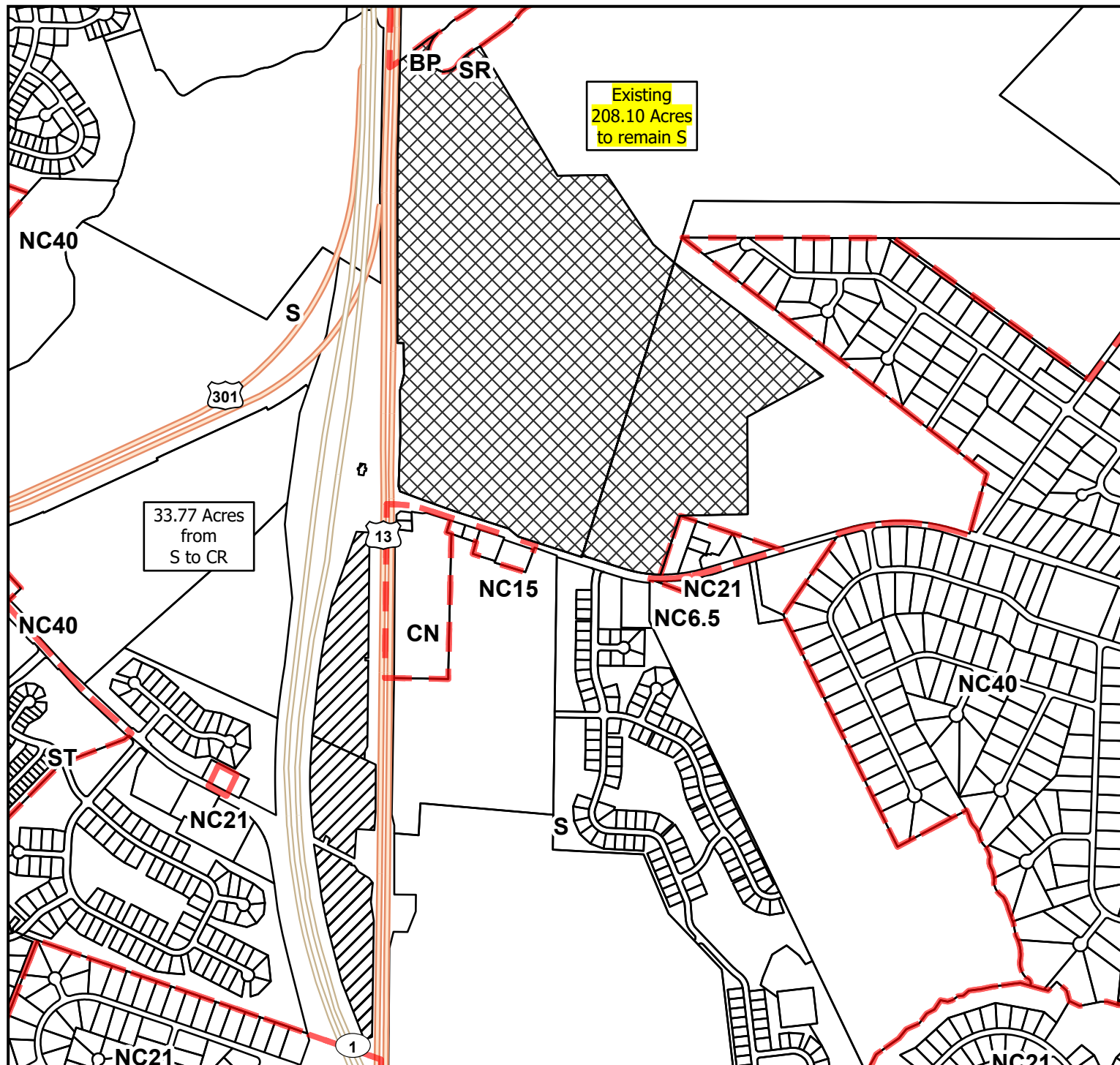
Date Approved by County Executive _____

PROPERTY MAP

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: S ZONING TO CR ZONING
S REMAINING S

MAP 32
ZONING ORDINANCE AS INTRODUCED

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 13-004.00-001; 13-009.00-001;
13-008.00-019; 13-008.00-028; 13-008.00-044;
13-008.00-045



HUNDRED: ST. GEORGE'S HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:14,000

Prepared by: MTRogers

Date: 10/26/2023



 **S to remain S**
 S to CR

PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

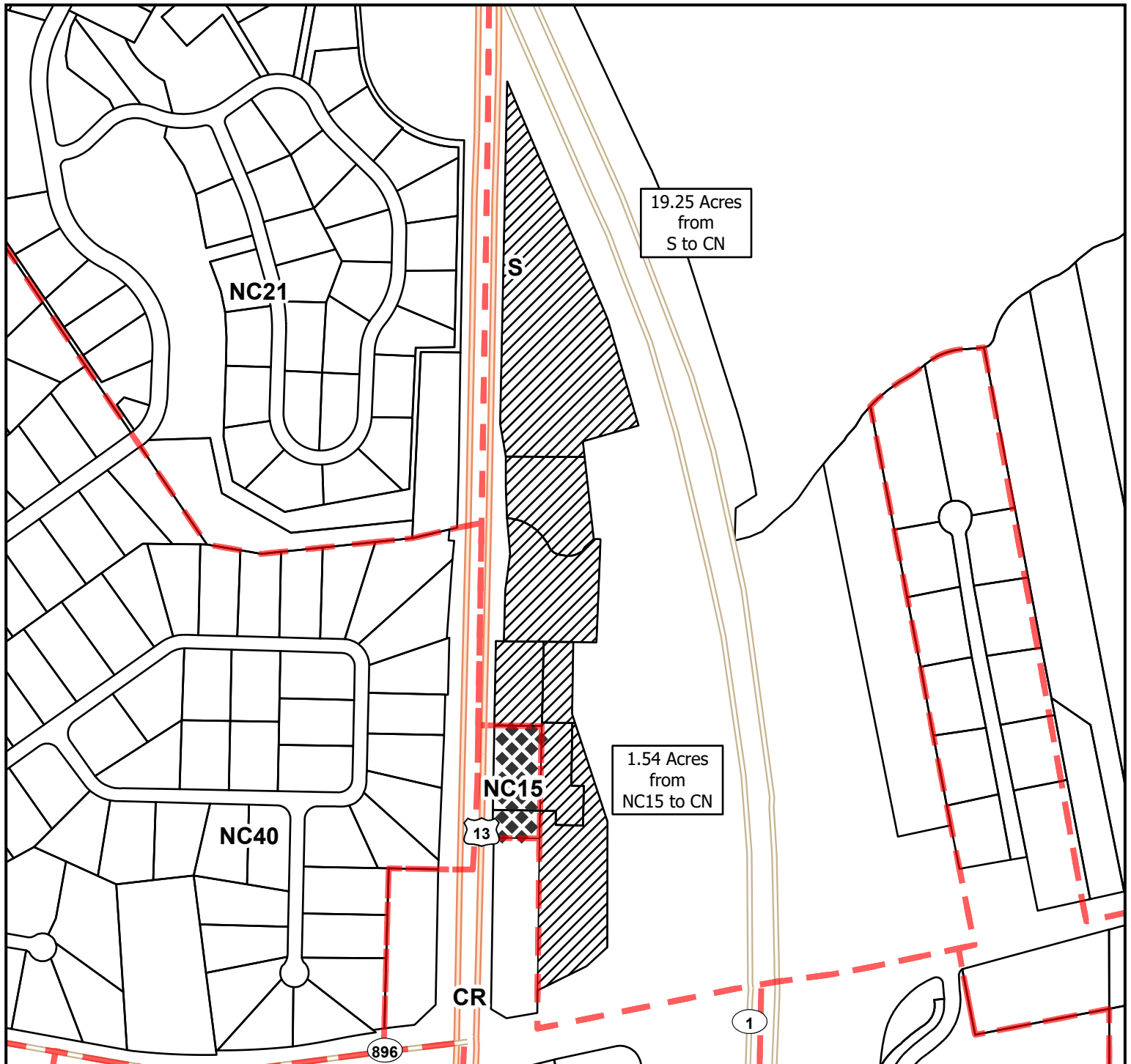
Date Approved by County Executive _____

PROPERTY MAP

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NC15 ZONING TO CN ZONING
S ZONING TO CN ZONING

MAP 33
ZONING ORDINANCE AS AMENDED

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 13-008.00-027; 13-013.00-029;
13-013.00-030; 13-013.00-035; 13-013.00-083;
13-013.00-148; 13-013.00-249



HUNDRED: ST. GEORGE'S HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:6,000

Prepared by: MTRogers

Date: 10/26/2023



NC15 to CN

S to CN

PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

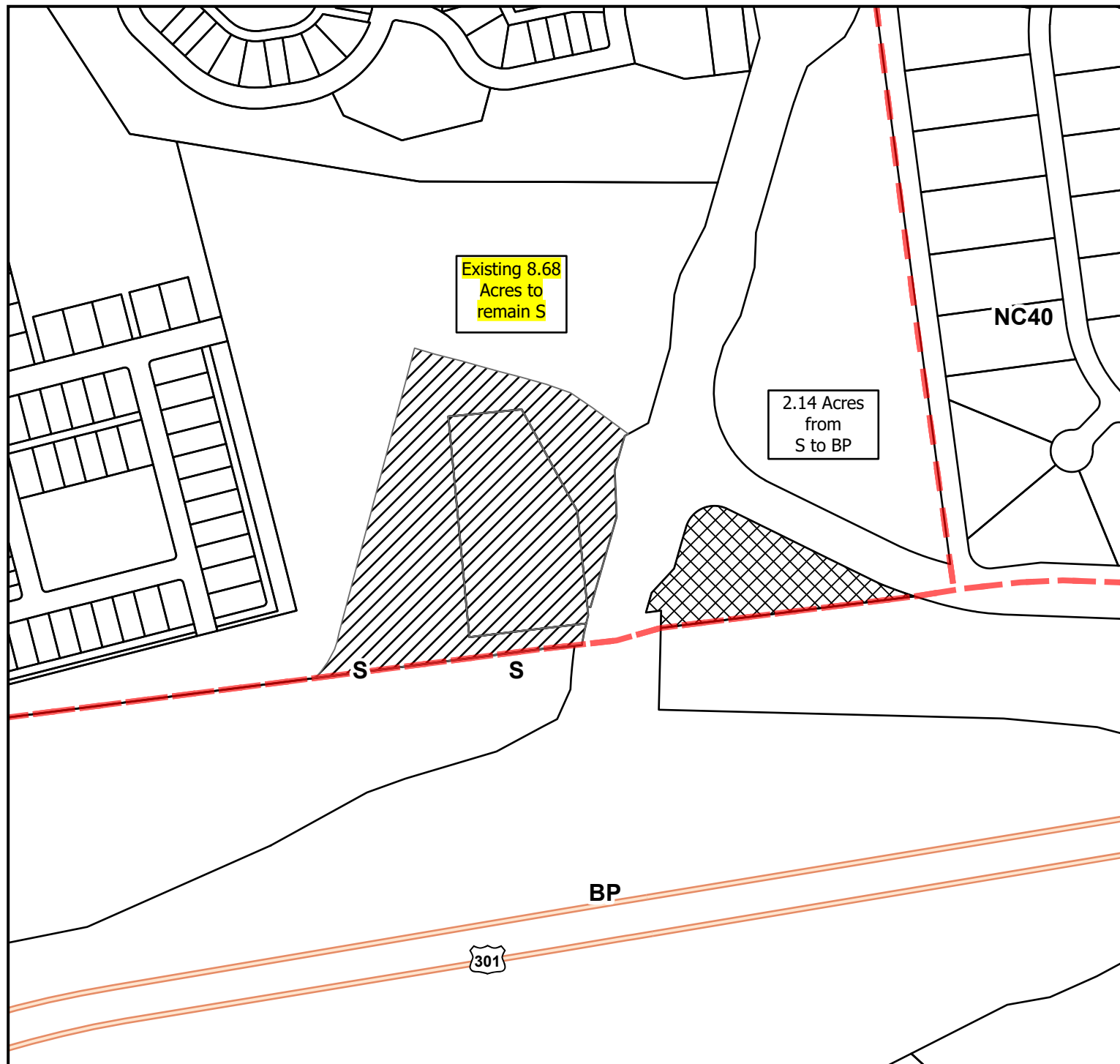
Date Approved by County Executive _____

PROPERTY MAP

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: S ZONING TO BP ZONING
S REMAINING S

MAP 34
ZONING ORDINANCE AS AMENDED

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 13-008.00-002; 13-008.00-053;
13-008.00-058



HUNDRED: ST. GEORGE'S HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:4,000

Prepared by: MTRogers

Date: 10/26/2023



 S to BP
 **S to remain S**

PERMANENT ORDINANCE NO. 23-083

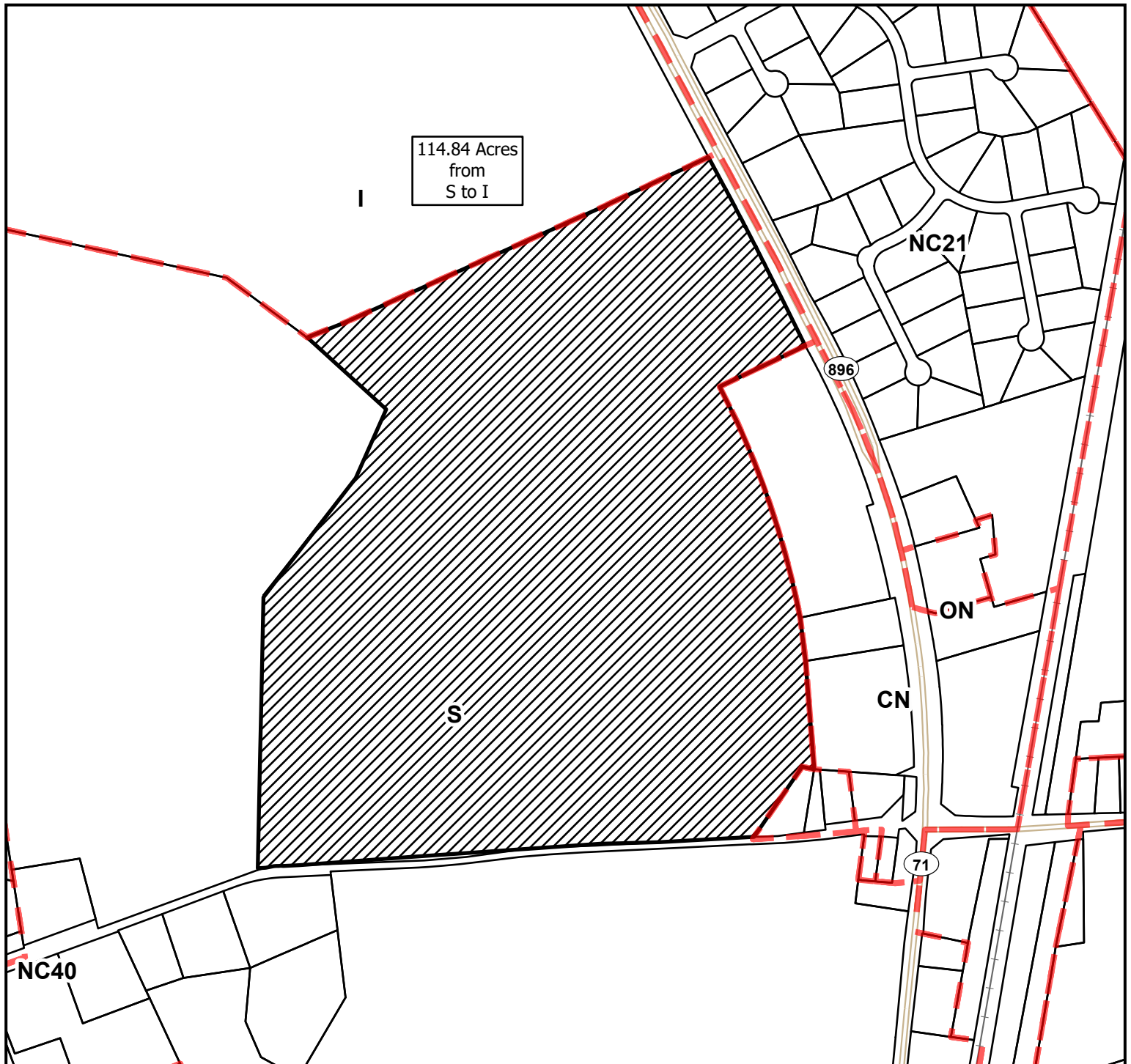
Date Adopted by County Council _____

Date Approved by County Executive _____

PROPERTY MAP

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: S ZONING TO I ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 11-058.00-009



HUNDRED: PENCANDER HUNDRED &
ST. GEORGE'S HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:7,000

Prepared by: MTRogers

Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

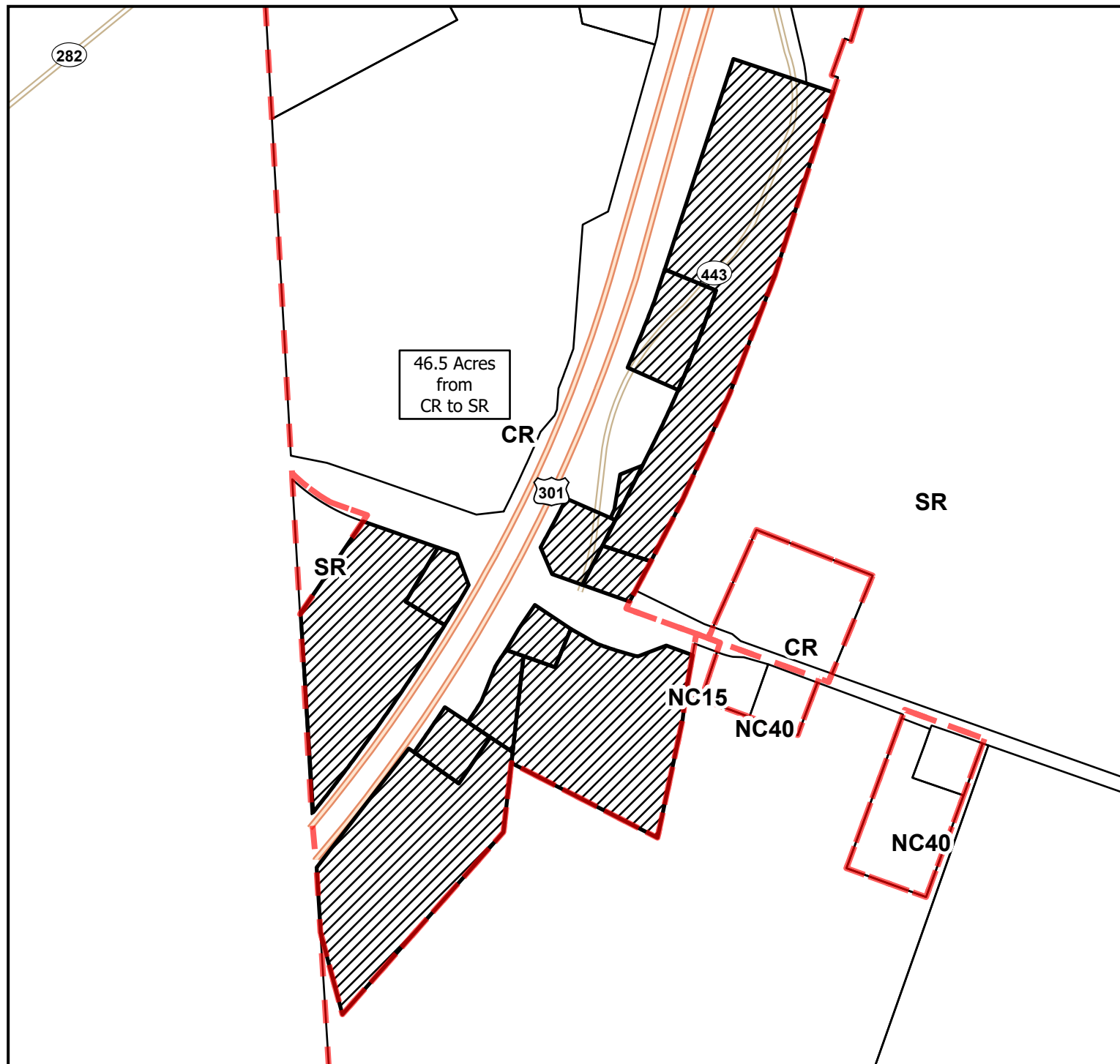
Date Approved by County Executive _____

PROPERTY MAP

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: CR ZONING TO SR ZONING

APPLICATION NO. 2023-0325-Z

TAX PARCEL NO. 14-010.00-002; 14-010.00-003; 14-101.00-009; 14-010.00-010;
14-010.00-011; 14-010.00-015; 14-010.00-016; 14-010.00-017; 14-010.00-018;
14-010.00-026; 14-010.00-028; 14-010.00-032



HUNDRED: APPOQUINIMINK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:6,500

Prepared by: MTRogers

Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

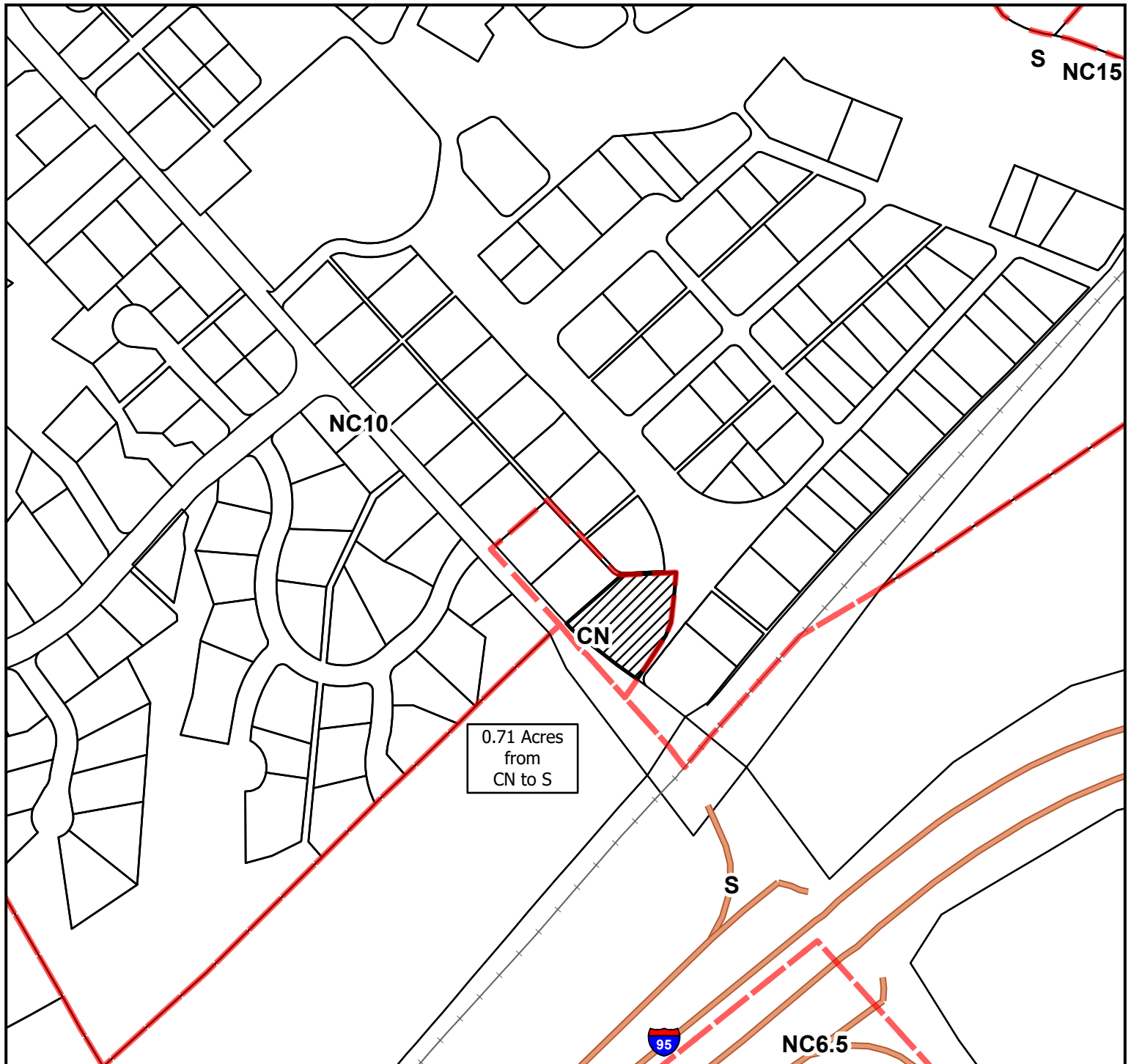
Date Approved by County Executive _____

PROPERTY MAP

MAP 37
ZONING ORDINANCE AS AMENDED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: CN ZONING TO S ZONING

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 27-001.00-001



HUNDRED: ARDENTOWN
NEW CASTLE COUNTY, DELAWARE

Scale: 1:4,000

Prepared by: MTRogers

Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083

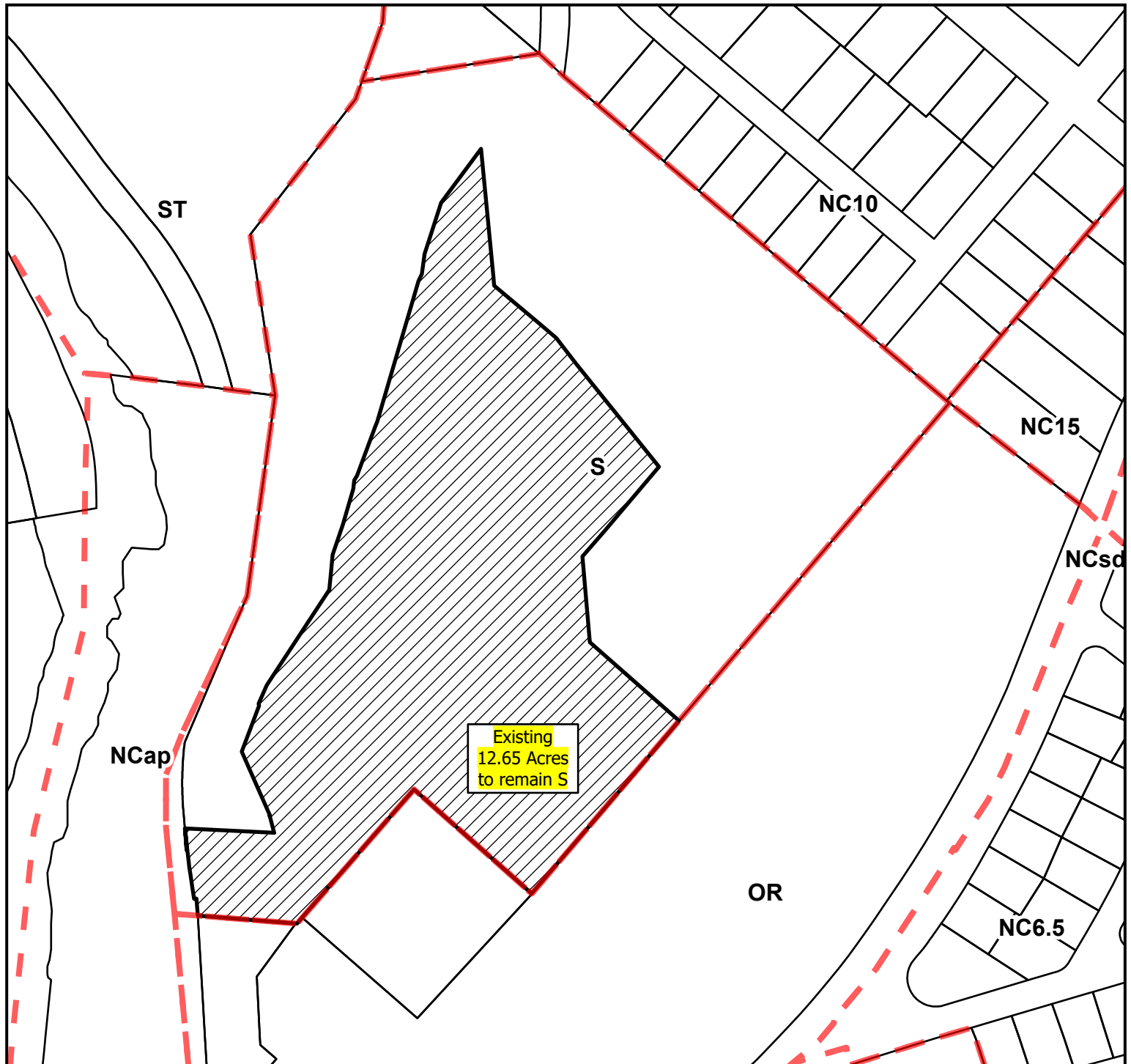
Date Adopted by County Council _____

Date Approved by County Executive _____

PROPERTY MAP

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: **S REMAINING S**

APPLICATION NO. 2023-0325-Z
TAX PARCEL NO. 06-136.00-028



HUNDRED: BRANDYWINE
NEW CASTLE COUNTY, DELAWARE

Scale: 1:2,998

Prepared by: MTRogers

Date: 10/26/2023



PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

Date Approved by County Executive _____

Introduced by: Mr. Tackett, Ms. Kilpatrick
Date of introduction: June 13, 2023

ORDINANCE NO. 23-083

COMPREHENSIVE REZONING: TO REVISE THE NEW CASTLE COUNTY ZONING MAPS PURSUANT TO *NEW CASTLE COUNTY CODE* CHAPTER 40 (UNIFIED DEVELOPMENT CODE” OR UDC), ARTICLE 31 (“PROCEDURES AND ADMINISTRATION”), SECTION 40.31.113 (“EXPLORATORY PLAN REVIEW STAGE”) REGARDING THE FOLLOWING TAX PARCELS:

APPOQUINIMINK HUNDRED: 14-010.00-002 (0 Middletown Warwick Rd), 14-010.00-003 (0 Strawberry Ln), 14-010.00-009 (0 Middletown Warwick Rd), 14-010.00-010 (1422 Middletown Warwick Rd), 14-010.00-011(323 Strawberry Ln), 14-010.00-015 (0 Strawberry Ln), 14-010.00-016 (1352 Middletown Warwick Rd), 14-010.00-017 (1330 Middletown Warwick Rd, Stardel Inc), 14-010.00-018 (1280 Middletown Warwick Rd), 14-010.00-026 (301 Strawberry Ln), 14-010.00-028 (0 Middletown Warwick Rd, Stardel Inc), 14-010.00-032 (1416 Middletown Warwick Rd, Shahan Subdivision);

ARDENTOWN: 27-001.00-001(2206 Millers Rd, Ardentown);

BRANDYWINE HUNDRED: 06-040.00-002 (0 Concord Pike Off, Woodlawn Trustees), 06-060.00-010 (1 Naamans Rd, Gilbert Subdivision), 06-077.00-274 (0 Concord Pike Off, First Unitarian Church), 06-122.00-081 (301 Carr Rd, Rockwood Office Park), 06-127.00-001 (742 Alapocas Dr, E I Dupont Denemours), 06-136.00-028 (20 Granite Rd, Wilmington Friends School), 06-147.00-017 (1204 Lighthouse Rd), 26-014.10-006 (1600 N Park Dr, Abessinio Stadium);

CHRISTIANA HUNDRED: 07-009.00-027 (17 Gun Club Rd, Auburn Valley), 07-009.00-028 (0 Creek Rd), 07-030.20-015 (0 New Bridge Rd), 07-043.40-054 (2 Highspeed Way), 07-043.40-055 (1400 Delmarva Ln, Russell W Peterson Urban Wildlife Refuge), 07-044.10-004 (1300 Delmarva Ln), 07-044.30-001 (0 S Madison St Off, Hub Marine & Industrial Acres Corp), 07-044.30-003 (0 S Madison St Off);

MILL CREEK HUNDRED: 07-009.00-027 (17 Gun Club Rd, Auburn Valley), 08-001.00-022 (1166 Yorklyn Rd, Auburn Valley), 08-007.40-124 (623 Yorklyn Rd, Hockessin Center), 09-008.00-010 (0 Creek Rd, 555 Paper Mill Road);

NEW CASTLE HUNDRED: 10-015.00-004 (2162 New Castle Ave), 10-017.00-003 (251 Churchmans Rd, Churchmans Office Complex), 10-030.00-046 (0 River Rd), 10-035.00-002 (300 S Dupont Hwy), 10-035.00-056 (790 Grantham Ln, Dellaversano Subdivision), 10-045.00-011(1345 River Rd), 10-045.00-012 (0 River Rd), 10-049.00-073 (0 River Rd, Delaware City Refining Co), 10-049.00-074 (1042 S Dupont Hwy, Stockton Dev Co), 10-050.00-007 (1421 River Rd, Tall Subdivision), 10-050.00-008 (0 River Rd), 10-050.00-009 (0 River Rd), 10-

050.00-011 (1493 River Rd, Red Lion Energy Center), 10-050.00-012 (1545 River Rd, Getty Refining & Marketing Co), 10-050.00-013 (1426 River Rd,Tall Subdivision);

PENCADER HUNDRED: 11-014.00-044 (904 Old Baltimore Pike, Dayett Mills Inc), 11-014.00-045 (2029 Sunset Lake Rd), 11-018.00-012 (0 Eggerts Ln), 11-018.00-060 (0 Old Coochs Bridge Rd, Glasgow Commons), 11-018.00-061 (2001 Old Coochs Bridge Rd, Glasgow Commons), 11-018.00-062 (0 Dusk Run Rd, Glasgow Commons), 11-022.00-014 (2199 Pulaski Hwy, Glasgow Regional Park), 11-022.00-016 (0 Dusk Run Rd, Glasgow Commons), 11-025.00-026 (0 Pulaski Hwy Off, Upper Chesapeake Corporate Ctr), 11-032.00-001 (210 Benjamin Blvd), 11-032.00-259 (209 Benjamin Blvd), 11-058.00-009 (4 Troopers Way, Summit Aviation);

RED LION HUNDRED: 10-049.00-073 (0 River Rd, Delaware City Refining Co), 10-049.00-074 (1042 S Dupont Hwy, Stockton Dev Co), 12-002.00-024 (0 S Dupont Hwy), 12-006.00-041 (1535 Red Lion Rd, Harris Subdivision), 12-007.00-020 (4120 Wrangle Hill Rd, Bear Babe Ruth Kodiak Park), 12-013.00-081 (4110 Wrangle Hill Rd, Bear Babe Ruth Kodiak Park), 12-021.00-003 (4667 Wrangle Hill Rd, Delaware City Refining Co), 12-036.00-001 (0 Biggs Ln, Union Carbide Corp), 13-004.00-001 (309 Port Penn Rd, Union Carbide Corp);

ST GEORGES HUNDRED: 11-058.00-009 (4 Troopers Way, Summit Aviation), 13-004.00-001 (309 Port Penn Rd, Union Carbide Corp), 13-008.00-002 (715 Jamison Corner Rd, Town of Whitehall), 13-008.00-019 (2093 Dupont Pky), 13-008.00-027 (2256 Dupont Pky, Lester Subdivision), 13-008.00-028 (2105 Dupont Pky, Lester Subdivision), 13-008.00-044 (310 Hyetts Corner Rd, Hyetts Corner Road Water Treatment Plant), 13-008.00-045 (2229 Dupont Pky, Van Wingerden Associates), 13-008.00-053 (707 Jamison Corner Rd, Town of Whitehall), 13-008.00-058 (710 Hyetts Corner Rd, 13-009.00-001 (381 Port Penn Rd, Lighthouse Farm), 13-013.00-029 (2344 Dupont Pky), 13-013.00-030 (2348 Dupont Pky), 13-013.00-035 (2398 Dupont Pky, Shoppes of St Georges), 13-013.00-083 (0 Dupont Pky, Lester Subdivision), 13-013.00-148 (2356 Dupont Pky, Shoppes of St Georges), 13-013.00-249 (0 Dupont Pky);

WHITE CLAY CREEK HUNDRED: 09-008.00-010 (0 Creek Rd, 555 Paper Mill Road), 09-011.00-070 (606 Stanton Christiana Rd), 09-029.00-003 (39 E Regal Blvd), 09-029.00-015 (0 Chapman Rd), 09-030.30-091 (2008 Point Hamlet Rd, Christiana Village), 09-033.00-038 (475 Gender Rd, Breezewood Sec III).

WHEREAS, County Council adopted Substitute No. 2 to Ordinance No. 22-024 as amended by Floor Amendment No. 1 (“New Castle County Comprehensive Plan” or “the Plan”), on July 26, 2022, and the County Executive approved the Ordinance on August 4, 2022; and

WHEREAS, the Future Land Use Element and Map Series of the New Castle County Comprehensive Plan designates proposed future general distribution, location and extent of the uses of land consistent with goals, policies and measurable objectives enumerated in the Plan; and

WHEREAS, the New Castle County Comprehensive Plan guides and encourages sustainable economic development sensitive to the context of neighboring residential developments; and

WHEREAS, the New Castle County Comprehensive Plan guides and encourages preservation efforts to best protect important ecological habitats; and

WHEREAS, 9 *Del. C.* § 2660 requires New Castle County to amend its official zoning map within eighteen months of the date of adoption of a revision to the county comprehensive plan “to rezone all lands in accordance with the uses and intensities of uses provided for in the future land use element for the County”; and

WHEREAS, County Council has determined that the amendments to the zoning map substantially advance, and are reasonably and rationally related to, legitimate government interests (i.e., promoting the health, safety, morals, convenience, order, prosperity and/or welfare of the present and future inhabitants of this State).

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

Section 1. The Zoning Maps of Appoquinimink Hundred, Ardentown, Brandywine Hundred, Christiana Hundred, Mill Creek Hundred, New Castle Hundred, Pencader Hundred, Red Lion Hundred, St Georges Hundred, and White Clay Creek Hundred, as amended, are hereby further amended by changing the zoning classification of the land shown on attached Exhibit “A”, Maps 1-38 dated April 21, 2023 - April 27, 2023, as set forth therein.

Section 2. This Ordinance shall become effective immediately upon passage by New Castle County Council and approval of the County Executive, or as otherwise provided in 9 *Del. C.* § 1156.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

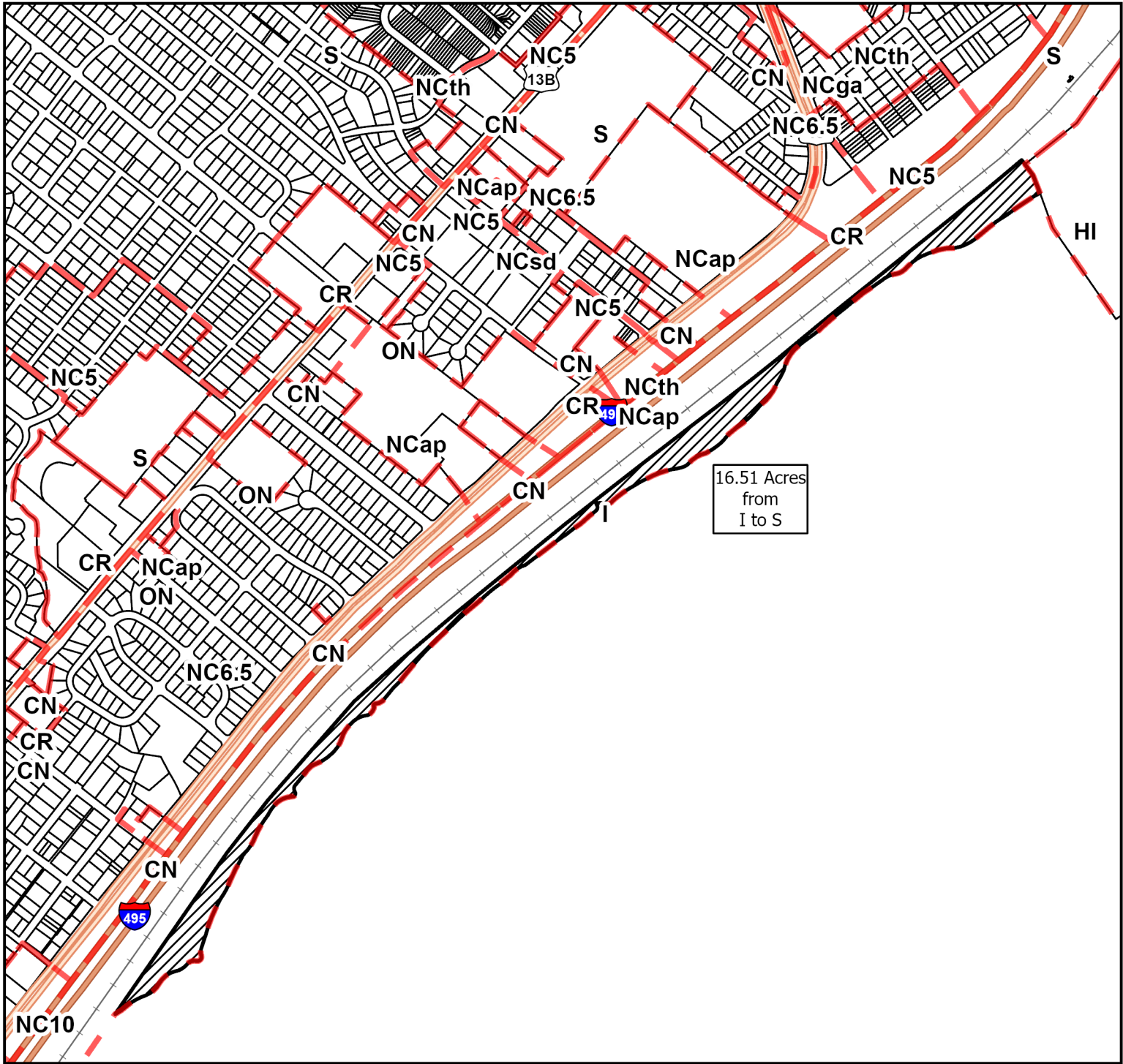
SYNOPSIS: Same as Title.

FISCAL IMPACT: There is no discernible fiscal impact with the adoption of this ordinance.

Exhibit “A”: Maps 1-38

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING

APPLICATION NO.
TAX PARCEL NO. 06-147.00-017



HUNDRED: BRANDYWINE HUNDRED
NEW CASTLE COUNTY, DELAWARE

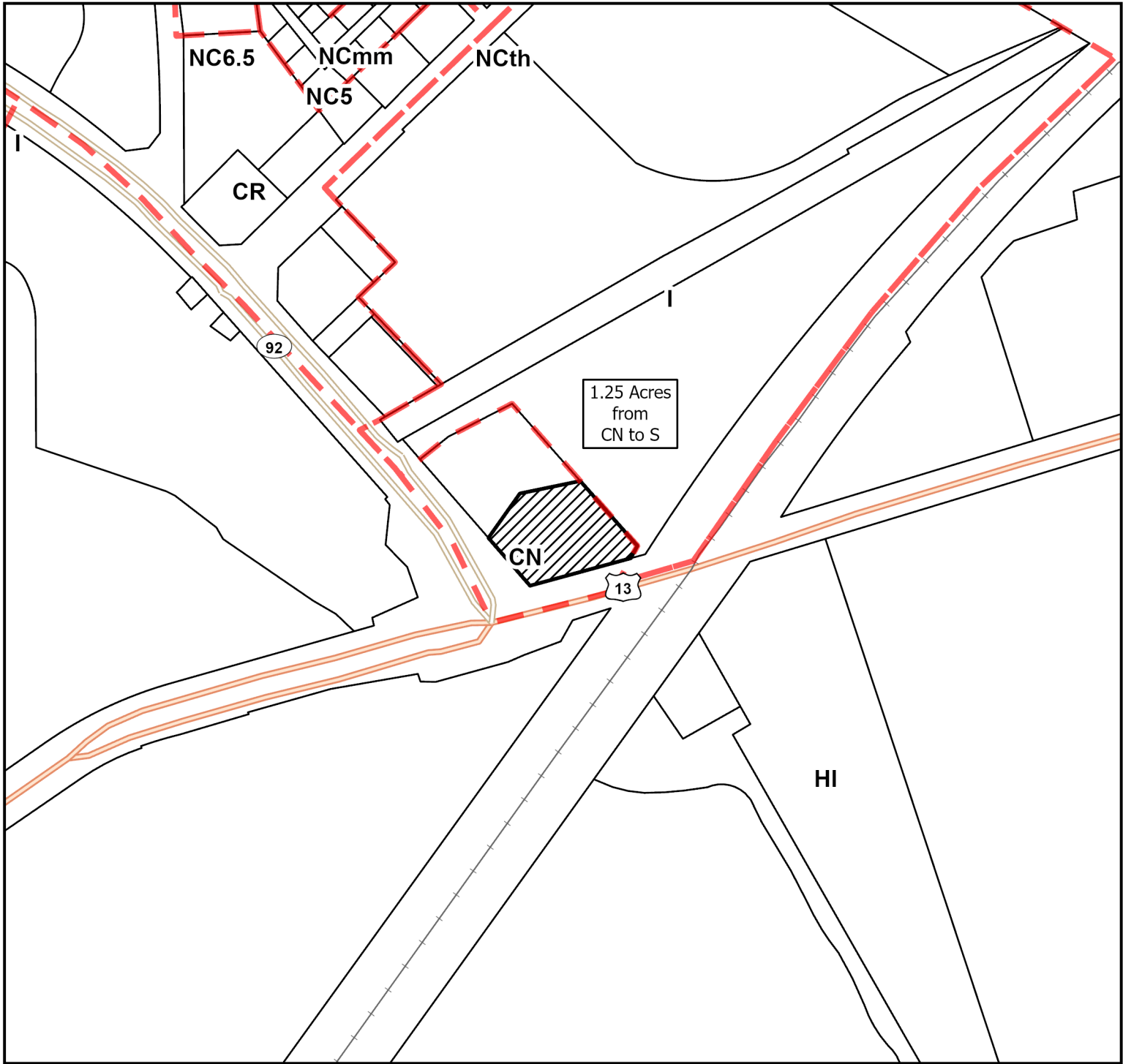
Scale: 1:10,240
Prepared by: smmartins
Date: 4/21/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: CN ZONING TO S ZONING

APPLICATION NO.
TAX PARCEL NO. 06-060.00-010



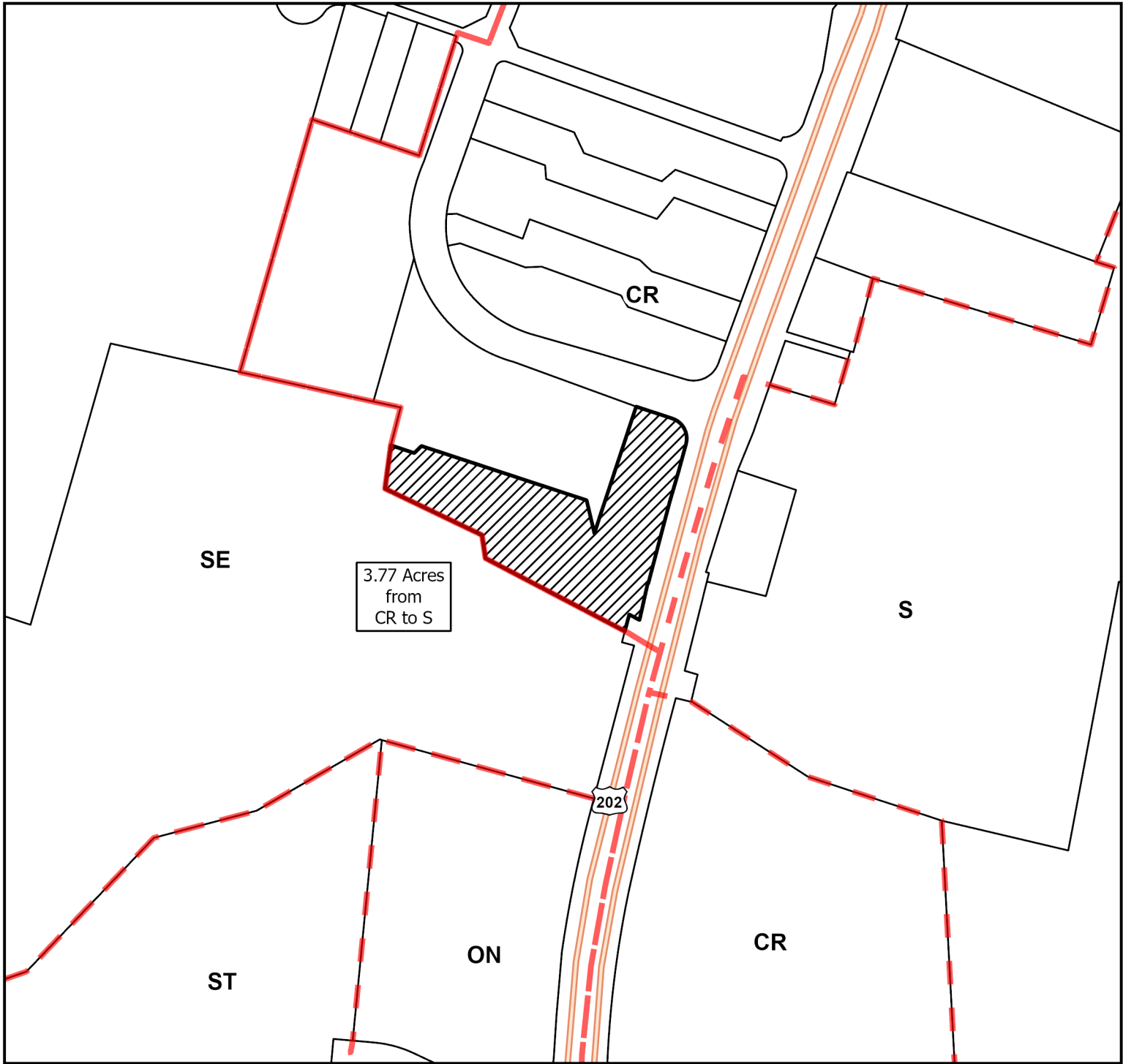
HUNDRED: BRANDYWINE HUNDRED
NEW CASTLE COUNTY, DELAWARE
Scale: 1:4,000
Prepared by: smmartins
Date: 4/21/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: CR ZONING TO S ZONING

APPLICATION NO.
TAX PARCEL NO. 06-040.00-002



HUNDRED: BRANDYWINE HUNDRED
NEW CASTLE COUNTY, DELAWARE

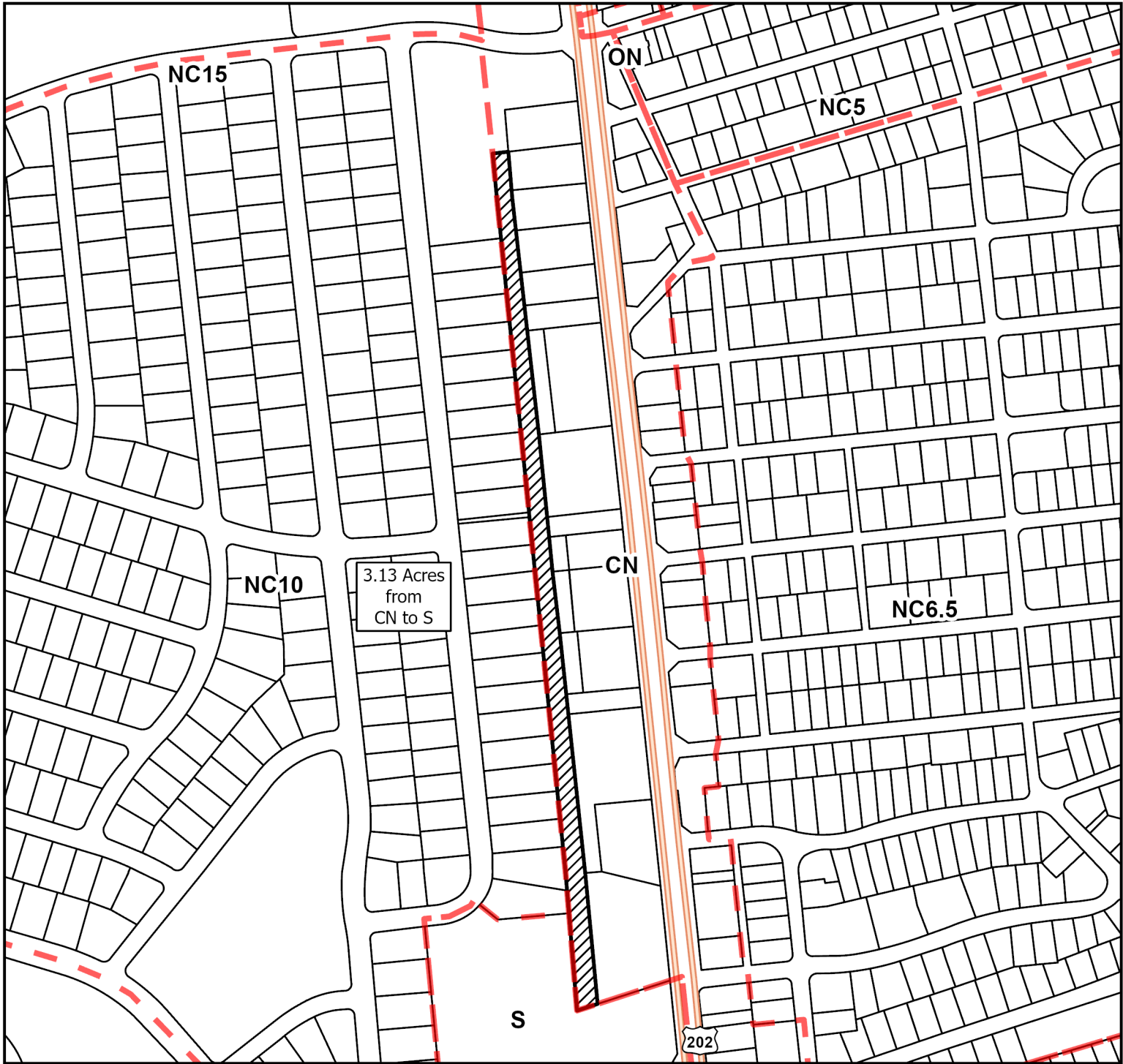
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Prepared by: smmartins
Date: 4/21/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: CN ZONING TO S ZONING

APPLICATION NO.
TAX PARCEL NO. 06-077.00-274



HUNDRED: BRANDYWINE HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:5,000
Prepared by: smmartins
Date: 4/21/2023



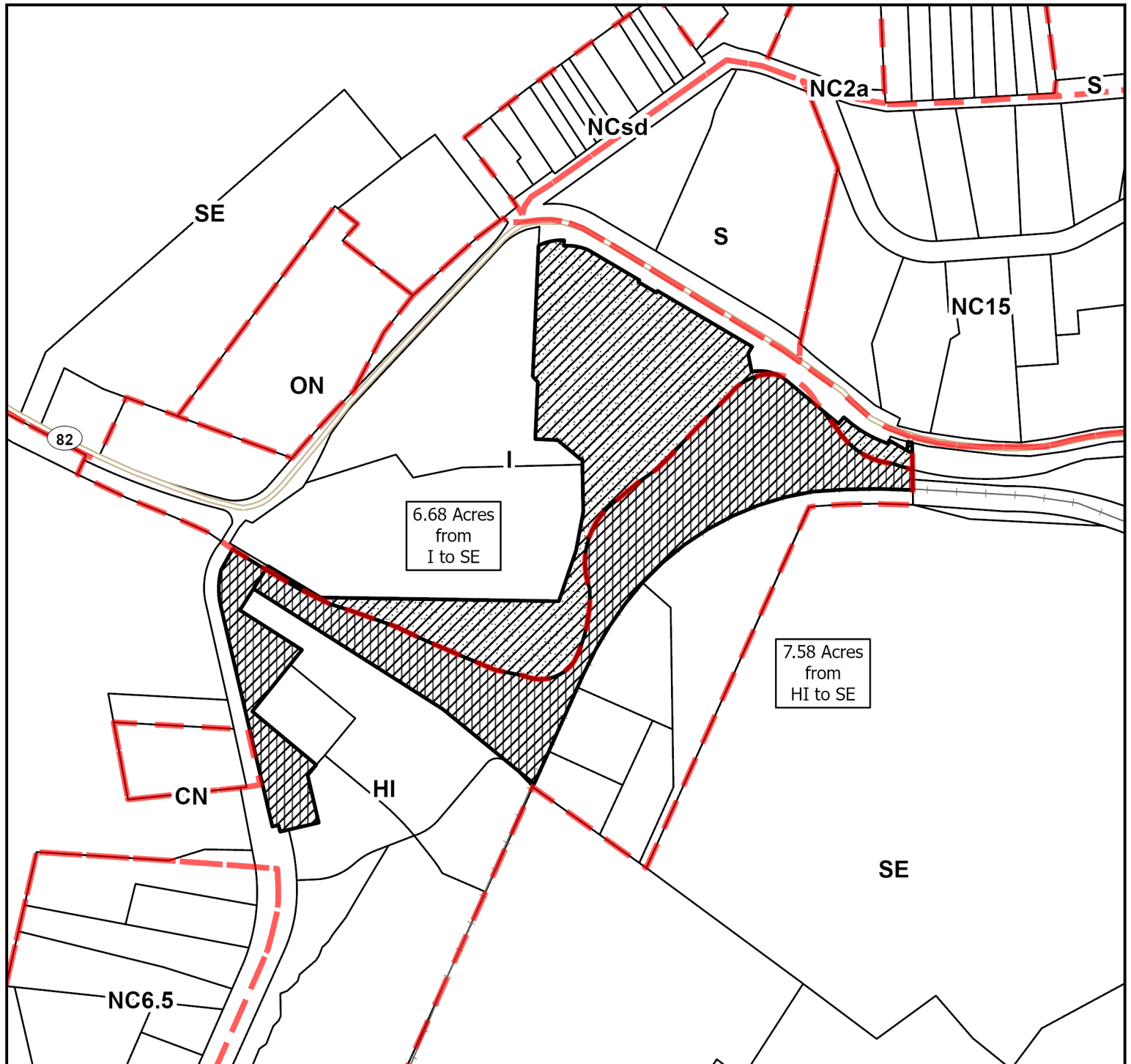
PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

PROPERTY MAP

MAP 5
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: HI ZONING TO SE ZONING
I ZONING TO SE ZONING

APPLICATION NO.
TAX PARCEL NO. 07-009.00-027; 07-009.00-028;
08-001.00-022



HUNDRED: CHRISTIANA HUNDRED
MILL CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:4,000

Prepared by: smmartins

Date: 4/21/2023



- HI to SE
- I to SE
- Final_All_Chun_PairwiseDisso

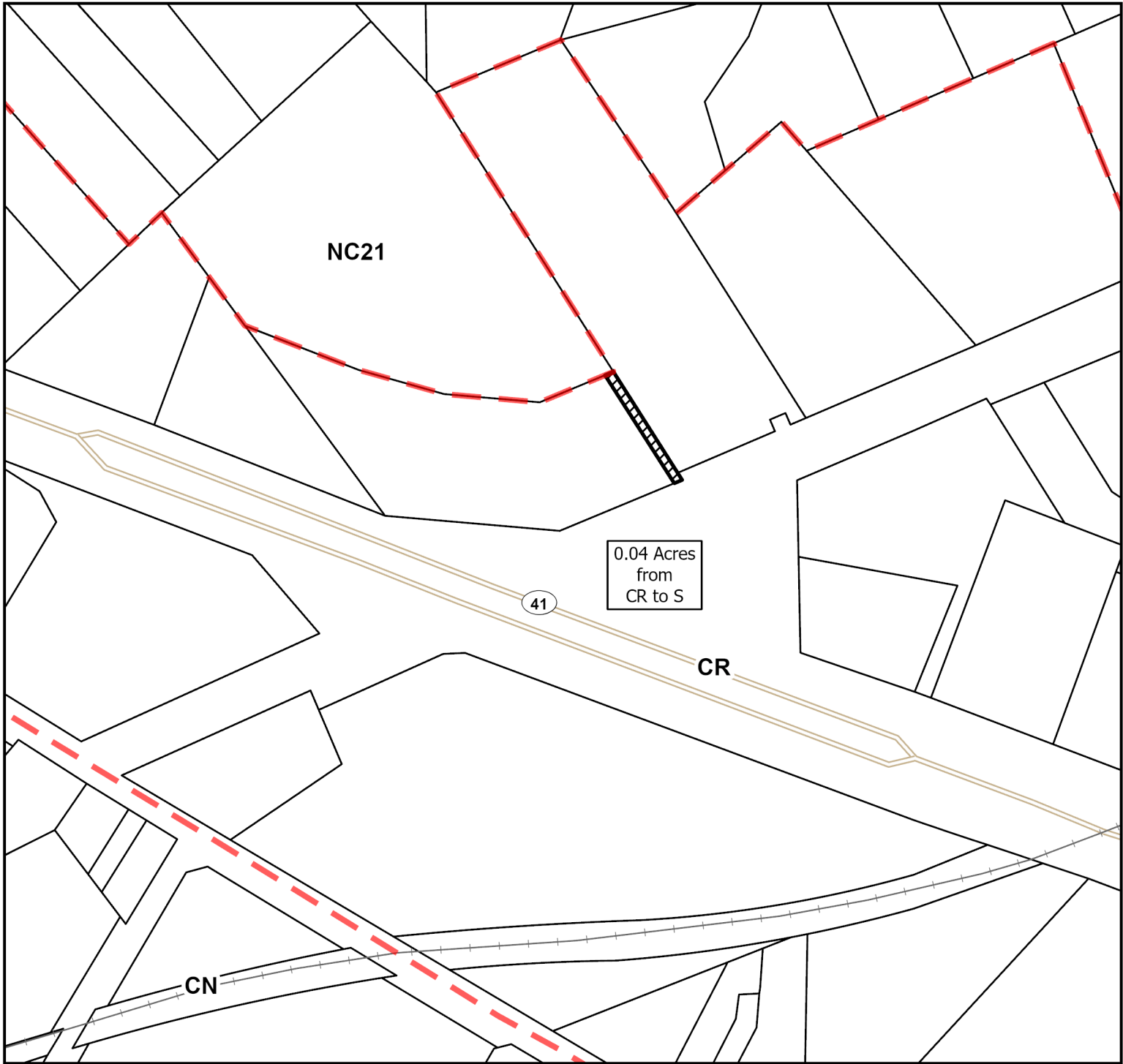
PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: CR ZONING TO S ZONING

APPLICATION NO.
TAX PARCEL NO. 08-007.40-124



HUNDRED: MILL CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

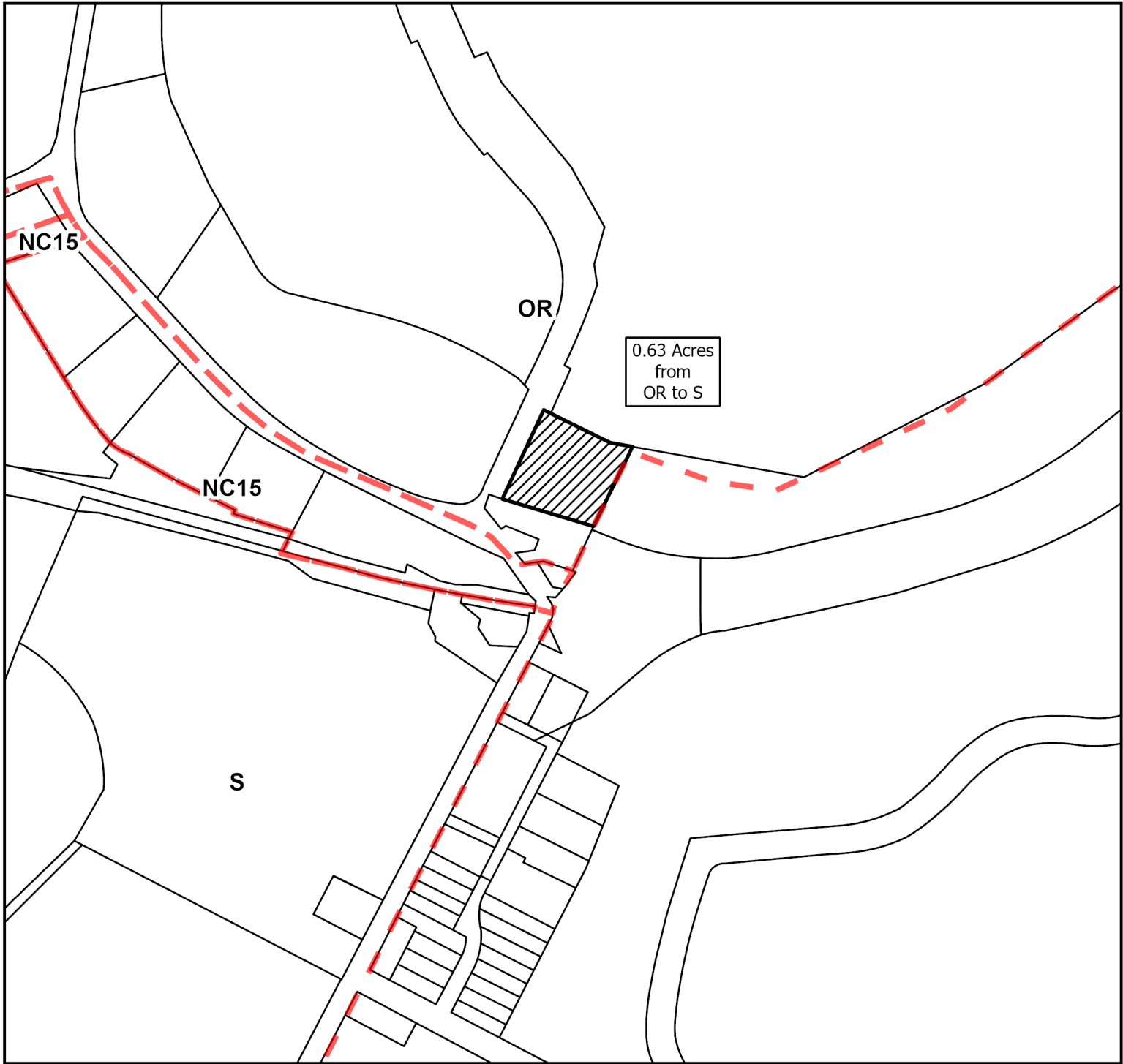
Scale: 1:2,000
Prepared by: smmartins
Date: 4/21/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: OR ZONING TO S ZONING

APPLICATION NO.
TAX PARCEL NO. 07-030.20-015



HUNDRED: CHRISTIANA HUNDRED
NEW CASTLE COUNTY, DELAWARE

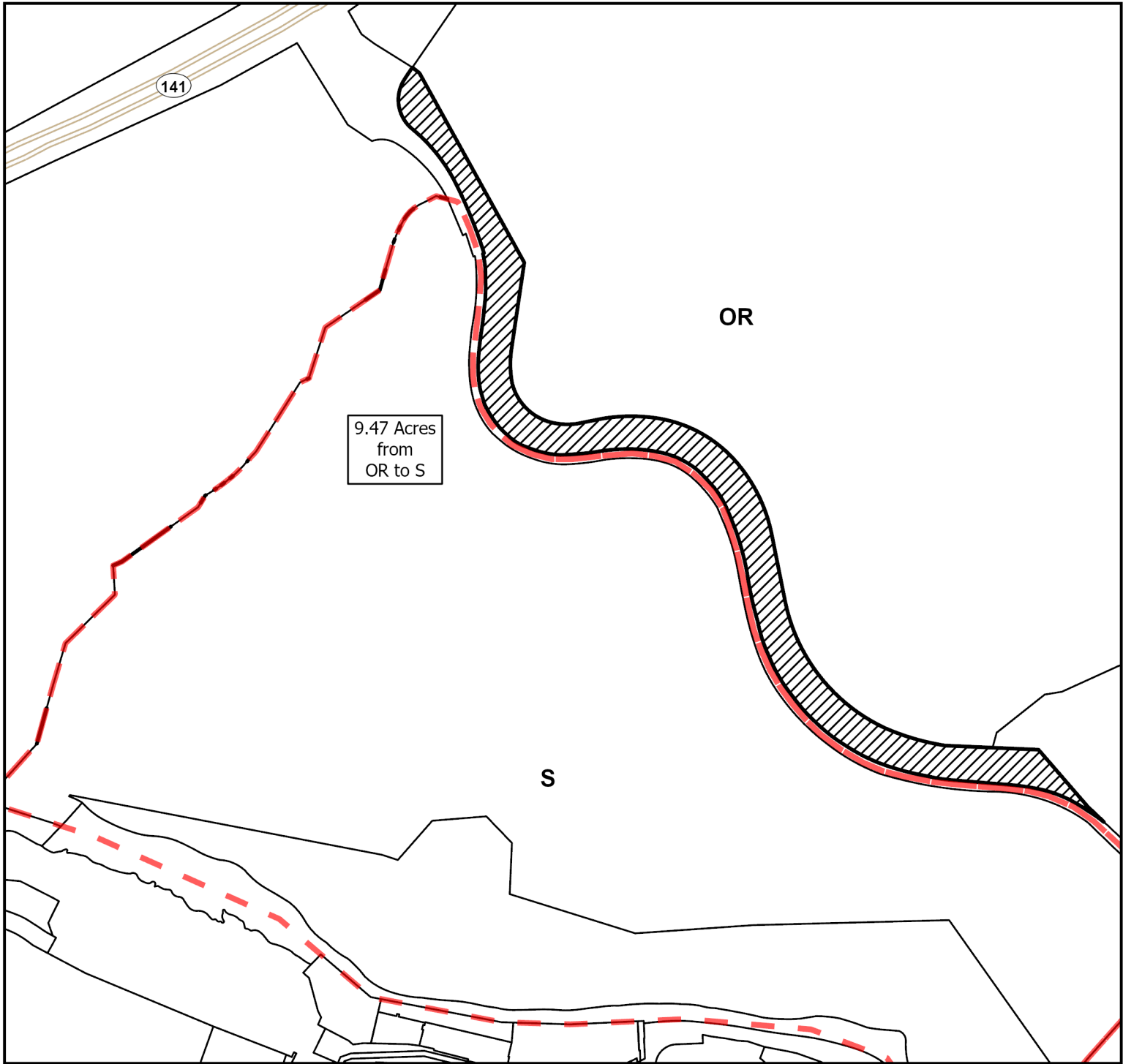
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Prepared by: smmartins
Date: 4/21/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: OR ZONING TO S ZONING

APPLICATION NO.
TAX PARCEL NO. 06-127.00-001



HUNDRED: BRANDYWINE HUNDRED
NEW CASTLE COUNTY, DELAWARE

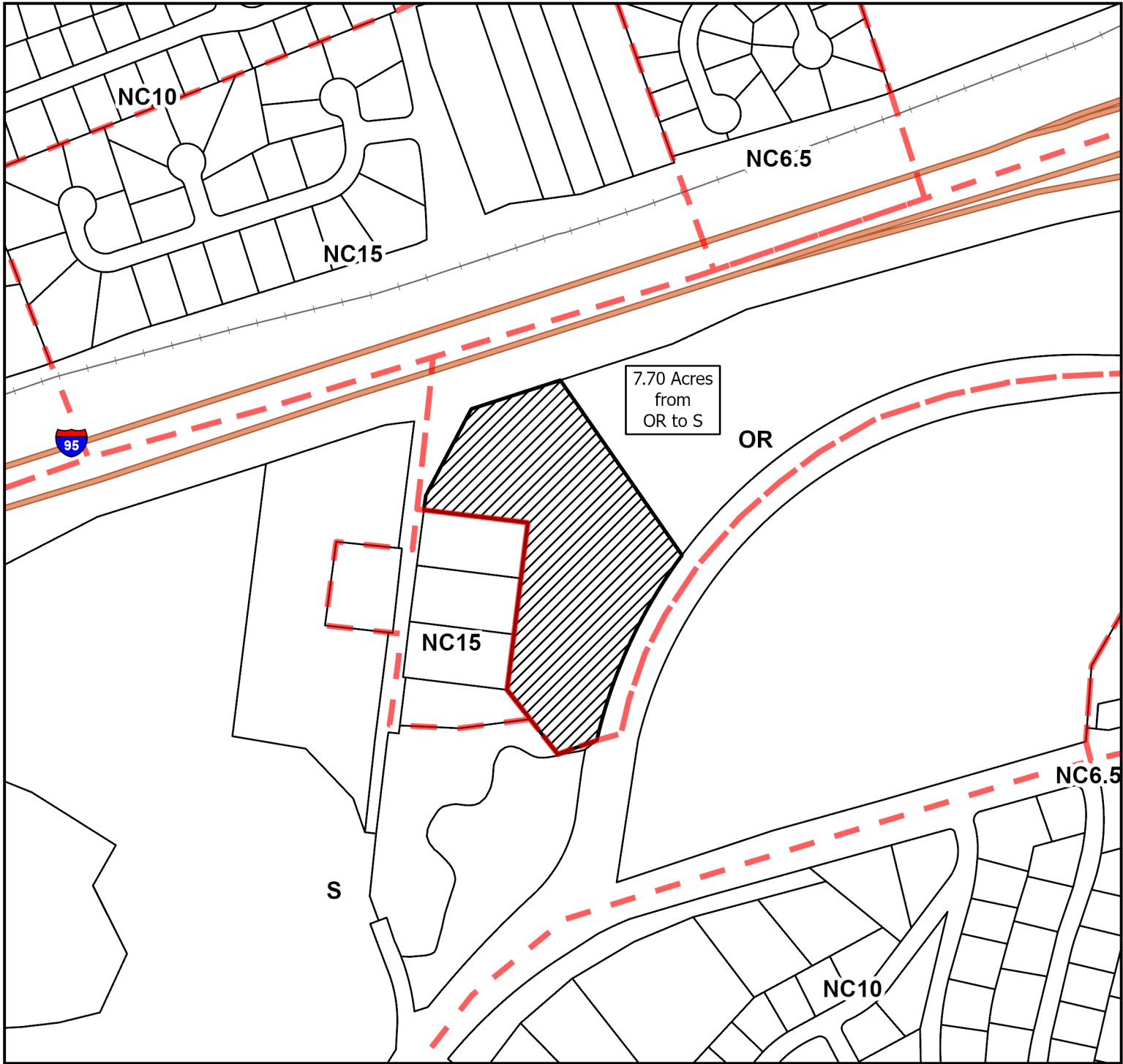
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Prepared by: smmartins
Date: 4/21/2023



PERMANENT ORDINANCE NO. 23- 083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: OR ZONING TO S ZONING

APPLICATION NO.
TAX PARCEL NO. 06-122.00-081



HUNDRED: BRANDYWINE HUNDRED
NEW CASTLE COUNTY, DELAWARE

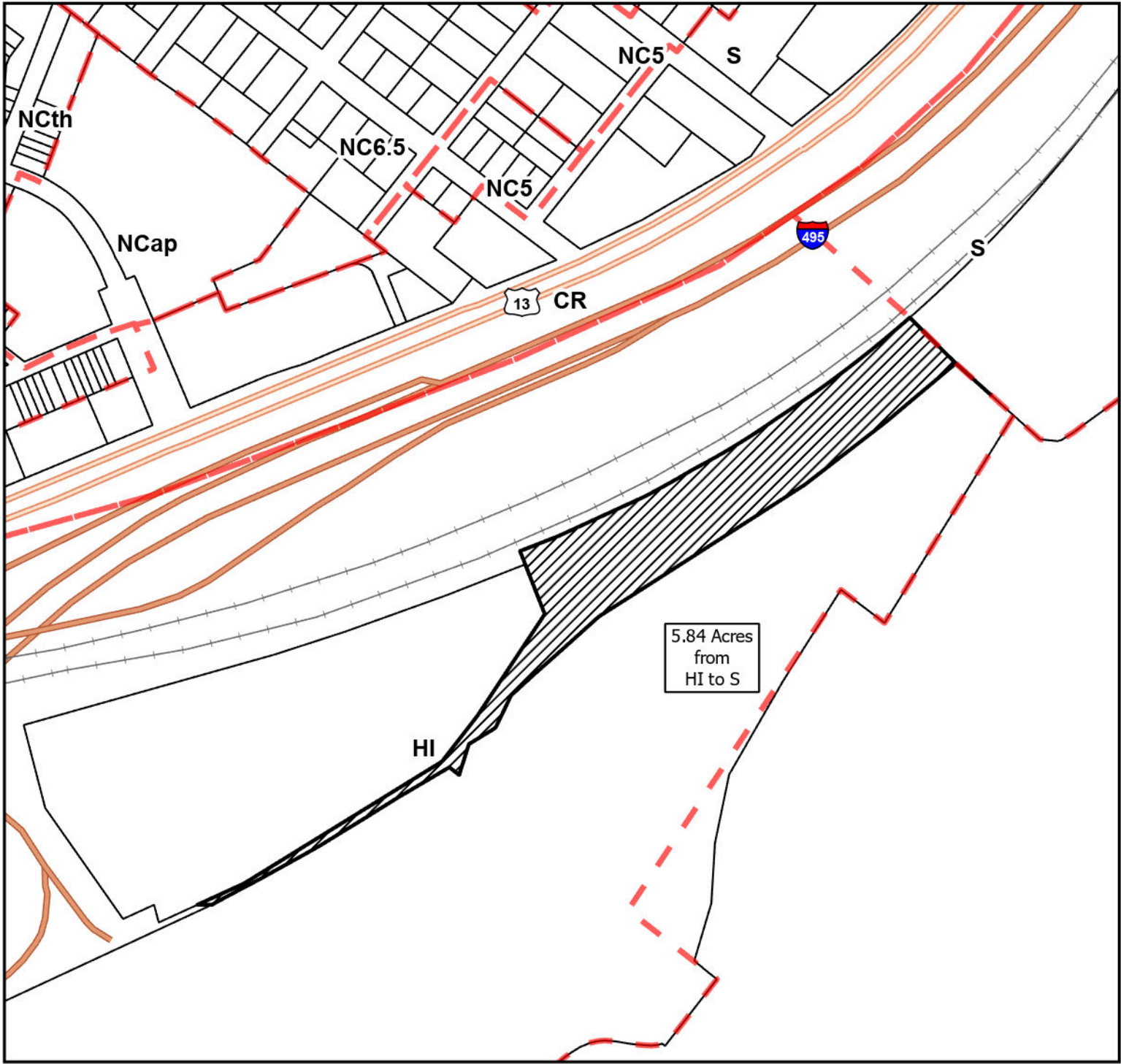
Scale: 1:4,500
Prepared by: smmartins
Date: 4/21/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: HI ZONING TO S ZONING

APPLICATION NO.
TAX PARCEL NO. 06-147.00-017



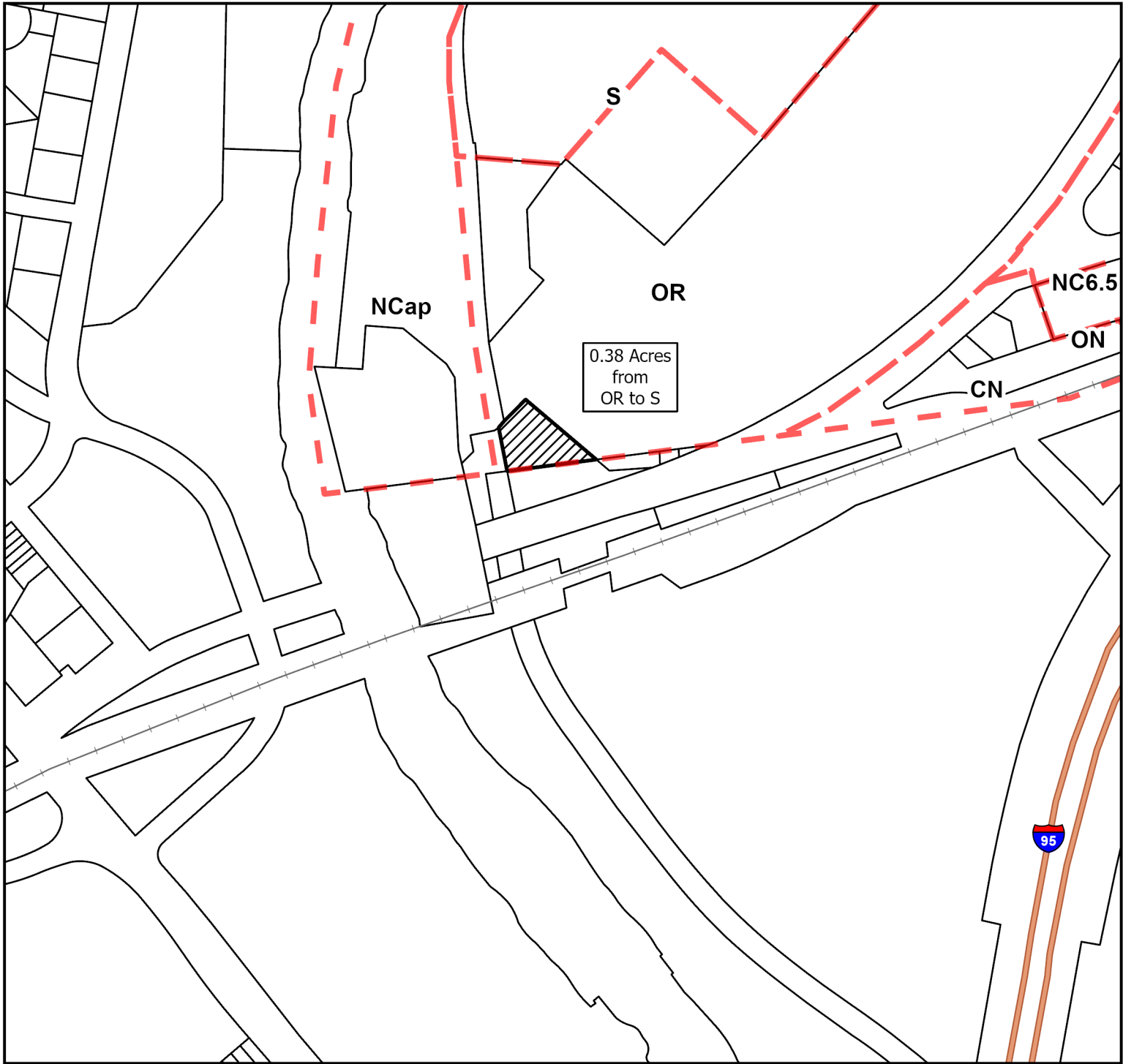
HUNDRED: BRANDYWINE HUNDRED
NEW CASTLE COUNTY, DELAWARE
Scale: 1:4,200
Prepared by: mtrogers
Date: 4/27/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: OR ZONING TO S ZONING

APPLICATION NO.
TAX PARCEL NO. 26-014.10-006



HUNDRED: BRANDYWINE HUNDRED
NEW CASTLE COUNTY, DELAWARE

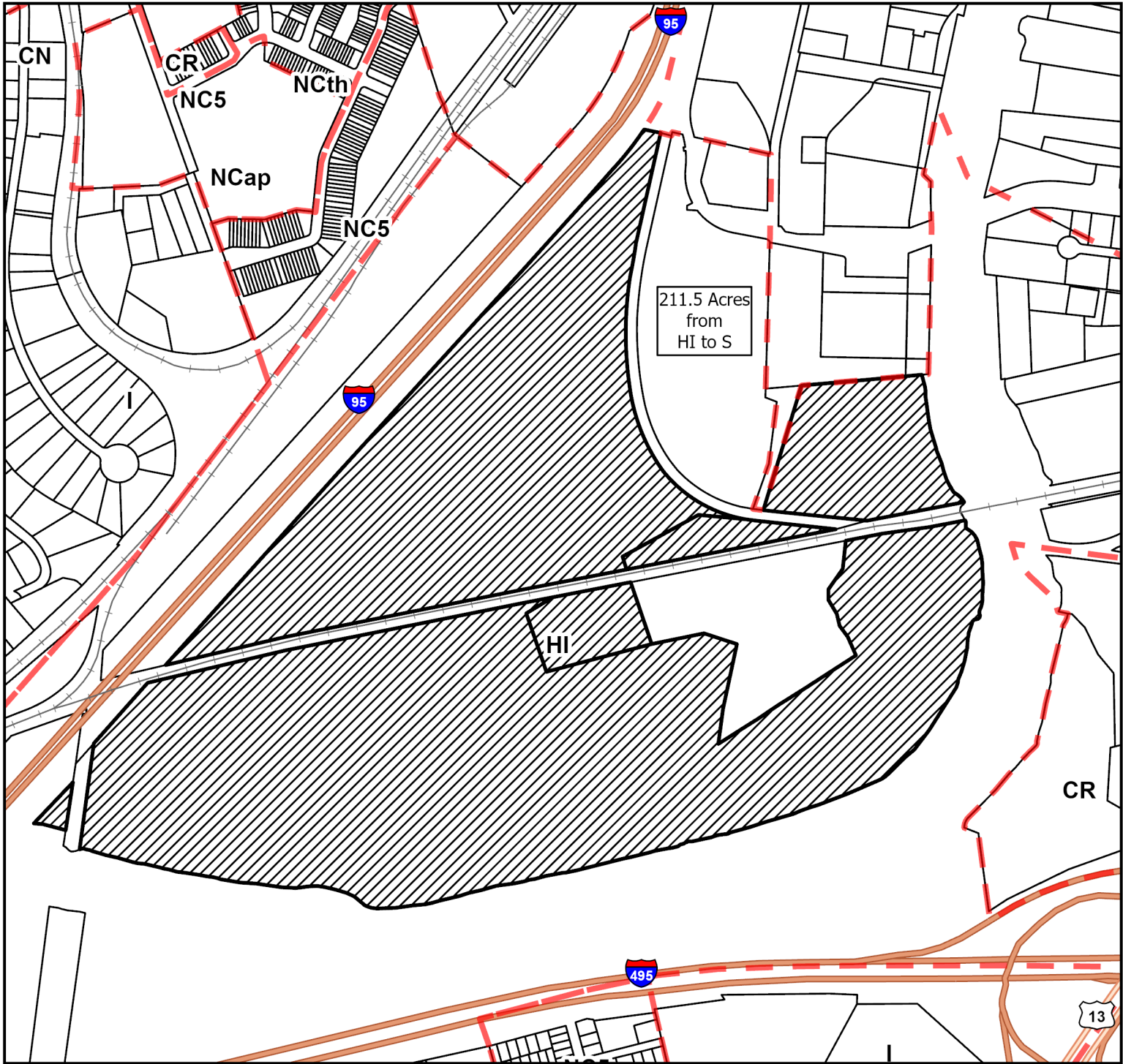
Scale: 1:3,500
Prepared by: smmartins
Date: 4/27/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: HI ZONING TO S ZONING

APPLICATION NO.
TAX PARCEL NO. 07-043.40-054; 07-043.40-055;
07-044.10-004; 07-044.30-001; 07-044.30-003



HUNDRED: CHRISTIANA HUNDRED
NEW CASTLE COUNTY, DELAWARE

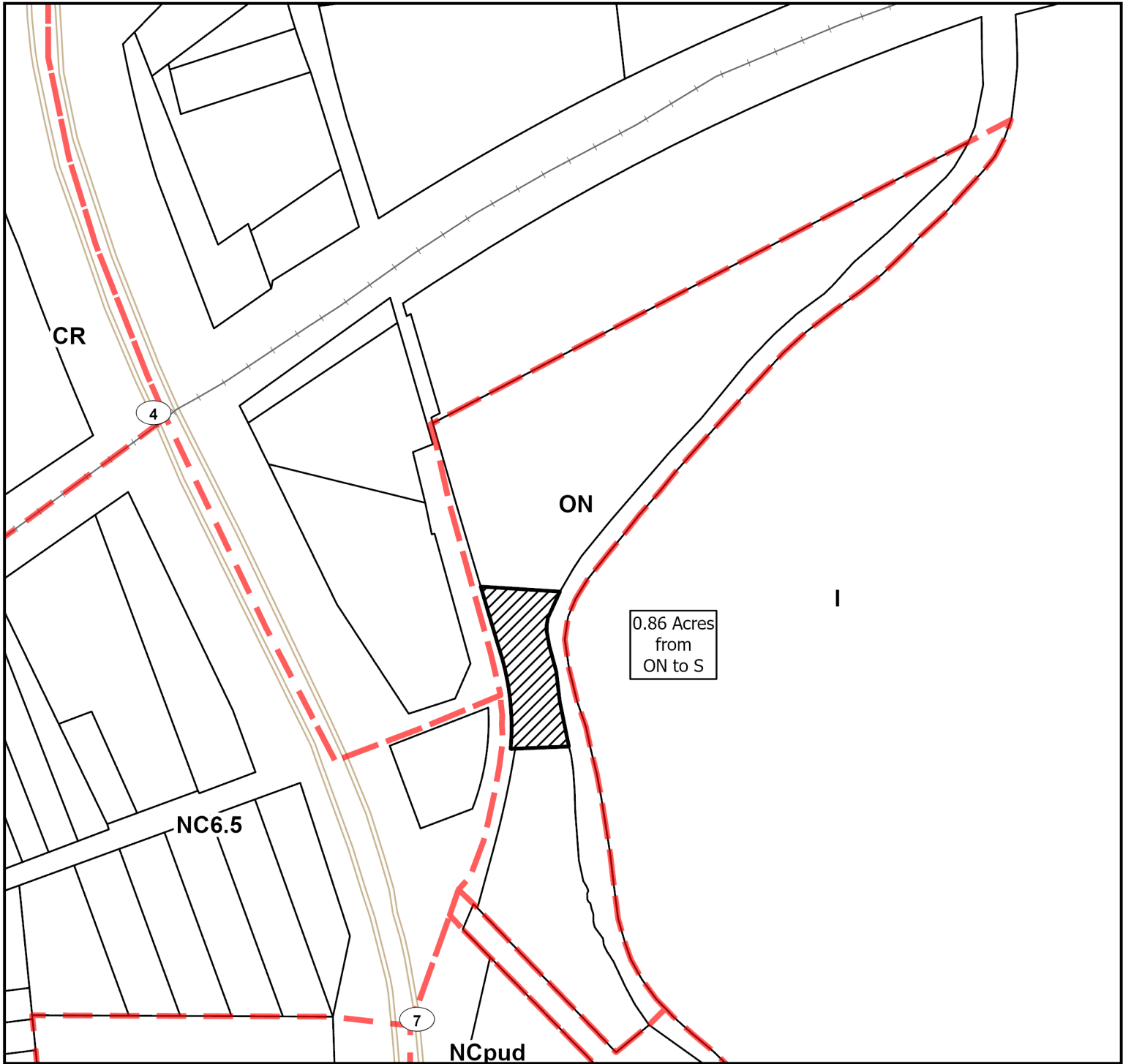
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Date: 4/27/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: ON ZONING TO S ZONING

APPLICATION NO.
TAX PARCEL NO. 09-011.00-070



HUNDRED: WHITE CLAY CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

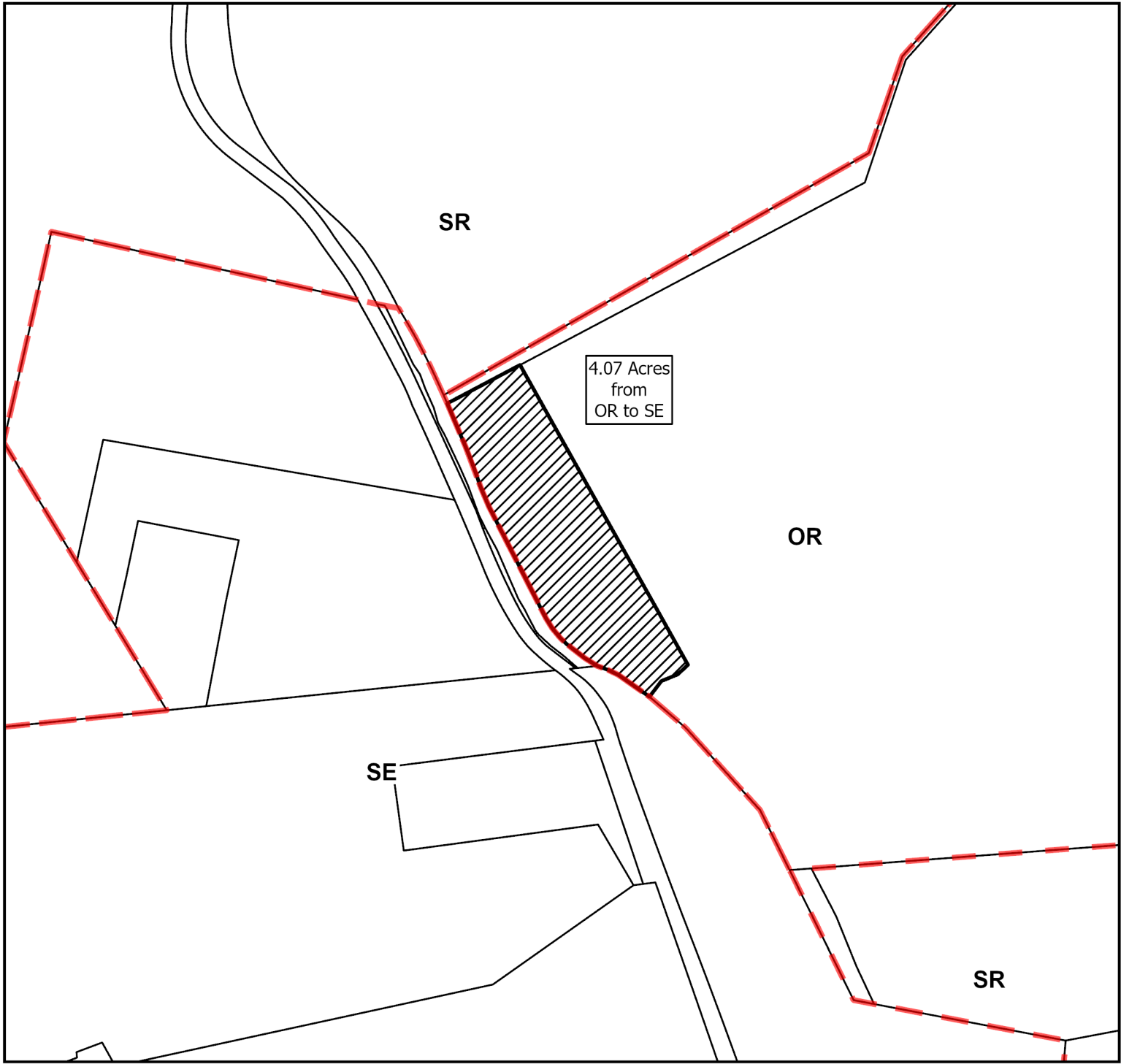
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Prepared by: smmartins
Date: 4/27/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: OR ZONING TO SE ZONING

APPLICATION NO.
TAX PARCEL NO. 09-008.00-010



HUNDRED: MILL CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

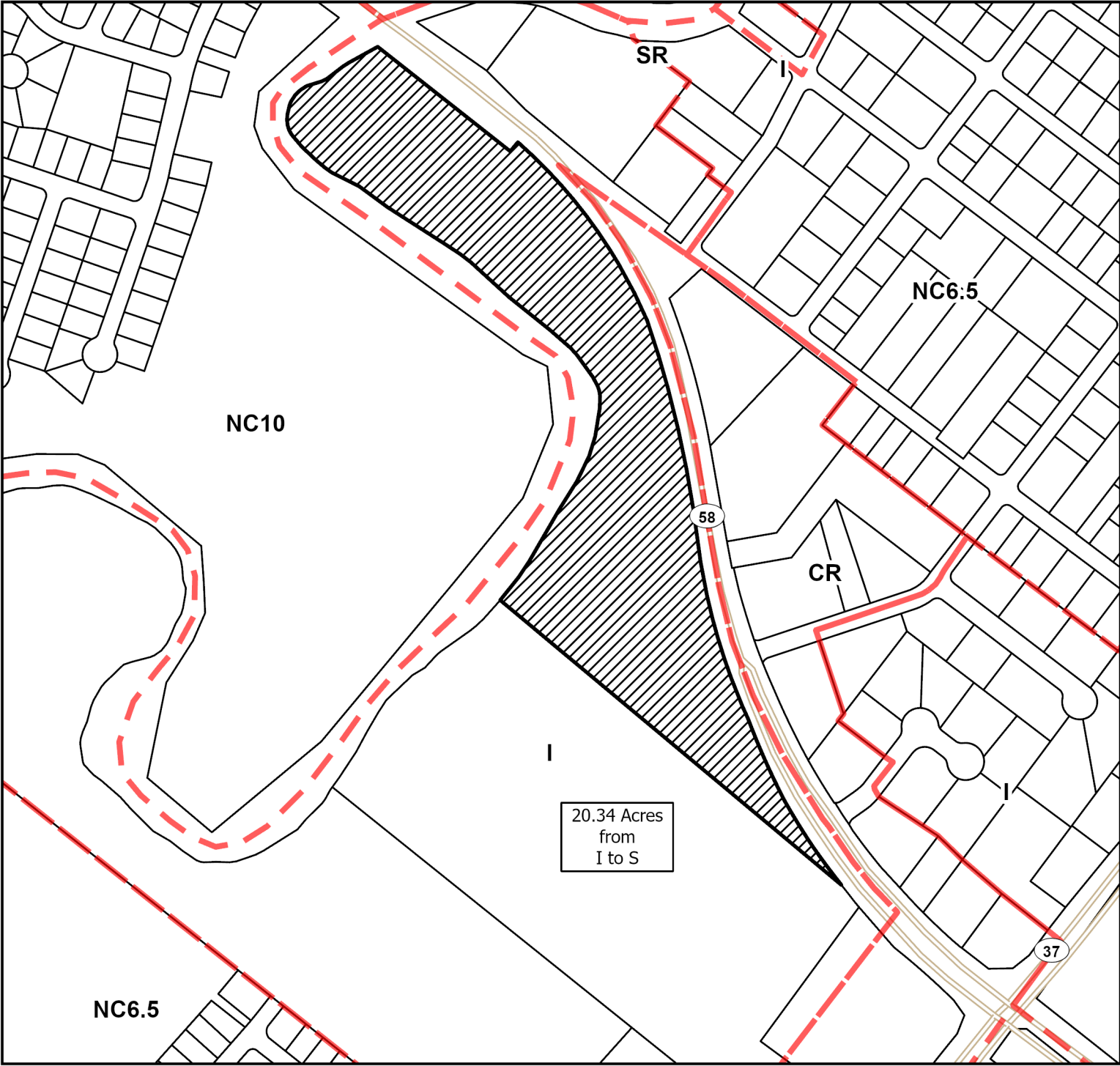
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Prepared by: smmartins
Date: 4/27/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING

APPLICATION NO.
TAX PARCEL NO. 10-017.00-003



HUNDRED: NEW CASTLE HUNDRED
NEW CASTLE COUNTY, DELAWARE

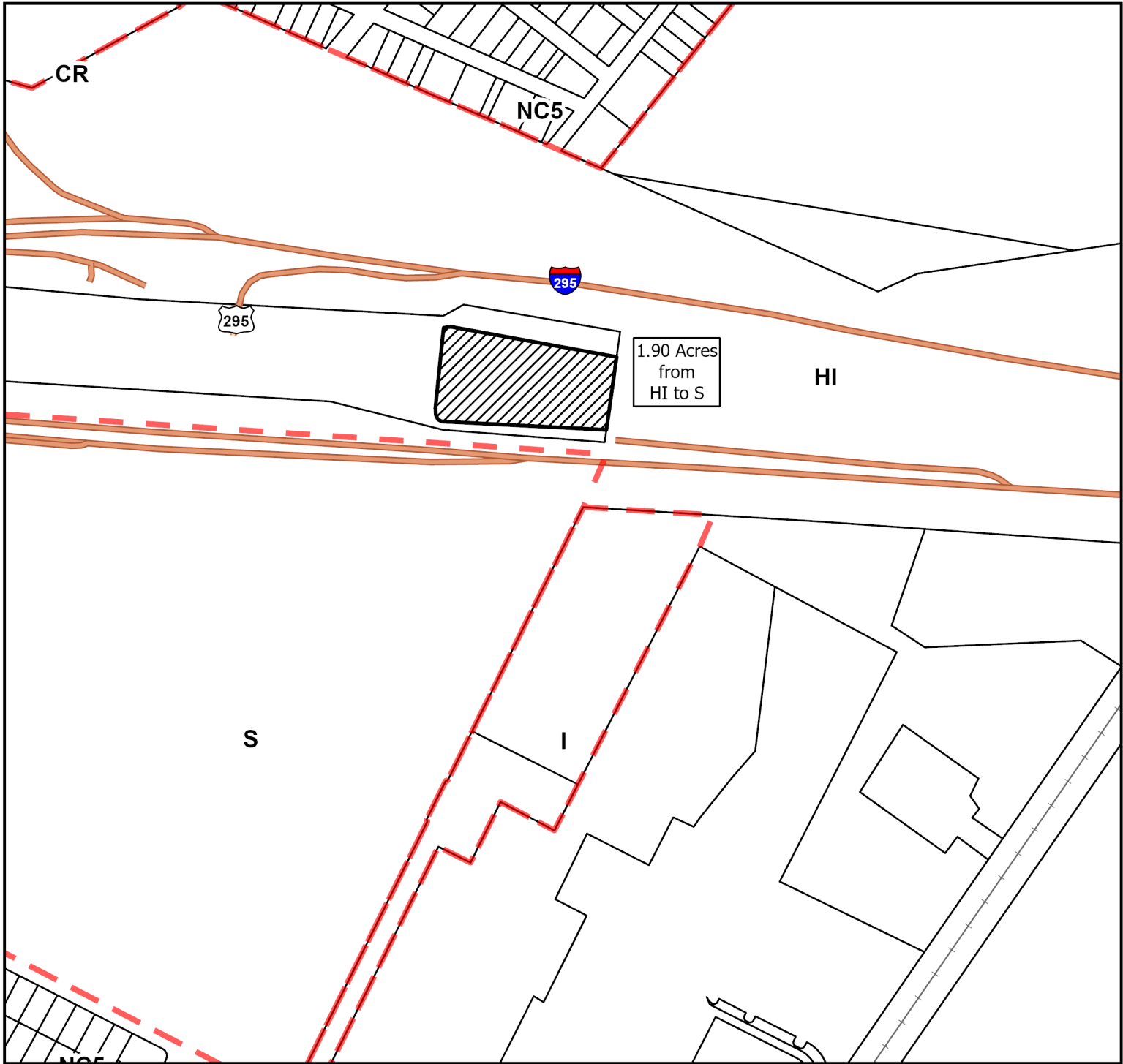
Scale: 1:5,000
Prepared by: smmartins
Date: 4/27/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: HI ZONING TO S ZONING

APPLICATION NO.
TAX PARCEL NO. 10-015.00-004



HUNDRED: NEW CASTLE HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:4,000

Prepared by: smmartins

Date: 4/27/2023



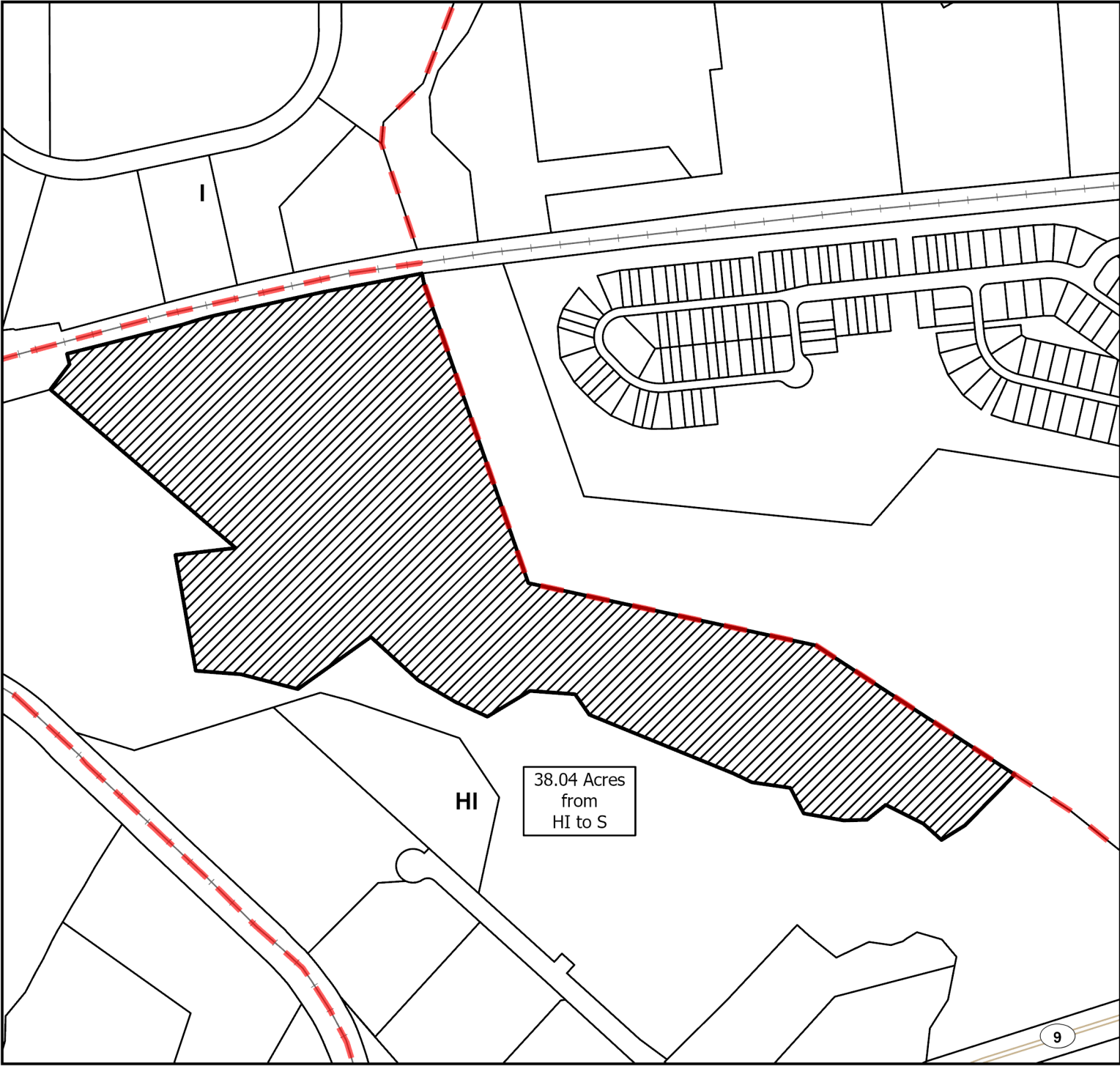
PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: HI ZONING TO S ZONING

APPLICATION NO.
TAX PARCEL NO. 10-030.00-046



HUNDRED: NEW CASTLE HUNDRED
NEW CASTLE COUNTY, DELAWARE

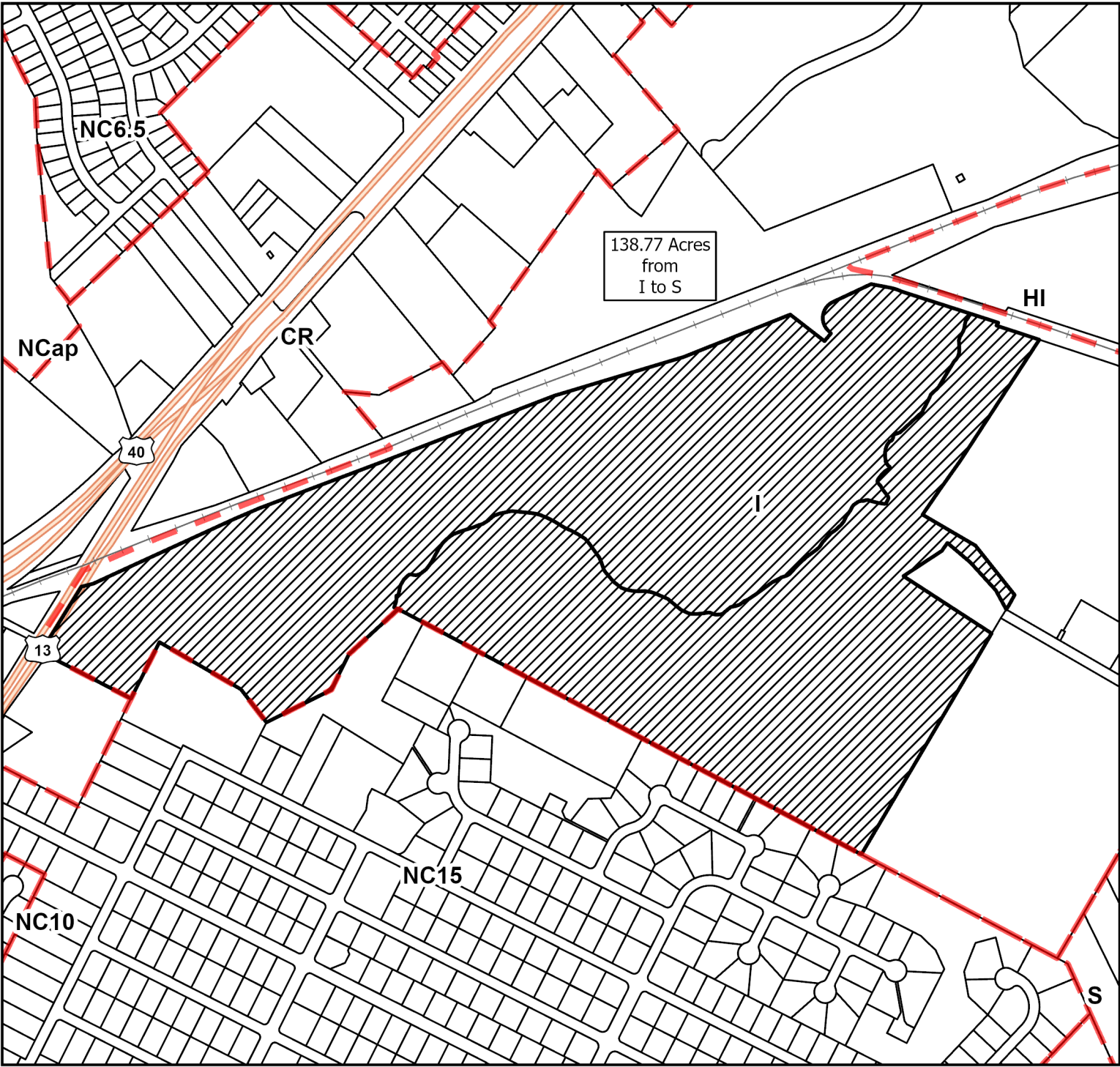
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Prepared by: smmartins
Date: 4/27/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING

TAX PARCEL NO. 10-035.00-002 &
10-035.00-056



HUNDRED: NEW CASTLE HUNDRED
NEW CASTLE COUNTY, DELAWARE

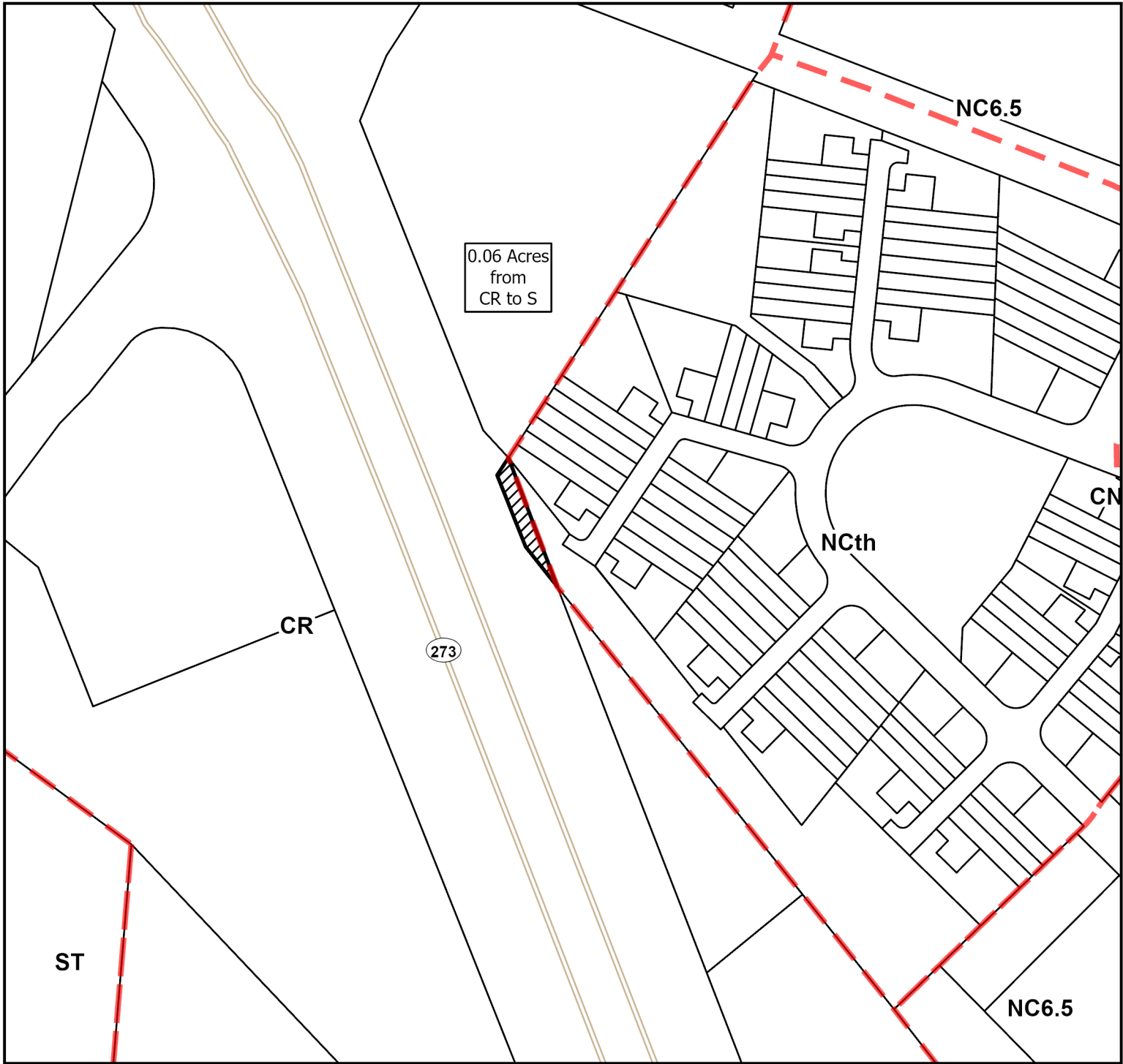
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Prepared by: smmartins
Date: 4/27/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: CR ZONING TO S ZONING

APPLICATION NO.
TAX PARCEL NO. 09-030.30-091



HUNDRED: WHITE CLAY CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE
Scale: 1:2,000
Prepared by: smmartins
Date: 4/27/2023



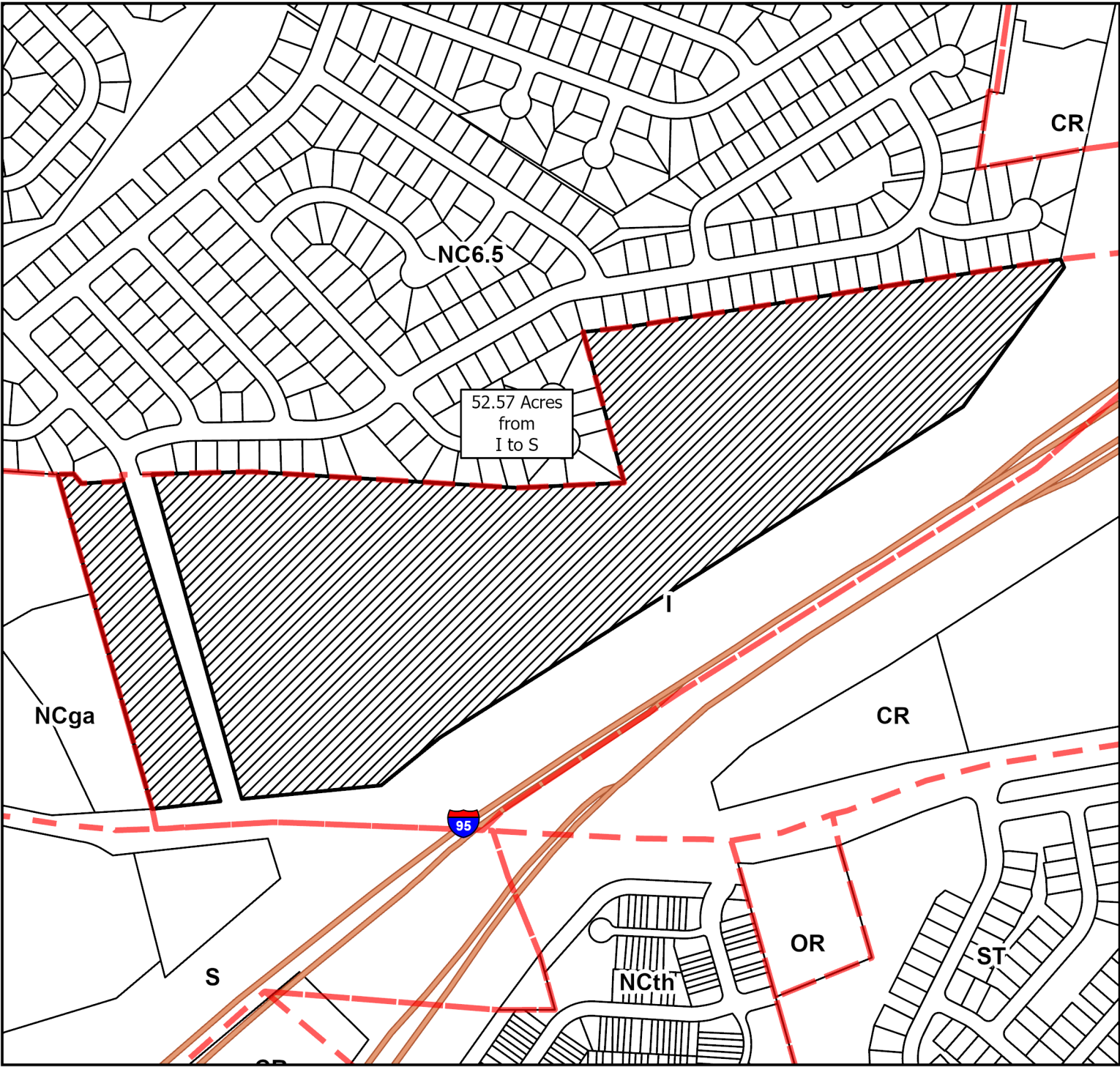
PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

PROPERTY MAP

MAP 20
ZONING ORDINANCE AS INTRODUCED
APPLICATION NO.

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING

TAX PARCEL NO. 09-029.00-003 &
09-029.00-015



HUNDRED: WHITE CLAY CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

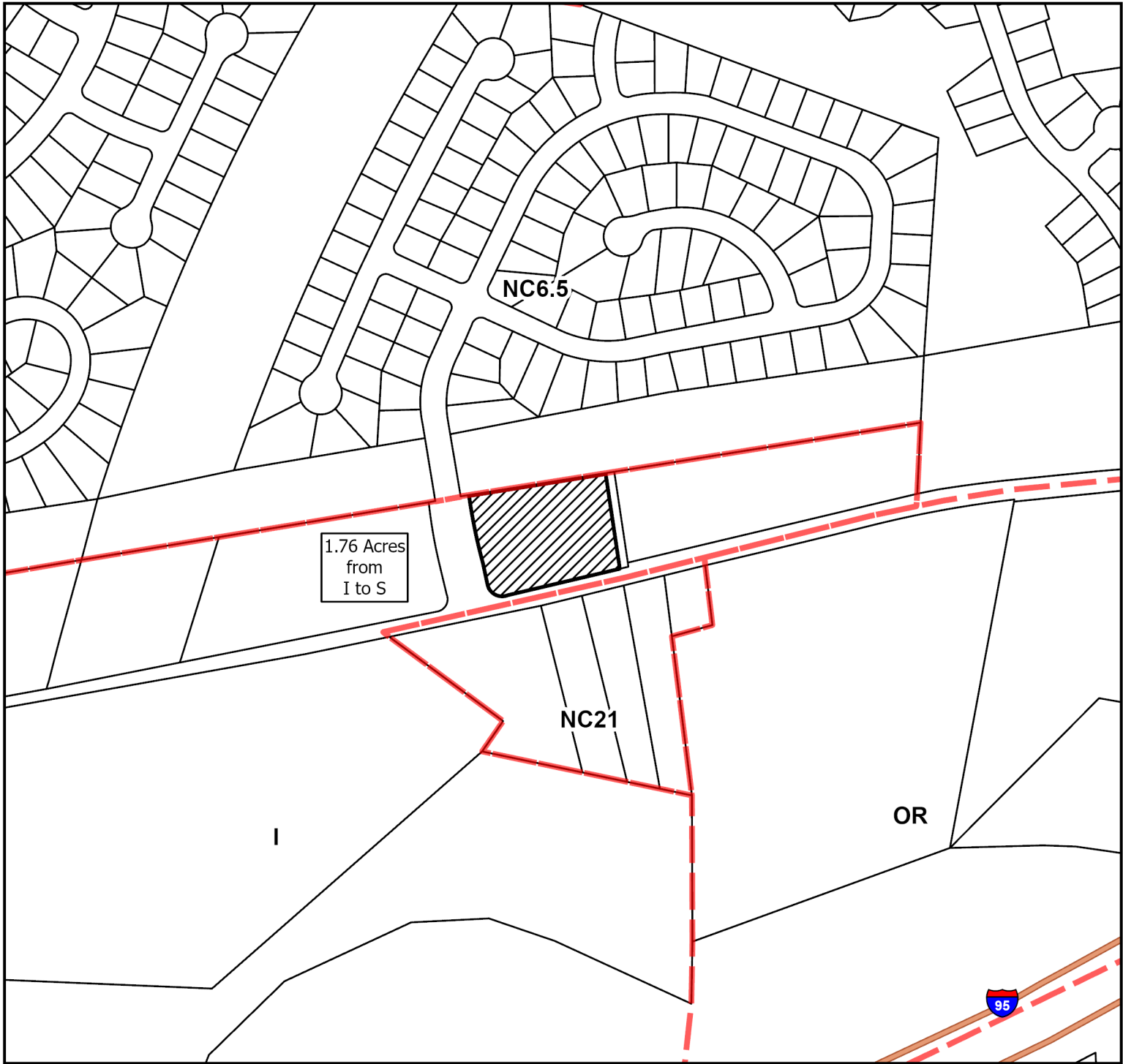


PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

Scale: 1:5,500
Prepared by: smmartins
Date: 4/27/2023

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING

APPLICATION NO.
TAX PARCEL NO. 09-033.00-038



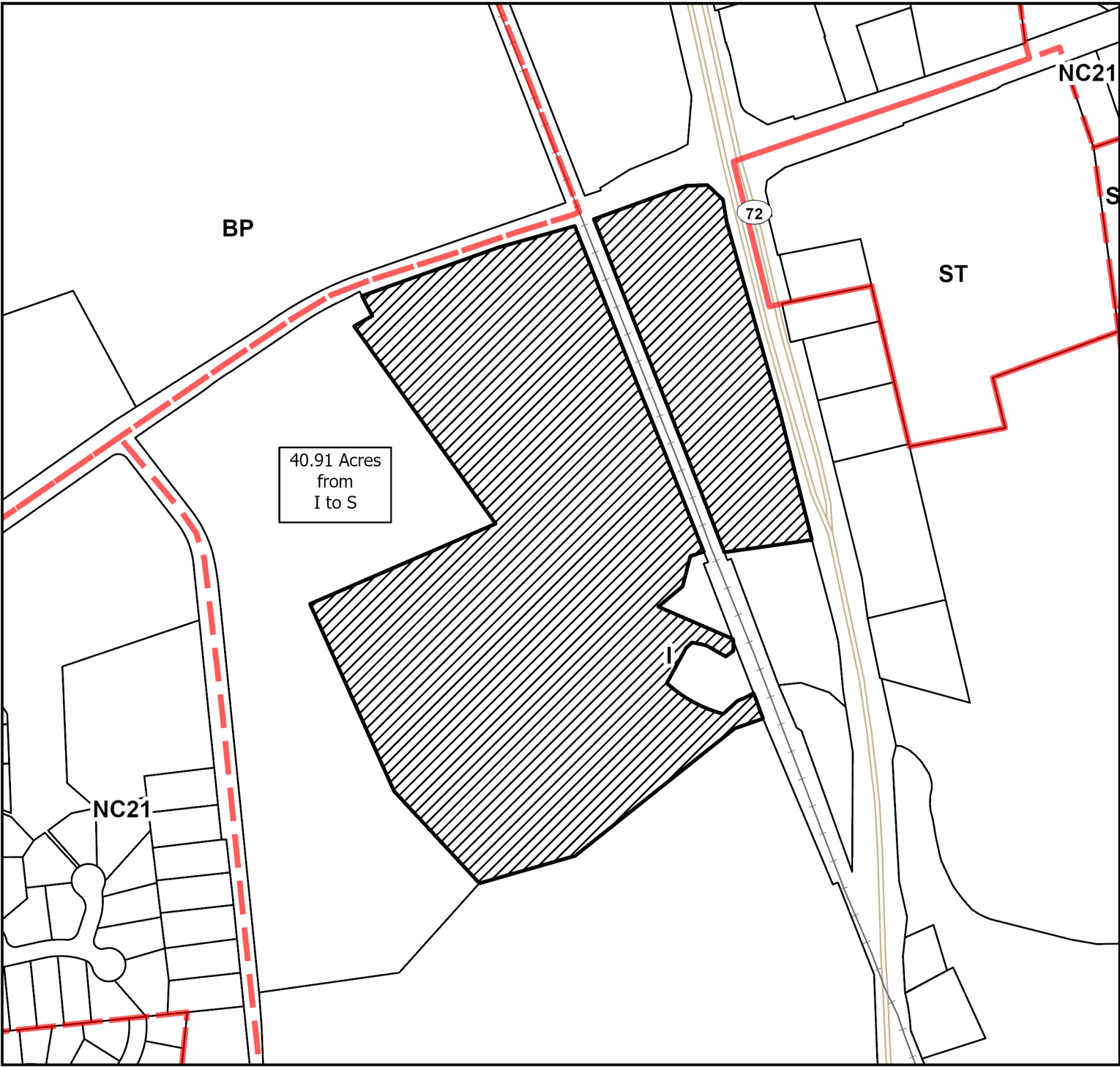
HUNDRED: WHITE CLAY CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:4,000
Prepared by: smmartins
Date: 4/27/2023



PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING



HUNDRED: PENCADER HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:5,000

Prepared by: smmartins

Date: 4/27/2023



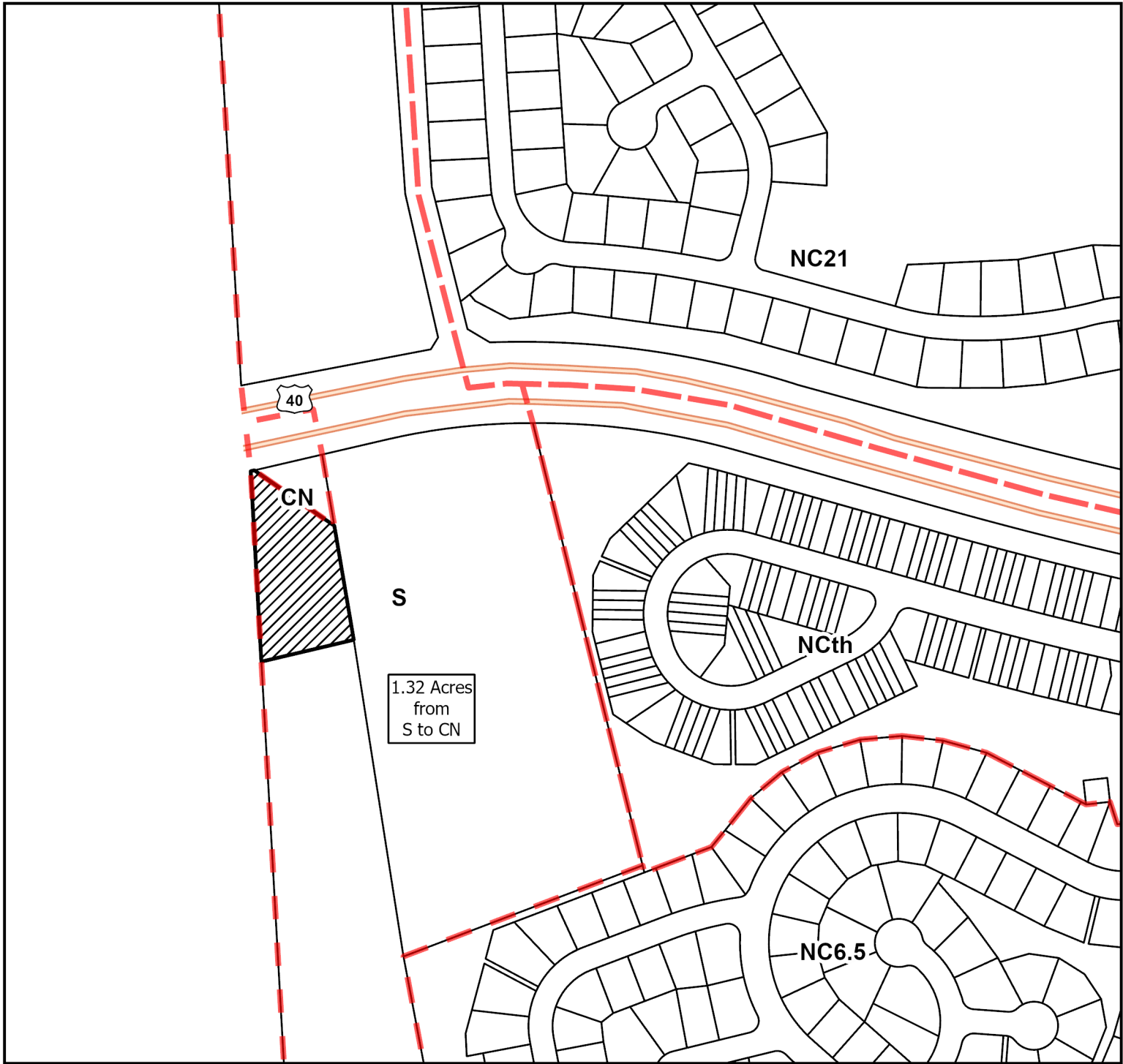
PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: S ZONING TO CN ZONING

APPLICATION NO.
TAX PARCEL NO. 11-025.00-026



HUNDRED: PENCADER HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:3,500

Prepared by: smmartins

Date: 4/27/2023



PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

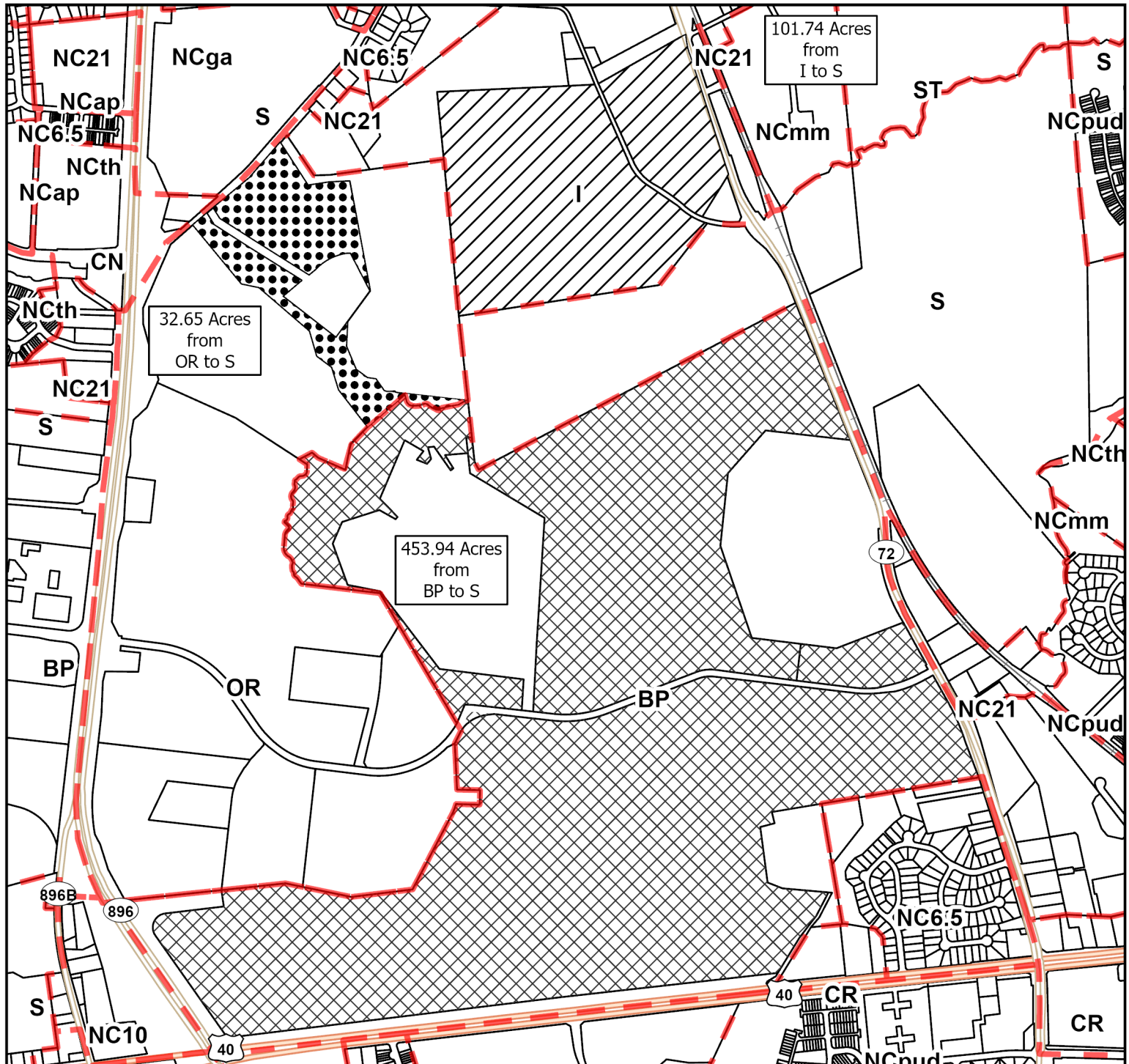
Date Approved by County Executive _____

PROPERTY MAP

APPLICANT: NEW CASTLE COUNTY
 PROPOSED REZONING: BP ZONING TO S ZONING
 I ZONING TO S ZONING
 OR ZONING TO S ZONING

MAP 24
 ZONING ORDINANCE AS INTRODUCED

APPLICATION NO.
 TAX PARCEL NO. 11-018.00-012; 11-018.00-060;
 11-018.00-061; 11-018.00-062; 11-022.00-014; 11-022.00-016



HUNDRED: PENCADER HUNDRED
 NEW CASTLE COUNTY, DELAWARE

Scale: 1:15,000

Prepared by: smmartins

Date: 4/27/2023



- BP to S
- I to S
- OR to S

PERMANENT ORDINANCE NO. 23- 083

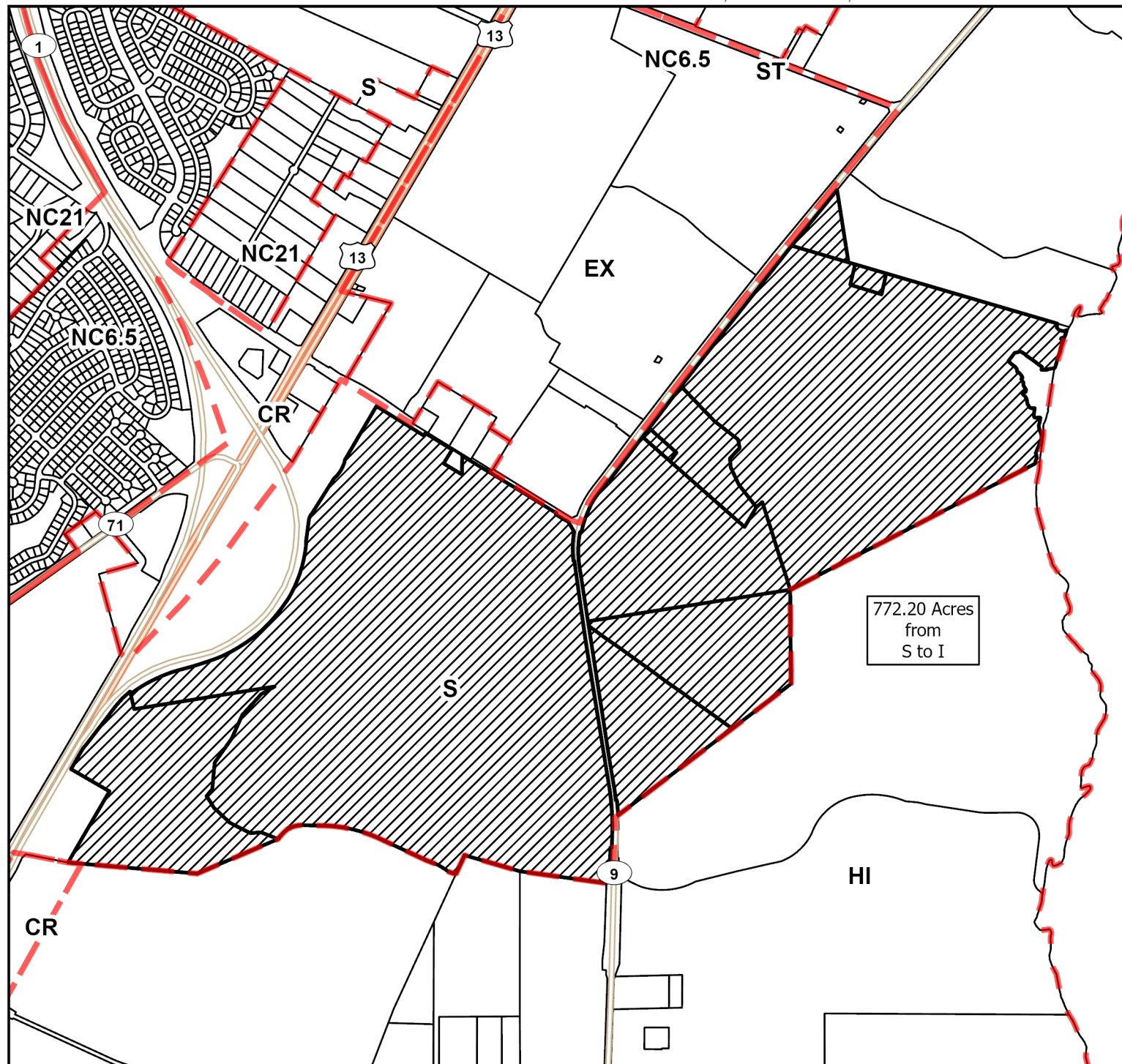
Date Adopted by County Council _____

Date Approved by County Executive _____ Page 136 of 150

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: S ZONING TO I ZONING

APPLICATION NO.

TAX PARCEL NO. 10-045.00-011; 10-045.00-012; 10-049.00-073;
10-049.00-074; 10-050.00-007; 10-050.00-008; 10-050.00-009;
10-050.00-011; 10-050.00-012; 10-050.00-013



HUNDRED: NEW CASTLE HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:18,000

Prepared by: smmartins

Date: 4/27/2023



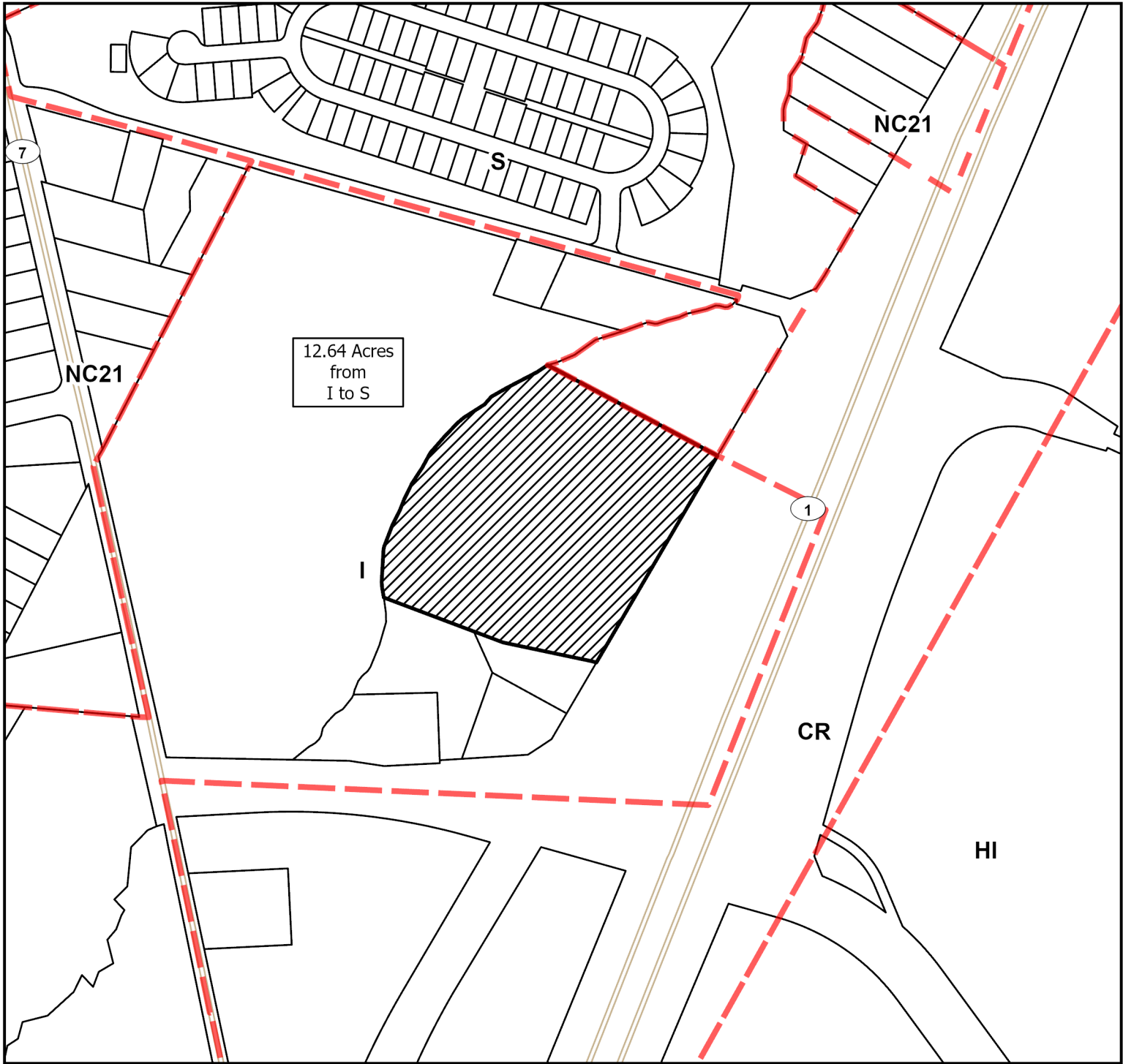
PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING

APPLICATION NO.
TAX PARCEL NO. 12-002.00-024



HUNDRED: RED LION HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:5,000
Prepared by: smmartins
Date: 4/27/2023



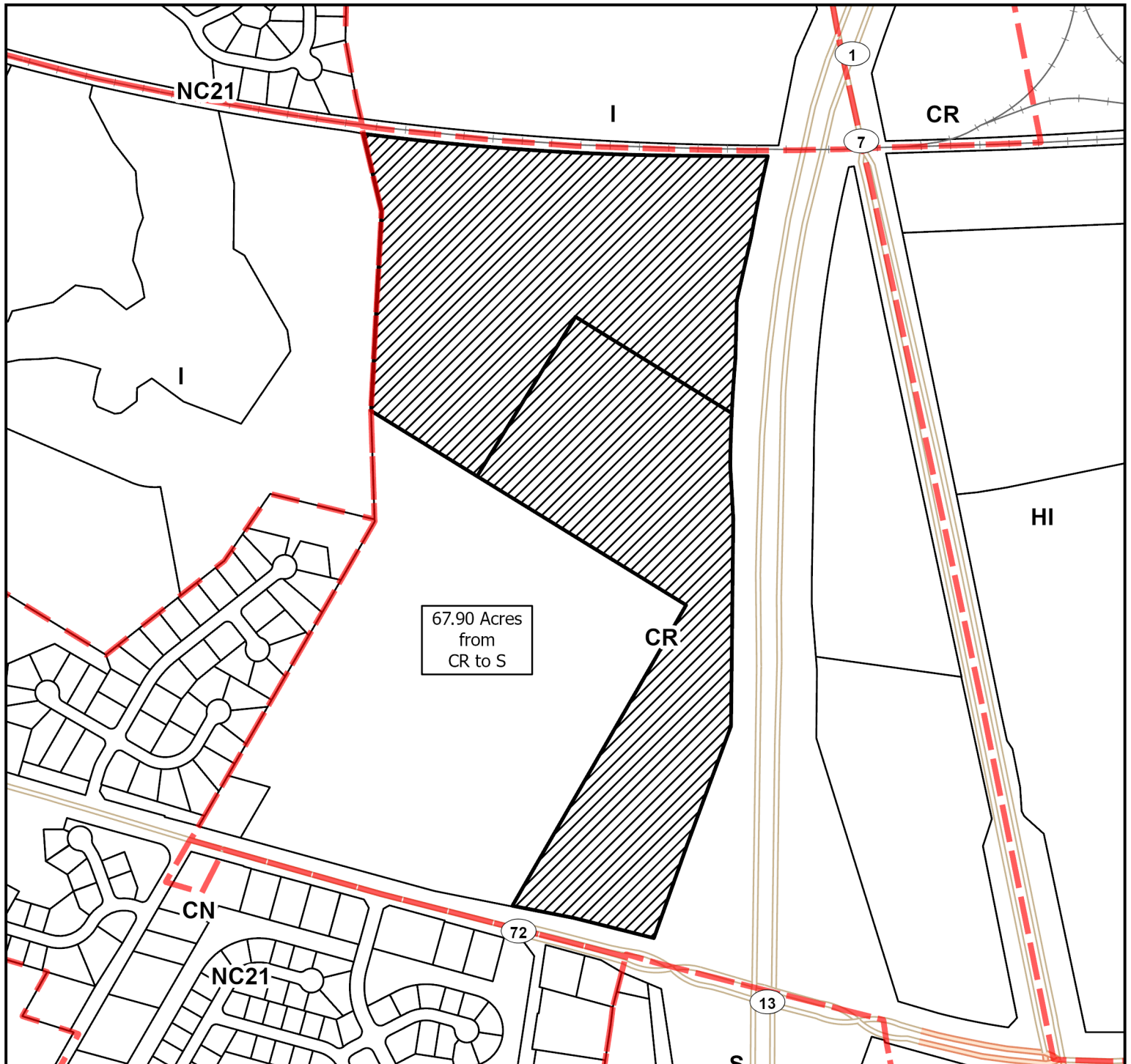
PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

PROPERTY MAP

MAP 27
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: CR ZONING TO S ZONING

APPLICATION NO.
TAX PARCEL NO. 12-007.00-020 &
12-013.00-081



HUNDRED: RED LION HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:7,000

Prepared by: smmartins

Date: 4/27/2023



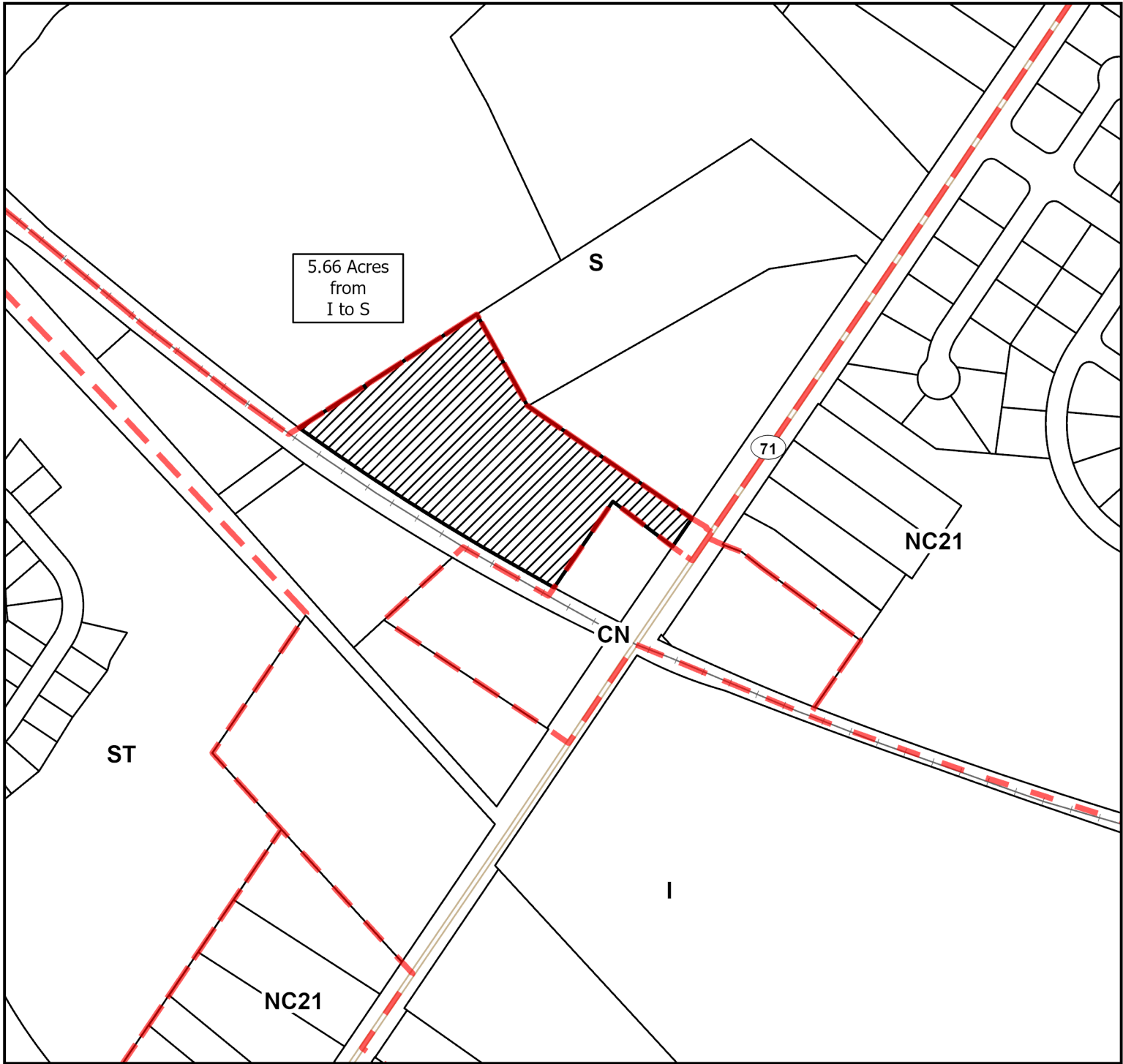
PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING

APPLICATION NO.
TAX PARCEL NO. 12-006.00-041



HUNDRED: RED LION HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:4,000
Prepared by: smmartins
Date: 4/27/2023



PERMANENT ORDINANCE NO. 23- 083
Date Adopted by County Council _____
Date Approved by County Executive _____

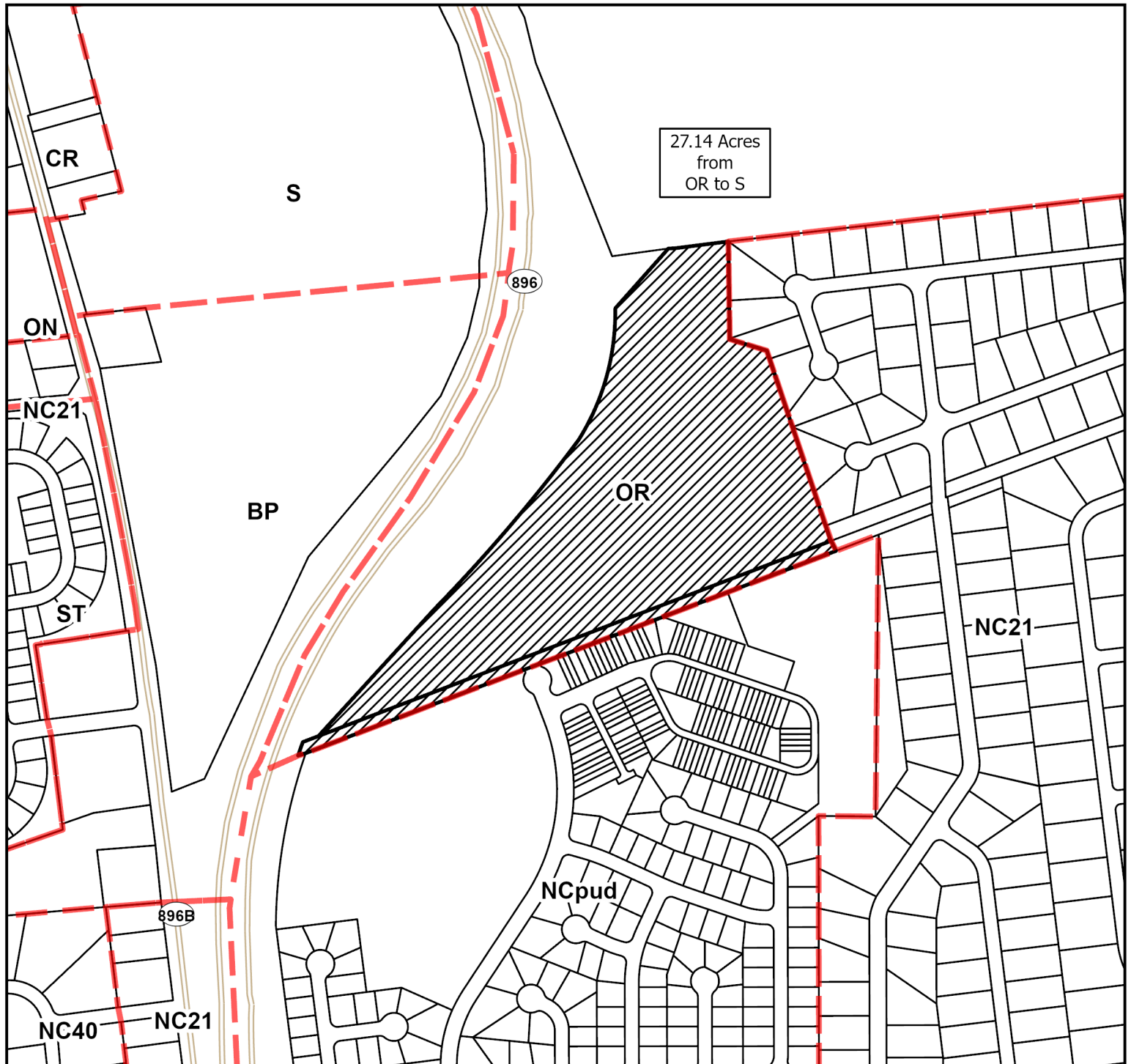
PROPERTY MAP

MAP 29
ZONING ORDINANCE AS INTRODUCED

APPLICATION NO.

TAX PARCEL NO. 11-032.00-001 &
11-032.00-259

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: OR ZONING TO S ZONING



HUNDRED: PENCADER HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:6,000

Prepared by: smmartins

Date: 4/27/2023



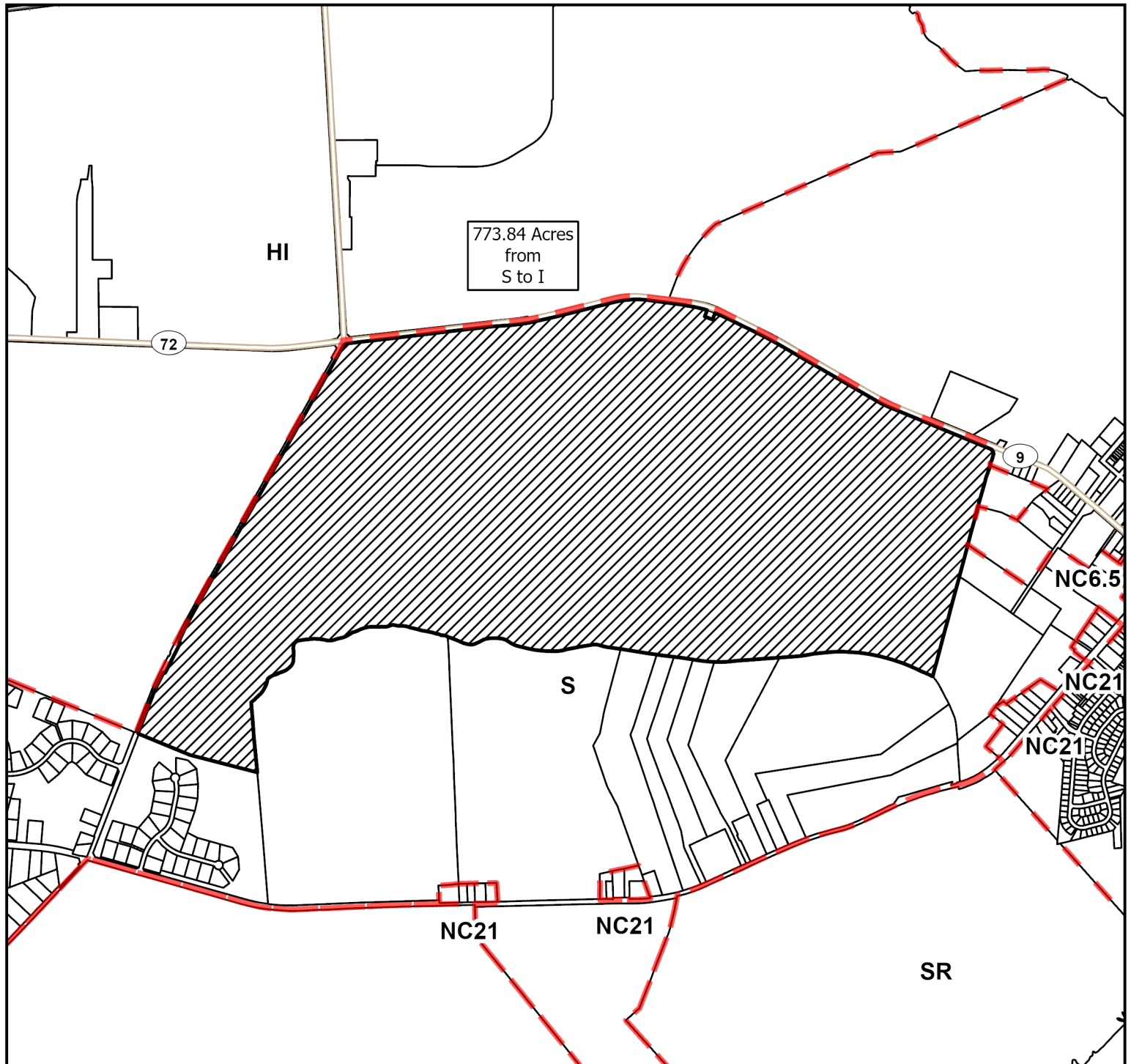
PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: S ZONING TO I ZONING

APPLICATION NO.
TAX PARCEL NO. 12-021.00-003



HUNDRED: RED LION HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:20,000

Prepared by: smmartins

Date: 4/27/2023



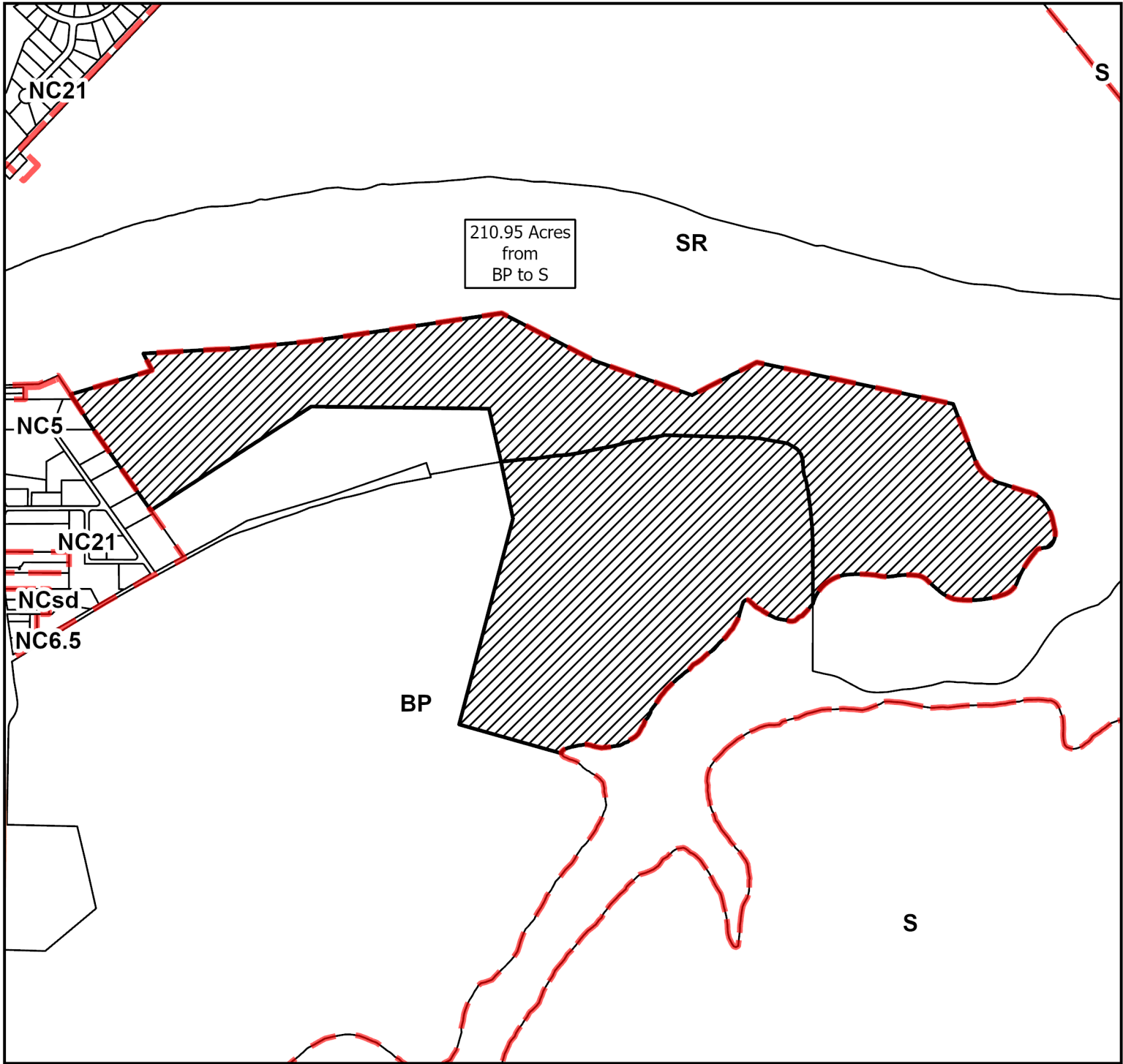
PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

Date Approved by County Executive _____

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: BP ZONING TO S ZONING

APPLICATION NO.
TAX PARCEL NO. 12-036.00-001 &
13-004.00-001



HUNDRED: RED LION HUNDRED AND
ST. GEORGE'S HUNDRED
NEW CASTLE COUNTY, DELAWARE
Scale: 1:12,000
Prepared by: smmartins
Date: 4/27/2023



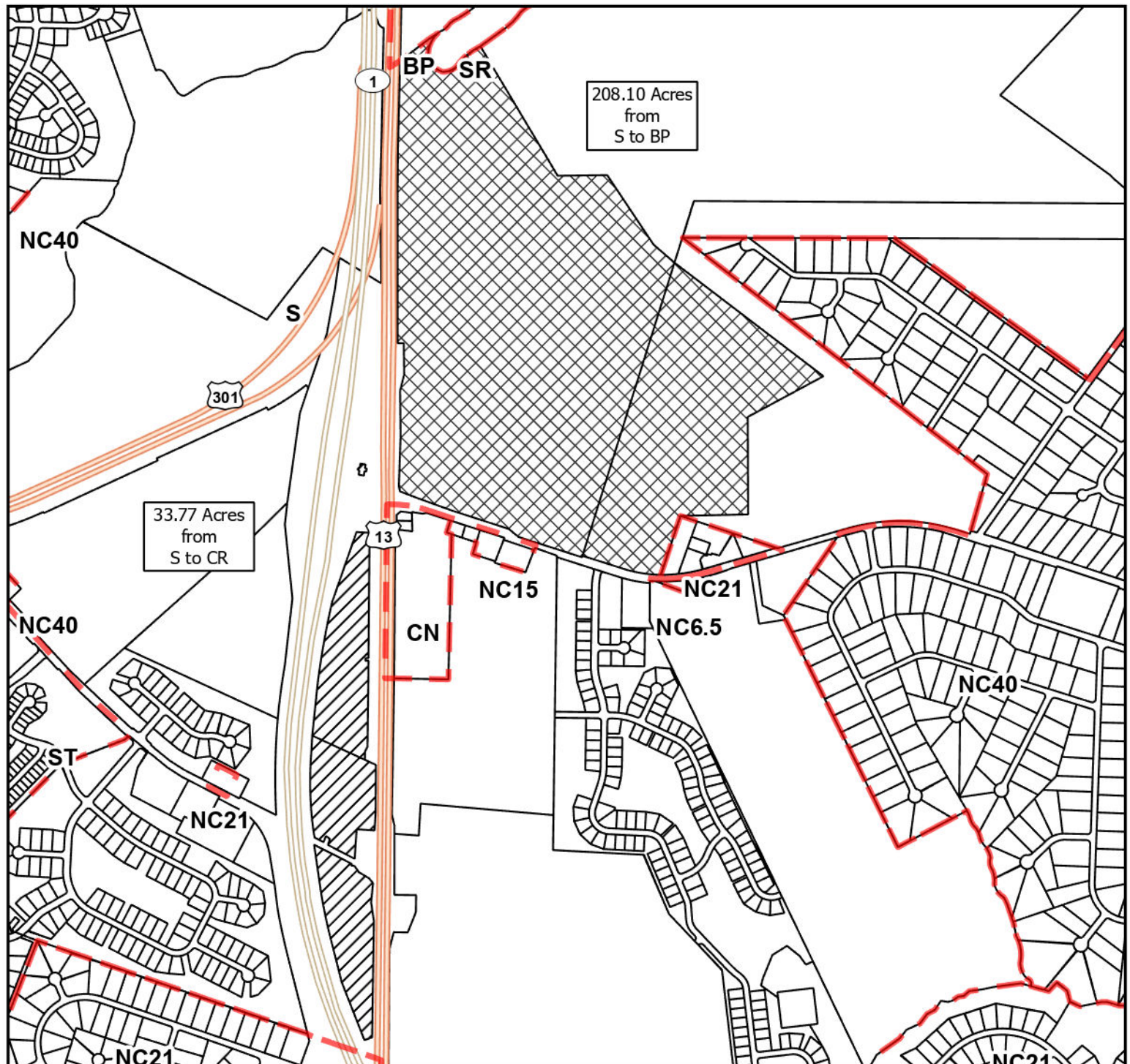
PERMANENT ORDINANCE NO. 23-083
Date Adopted by County Council _____
Date Approved by County Executive _____

PROPERTY MAP

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: S ZONING TO BP ZONING
S ZONING TO CR ZONING

MAP 32
ZONING ORDINANCE AS INTRODUCED

APPLICATION NO.
TAX PARCEL NO. 13-004.00-001; 13-009.00-001;
13-008.00-019; 13-008.00-028; 13-008.00-044;
13-008.00-045

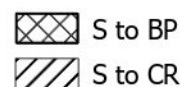


HUNDRED: ST. GEORGE'S HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:14,000

Prepared by: mtrogers

Date: 4/27/2023



PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

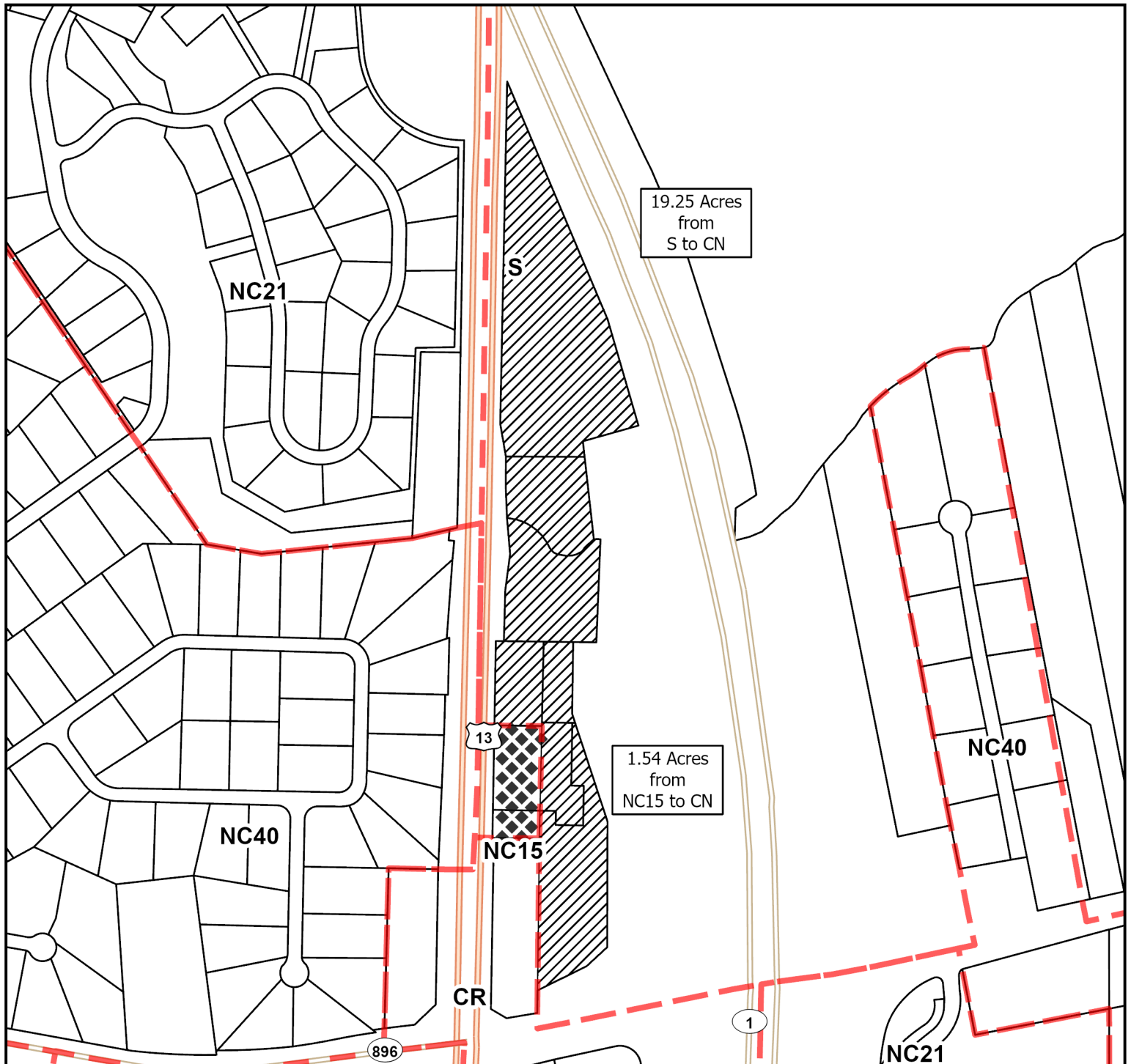
Date Approved by County Executive _____

PROPERTY MAP

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NC15 ZONING TO CN ZONING
S ZONING TO CN ZONING

MAP 33
ZONING ORDINANCE AS INTRODUCED

APPLICATION NO.
TAX PARCEL NO. 13-008.00-027; 13-013.00-029;
13-013.00-030; 13-013.00-035; 13-013.00-083;
13-013.00-148; 13-013.00-249

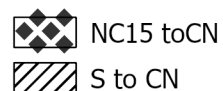


HUNDRED: ST. GEORGE'S HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:6,000

Prepared by: smmartins

Date: 4/27/2023



PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

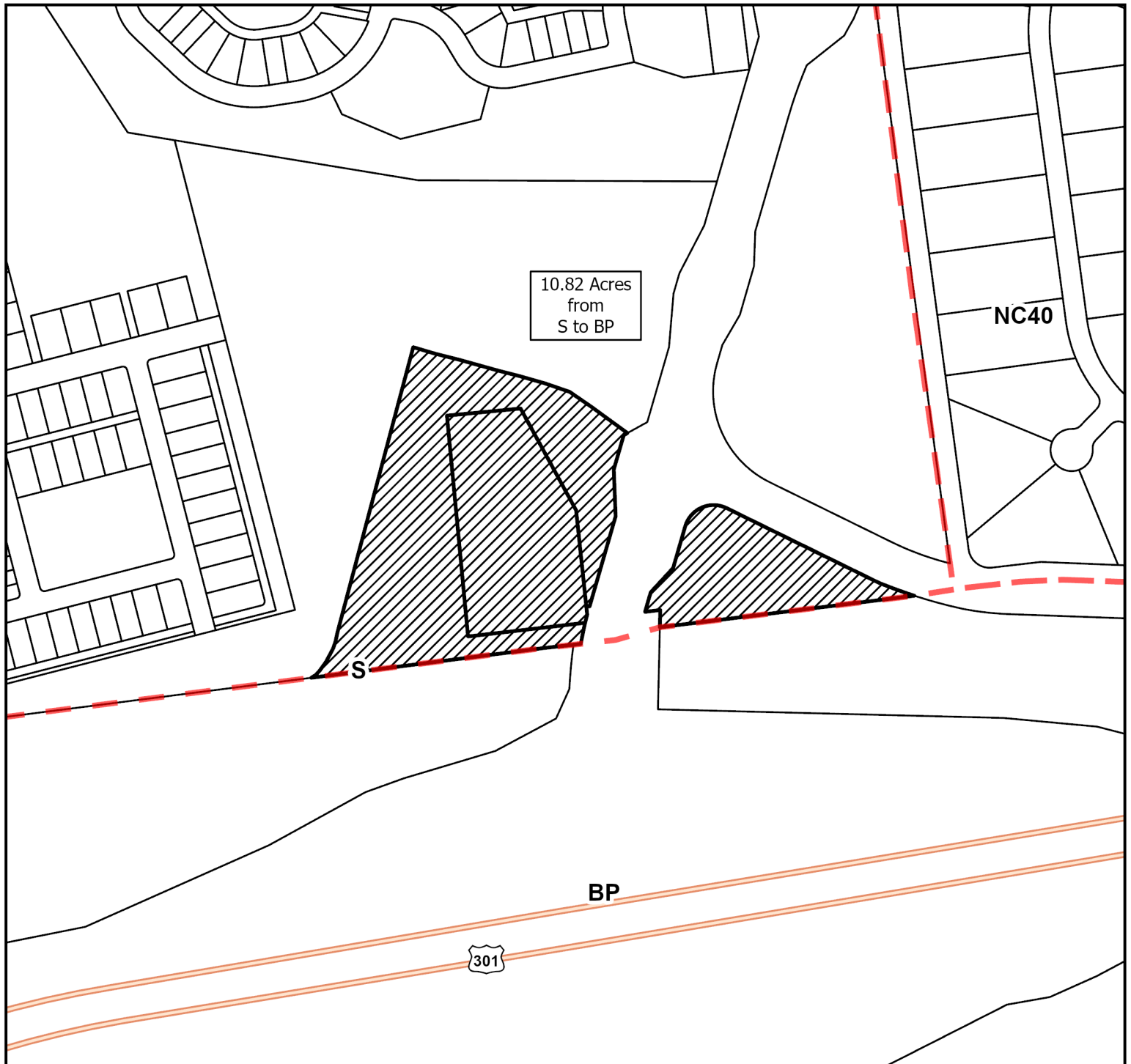
Date Approved by County Executive _____

PROPERTY MAP

MAP 34
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: S ZONING TO BP ZONING

APPLICATION NO.
TAX PARCEL NO. 13-008.00-002; 13-008.00-053;
12-008.00-058



HUNDRED: ST. GEORGE'S HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:4,000

Prepared by: smmartins

Date: 4/27/2023



PERMANENT ORDINANCE NO. 23-083

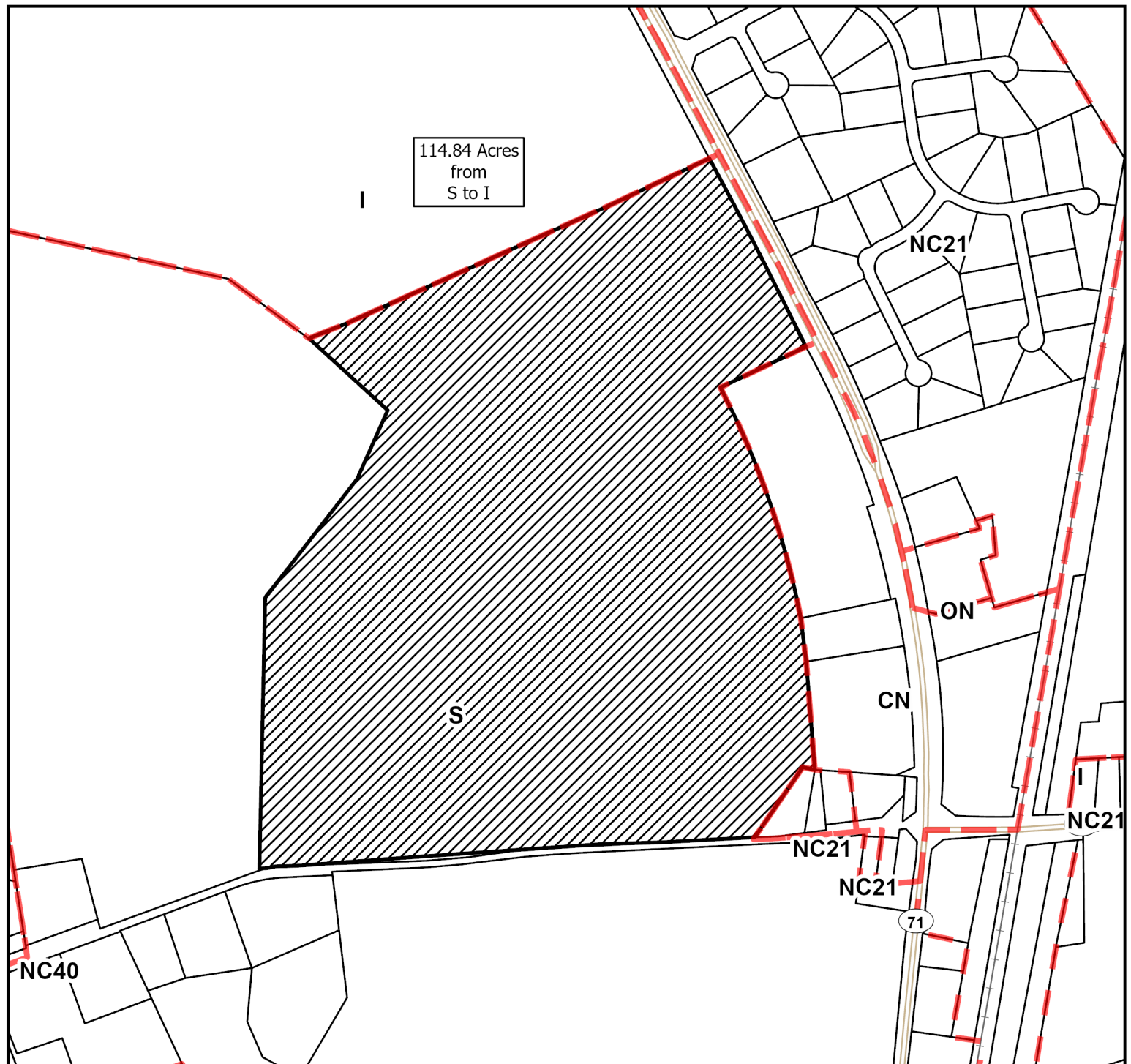
Date Adopted by County Council _____

Date Approved by County Executive _____

PROPERTY MAP

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: S ZONING TO I ZONING

APPLICATION NO.
TAX PARCEL NO. 11-058.00-009



HUNDRED: PENCANDER HUNDRED &
ST. GEORGE'S HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:7,000

Prepared by: smmartins

Date: 4/27/2023



PERMANENT ORDINANCE NO. 23-083

Date Adopted by County Council _____

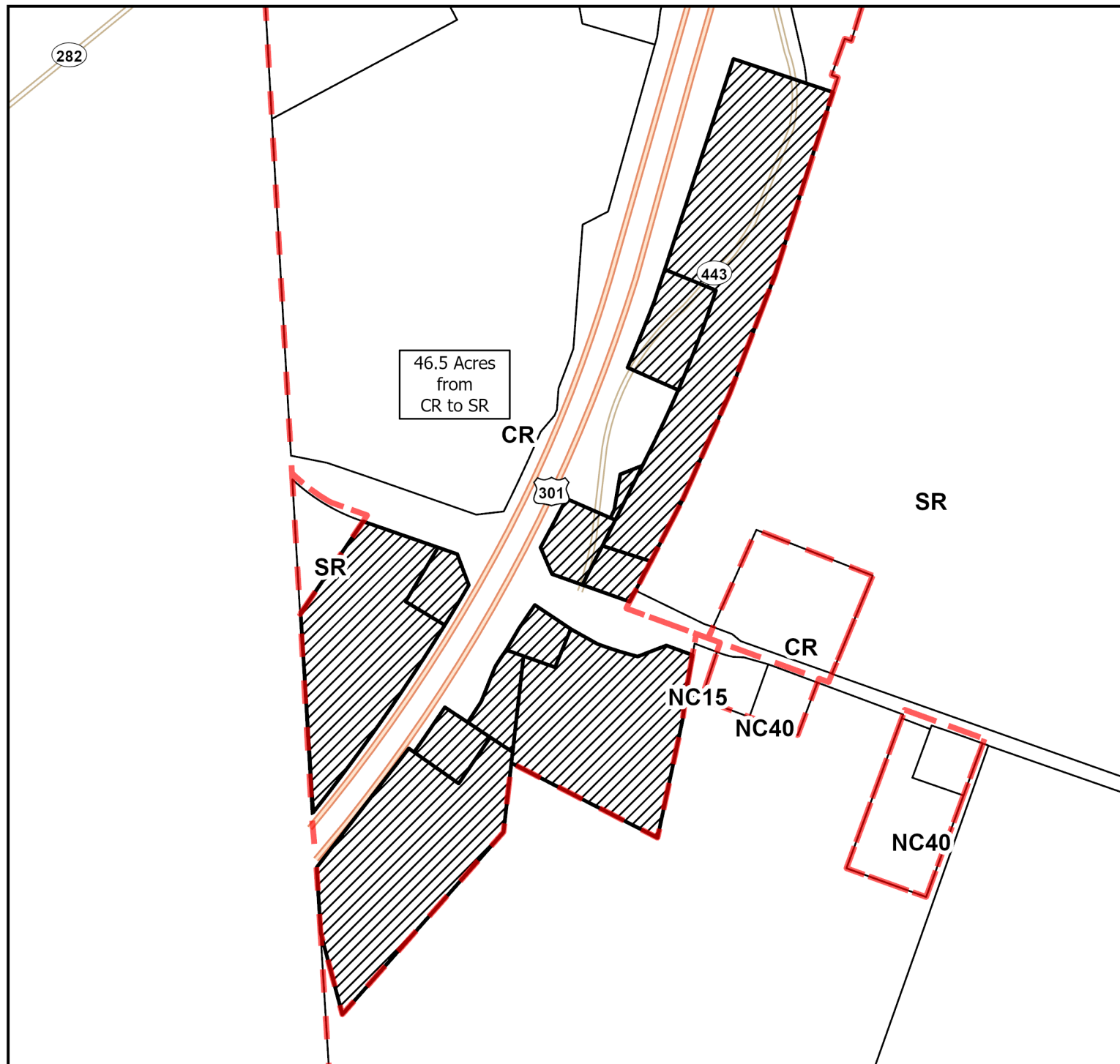
Date Approved by County Executive _____

PROPERTY MAP

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: CR ZONING TO SR ZONING

APPLICATION NO.

TAX PARCEL NO. 14-010.00-002; 14-010.00-003; 14-101.00-009; 14-010.00-010;
14-010.00-011; 14-010.00-015; 14-010.00-016; 14-010.00-017; 14-010.00-018;
14-010.00-026; 14-010.00-028; 14-010.00-032



HUNDRED: APPOQUINIMINK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:6,500

Prepared by: smmartins

Date: 4/27/2023



PERMANENT ORDINANCE NO. 23-083

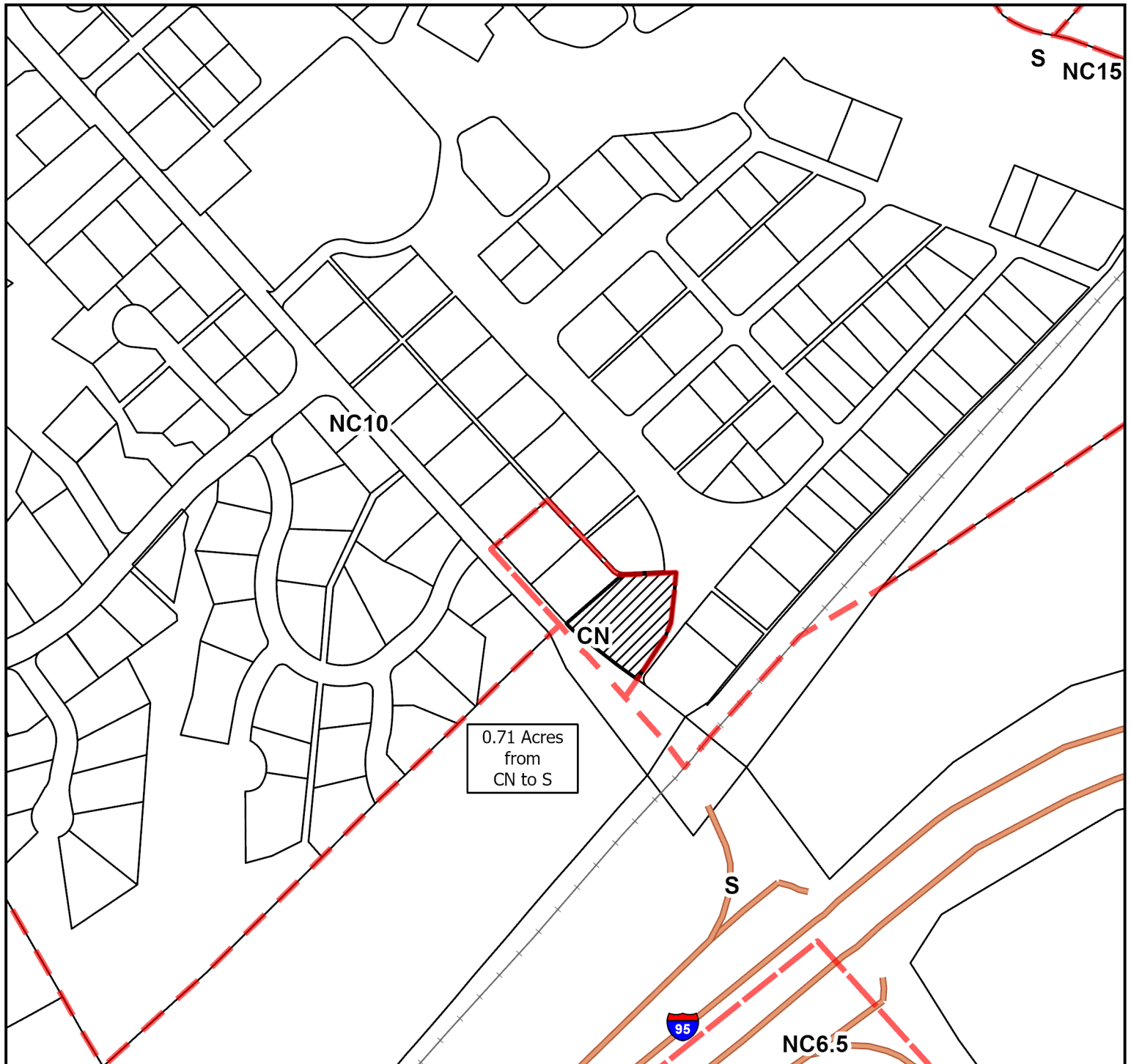
Date Adopted by County Council _____

Date Approved by County Executive _____

PROPERTY MAP

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: CN ZONING TO S ZONING

APPLICATION NO.
TAX PARCEL NO. 27-001.00-001



HUNDRED: ARDENTOWN
NEW CASTLE COUNTY, DELAWARE

Scale: 1:4,000

Prepared by: smmartins

Date: 4/27/2023



PERMANENT ORDINANCE NO. 23-083

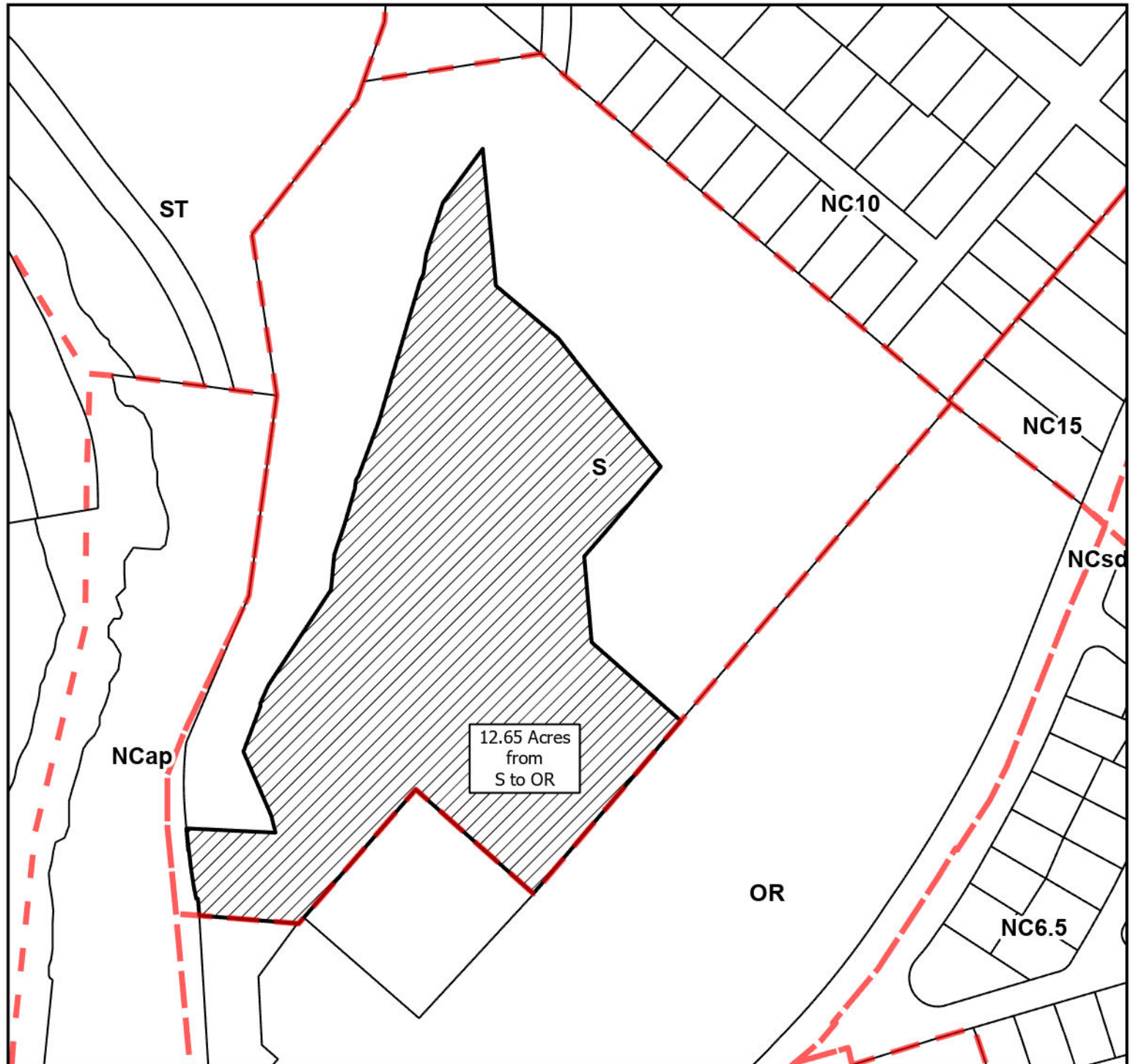
Date Adopted by County Council _____

Date Approved by County Executive _____

PROPERTY MAP

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: S ZONING TO OR ZONING

APPLICATION NO.
TAX PARCEL NO. 06-136.00-028



HUNDRED: BRANDYWINE
NEW CASTLE COUNTY, DELAWARE

Scale: 1:2,998
Prepared by: mtrogers
Date: 4/27/2023



PERMANENT ORDINANCE NO. 23- 083

Date Adopted by County Council _____
Date Approved by County Executive _____