NEW CASTLE COUNTY COUNCIL
COUNCIL MEETING

March 12, 2024
6:30 PM

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

AGENDA

A. Call to Order

- **Moment of Silence**
- **Pledge of Allegiance**
- **Roll Call**

B. Approval of Minutes

C. Announcements

D. Introduction of Ordinances

°24-026: AMEND THE FY2024 CAPITAL PROGRAM AND BUDGET: APPROPRIATE $440,000 IN DONATIONS FROM THE FRIENDS OF BRANDYWINE SPRINGS GROUP TO THE DEPARTMENT OF PUBLIC WORKS, BRANDYWINE SPRINGS PARK REHABILITATION CAPITAL PROJECT Introduced by: Mr. Sheldon

°24-027: AMEND THE GRANTS BUDGET: APPROPRIATE $76,294.14 IN STATE AID TO LOCAL LAW ENFORCEMENT (SALLE) FUNDS FROM THE STATE OF DELAWARE, DEPARTMENT OF SAFETY AND HOMELAND SECURITY TO THE STATE AID TO LOCAL LAW ENFORCEMENT (SALLE) – FY2024 GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

°24-028: AMEND THE GRANTS BUDGET: APPROPRIATE $40,930.36 IN EMERGENCY ILLEGAL DRUG ENFORCEMENT (EIDE) FUNDS FROM THE STATE OF DELAWARE, DEPARTMENT OF SAFETY AND HOMELAND SECURITY TO THE EIDE FY2024 GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

º24-029: AMEND THE GRANTS BUDGET: APPROPRIATE $40,000 IN FUNDING FROM THE STATE OF DELAWARE, DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF SERVICES FOR AGING & ADULTS WITH PHYSICAL DISABILITIES TO THE AB JONES SENIOR CENTER ART LOVING SENIORS GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES Introduced by: Mr. Hollins, Mr. Street

º24-030: AMEND THE GRANTS BUDGET: APPROPRIATE $99,120 IN ADDITIONAL FEDERAL FUNDS PASSED THROUGH THE CITY OF WILMINGTON FROM THEIR ESG-CV FUNDS TO THE HOPE CENTER ESG-CV COW GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING Introduced by: Mr. Hollins, Mr. Street

°24-031: AMENDING NEW CASTLE COUNTY CODE CHAPTER 40 ("UNIFIED DEVELOPMENT CODE"), ARTICLE 31 ("PROCEDURES AND ADMINISTRATION") RELATING TO COUNTY COUNCIL REFERRALS Introduced by: Mr. Carter

°24- 032: COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 8 REGARDING THE FOLLOWING TAX PARCELS: ARDENTOWN: 27-001.00-001(2206 MILLERS RD, ARDENTOWN); BRANDYWINE HUNDRED: 06-060.00-010 (1 NAAMANS RD, GILBERT SUBDIVISION), 06-122.00-081 (301 CARR RD, ROCKWOOD OFFICE PARK), 06-147.00-017 (1204 LIGHTHOUSE RD) Introduced by: Mr. Cartier

°24-033: COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 2 REGARDING THE FOLLOWING TAX PARCELS: BRANDYWINE HUNDRED: 06-040.00-002 (0 CONCORD PIKE OFF, WOODLAWN TRUSTEES), 06-077.00-274 (0 CONCORD PIKE OFF, FIRST UNITARIAN CHURCH), 06-127.00-001 (742 ALAPOCAS DR, E I DUPONT DENEMOURS), 26-014.10-006 (1600 N PARK DR, ABESSINIO STADIUM) Introduced by: Ms. Durham

°24-034: COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 2 AND COUNTY COUNCIL DISTRICT 4 REGARDING THE FOLLOWING TAX PARCELS: CHRISTIANA HUNDRED: 07-030.20-015 (0 NEW BRIDGE RD) Introduced by: Ms. Durham, Mr. Hollins

E. Reports from Select and Special Committees

F. Consent Calendar

R24-074: HONORING THE LIFE AND LEGACY OF ARTHUR W. BOSWELL, JR. Introduced by: Mr. Street

R24-075: HONORING CIRO POPPITI, III FOR HIS MILITARY SERVICE TO THE STATE OF DELAWARE AND THE UNITED STATES Introduced by: Mr. Hollins, Ms. Kilpatrick, Mr. Sheldon, Mr. Smiley

NOTE: If an item on the Consent Calendar is objected to by a Council member, or a member of the public wishes to obtain additional information about the candidate or proposed legislation, or if a Councilmember intends to offer an amendment to a resolution, seek additional information, or state a conflict, it shall be removed from the Consent Calendar and voted upon separately.

G. Presentations

H. Consideration of Resolutions Removed from the Consent Calendar and Other Resolutions

R24-076: APPROVING THE REFUND OF A DUPLICATE TAX PAYMENT ON TAX PARCEL NUMBER 10-013.000-40 Introduced by: Mr. Smiley, Mr. Cartier

R24-077: AUTHORIZING THE COUNTY EXECUTIVE TO SIGN A MEMORANDUM OF UNDERSTANDING #25-002 BETWEEN STATE OF DELAWARE, DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF PUBLIC HEALTH AND NEW CASTLE COUNTY TO

ENFORCE DELAWARE DOG CONTROL AND DANGEROUS DOG STATUTES Introduced by: Mr. Bell, Ms. Hartley-Nagle

R24-047: (STATUS: TABLED) SUPPORTING DELAWARE HOUSE OF REPRESENTATIVES BILL NO. 247, AKA "THE EVERYONE GETS HOME ACT" Introduced by: Ms. Durham

R23-220: (STATUS: TABLED) PLAN OF LOGISTICENTER AT NEW CASTLE COUNTY; ST. GEORGES HUNDRED; SOUTHWESTERLY CORNER OF ROUTE 301 AND JAMISON CORNER ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES A 1,409,850 SF WAREHOUSE AND A 962,000 SF WAREHOUSE WITH ASSOCIATED SITE IMPROVEMENTS; BP ZONING; APPLICATION NO. 2021-0470; COUNCIL DISTRICT 6 Introduced by: Mr. Carter

I. Consideration of Ordinances

°24-019: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTERS 14 ("ADMINISTRATION") AND 38 ("FINANCE AND TAXATION") REGARDING THE ASSESSMENT DIVISION Introduced by: Mr. Smiley, Mr. Cartier

°24-020: AMEND THE GRANTS BUDGET: APPROPRIATE $50,000.00 IN DONATIONS AND ACTUAL PROGRAM INCOME TO THE LOCAL PARAMEDIC PROGRAM GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY MEDICAL SERVICES Introduced by: Mr. Bell, Ms. Hartley-Nagle

°24-021: AMEND THE GRANTS BUDGET: AUTHORIZE THE COUNTY EXECUTIVE TO SIGN AN AGREEMENT AND APPROPRIATE $52,000 FROM THE STATE OF DELAWARE, DEPARTMENT OF TRANSPORTATION TO THE CRANSTON HEIGHTS FIRE COMPANY CONCRETE APRON GRANT FOR THE DEPARTMENT OF PUBLIC SAFETY Introduced by: Mr. Bell, Ms. Hartley-Nagle, Mr. Toole

°24-022: AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607 AND ADOPT THE REVISED CLASS SPECIFICATION FOR SCHOOL CROSSING GUARD SUPERVISOR FOR THE DEPARTMENT OF PUBLIC SAFETY Introduced by: Ms. Hartley-Nagle

SUBSTITUTE NO. 1 TO °23-095: (STATUS: TABLED) AMENDING NEW CASTLE COUNTY CODE CHAPTER 40 (THE "UNIFIED DEVELOPMENT CODE") TO ESTABLISH A PROTECTED OPEN SPACE ZONING DISTRICT Introduced by: Mr. Carter, Ms. Durham, Mr. Toole, Mr. Cartier

SUBSTITUTE NO. 1 TO °23-161: (STATUS: TABLED) TO PROVIDE FOR THE INSTALLATION OF GRANVILLE STREET LIGHTS WITH LIGHT EMITTING DIODE (LED) BULBS AND THE OPTIONAL WADSWORTH 12' POLE IN THE DELAWARE NATIONAL SUBDIVISION LOCATED IN THE CHRISTIANA HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS Introduced by: Ms. Durham

J. Time Sensitive Congratulatory/Honorary Resolutions

R24-078: HONORING THE IRISH CULTURE CLUB OF DELAWARE FOR ITS DEDICATION AND PROMOTING IRISH HERITAGE AND CULTURE Introduced by: Ms. Hartley-Nagle

R24-079: HONORING THE LIFE AND LEGACY OF HERMAN HOLLOWAY, JR. Introduced by: Ms. Hartley-Nagle, Mr. Street

K. Introduction/Consideration of Emergency Ordinances

L. Public Comment/Other

M. Motion to Adjourn

AGENDA POSTED: March 5, 2024

*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 zoom 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.

Primary Sponsor(s): Mr. Sheldon, Mr. Carter
Requested by: Public Works
Date of introduction: March 12, 2024

ORDINANCE NO. 24-026

AMEND THE FY2024 CAPITAL PROGRAM AND BUDGET: APPROPRIATE $440,000 IN DONATIONS FROM THE FRIENDS OF BRANDYWINE SPRINGS GROUP TO THE DEPARTMENT OF PUBLIC WORKS, BRANDYWINE SPRINGS PARK REHABILITATION CAPITAL PROJECT

WHEREAS, Subchapter III, Chapter 13 of Title 9 of the *Delaware Code*, as amended, authorizes New Castle County to plan, supervise, and conduct a program of parks and park-related activities for all the parks and greenways of the County, and in cooperation with the Department of Land Use to develop plans for parks, recreation areas, and provide for the acquisition of land for the development of parks and recreation facilities and the improvements and development of existing parks and greenways, and the County Council of New Castle County has deemed it necessary to implement such plans for development; and

WHEREAS, the Friends of Brandywine Springs Group seeks to donate $140,000 of their award from the State of Delaware Fiscal Year 2022 Bond and Capital Improvements Act (151st General Assembly, Senate Bill 200, signed into law June 30, 2021) from the Community Redevelopment/Reinvestment Fund; and

WHEREAS, the Friends of Brandywine Springs Group seeks to donate $300,000 from their award from the State of Delaware Fiscal Year 2023 Bond and Capital Improvements Act (151st General Assembly, House Bill 475, signed into law June 30, 2022) from the Community Redevelopment/Reinvestment Fund; and

WHEREAS, New Castle County is appropriating $440,000 in donations to the Brandywine Springs Park Rehabilitation Capital Project; and

WHEREAS, these funds will be used for walking trail improvements, including the historical nature walk that tells the story of the amusement park from 1886 to 1923;

WHEREAS, New Castle County Code Section 14.01.006 authorizes the Chief Administrative Officer to accept gifts received by the County in amounts of twenty-five thousand dollars ($25,000.00) or less; and

WHEREAS, the Chief Administrative Officer respectfully requests authorization from County Council to accept the donation, which value exceeds the maximum threshold the Chief Administrative Officer is authorized to accept under New Castle County Code; and

WHEREAS, County Council has determined that the purpose of the gift as stated is to advance, and is reasonably and rationally related to, legitimate government interests (i.e., promoting the health, safety, morals, convenience, order, prosperity or welfare of the present and future inhabitants of this County).

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

Section 1. The Capital Budget Ordinance for the fiscal year beginning July 1, 2023 is hereby amended by deleting the material stricken and adding the material underscored on the attached Exhibit "A."

Section 2. The Capital Program Resolution for the fiscal year beginning July 1, 2023 is hereby amended by deleting the material stricken and adding the material underscored on the attached Exhibit "B."

Section 3. Donations received in the amount of $440,000 are appropriated to the Department of Public Works, Brandywine Springs Park Rehabilitation Capital Project for walking trail improvements, including the historical nature walk that tells the story of the amusement park from 1886 to 1923.

Section 3. This Ordinance shall become effective immediately upon its adoption by County Council and approval by 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: This Ordinance, if approved, will appropriate $440,000 in funding received in donations from the Friends of Brandywine Springs Group to the Department of Public Works, Brandywine Springs Park Rehabilitation Capital Project. Funds will be used for walking trail improvements, including the historical nature walk that tells the story of the amusement park from 1886 to 1923.

FISCAL NOTE: This Ordinance, if approved, will amend the FY2024 Capital Program and Budget by appropriating $440,000 in funding received in donations from the Friends of Brandywine Springs Group to the Department of Public Works, Brandywine Springs Park Rehabilitation Capital Project.

The revised FY2024 total Capital Budget amount for the Brandywine Springs Park Rehabilitation Capital Project will be $440,000.

The revised FY2024 New Castle County Capital Budget total will be $78,627,396. There is no fiscal impact on the Operating Budget.

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2024

DEPARTMENT OF ADMINISTRATION

Land Use Information System	$	3,000,000
Recorder of Deeds HOA Portal	$	129,000
Register of Wills System	$	250,000
Subtotal	$	3,379,000

DEPARTMENT OF COUNTY EXECUTIVE

Executive GF Capital Contingency	$	500,000
Executive SF Capital Contingency		250,000
Subtotal	$	750,000

DEPARTMENT OF COMMUNITY SERVICES

Absalom Jones Senior Center Kiln	$	85,000
Appoquinimink Library	$	7,000
Newark Library	$	19,200,000
Surratte Pool Renovations		125,000
Subtotal	$	19,417,000

DEPARTMENT OF PUBLIC SAFETY

800MgHZ Communications Equipment	$	950,000
Cardiac Monitor 2023	$	945,148
Communications Upgrade		550,000
EMS Stations		500,000
Police Range / EVOC		500,000
Public Safety Building Renovations		300,000
Public Safety Equipment		291,000
Public Safety Vest Protection Program		201,840
Subtotal	$	4,237,988

DEPARTMENT OF PUBLIC WORKS

Facilities/Equipment

Building Rehabilitation 2021	$	3,000,000
Electric Vehicle Infrastructure		1,800,000
Fleet Equipment 2021		(3,340)
Fleet Equipment 2022		(1,000,000)
Fleet Equipment 2024		6,179,272
General Roof Renovations		1,250,000
Government Center Electrical Upgrade		600,000
HVAC Replacement		2,400,000
Public Safety Parking Lot Lighting		-
Subtotal	$	14,225,932

DEPARTMENT OF PUBLIC WORKS *(Continued)*

Parks		
Agricultural Preservation		$ 1,500,000
Banning Park Improvements		500,000
Bechtel Park Improvements		2,000,000
Brandywine Springs Park Rehabilitation	~~-~~	440,000
Carousel Park		276,120
Delcastle Park Improvements		1,100,000
Game Court Improvements 2021		100,000
General Parkland Improvements 2021		100,000
General Parkland Improvements 2024-2025		2,950,000
Historic Structure Rehabilitation		3,000,000
Middle Run Valley Reforestation		300,000
Open Space Preservation		1,000,000
Park Bridge Replacements		300,000
Pavilion Renovations		100,000
Play Area Improvements 2024-2025		2,000,000
Rockwood Park		1,800,000
Weiss Park Improvements		700,000
Subtotal	~~17,726,120~~	$ 18,166,120
Sewer/Stormwater		
Asset Management		$ 100,000
Backwater Valve Improvement		50,000
Christina River Force Main		4,400,000
Countywide Drainage		500,000
DelDOT Coordination Project 2021		2,000,000
Edgemoor System Rehabilitation		600,000
General Sewer Improvements		750,000
General Stormwater Improvements		358,954
North Delaware Interceptor System		650,000
Pump Station Rehabilitation 2024-2025		2,000,000
Sewer Fleet Equipment 2022		(650,000)
Sewer Fleet Equipment 2024		2,162,169
Sewer Repairs and Rehabilitation 2024-2025		1,000,000
Stoney Creek Basin		500,000
Stormwater Basin Renovation		725,000
Terminal Avenue System Rehabilitation		275,000
Water Quality Improvement Plan		230,233
White Clay System Rehabilitation		2,800,000
Subtotal		$ 18,451,356
CAPITAL BUDGET TOTAL	**~~78,187,396~~**	**$ 78,627,396**

EXHIBIT B

PROJECT PROFILES
PUBLIC WORKS - PARKS (continued)

Project Name (Number): Brandywine Springs Park Rehabilitation (C300115)

Description: Renovation, restoration of historic bridge abutment and pedestrian bridge (Lake Washington).

Council Districts: 9

Funding Schedule

	Bonds	Federal	State	Other	Total
Prior Authorizations	$ 800,000	$ -	$ 4,200	$ -	$ 804,200
FY2024	-	-	-	~~-~~	~~-~~
				440,000	440,000
FY2025	-	-	-	-	-
FY2026	-	-	-	-	-
FY2027	-	-	-	-	-
FY2028	-	-	-	-	-
FY2029	-	-	-	-	-
Future Years	-	-	-	-	-
Total	**$ 800,000**	**$ -**	**$ 4,200**	**~~$ -~~**	**~~$ 804,200~~**
				$ 440,000	**$ 1,244,200**
Available Authorizations:		**$ 390,211**			
Available Funding:		**$ 7,506**			
Operating Budget Impact:		**$ -**			

**Available Authorizations / Funding as of February 28, 2023, net of obligations.*

FY2024 Activity:

Finish repair of Lake Washington improvements. Walking trail improvements, including the historical nature walk that tells the story of the amusement park from 1886 to 1923.

Future Activity:

No activity planned.

Prime Sponsor(s): Mr. Bell, Ms. Hartley-Nagle
Requested by: Public Safety
Date of introduction: March 12, 2024

ORDINANCE NO. 24-027

**AMEND THE GRANTS BUDGET:
APPROPRIATE $76,294.14 IN STATE AID TO LOCAL LAW ENFORCEMENT (SALLE) FUNDS FROM THE STATE OF DELAWARE, DEPARTMENT OF SAFETY AND HOMELAND SECURITY TO THE STATE AID TO LOCAL LAW ENFORCEMENT (SALLE) – FY2024 GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE**

WHEREAS, funding has been awarded from the State of Delaware, Department of Safety and Homeland Security to the State Aid to Local Law Enforcement (SALLE) FY2024 Grant; and

WHEREAS, the funding will be used by the Department of Public Safety for officer specialized training such as Criminal Investigations, Patrol Tactical Training, Leadership and other courses needed to maintain certifications and memberships as well as overtime for special operations as needed; and

WHEREAS, the County Executive has determined that funds received are sufficient to cover the increase in the Grants Budget as hereinafter amended; and

WHEREAS, Council has determined that the provisions of this Ordinance 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 Grants Budget, as adopted by Ordinance No. 75-173, is hereby amended by adding the material on the attached "Exhibit A," which shall be considered underscored in its entirety, attached hereto and made a part thereof.

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

Section 3. It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to January 9, 2024.

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: This Ordinance, if approved, will appropriate $76,294.14 in State Aid to Local Law Enforcement (SALLE) funds from the State of Delaware, Department of Safety and Homeland Security to the State Aid Legal Law Enforcement SALLE FY2024 Grant. Funds will be used by the Department of Public Safety for officer specialized training such as Criminal Investigations, Patrol Tactical Training, Leadership and other courses needed to maintain certifications and memberships as well as overtime for special operations as needed.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to January 9, 2024.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating $76,294.14 in State Aid to Local Law Enforcement (SALLE) funds from the State of Delaware, Department of Safety and Homeland Security to the State in Aid to Local Law Enforcement (SALLE) FY2024 Grant.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of $76,294.14. This increase will affect FY2024 through FY2027 since the targeted program completion date is January 31, 2027. There will be no fiscal impact beyond FY2027 as a result of this grant award. The Department will provide an Operating Budget match of $14,705.50 from the Approved Operating Budget to cover the overtime benefits.

DEPARTMENT: Public Safety **EXHIBIT:** **"A"**

GRANT TITLE: SALLE FY2024 **Ordinance No. 24-027**

PROGRAM TITLE: SALLE FY2024

Revenue	Current	Change	Revised
Federal	$ -	$ -	$ -
State	$ 76,294.14	$ -	$ 76,294.14
County	$ -	$ -	$ -
Program Income	$ -	$ -	$ -
Other	$ -	$ -	$ -
Total	$ 76,294.14	$ -	$ 76,294.14

Expense	Current	Change	Revised
Salaries and Wages	$ 25,000.00	$ -	$ 25,000.00
Benefits	$ -	$ -	$ -
Training/Civic Affairs	$ 51,294.14	$ -	$ 51,294.14
Communication/Utilities	$ -	$ -	$ -
Materials/Supplies	$ -	$ -	$ -
Contractual Services	$ -	$ -	$ -
Equipment	$ -	$ -	$ -
Grants/Fixed Charges	$ -	$ -	$ -
Land and Structures	$ -	$ -	$ -
Contingency	$ -	$ -	$ -
Operating Transfer Charges	$ -	$ -	$ -
Operating Transfer Credits	$ -	$ -	$ -
Total	$ 76,294.14	$ -	$ 76,294.14

SUPPLEMENTAL INFORMATION

Estimated Program Initiation: 1/9/2024

Estimated Program Completion: 1/31/2027

County Match: $ 14,705.50 **Found in (ORG):** 10200305 - Police Patrol

Ordinance Passed: **Date Revised:**

PROGRAM DESCRIPTION:

Funding will be used to cover overtime for special operations and the training needs of the Division of Police.

3/12/2024

Prime Sponsor(s): Mr. Bell, Ms. Hartley-Nagle
Requested by: Public Safety
Date of introduction: March 12, 2024

ORDINANCE NO. 24-028

**AMEND THE GRANTS BUDGET:
APPROPRIATE $40,930.36 IN EMERGENCY ILLEGAL DRUG ENFORCEMENT (EIDE) FUNDS FROM THE STATE OF DELAWARE, DEPARTMENT OF SAFETY AND HOMELAND SECURITY TO THE EIDE FY2024 GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE**

WHEREAS, funding has been awarded from the State of Delaware, Department of Safety and Homeland Security through the Emergency Illegal Drug Enforcement (EIDE) program to the EIDE FY2024 Grant; and

WHEREAS, this program provides critical funding for the Division of Police in its efforts to remove illegal drugs and drug dealers from the communities of New Castle County; and

WHEREAS, the funding will be used to support overtime and equipment purchases to assist the drug unit in conducting surveillance, investigations and special operations; and

WHEREAS, the County Executive has determined that funds received are sufficient to cover the increase in the Grants Budget as hereinafter amended; and

WHEREAS, Council has determined that the provisions of this Ordinance 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 Grants Budget, as adopted by Ordinance No. 75-173, is hereby amended by adding the material on the attached "Exhibit A," which shall be considered underscored in its entirety, attached hereto and made a part thereof.

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

Section 3. It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to January 9, 2024.

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: This Ordinance, if approved, will appropriate $40,930.36 from the State of Delaware, Department of Safety and Homeland Security through the Emergency Illegal Drug Enforcement (EIDE) program to the EIDE FY2024 Grant. Funds will be used by the New Castle County Department of Public Safety, Division of Police to support overtime and equipment purchases to assist the drug unit in conducting surveillance, investigations and special operations.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to January 9, 2024.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating $40,930.36 from the State of Delaware, Department of Safety and Homeland Security through the Emergency Illegal Drug Enforcement (EIDE) program to the EIDE FY2024 Grant.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of $40,930.36. This increase will affect FY2024 through FY2027 since the targeted program completion date is January 13, 2027. There will be no fiscal impact beyond FY2027 as a result of this grant award.

The fiscal impact on the Operating Budget will be $21,134.74 to cover benefits for overtime not covered by the grant.

DEPARTMENT: Public Safety **EXHIBIT:** "A"

GRANT TITLE: EIDE FY2024 **Ordinance No. 24-028**

PROGRAM TITLE: EIDE FY2024

Revenue	Current	Change	Revised
Federal	$ -	$ -	$ -
State	$ 40,930.36	$ -	$ 40,930.36
County	$ -	$ -	$ -
Program Income	$ -	$ -	$ -
Other	$ -	$ -	$ -
Total	$ 40,930.36	$ -	$ 40,930.36

Expense	Current	Change	Revised
Salaries and Wages	$ 35,930.36	$ -	$ 35,930.36
Benefits	$ -	$ -	$ -
Training/Civic Affairs	$ -	$ -	$ -
Communication/Utilities	$ -	$ -	$ -
Materials/Supplies	$ -	$ -	$ -
Contractual Services	$ -	$ -	$ -
Equipment	$ -	$ -	$ -
Grants/Fixed Charges	$ 5,000.00	$ -	$ 5,000.00
Land and Structures	$ -	$ -	$ -
Contingency	$ -	$ -	$ -
Operating Transfer Charges	$ -	$ -	$ -
Operating Transfer Credits	$ -	$ -	$ -
Total	$ 40,930.36	$ -	$ 40,930.36

SUPPLEMENTAL INFORMATION

Estimated Program Initiation: 1/9/2024

Estimated Program Completion: 1/31/2027

County Match: $ 21,134.74 **Found in (ORG):** 10200305 - Police Patrol

Ordinance Passed: **Date Revised:**

PROGRAM DESCRIPTION:

Funding will be used for overtime and operational costs in the Drug Control Unit to conduct surveillance, investigations and operations.

Prime Sponsor(s): Mr. Hollins, Mr. Street
Requested by: Community Services
Date of introduction: March 12, 2024

ORDINANCE NO. 24-029

**AMEND THE GRANTS BUDGET:
APPROPRIATE $40,000 IN FUNDING FROM THE STATE OF DELAWARE, DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF SERVICES FOR AGING & ADULTS WITH PHYSICAL DISABILITIES TO THE AB JONES SENIOR CENTER ART LOVING SENIORS GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES**

WHEREAS, authorization is being sought for the appropriation of $40,000 in funding from the State of Delaware, Department of Health and Social Services, Division of Services for Aging & Adults with Physical Disabilities to the Ab Jones Senior Center Art Loving Seniors Grant; and

WHEREAS, the Art Loving Seniors Program will be a partnership between the Absalom Jones Senior Center and The Art Studio location at the Absalom Jones Community Center to implement a visual art program for seniors that supports enrichment activities promoting social interaction, health and well-being, and aging in place; and

WHEREAS, the County Executive has determined that a grant is anticipated to be received and shall be sufficient to cover the increase in the Grants Budget as hereinafter amended; and

WHEREAS, Council has determined that the provisions of this Ordinance 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 Grants Budget as adopted by Ordinance No. 75-173 is hereby amended by adding the material on the attached Exhibit “A” which shall be considered underscored in its entirety.

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

Section 3. It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to January 1, 2024.

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: This Ordinance, if approved, will appropriate $40,000 in funding from the State of Delaware, Department of Health and Social Services, Division of Services for Aging & Adults with Physical Disabilities to the Ab Jones Senior Center Art Loving Seniors Grant which will be administered by the Department of Community Services, Division of Community Resources.

The Art Loving Seniors Program will be a partnership between the Absalom Jones Senior Center and The Art Studio location at the Absalom Jones Community Center to implement a visual art program for seniors that supports enrichment activities promoting social interaction, health and well-being, and aging in place.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to January 1, 2024.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating $40,000 in funding from the State of Delaware, Department of Health and Social Services, Division of Services for Aging & Adults with Physical Disabilities to the Ab Jones Senior Center Art Loving Seniors Grant.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget by $40,000. This increase will affect FY2024 since the targeted program completion date for this grant is June 30, 2024. There is no fiscal impact anticipated beyond FY2024.

DEPARTMENT: Community Services **EXHIBIT:** "A"

GRANT TITLE: Ab Jones Senior Center Art Loving Seniors **Ordinance No. 24-029**

PROGRAM TITLE: Ab Jones Senior Center Art Loving Seniors

Revenue	Current	Change	Revised
Federal	$ -	$ -	$ -
State	$ 40,000.00	$ -	$ 40,000.00
County	$ -	$ -	$ -
Program Income	$ -	$ -	$ -
Other	$ -	$ -	$ -
Total	$ 40,000.00	$ -	$ 40,000.00

Expense	Current	Change	Revised
Salaries and Wages	$ -	$ -	$ -
Benefits	$ -	$ -	$ -
Training/Civic Affairs	$ -	$ -	$ -
Communication/Utilities	$ -	$ -	$ -
Materials/Supplies	$ 12,192.00	$ -	$ 12,192.00
Contractual Services	$ 27,808.00	$ -	$ 27,808.00
Equipment	$ -	$ -	$ -
Grants/Fixed Charges	$ -	$ -	$ -
Land and Structures	$ -	$ -	$ -
Contingency	$ -	$ -	$ -
Operating Transfer Charges	$ -	$ -	$ -
Operating Transfer Credits	$ -	$ -	$ -
Total	$ 40,000.00	$ -	$ 40,000.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation: 1/1/2024

Estimated Program Completion: 6/30/2024

The Local Match: **Found in (ORG):**

Ordinance Passed: **Date Revised:**

PROGRAM DESCRIPTION:

The Art Loving Seniors Program will be a partnership between the Absalom Jones Senior Center and The Art Studio location at the Absalom Jones Community Center to implement a visual art program for seniors that supports enrichment activities promoting social interaction, health and well-being, and aging in place.

3/12/2024

Prime Sponsor(s): Mr. Hollins, Mr. Street
Requested by: Community Services
Date of introduction: March 12, 2024

ORDINANCE NO. 24-030

**AMEND THE GRANTS BUDGET:
APPROPRIATE $99,120 IN ADDITIONAL FEDERAL FUNDS PASSED THROUGH THE CITY OF WILMINGTON FROM THEIR ESG-CV FUNDS TO THE HOPE CENTER ESG-CV COW GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING**

WHEREAS, original federal funds passed through the City of Wilmington from their ESG-CV funds in the amount of $142,380 was previously approved by New Castle County Council and appropriated to the Hope Center ESG-CV COW Grant via Ordinance 23-115; and

WHEREAS, authorization is being sought through this Ordinance for the additional appropriation of $99,120 based on additional funds received from the City of Wilmington's ESG-CV funds to the Hope Center ESG-CV COW Grant; and

WHEREAS, the grant funding will be used to assist with covering the cost of shelter beds at the Hope Center for clients referred by the Housing Alliance of Delaware; and

WHEREAS, the County Executive has determined that grants anticipated to be received from the City of Wilmington passed through the U.S. Department of Housing and Urban Development (HUD) will be sufficient to cover the increase in the Grants Budget as hereinafter amended; and

WHEREAS, Council has determined that the provisions of this Ordinance 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 Grants Budget as adopted by Ordinance No. 75-173 is hereby amended by adding the material on the attached Exhibits "A", which shall be considered underscored in its entirety.

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

Section 3. It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to November 1, 2022.

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: This Ordinance, if approved, will appropriate additional federal funds of $99,120 passed through the City of Wilmington from their ESG-CV funds to the Hope Center ESG-CV COW Grant which will be administered by the Department of Community Services, Division of Community Development and Housing. These funds will be used to assist with covering the cost of shelter beds at the Hope Center for clients referred by the Housing Alliance of Delaware.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to November 1, 2022.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating federals funds of $99,120 passed through the City of Wilmington from their ESG-CV funds to the Hope Center ESG-CV COW Grant. This additional appropriation brings the Hope Center ESG-CV COW Grant to $241,500.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of $99,120. This increase will affect FY2024 only, since the targeted program completion date for this grant is September 15, 2023.

DEPARTMENT: Community Services **EXHIBIT:** "A"

GRANT TITLE: HOPE Center ESG-CV COW **Ordinance No. 24-030**

PROGRAM TITLE: HOPE Center ESG-CV COW

Revenue	Current	Change	Revised
Federal	~~$ 142,380.00~~	$ 99,120.00	$ 241,500.00
State	$ -	$ -	$ -
County	$ -	$ -	$ -
Program Income	$ -	$ -	$ -
Other	$ -	$ -	$ -
Total	~~$ 142,380.00~~	$ 99,120.00	$ 241,500.00

Expense	Current	Change	Revised
Salaries and Wages	$ -	$ -	$ -
Benefits	$ -	$ -	$ -
Training/Civic Affairs	$ -	$ -	$ -
Communication/Utilities	$ -	$ -	$ -
Materials/Supplies	$ -	$ -	$ -
Contractual Services	~~$ 142,380.00~~	$ 99,120.00	$ 241,500.00
Equipment	$ -	$ -	$ -
Grants/Fixed Charges	$ -	$ -	$ -
Land and Structures	$ -	$ -	$ -
Contingency	$ -	$ -	$ -
Operating Transfer Charges	$ -	$ -	$ -
Operating Transfer Credits	$ -	$ -	$ -
Total	~~$ 142,380.00~~	$ 99,120.00	$ 241,500.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation: 11/1/2022

Estimated Program Completion: 9/30/2023

The Local Match: **Found in (ORG):**

Ordinance Passed: 23-115 **Date Revised:** 8/29/2023

PROGRAM DESCRIPTION:

This grant will assist with covering the cost of shelter beds at the HOPE Center for clients referred by the Housing Alliance of Delaware.

~~8/29/2023~~ 3/12/2024

Prime Sponsor(s): Mr. Carter
Date of introduction: March 12, 2024

ORDINANCE NO. 24-031

AMENDING *NEW CASTLE COUNTY CODE* CHAPTER 40 ("UNIFIED DEVELOPMENT CODE"), ARTICLE 31 ("PROCEDURES AND ADMINISTRATION") RELATING TO COUNTY COUNCIL REFERRALS

WHEREAS, an orderly and predictable process for the review of plans is critically important to land use decision making; and

WHEREAS, the current requirement for scheduling of action on a response to a Council technical compliance referral is fluid and, consequently, depending on the circumstances, may not provide adequate notice to Council, the plan applicant, or the community to ensure adequate time for review and thoughtful engagement prior to a final hearing and vote before County Council; and

WHEREAS, the general advance notice provided for many actions by County Council and the State of Delaware is 7 days; and

WHEREAS, making the change proposed herein will afford a reasonable time to review the findings and recommendations by the Department of Land Use, and is not burdensome for Council or the Department, but, on the other hand, does help to ensure a predictable and orderly process, which the law favors.

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

Section 1. *New Castle County Code* Chapter 40 ("Unified Development Code"), Article 31 ("Procedures and Administration"), Section 40.31.114 ("Record Plan Review Stage") is hereby amended by adding the material that is underscored and by deleting the material that is stricken as set forth below.

Division 40.31.114. Record plan review stage.

…

D. Council consent.

1. For major plans, the record plan shall be forwarded to County Council for its consent. Upon receipt of the plan, County Council shall schedule the matter for its next public hearing, and may take one (1) of the following actions:
    a. Adopt a resolution approving the record major plan; or
    b. Table and refer the plan back to the Department, no more than twice, with specific questions relating to technical compliance with this Chapter, State or federal constitutional requirements or any other statute or ordinance for which compliance is required. Upon receipt of a Department recommendation reaffirming approval of the plan, County Council shall adopt the resolution of approval, unless a second referral is made because of additional questions or concerns. Upon receipt of the Department's recommendation reaffirming approval of the plan after review of any additional concerns raised by County Council, Council shall adopt the resolution of approval.

2. County Council may use any one (1) or more of the above options subject to the limitations contained in each subparagraph.

E. Action upon receipt of County Council referral. Upon receipt of specific questions from County Council, the Department shall respond with its findings and a recommendation. The recommendation shall be one (1) of the following:

1. That the plan be approved, in which case County Council shall adopt the resolution of plan approval at its next scheduled meeting which provides Council with at least 7 days' notice of the Department's findings and recommendation, unless a second referral is made, in which case Council shall adopt the resolution of plan approval at its next scheduled meeting following the second approval which provides Council with at least 7 days' notice of the Department's findings and recommendation.

2. That the Department has rescinded its previous approval of the plan for noncompliance, in which case County Council shall withdraw the resolution of plan approval.

Section 2. This Ordinance shall become effective immediately upon its adoption by County Council and approval by 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: This Ordinance ensures that County Council and the public have adequate notice and time for consideration of the findings and recommendation of the Department of Land Use, when recommending approval of a plan, by establishing that the Department's response to a referral by Council under Section 40.31.114 must be provided to County Council in such manner as to provide it with at least 7 days' notice of the Department's findings and recommendation before the resolution may be considered by Council.

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

Prime Sponsor(s): Mr. Cartier
Requested by: Land Use
Date of introduction: March 12, 2024

ORDINANCE NO. 24-032

COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 8 REGARDING THE FOLLOWING TAX PARCELS: ARDENTOWN: 27-001.00-001(2206 MILLERS RD, ARDENTOWN); BRANDYWINE HUNDRED: 06-060.00-010 (1 NAAMANS RD, GILBERT SUBDIVISION), 06-122.00-081 (301 CARR RD, ROCKWOOD OFFICE PARK), 06-147.00-017 (1204 LIGHTHOUSE RD)

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, Ordinance No. 23-083 was introduced on June 13, 2023, to amend the official zoning map in accordance with the uses and intensities of uses provided for in the future land use element of the New Castle County Comprehensive Plan; and

WHEREAS, the County can foster more informed participation by the public, including increased opportunities for review, by amending the zoning map in smaller portions, such as by Councilmanic District; and

WHEREAS, this County-initiated rezoning is intended to guide and control future growth consistent with the spirit and intent of the Comprehensive Development Plan as provided by State law; 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 Ardentown and Brandywine Hundred, are hereby amended by changing the zoning classification of the land shown on attached Exhibit "A", Maps 1-5 dated 2/04/2024, 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.

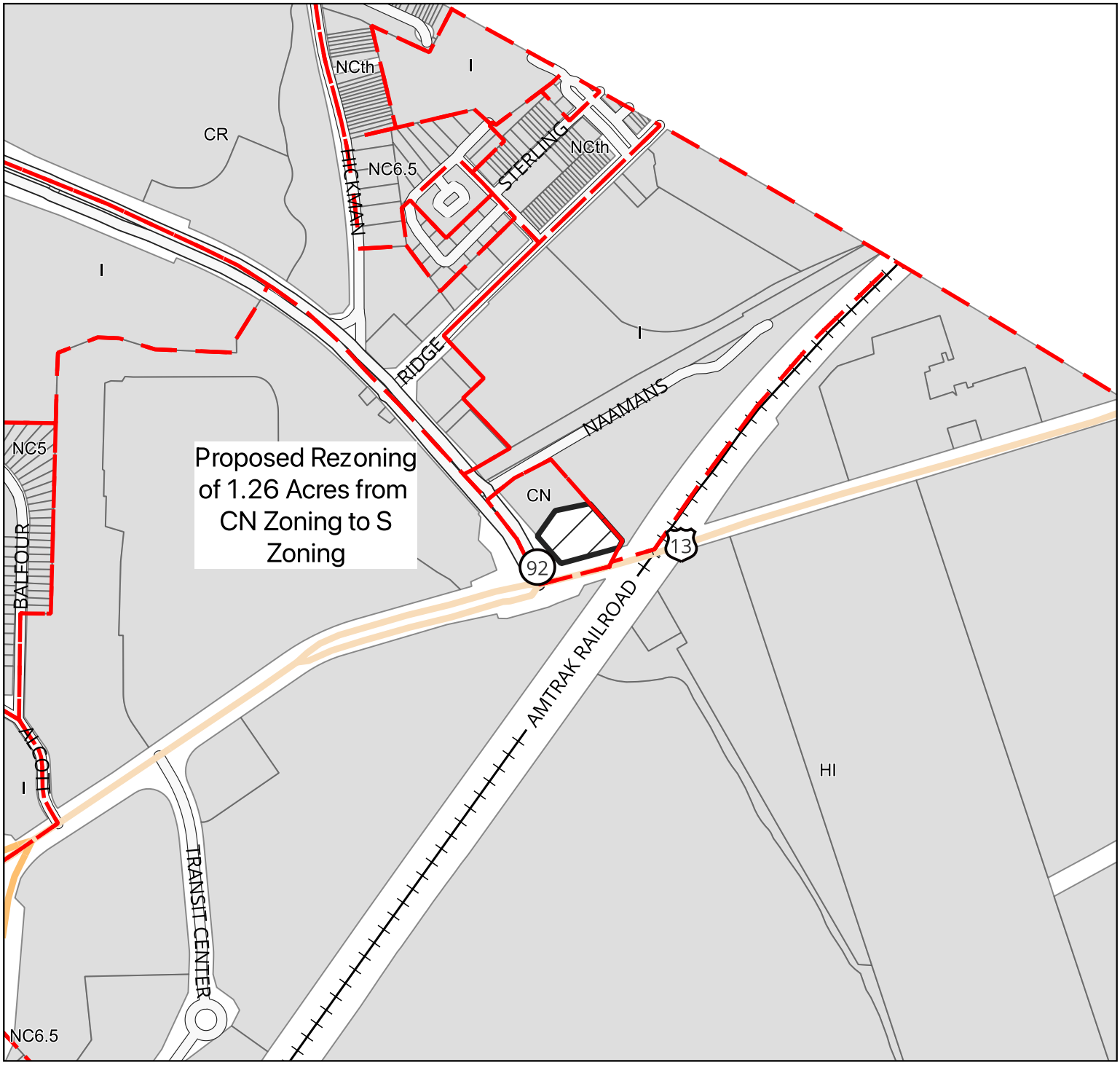
FISCAL IMPACT: There is no discernible fiscal impact with the adoption of this ordinance.

PROPERTY MAP

MAP 1
ZONING ORDINANCE AS INTRODUCED

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

APPLICATION NO. 2024-XXXX-Z
TAX PARCEL NO: 06-060.00-010



HUNDRED: BRANDYWINE
NEW CASTLE COUNTY, DELAWARE

Scale: 1:6960
Prepared by: Matthew Rogers

Date: 02/04/2024

N

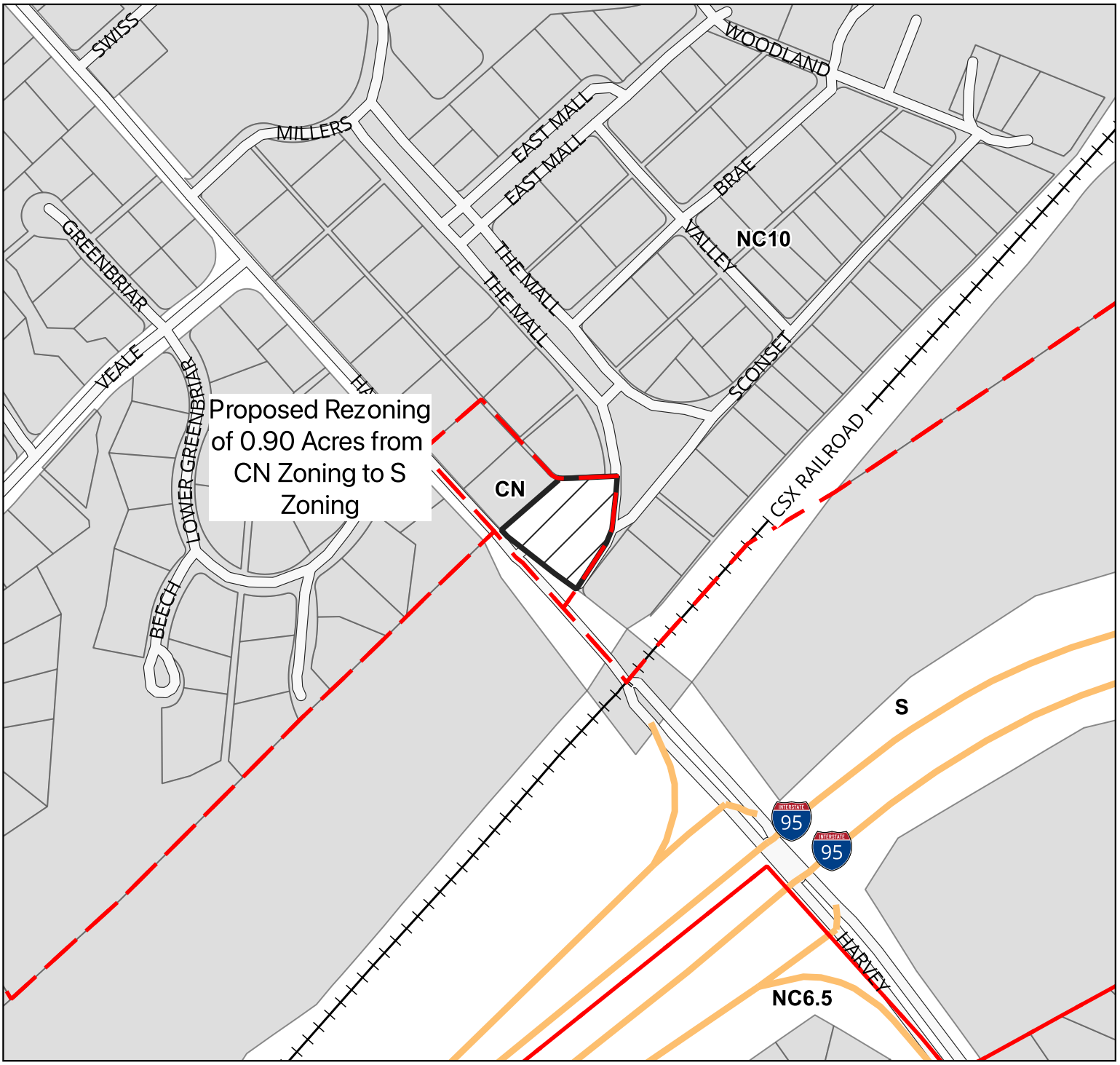
PERMANENT ORDINANCE NO. 24-XXX 24-032
Date Adopted by County Council:
Date Approved by County Executive:

PROPERTY MAP

MAP 2
ZONING ORDINANCE AS INTRODUCED

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

APPLICATION NO. 2024-XXXX-Z
TAX PARCEL NO: 27-001.00-001



HUNDRED: ARDENTOWN
NEW CASTLE COUNTY, DELAWARE

Scale: 1:3754
Prepared by: Matthew Rogers

Date: 02/04/2024

N

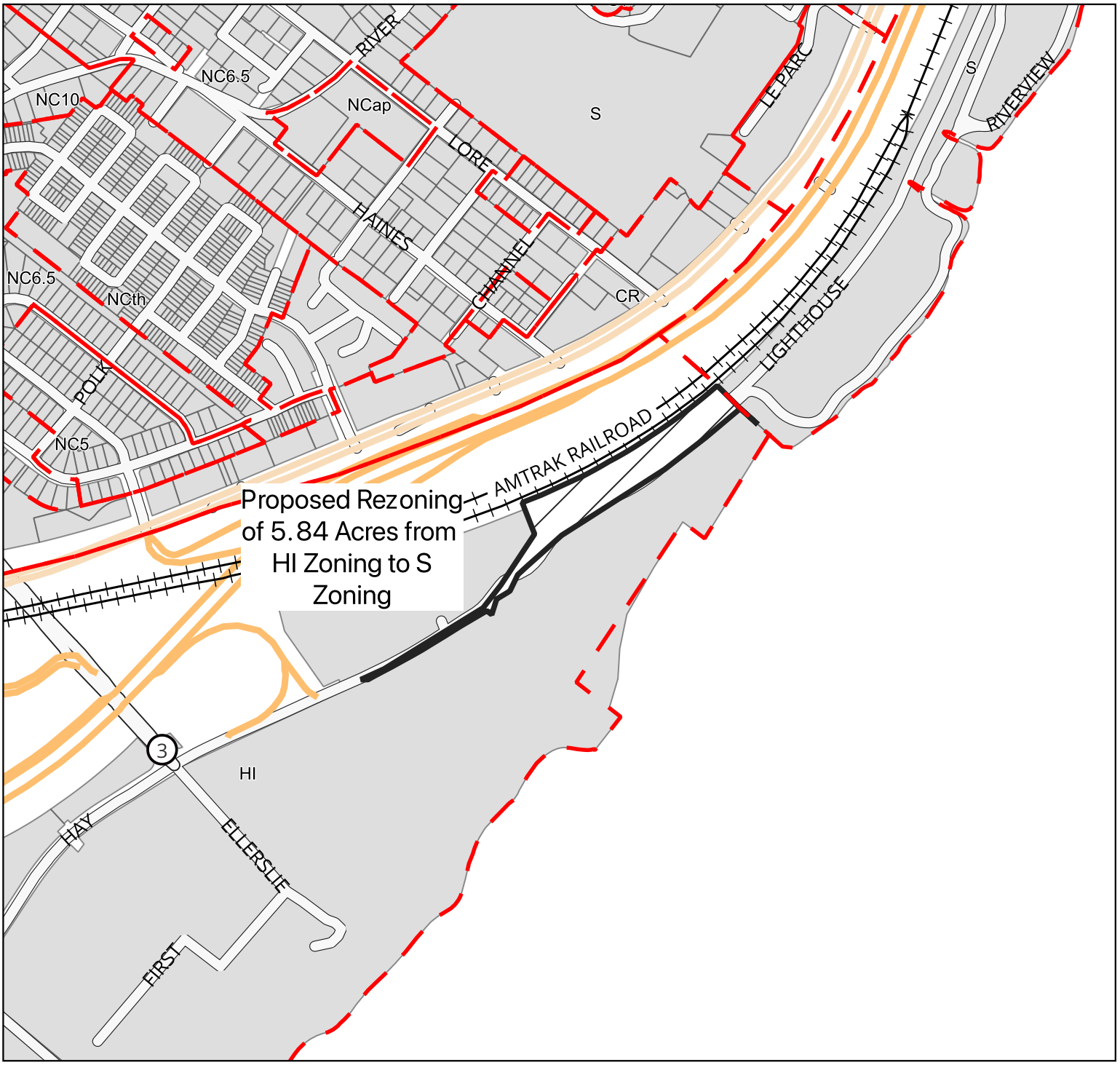
PERMANENT ORDINANCE NO. 24-XXX 24-032
Date Adopted by County Council:
Date Approved by County Executive:

PROPERTY MAP

MAP 3
ZONING ORDINANCE AS INTRODUCED

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

APPLICATION NO. 2024-XXXX-Z
TAX PARCEL NO: 06-147.00.017



HUNDRED: BRANDYWINE
NEW CASTLE COUNTY, DELAWARE

Scale: 1:8362
Prepared by: Matthew Rogers

Date: 02/04/2024

N

PERMANENT ORDINANCE NO. 24-XXX 24-032
Date Adopted by County Council:
Date Approved by County Executive:

PROPERTY MAP

MAP 4
ZONING ORDINANCE AS INTRODUCED

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

APPLICATION NO. 2024-XXXX-Z
TAX PARCEL NO: 06-147.00.017

HUNDRED: BRANDYWINE
NEW CASTLE COUNTY, DELAWARE

Scale: 1:9188
Prepared by: Matthew Rogers

Date: 02/04/2024

N

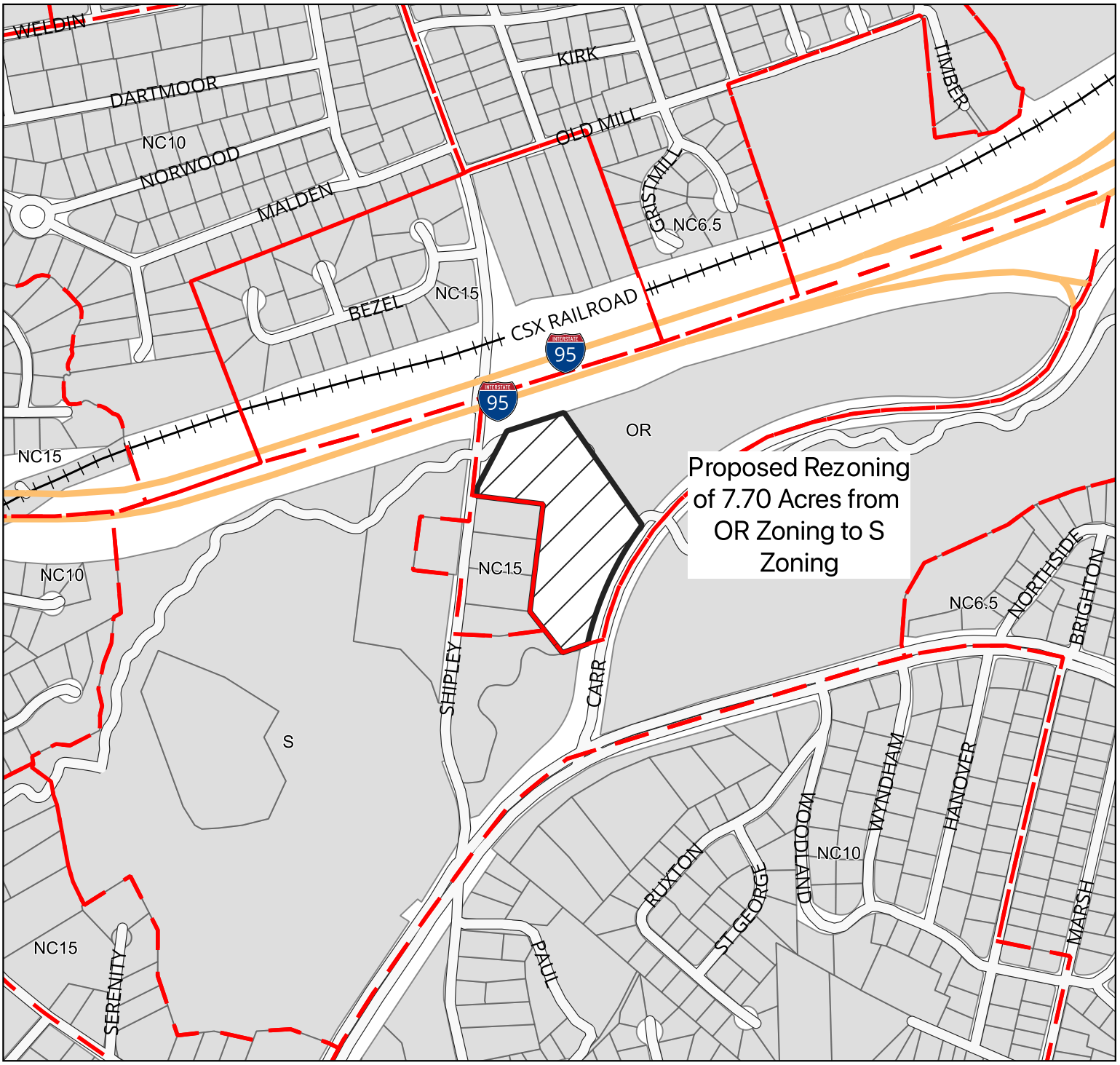
PERMANENT ORDINANCE NO. 24-XXX
Date Adopted by County Council:
Date Approved by County Executive:

PROPERTY MAP

MAP 5
ZONING ORDINANCE AS INTRODUCED

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

APPLICATION NO. 2024-XXXX-Z
TAX PARCEL NO: 06-122.00-081



HUNDRED: BRANDYWINE
NEW CASTLE COUNTY, DELAWARE

Scale: 1:6972
Prepared by: Matthew Rogers

Date: 02/04/2024

N

PERMANENT ORDINANCE NO. 24-XXX 24-032
Date Adopted by County Council:
Date Approved by County Executive:

Prime Sponsor(s): Ms. Durham
Requested by: Land Use
Date of introduction: March 12, 2024

ORDINANCE NO. 24-033

COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 2 REGARDING THE FOLLOWING TAX PARCELS: BRANDYWINE HUNDRED: 06-040.00-002 (0 CONCORD PIKE OFF, WOODLAWN TRUSTEES), 06-077.00-274 (0 CONCORD PIKE OFF, FIRST UNITARIAN CHURCH), 06-127.00-001 (742 ALAPOCAS DR, E I DUPONT DENEMOURS), 26-014.10-006 (1600 N PARK DR, ABESSINIO STADIUM)

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, Ordinance No. 23-083 was introduced on June 13, 2023, to amend the official zoning map in accordance with the uses and intensities of uses provided for in the future land use element of the New Castle County Comprehensive Plan; and

WHEREAS, the County can foster more informed participation by the public, including increased opportunities for review, by amending the zoning map in smaller portions, such as by Councilmanic District; and

WHEREAS, this County-initiated rezoning is intended to guide and control future growth consistent with the spirit and intent of the Comprehensive Development Plan as provided by State law; 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 Brandywine Hundred and Christiana Hundred, are hereby amended by changing the zoning classification of the land shown on attached Exhibit "A", Maps 1-4 dated February 29, 2024, 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 Meyers
County Executive
New Castle County

SYNOPSIS: Same as Title.

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

PROPERTY MAP

MAP 1
ZONING ORDINANCE AS INTRODUCED

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

APPLICATION NO. 2024-XXXX-Z
TAX PARCEL NO: 06-077.00-274

HUNDRED: BRANDYWINE
NEW CASTLE COUNTY, DELAWARE

Scale: 1:4775
Prepared by: Matthew Rogers

Date: 02/04/2024

N

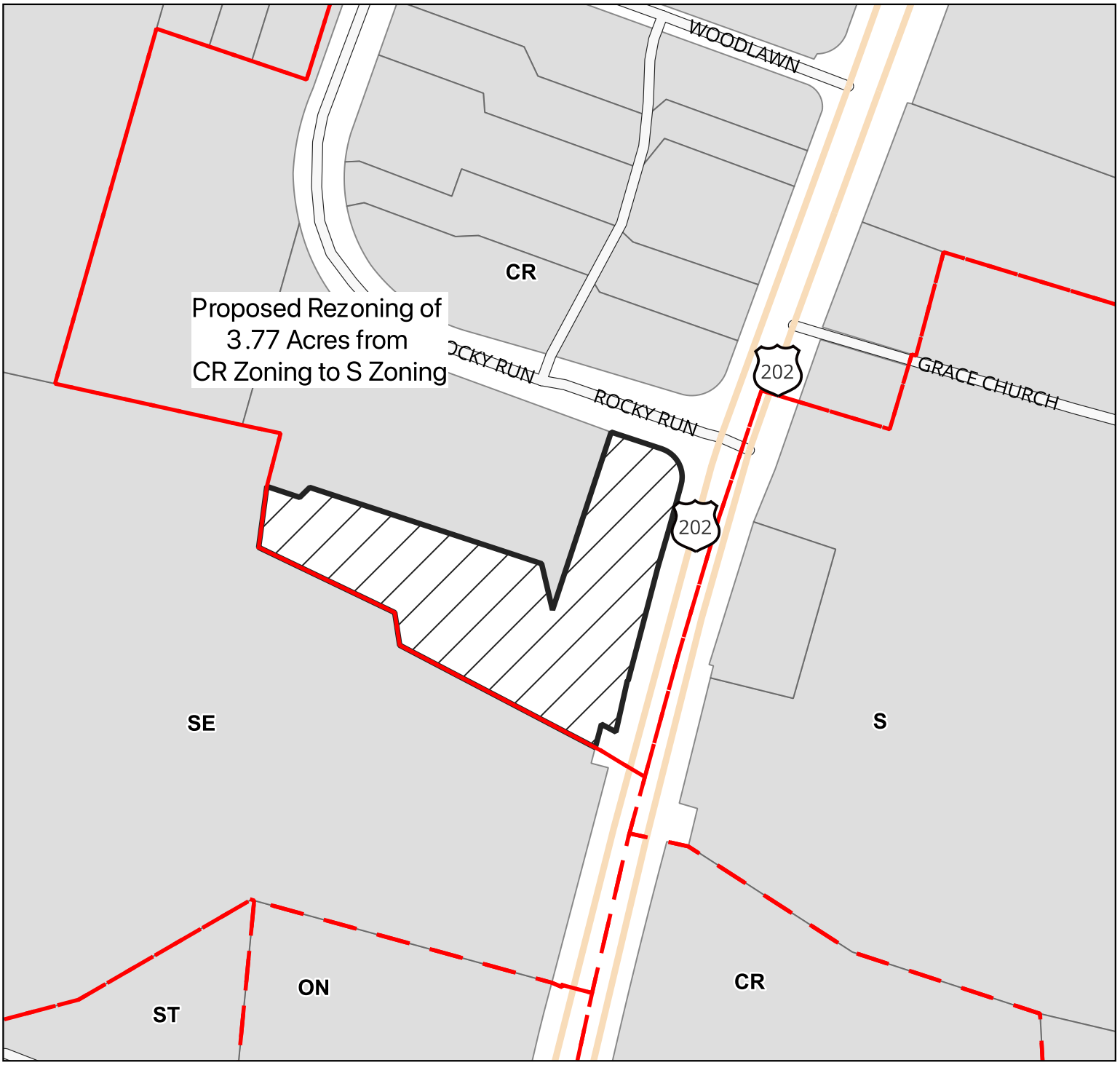
PERMANENT ORDINANCE NO. 24-XXX 24-033
Date Adopted by County Council:
Date Approved by County Executive:

PROPERTY MAP

MAP 2
ZONING ORDINANCE AS INTRODUCED

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

APPLICATION NO. 2024-XXXX-Z
TAX PARCEL NO: 06-040.00-002



HUNDRED: BRANDYWINE
NEW CASTLE COUNTY, DELAWARE

Scale: 1:2835
Prepared by: Matthew Rogers

Date: 02/04/2024

N

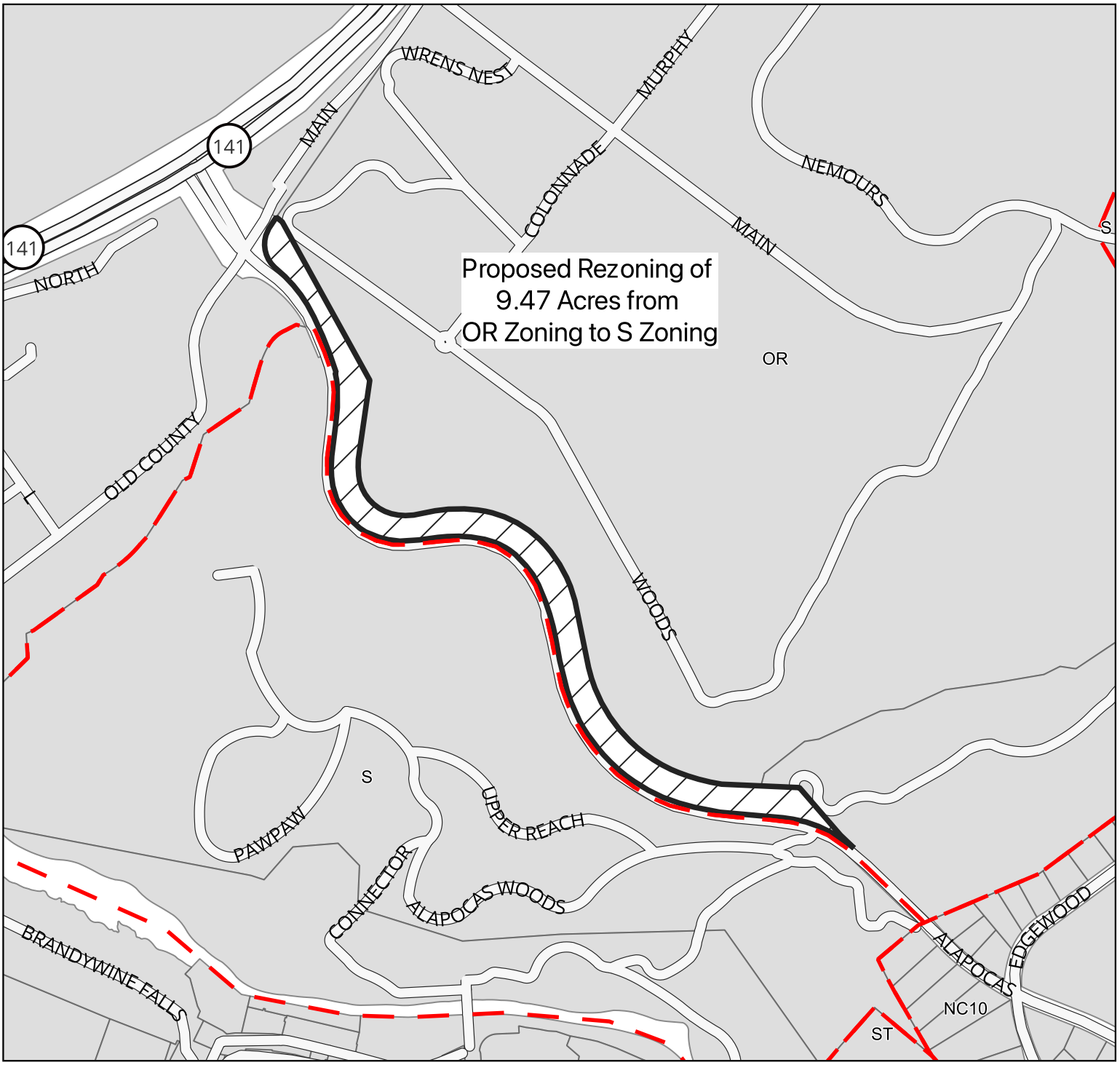
PERMANENT ORDINANCE NO. 24-XXX 24-033
Date Adopted by County Council:
Date Approved by County Executive:

PROPERTY MAP

MAP 3
ZONING ORDINANCE AS INTRODUCED

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

APPLICATION NO. 2024-XXXX-Z
TAX PARCEL NO: 06-127.00-001



HUNDRED: BRANDYWINE
NEW CASTLE COUNTY, DELAWARE

Scale: 1:6786
Prepared by: Matthew Rogers

Date: 02/04/2024

N

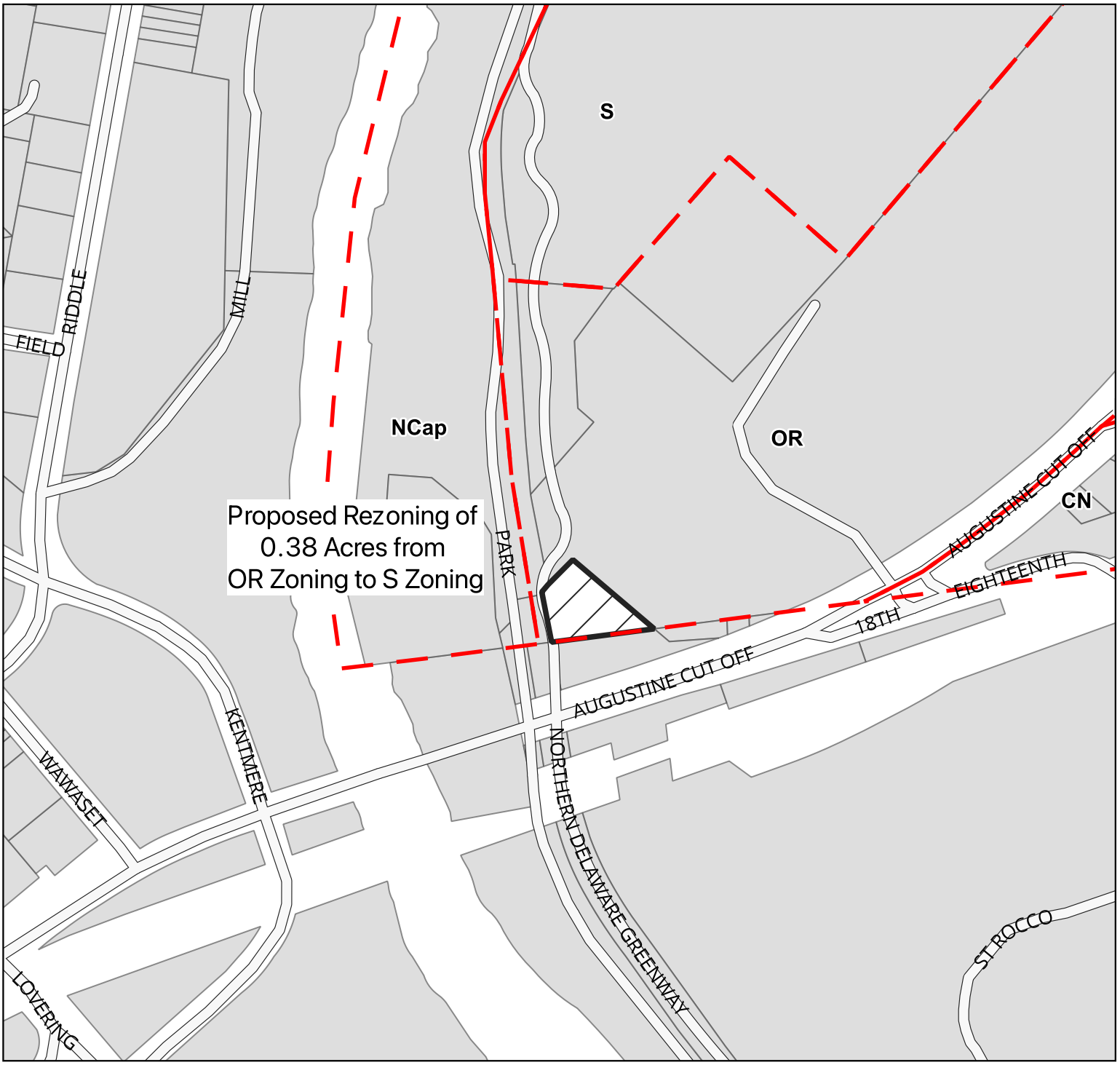
PERMANENT ORDINANCE NO. 24-XXX 24-033
Date Adopted by County Council:
Date Approved by County Executive:

PROPERTY MAP

MAP 4
ZONING ORDINANCE AS INTRODUCED

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

APPLICATION NO. 2024-XXXX-Z
TAX PARCEL NO: 26-014.10-006



HUNDRED: BRANDYWINE
NEW CASTLE COUNTY, DELAWARE

Scale: 1:3024
Prepared by: Matthew Rogers

Date: 02/29/2024

N

PERMANENT ORDINANCE NO. 24-XXX 24-033
Date Adopted by County Council:
Date Approved by County Executive:

Prime Sponsor(s): Ms. Durham, Mr. Hollins
Requested by: Land Use
Date of introduction: March 12, 2024

ORDINANCE NO. 24-034

COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 2 AND COUNTY COUNCIL DISTRICT 4 REGARDING THE FOLLOWING TAX PARCELS: CHRISTIANA HUNDRED: 07-030.20-015 (0 NEW BRIDGE RD)

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, Ordinance No. 23-083 was introduced on June 13, 2023, to amend the official zoning map in accordance with the uses and intensities of uses provided for in the future land use element of the New Castle County Comprehensive Plan; and

WHEREAS, the County can foster more informed participation by the public, including increased opportunities for review, by amending the zoning map in smaller portions, such as by Councilmanic District; and

WHEREAS, this County-initiated rezoning is intended to guide and control future growth consistent with the spirit and intent of the Comprehensive Development Plan as provided by State law; 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 Brandywine Hundred and Christiana Hundred, are hereby amended by changing the zoning classification of the land shown on attached Exhibit "A", Maps 1 dated February 29, 2024, 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.

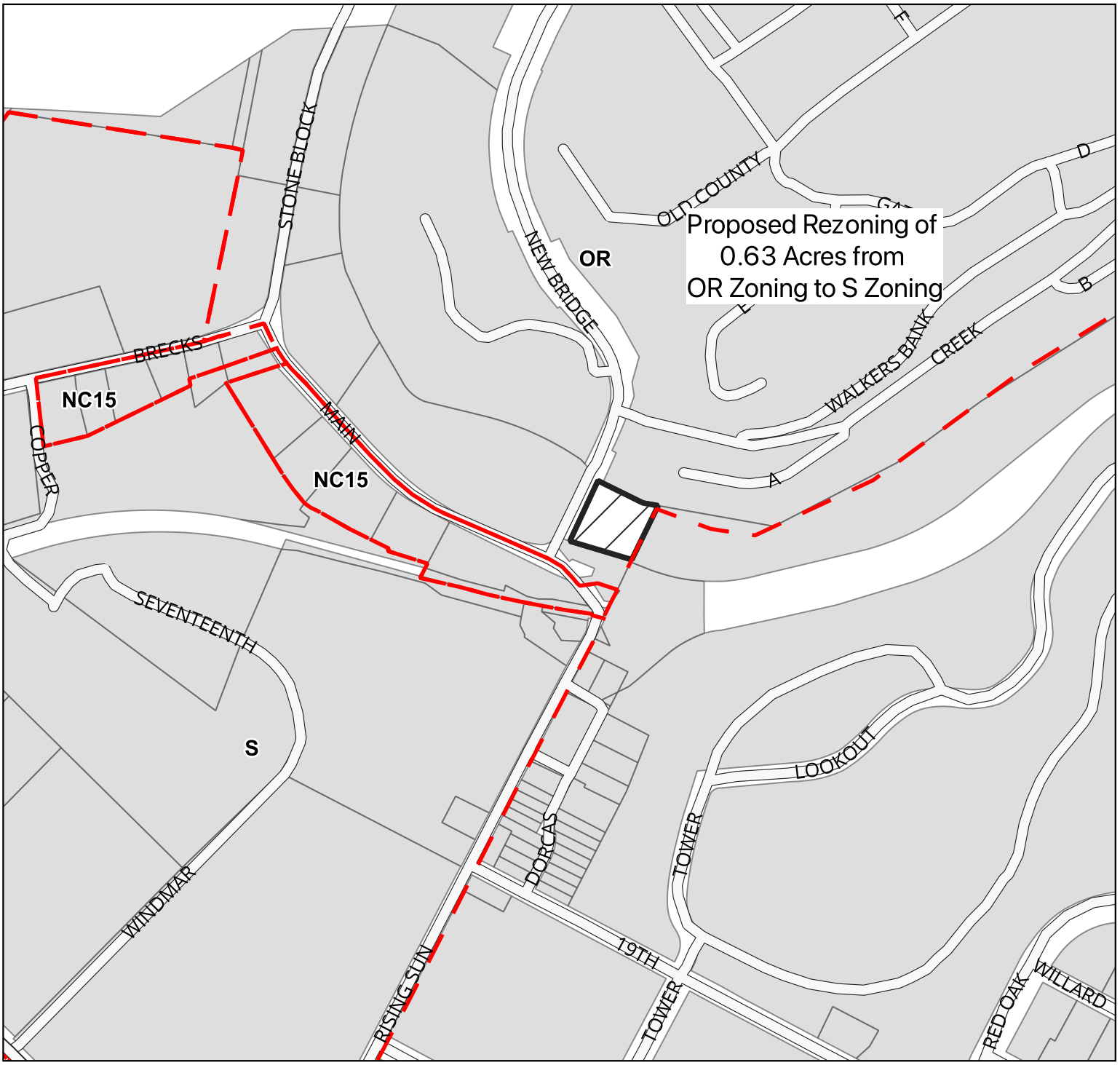
FISCAL IMPACT: There is no discernible fiscal impact with the adoption of this ordinance.

PROPERTY MAP

MAP 1
ZONING ORDINANCE AS INTRODUCED

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

APPLICATION NO. 2024-XXXX-Z
TAX PARCEL NO: 07-030.20-015



HUNDRED: CHRISTIANA
NEW CASTLE COUNTY, DELAWARE

Scale: 1:4408
Prepared by: Matthew Rogers

Date: 02/29/2024

N

PERMANENT ORDINANCE NO. 24-XXX 24-034
Date Adopted by County Council:
Date Approved by County Executive:

Prime Sponsor(s): Mr. Street
Date of Introduction: March 12, 2024

RESOLUTION NO. R24 – 074

HONORING THE LIFE AND LEGACY OF ARTHUR W. BOSWELL, JR.

WHEREAS, Arthur W. Boswell, Jr. was born on August 23,1944; and

WHEREAS, Arthur grew up in Jersey City, New Jersey, and at the age of 13 moved to Philadelphia, PA. He graduated from Central High School where he excelled in football. He went on to attend Temple University and received his Master's Degree in Urban Affairs and Public Policy from the University of Delaware in 1988; and

WHEREAS, Boz as he was affectionately known to family and friends had a distinguished career in public service career that started in Philadelphia where he served as Personnel Director for the Progress Association for Economic Development and coordinated programs with the Opportunity Industrialization Center; and

WHEREAS, Boz moved to Wilmington, Delaware when he became Executive Director of Peoples Settlement Association. Under his leadership the agency flourished, and he became a well-respected community leader. While he was Director of Peoples Settlement, he also volunteered his time and talent in the greater community. Those services included, Co-Founder, and Board President of the Parity Development Corporation, Founding member, and Chairman of the Coalition To Save Our Children representing black children in the school desegregation litigation; Wilmington Representative on the Delaware State Board of Education, Convener and Chairman of the Eastside Consortium, Board member Wilmington Branch NAACP, Wilmington Metropolitan Urban League, and the Executive Committee of the Delaware Community Reinvestment Action Council; and

WHEREAS, in 1993, Boz became the Chief of Staff for Mayor James H. Sills Jr. and served the Mayor for two terms. After leaving the City of Wilmington, Boz became Executive Director of Neighborhood House where he served with distinction until he retired; and

WHEREAS, after he retired, he stayed involved in the community as a mentor and reader to pre-school children at Hilltop Lutheran Neighborhood Center; some of those children, to Boz's credit ended up reading to him; and

WHEREAS, Boz leaves to cherish his memory; his wife of forty nine years Carolyn; his sons Scott and Sean, his daughter Ayana; six grandchildren, Sienna, Akyra, Sean Jr., Jahniya, Zala and Zuri and the great-grandchildren, Zen, Melanie Rose and Sonny Blu.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby honors the life and legacy of Arthur W. Bosell Jr. and extends its deepest sympathy to his family and friends accordingly.

Adopted by County Council of
New Castle County on: 3/12/2024

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

SYNOPSIS: Same as title.

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

Primary Sponsor(s): Mr. Hollins, Ms. Kilpatrick
Mr. Sheldon, Mr. Smiley
Date of introduction: March 12, 2024

RESOLUTION NO. 24-075

HONORING CIRO POPPITI, III FOR HIS MILITARY SERVICE TO THE STATE OF DELAWARE AND THE UNITED STATES

WHEREAS, Ciro Poppiti, III is one of six children born to Ciro and Louise Poppiti; and

WHEREAS, Ciro's paternal grandmother, a first-generation Italian American, taught him to take pride in his heritage, honor his family, respect the elders of his community, and value hard work and education; and

WHEREAS, Ciro obtained a law degree from Widener University and dedicated his personal and professional life to the values of pride, honor, respect, and community; and

WHEREAS, in 2007 Ciro received the Outstanding Young Wilmingtonian Award from Mayor James Baker for outstanding community service, especially for his work with the Italian American community as the founding chairman of the Delaware Commission on Italian Heritage and Culture; and

WHEREAS, in 2010, Ciro was elected as the Register of Wills in New Castle County. Through this position, he audited $150 million in unaccounted assets, returning money to the County; and

WHEREAS, as part of his elected position, Ciro dedicated himself to serving the public by publishing the Delaware Estate Administration Handbook. This handbook provided a unified statewide policy on estate administration and was highly valued. The Delaware State Bar Association recognized Ciro's work by presenting him with the 2015 Outstanding Government Service Award, the highest honor for government service; and

WHEREAS, Ciro is a Major in the Delaware Army National Guard who practices law, while also leading the legal defense of soldiers across the state. In addition, he is the author of a 250-page Defense Counsel Desk book, for which he was awarded the U.S. Army Commendation Medal. He has successfully blended his civilian life with his military duties, and his expertise in law has proved invaluable to the National Guard; and

WHEREAS, Ciro has held various civil positions, such as Board President of the Delaware Breast Cancer Coalition and a proud member of the Screen Actors Guild, to protect and promote the health, happiness, and safety of people in our state and around the world. He has also been honored with knighthood in the Order of Merit of the Republic of Italy; and

WHEREAS, we thank Ciro for his service in actively protecting us throughout the pandemic. We are proud to announce that he will be leading the charge in the Middle East for the next 10 months; and

WHEREAS, therefore, let us extend our best wishes to Ciro Poppiti, III as he embarks on a journey to stand alongside the servicemen and women in the field. He will be assisting and protecting those in need and providing support to his comrades in arms.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council offers prayers for the safety of Ciro and all those serving with him around the world to keep us safe. We also support Ciro Poppiti, III's family, including his wife Laura and their children, Jake and Louise. We are wishing them Godspeed.

Adopted by County Council of
New Castle County on: 3/12/2024

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

SYNOPSIS: Same as title.
FISCAL NOTE: There is no discernible fiscal impact with the adoption of this resolution.

Prime Sponsor(s): Mr. Smiley, Mr. Cartier
Requested by: Administration/Finance
Date of introduction: March 12, 2024

RESOLUTION NO. 24-076

APPROVING THE REFUND OF A DUPLICATE TAX PAYMENT ON TAX PARCEL NUMBER 10-013.000-40

WHEREAS, Nurses N' Kids Tax Parcel Number 10-013.000-40 located in Council District 7 has submitted to County Council, through the Chief Financial Officer, an affidavit requesting a refund of taxes which they believe were paid in duplicate and which total more than $20,000; and

WHEREAS, the Chief Financial Officer has approved the payment of said refund in the amount of $37,276.91 on the grounds that said amount was a duplicate payment; and

WHEREAS, the Chief Financial Officer shall not, without the express approval of County Council by Resolution, refund any payment as permitted in §14.03.001, received more than five (5) years prior to the date of receipt by the Office of Finance of the refund application, unless the amount of the refund is not more than twenty thousand dollars ($20,000.00), in which case the Chief Financial Officer may process it in accordance with the procedures set forth in §14.03.001; and

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County, that New Castle County Council hereby authorizes the Chief Financial Officer to refund taxes paid in duplicate in the amount of $37,276.91 to Nurses N' Kids.

Adopted by County Council
of New Castle County on:

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

SYNOPSIS: This Resolution allows for the refund of a duplicate tax payment on Tax Parcel Number 10-013.000-40 totaling $37,276.91. According to *New Castle County Code* Article 3, §14.03.001.C, the Chief Financial Officer's authority to approve refunds is limited to $20,000.00 and pursuant to Article 3, §14.03.002.A, the Chief Financial Officer shall not "without the express approval of County Council by resolution, refund any payment as permitted in §14.03.001, received more than five (5) years prior to the date of receipt by the Office of Finance of the refund application, unless the amount of the refund is not more than twenty thousand dollars ($20,000.00), in which case the Chief Financial Officer may process it in accordance with the procedures set forth in §14.03.001."

FISCAL NOTE: This Resolution, if adopted, will authorize the refund of a duplicate tax payment in the amount of $37,276.91 paid in duplicate comprised of taxes.

Prime Sponsor(s): Mr. Bell, Ms. Hartley-Nagle
Requested by: Public Safety
Date of introduction: March 12, 2024

RESOLUTION NO. 24-077

AUTHORIZING THE COUNTY EXECUTIVE TO SIGN A MEMORANDUM OF UNDERSTANDING #25-002 BETWEEN STATE OF DELAWARE, DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF PUBLIC HEALTH AND NEW CASTLE COUNTY TO ENFORCE DELAWARE DOG CONTROL AND DANGEROUS DOG STATUTES

WHEREAS, *New Castle County Code* § 2.02.004 requires that all contracts involving expenditures of funds in excess of $50,000.00 in aggregate to one vendor in a fiscal year, which are not competitively bid, be approved by Resolution of County Council; and

WHEREAS, in 2016, the Office of Animal Welfare within the Department of Health and Social Services assumed enforcement responsibilities for animal control, dangerous dogs, rabies control, and animal cruelty as outlined in 16 Del. C. §3031F; and

WHEREAS, Delaware Animal Services (DAS) is the enforcement unit of the Office of Animal Welfare which is staffed by certified animal welfare officers in each county, the primarily goals of DAS are to protect animals and enhance public safety; and

WHEREAS, Memorandum of Understanding #25-002 between the State of Delaware, Department of Health and Social Services, Division of Public Health and New Castle County is a three-year agreement effective July 1, 2024 through June 30, 2027; and

WHEREAS, the cost to New Castle County for animal control services is $2,059,703 for FY2025, reflecting the fair pricing structure agreed upon in 2023, based on a per capita rate; and

WHEREAS, the cost for FY2026 increases 3% for services to $2,121,494; and

WHEREAS, the cost for FY2027 increases 3% for services to $2,185,138; and

WHEREAS, the County Executive has presented the contract listed below to County Council for its approval prior to the County Executive's signature; and

WHEREAS, County Council has determined that the purpose of the contract listed below is to advance, and is 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, BE IT RESOLVED by and for the County Council of New Castle County hereby authorizes the County Executive to sign the following Memorandum of Understanding as attached:

MEMORANDUM OF UNDERSTANDING #22-004 BETWEEN THE DIVISION OF PUBLIC HEALTH, DELAWARE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, STATE OF DELAWARE AND NEW CASTLE COUNTY TO ENFORCE DELAWARE DOG CONTROL AND DANGEROUS DOG STATUTES

This Resolution shall become effective immediately upon its adoption by County Council.

Adopted by County Council of
New Castle County on:

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

SYNOPSIS: This Resolution authorizes the County Executive to execute a Memorandum of Understanding with the State of Delaware, Department of Health and Social Services, Division of Public Health, to enforce Delaware dog control and dangerous dog statutes and approves the execution of the listed contract.

FISCAL NOTE: The fiscal impact of this agreement is $2,059,703 in FY2025 which represents a $334,615 increase over FY2024. Funding is included in the FY2025 Recommended Operating Budget. This amount reflects the fair pricing structure based on a per capita rate, agreed upon in 2023.

The cost for FY2026 increases 3% for services to $2,121,494 and FY2027 increases 3% for services to $2,185,138. The Office of Animal Welfare will work with all three Counties and City of Wilmington to define a fair pricing agreement for service in future years.

DELAWARE HEALTH
AND SOCIAL SERVICES

MEMORANDUM OF UNDERSTANDING # 25-002
BETWEEN
THE DIVISION OF PUBLIC HEALTH,
DEPARTMENT OF HEALTH & SOCIAL SERVICES,
STATE OF DELAWARE
AND
NEW CASTLE COUNTY
TO
ENFORCE DELAWARE DOG CONTROL AND DANGEROUS DOG STATUTES

This Agreement is entered into between Delaware Department of Health and Social Services, Division of Public Health (DPH), and New Castle County (County).

I. AUTHORITY/RESPONSIBILITIES OF OFFICE OF ANIMAL WELFARE

In 2016, the Department of Health and Social Services, Division of Public Health, Office of Animal Welfare (OAW) assumed enforcement responsibilities for animal control, dangerous dogs, rabies control, and animal cruelty as provided in 16 *Del. C*. § 3031F. Delaware Animal Services (DAS) is the enforcement unit of the Office of Animal Welfare. Staffed by certified animal welfare officers in each county, the primary goals of DAS are to protect animals and enhance public safety. DAS takes all animals its officers pick up to the state's contracted shelter vendor for care, safe holding, and final disposition.

II. THE ROLE OF OFFICE OF ANIMAL WELFARE TO ENFORCE DOG CONTROL

A. OAW receives reports in the following manner:

1. By telephone: (302) 255-4646

2. In person: During field patrol

3. In writing: Via website https://animalservices.delaware.gov or mail to Office of Animal Welfare, H-166 Carvel Building, 1901 N. Du Pont Hwy, New Castle, DE 19720

B. Scope of services provided by the OAW:

1. DAS will receive calls 24 hours a day, 7 days a week from New Castle County residents. For assistance, residents may call 302-255-4646 or file a non-emergency complaint at https://animalservices.delaware.gov.
2. DAS officers are on duty from 9:00 AM to 9:00 PM Monday-Friday and 10:00 AM – 6:00 PM on weekends. On-call emergency services are provided after-hours. Operating hours may be adjusted seasonally to best accommodate call demand.

3. DAS will respond to calls regarding stray or aggressive dogs, dogs at large, and dog housing and welfare concerns as outlined in 16 *Del. C*. §§ 3041F-3048F. In addition, DAS will also respond to calls regarding barking dogs, seriously injured or endangered stray cats, and investigate reports of animal cruelty.
4. DAS will provide assistance to the New Castle County Police Department when necessary.
5. DAS enforces rabies control laws and investigates all cases of human rabies exposures as directed by the Division of Public Health Epidemiology team to ensure animals are properly quarantined.
6. DAS will facilitate dog licensing and conduct kennel and retail dog outlet inspections and licensing.
7. DAS will provide resources and education to New Castle County residents for animal related concerns and questions.
8. OAW's contracted state animal shelter vendors will receive all stray, dangerous, injured, abused, and quarantined animals that are picked up or seized by the state. The shelter will provide proper housing, care and medical attention, as well as robust pet/owner reunification and adoption programs.
9. All stray animals will be taken to the shelter facility in the county where found and will be posted immediately to the State's online lost & found pet registry (https://animalservices.delaware.gov) to make it easier for pet owners to find and reclaim lost pets.

III. OAW PROCEDURES FOR REPORTING TO THE COUNTY

A. OAW will submit quarterly reports to the county containing the following information:

1. Number and type of calls for service received
2. Animal sheltering statistics

IV. COUNTY RESPONSIBILITY TO OAW

A. New Castle County is to submit payment to the Office of Animal Welfare for dog control and dangerous dog law enforcement services to county residents, per the Delaware State Budget, and enter into a three-year MOU. The cost to New Castle County for animal control services is $2,059,703 for FY25. This amount reflects the fair pricing structure agreed upon in 2023, based on a per capita rate.
B. The County will submit payment to the Office of Animal Welfare at the beginning of each month in the amount $171,641.91.
C. The cost for FY26 increases 3% for services to $2,121,494. The county will submit payment each month in the amount of $176,791.16.
D. And FY27 increases 3% for services to $2,185,138. The county will submit payment each month in the amount of $182,094.83.

V. ADMINISTRATIVE REQUIREMENTS

A. The Agreement shall commence on July 1, 2024 and terminate on June 30, 2027 unless specifically extended by an amendment signed by all parties to the MOU or terminated as referenced in Section V.B. of this Agreement.

B. This Agreement may be terminated in whole or part upon thirty (30) calendar days written notice, with or without cause, by either the County or the DPH to the other party.

C. This Agreement shall not be altered, changed, modified, or amended except by written consent of both parties to the Agreement.

D. In the event of amendments to current Federal or State laws which nullify any term(s) or provision(s) of this Agreement, the remainder of the Agreement will remain unaffected.

E. The County agrees that no information obtained pursuant to this Agreement may be released in any form except in compliance with applicable laws and policies on the confidentiality of information and except as necessary for the proper discharge of the County's obligations under this Agreement.

F. Waiver of any default shall not be deemed to be a waiver of any subsequent default. Waiver or breach of any provision of this Agreement shall not be deemed to be a waiver of any other or subsequent breach and shall not be construed to be a modification of the terms of the Agreement unless stated to be such in writing, signed by an authorized representative of the DPH and attached to the original Agreement.

G. Nothing in this agreement shall be deemed a waiver of the doctrine of sovereign immunity on the part of the State of Delaware.

H. The County agrees to save and hold harmless the Division from any liability which may arise as a result of the County's negligent performance, or and/or the negligent performance of the County's employees, under this agreement.

Remainder of page intentionally left blank.
Signatures follow.

IN WITNESS THEREOF, the Parties hereto have caused this Agreement to be duly executed as of the date and year first above written.

New Castle County

_____
Signature

Matthew S. Meyer_____
Printed Name

County Executive_____
Title

_____
Date

Division of Public Health

_____
Steven Blessing
DPH Director

_____
Date

Department of Health and Social Services

_____
Dava Newnam
Deputy Cabinet Secretary

_____
Date

_____
Josette D. Manning, Esq.

_____
Date

____ ARPA

____ IRM

____ Training

____CM&P

____ Division

Prime Sponsor(s): Ms. Durham
Date of introduction: February 13, 2024

RESOLUTION NO. 24-047

SUPPORTING DELAWARE HOUSE OF REPRESENTATIVES BILL NO. 247, AKA "THE EVERYONE GETS HOME ACT"

WHEREAS, there were 139 traffic fatalities in Delaware in 2021, the highest number of traffic fatalities since 2006; and

WHEREAS, Delaware Senate Concurrent Resolution 94 of the 151st Delaware General Assembly set a goal of no more than 100 traffic fatalities per year and tasked state agencies to meet that goal by 2025. But traffic fatalities instead increased sharply to 165 in 2022 and 137 in 2023; and

WHEREAS, to reverse this situation, the General Assembly introduced House Bill No. 247, aka "The Everyone Gets Home Act," which proposes changes to the Delaware Code to sharpen the Delaware Department of Transportation's (DelDOT's) focus on the three most common types of fatal crashes: intersection; roadway departure; and mid-block pedestrian; and

WHEREAS, this Act clarifies DelDOT's authority to designate controlled-access facilities as a safety countermeasure for both vehicle-vehicle and mid-block pedestrian crashes in unincorporated areas and invites counties to partner with DelDOT in consolidating vehicle entrances and exits to and from these facilities; and

WHEREAS, in addition, the Act authorizes DelDOT to designate roadways as low-speed streets and low-speed local roads to address fatal roadway departure crashes related to vehicle speed, and invites counties to request such designations to meet their own traffic safety goals; and

WHEREAS, this Act is aligned with the County's traffic safety goals set forth in the NCC2050 comprehensive plan known as "Vision Zero."

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby supports Delaware House Bill No. 247, aka "The Everyone Gets Home Act."

Adopted by County Council of
New Castle County on:

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

SYNOPSIS: By way of this Resolution, New Castle County Council demonstrates its support for Delaware House of Representatives Bill No. 247, aka “The Everyone Gets Home Act.”

FISCAL NOTE: There is no discernible fiscal impact.

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

RESOLUTION NO. 23-220

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

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

PLAN OF LOGISTICENTER AT NEW CASTLE COUNTY
St. Georges Hundred

Adopted by County Council of
New Castle County on:

_____
President of County Council
of New Castle County

SYNOPSIS: Same as title

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

MEMORANDUM

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

From: Charuni Patibanda

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

Date: November 9, 2023

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

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

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

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

Synopsis: Same as title

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

LEGEND

- PROPERTY LINE
- SET BACK LINE
- LIMIT OF DISTURBANCE
- ZONING BOUNDARY LINE
- BUILDING LINE
- CURB
- CONCRETE PAVEMENT
- 30 PARKING SUBTOTAL
- (10) PARKING COUNT
- DOORWAY
- SIGN
- BOLLARD
- PROPOSED FIRE HYDRANT
- TREE LINE
- FHA 100 YEAR FLOODPLAIN
- RIPARIAN BUFFER
- WETLAND
- EXISTING CONCRETE MONUMENT
- MON PROPOSED CONCRETE MONUMENT
- EXISTING TREE

NOTES:

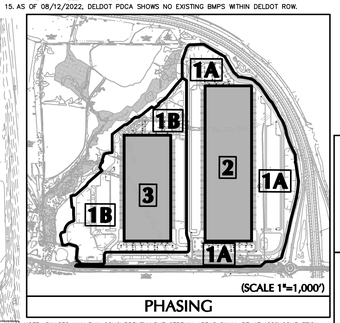
1. THIS PLAN SUPERSEDES, IN ENTIRETY, THE RECORD MINOR LAND DEVELOPMENT PLAN FOR DELMARVA POWER & LIGHT CO, SUMMIT POWER STATION, DATED 4/17/1975 AND RECORDED IN SEPTEMBER OF 1975 IN THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, STATE OF DELAWARE, MICROFILM NO. 3011.
2. SURVEY INFORMATION IS BASED ON A PLAN ENTITLED ALTA-NSPS LAND TITLE SURVEY FOR LANDS TO BE CONVEYED TO DPML JAMISON CORNER, LLC PREPARED BY APEX ENGINEERING INCORPORATED, DATED 4/22/2021, AND LAST REVISED 6/7/2021.
3. A WETLAND INVESTIGATION WAS PERFORMED FOR THIS SITE BY WATERSHED ECO ON FEBRUARY 2, 2021 AND CONFIRMED BY TEN BEARS ENVIRONMENTAL LLC. WETLANDS WERE FOUND TO EXIST ON A PORTION OF THE PARCEL.
4. THE SITE IS NOT WITHIN A CRITICAL NATURAL AREA ACCORDING TO THE STATE INVENTORY OF NATURAL AREAS.
5. THE SITE IS NOT LOCATED WITHIN ANY WATER RESOURCE PROTECTION AREA (WRPA) ACCORDING TO THE WATER RESOURCE PROTECTION AREA FOR CITY OF NEWARK, CITY OF WILMINGTON, NEW CASTLE COUNTY, DELAWARE MAP 2 OF 3, LAST REVISED MARCH 2022.
6. FLOOD LINE DELINEATION AS PER REVISION TO FLOOD RATE MAP FOR NEW CASTLE COUNTY DELAWARE AND INCORPORATED AREAS, FEMA CASE NO. 23-03-0452P.
7. ANY AREA DESIGNATED FOR PROTECTION AS A NATURAL RESOURCE PURSUANT TO ARTICLE 10 OF THE NEW CASTLE COUNTY UNIFIED DEVELOPMENT CODE IS HEREBY PROTECTED BY A CONSERVATION EASEMENT THAT SHALL RUN IN PERPETUITY FOR THE BENEFIT OF NEW CASTLE COUNTY. ANY AREA ON THIS PLAN DELINEATED AS A CONSERVATION EASEMENT SHALL REMAIN IN ITS NATURAL STATE, EXCLUSIVE OF ANY REFORESTATION REQUIRED BY THE COUNTY.
8. NO DEBRIS IS TO BE BURIED ON THIS SITE.
9. ALL FIRE LANES, FIRE HYDRANTS AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED AND MAINTAINED IN ACCORDANCE WITH THE STATE OF DELAWARE FIRE PROTECTION REGULATIONS.
10. STORMWATER MANAGEMENT SHALL BE PROVIDED IN ACCORDANCE WITH THE DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL (DNREC) DELAWARE SEDIMENT AND STORMWATER REGULATIONS EFFECTIVE DATE JANUARY 23, 1991, AMENDED FEBRUARY 11, 2019 (OR AS LATER AMENDED), THE DELAWARE RUNOFF MANAGEMENT MODEL (DURMM) VERSION v2.51-220414 (OR AS THEY MAY BE AMENDED) AND NEW CASTLE COUNTY DRAINAGE CODE EFFECTIVE APRIL 23, 2023 (OR LATER AS AMENDED).
11. UNLESS OTHERWISE SPECIFIED ON THE PLAN, SIDEWALKS SHALL BE INSTALLED IN THE LOCATIONS SHOWN ON THIS PLAN PRIOR OF THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY. SIDEWALKS SHALL BE FIVE (5) FEET IN WIDTH AND CONSTRUCTED OF PORTLAND CEMENT CONCRETE.
12. THIS PLAN IS SUBJECT TO THE IMPACT FEE PROVISIONS OF CHAPTER 40, ARTICLE 14 OF THE NEW CASTLE COUNTY CODE, AS MAY BE AMENDED BY NEW CASTLE COUNTY COUNCIL.
13. ALL COMMON FACILITIES, INCLUDING, BUT NOT LIMITED TO PAVED AREAS, SIDEWALKS, CURBING, LANDSCAPING, OPEN SPACE, STORMWATER MANAGEMENT AREAS AND/OR DRAINAGE FACILITIES SHALL BE KEPT IN GOOD REPAIR AND MAINTAINED IN A SAFE AND SANITARY CONDITION IN ACCORDANCE WITH THE NEW CASTLE COUNTY UNIFIED DEVELOPMENT CODE.
14. A STORMWATER MANAGEMENT ACCESS EASEMENT IN FAVOR OF NEW CASTLE COUNTY, ITS AGENTS AND ASSIGNS IS HEREBY CREATED ON, OVER AND ACROSS THE ENTIRE AREA OF ALL STORMWATER MANAGEMENT FACILITIES INCLUDING, STORMWATER CONVEYANCE SYSTEMS, BASINS, AND ALL COMPONENTS THEREOF, IDENTIFIED ON THE PLAN AND ALL WATERCOURSES FOR THE PURPOSES OF INSPECTING, EVALUATING AND MAINTAINING THE STORMWATER MANAGEMENT FACILITIES AND WATERCOURSES. THE EASEMENT SHALL EXTEND 15' FROM THE OUTER EDGES OF EACH SUCH STORMWATER MANAGEMENT FACILITY. A GENERAL ACCESS EASEMENT IS HEREBY CREATED OVER AND ACROSS THE PROPERTY SHOWN ON THIS PLAN GRANTING NEW CASTLE COUNTY, ITS AGENTS AND ASSIGNS THE RIGHT, PRIVILEGE AND AUTHORITY TO ENTER UPON AND TRAVEL ACROSS THE PROPERTY TO EACH STORMWATER MANAGEMENT FACILITY. THE EASEMENT HEREIN CREATED SHALL BE FOR PEDESTRIAN, VEHICULAR AND EQUIPMENT USE. IF NEW CASTLE COUNTY, ITS AGENTS OR ASSIGNS DETERMINES THAT MAINTENANCE IS REQUIRED TO A STORMWATER MANAGEMENT FACILITY, NEW CASTLE COUNTY SHALL PROVIDE NOTICE OF THE REQUIRED MAINTENANCE AND THE TIME FRAME IN WHICH SUCH MAINTENANCE SHALL BE COMPLETED TO THE PROPERTY OWNER OR RESPONSIBLE PARTY. NO NOTICE SHALL BE REQUIRED WHERE NEW CASTLE COUNTY PERFORMS MAINTENANCE WHERE THERE IS IMMINENT THREAT TO LIFE, HEALTH OR PROPERTY. IN THE EVENT NEW CASTLE COUNTY ELECTS TO MAINTAIN THE STORMWATER MANAGEMENT FACILITIES, ALL EXPENSES SHALL BE JOINTLY AND SEVERALLY AGAINST THE OWNERS OF THE PROPERTY SHOWN ON THIS PLAN.
15. PROPOSED LANDSCAPING SHALL NOT INTERFERE WITH SIGHT DISTANCE LINES.
16. PROTECTED RESOURCE AREAS PER NEW CASTLE COUNTY CODE SECTION 40.10.010 ARE TO REMAIN IN THEIR NATURAL STATE WITHIN THE CONSERVATION EASEMENT.
17. (A) A 40-FOOT SANITARY EASEMENT OR A 20-FOOT STORM DRAINAGE EASEMENT, 20-FOOT OR 10-FOOT RESPECTIVELY, ON EACH SIDE OF THE CENTERLINE OF THE PIPE, SHALL BE CREATED, WHEREVER A STORM OR SANITARY SEWER IS DESIGNED FOR PUBLIC USE IN UNPAVED AREAS AND IS OUTSIDE OF THE DEDICATED PUBLIC RIGHT-OF-WAY. A 20-FOOT WIDE EASEMENT ONE FOOT (1') ON EACH SIDE OF THE CENTERLINE OF THE PIPE SHALL BE CREATED WHERE A SANITARY SEWER PIPE IS DESIGNED FOR PUBLIC USE IN PRIVATELY MAINTAINED PAVED AREAS, SUCH AS PARKING LOTS, PRIVATE STREETS OR DRIVEWAYS. IF THE CONSTRUCTED HORIZONTAL SEWER PIPE IS MORE THAN 5 FEET FROM THE PROPOSED LOCATION, THE PROJECT MAY BE SUBJECT TO A RESUBDIVISION PLAN OR PIPE RELOCATION AS DETERMINED BY THE DEPARTMENT OF SPECIAL SERVICES.
(B) NEW CASTLE COUNTY HAS THE RIGHT OF ACCESS TO THE SITE FOR THE PURPOSES OF OPERATING, MAINTAINING AND REPAIRING THE SANITARY SEWER LINES CONTAINED WITHIN THE SEWER EASEMENTS SHOWN ON THIS PLAN.
18. ADDRESSES ARE AS ASSIGNED BY THE NEW CASTLE COUNTY GIS SERVICES.
19. THE U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION, SHALL HAVE THE RIGHT AND AUTHORITY TO IMPLEMENT SUCH RESTRICTIONS AND SAFEGUARDS ON THE PREMISES AS MAY BE REASONABLE NECESSARY TO PROMOTE THE SAFETY AND WELFARE OF THE PUBLIC.
20. ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOT'S) CURRENT STANDARDS AND REGULATIONS FOR SUBDIVISIONS STREETS AND STATE HIGHWAY ACCESS AND SHALL BE SUBJECT TO ITS APPROVAL.
21. SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED WITHIN THE CONSTRUCTION PLAN SET. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OF PROJECTS ON TO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
22. THE SIDEWALK ALONG THE FRONTAGE OF THE SUBJECT PARCEL SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, THE PROPERTY OWNERS OR BOTH WITHIN THIS SUBDIVISION. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE FOR THE SIDEWALK.
23. THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MARKERS TO PROVIDE A PERMANENT REFERENCE FOR RE-ESTABLISHING THE RIGHT-OF-WAY AND PROPERTY CORNERS ON LOCAL AND HIGHER ORDER FRONTAGE ROADS. RIGHT-OF-WAY MARKERS SHALL BE SET AND/OR PLACED ALONG THE FRONTAGE ROAD RIGHT-OF-WAY AT PROPERTY CORNERS AND AT EACH CHANGE IN RIGHT-OF-WAY ALIGNMENT IN ACCORDANCE WITH SECTION 3.2.4.2 OF THE DEVELOPMENT COORDINATION MANUAL.
24. THE DEVELOPER SHALL PRESERVE ALL TREES ON THIS SITE EXCEPT WHERE NECESSARY TO CONSTRUCT BUILDINGS, PARKING ACCESS WAYS, RECREATIONAL FACILITIES AND DRAINAGE FACILITIES AS APPROVED. EXISTING PLANT MATERIALS DESIGNATED TO REMAIN ON THIS PLAN OR THE LANDSCAPE PLAN SHALL BE PRESERVED AND PROPERLY PROTECTED DURING CONSTRUCTION. IN THE CASE OF UTILITY RIGHTS-OF-WAY AND EASEMENTS, ANY DISTURBED AREA SHALL BE REPLANTED SO AS TO ACHIEVE A GUARANTEE OF NATURAL VEGETATION COVER.
25. NEW CASTLE COUNTY AND THE STATE OF DELAWARE ARE GRANTED BLANKET EASEMENTS ACROSS AISLEWAYS, PARKING AREAS, PRIVATE ACCESSWAYS AND ALL COMMON AREAS CREATED BY THIS FOR THE INSPECTION OF STORMWATER MANAGEMENT AREAS AND STORMWATER FACILITIES LOCATED ON THIS SITE.
26. ALL IMPROVEMENTS REQUIRED BY THIS PLAN AND THE NEW CASTLE COUNTY CODE SHALL BE SUBJECT TO THE LAND DEVELOPMENT IMPROVEMENT AGREEMENT (LDIA) AND THE PERFORMANCE GUARANTEE INCORPORATED THEREIN, THE LDIA IS RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY ON FEBRUARY 7, 2023, AT INSTRUMENT NO. 20230207-0007985.
27. PLAN IS SUBJECT TO THE FOLLOWING GENERAL EXCEPTIONS (PER TITLE COMMITMENT #31607-13 BY FIRST AMERICAN TITLE INSURANCE DATED MARCH 8, 2021):
   a. DECLARATION RECORDED MARCH 6, 1974 IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, DELAWARE IN DEED RECORD X, VOLUME 86, PAGE 607. (APPLICABLE)
   b. DECLARATION RECORDED MARCH 9, 1983 IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, DELAWARE IN DEED RECORD K, VOLUME 121, PAGE 258. (APPLICABLE)
   c. DECLARATION RECORDED MARCH 9, 1983 IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, DELAWARE IN DEED RECORD K, VOLUME 121, PAGE 263. (APPLICABLE)
   d. DECLARATION RECORDED JUNE 18, 1995 IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, DELAWARE IN DEED BOOK 247, PAGE 200. (APPLICABLE)
   e. AGREEMENT RECORDED DECEMBER 1, 1972 IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, DELAWARE IN DEED RECORD B, VOLUME 87, PAGE 778. (APPLICABLE)
   f. RIGHT OF WAY TO DELMARVA POWER & LIGHT COMPANY RECORDED MAY 28, 1963 IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, DELAWARE IN DEED RECORD F, VOLUME 71, PAGE 34. (NOT APPLICABLE)
   g. RIGHT OF WAY TO DELMARVA POWER & LIGHT COMPANY AND THE DIAMOND STATE TELEPHONE COMPANY RECORDED AUGUST 23, 1977 IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, DELAWARE IN DEED RECORD S, VOLUME 90, PAGE 557.(NOT APPLICABLE)
   h. EASEMENT TO DELMARVA POWER & LIGHT COMPANY RECORDED MARCH 2, 1990 IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, DELAWARE IN DEED BOOK 1002, PAGE 66. (NOT APPLICABLE)
   i. UTILITY EASEMENT AGREEMENT TO DELMARVA POWER & LIGHT COMPANY RECORDED FEBRUARY 21, 1991 IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, DELAWARE IN DEED BOOK 1143, PAGE 0031. (NOT APPLICABLE)
   j. EASEMENT AGREEMENT RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, DELAWARE IN DEED RECORD G, VOLUME 74, PAGE 326. (NOT APPLICABLE)
   k. PERMANENT EASEMENT AGREEMENT RECORDED JUNE 10 1991 IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY. DELAWARE IN DEED BOOK 1045, PAGE 186. (NOT APPLICABLE)
   l. AGREEMENT WAIVE, TERMINATE AND EXTINGUISH RIGHT OF FIRST REFUSAL RECORDED MARCH 2, 2000 IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, DELAWARE IN DEED BOOK 2792, PAGE 7. (APPLICABLE)
   m. RIGHT OF WAY CONTAINED IN DEED RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, DELAWARE IN DEED RECORD W, VOLUME 90, PAGE 217. (NOT APPLICABLE)
   n. RIGHT OF WAY CONTAINED IN DEED RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, DELAWARE IN DEED BOOK 189, PAGE 140. (NOT APPLICABLE)
   o. PROPOSED FUTURE RIGHT-OF-WAY & DEVELOPMENT AGREEMENT RECORDED DECEMBER 11, 2018 IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, DELAWARE IN INSTRUMENT NO. 20181211-0067903. (NOT APPLICABLE)
   p. CERTIFIED ABSTRACT OF CONDEMNATION PROCEEDINGS RECORDED MARCH 14, 2013 IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, DELAWARE IN INSTRUMENT NO. 20130314-0016702. (APPLICABLE)
   q. CERTIFIED ABSTRACT OF CONDEMNATION PROCEEDINGS RECORDED FEBRUARY 4, 2014 IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, DELAWARE IN INSTRUMENT NO. 20140204-0004649. (APPLICABLE)
   r. MATTERS AS SET FORTH IN SUBDIVISION PLAT RECORDS D IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, DELAWARE IN MICROFILM NO. 3011. (APPLICABLE)
28. A LANDSCAPE PLAN, PREPARED BY LANGAN ENGINEERING, LAST DATED 11/4/2022 OR AS AMENDED AND APPROVED IN WRITING BY THE DEPARTMENT OF LAND USE, IS HEREBY CONSIDERED PAT OF THE RECORD PLAN.
29. THE DEVELOPER SHALL MAINTAIN THE RIGHT TO TRESPASS ON THE PROPERTY FOR A TIME PERIOD OF AT LEAST ONE YEAR AFTER THE LOT IS SOLD FOR PURPOSES OF COMPLETING THE OVERALL REQUIRED SITE DRAINAGE AND LANDSCAPING IMPROVEMENTS.
30. THE OWNER/DEVELOPER SHALL PAY, TO NEW CASTLE COUNTY, FUNDS FOR LONG TERM STORMWATER MAINTENANCE AND INSPECTION FUND PURSUANT TO SECTION 40.27.240 OF THE COUNTY CODE. THE FUNDS SHALL BE USED FOR THE COSTS ASSOCIATED WITH INSPECTIONS. AN AMOUNT OF $16,000 SHALL BE FUNDED PRIOR TO RECEIVING THE FIRST CERTIFICATE OF OCCUPANCY. THE DEPARTMENT OF LAND USES SHALL WITHHOLD THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY UNTIL SATISFACTORY WRITTEN PROOF THAT THE FUNDS HAVE BEEN PAID TO NEW CASTLE COUNTY IS FURNISHED IN ACCORDANCE WITH THE REQUIREMENTS.
31. BUILDING PERMITS SHALL BE REVIEWED IN ACCORDANCE WITH THE STANDARDS OF SECTION 40.26.260 OF THE NEW CASTLE COUNTY CODE (NCCC). REFER TO THE ARCHITECTURAL NARRATIVE FROM MORRIS JAMES, LLP DATED SEPTEMBER 28, 2022 AND THE PROPOSED BUILDING RENDERINGS CONTAINED THEREIN.

NATURAL RESOURCE AREA IMPACT TABLE:

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

DELDOT NOTES (REV. 03/21/2019):

1. ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOT'S) CURRENT STANDARDS AND REGULATIONS FOR SUBDIVISIONS STREETS AND STATE HIGHWAY ACCESS AND SHALL BE SUBJECT TO ITS APPROVAL.
2. NO LANDSCAPING SHALL BE ALLOWED WITHIN THE RIGHT-OF-WAY UNLESS THE PLANS ARE COMPLIANT WITH SECTION 3.7 OF THE DEVELOPMENT COORDINATION MANUAL.
3. SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
4. UPON COMPLETION OF THE CONSTRUCTION OF THE SIDEWALK OR SHARED-USE PATH ACROSS THIS PROJECT'S FRONTAGE AND PHYSICAL CONNECTION TO ADJACENT EXISTING FACILITIES, THE DEVELOPER, THE PROPERTY OWNERS OR BOTH ASSOCIATION IN THIS PROJECT, SHALL BE RESPONSIBLE TO REMOVE ANY EXISTING ROAD TIE-IN CONNECTIONS LOCATED ALONG ADJACENT PROPERTIES, AND RESTORE THE AREA TO GRASS. SUCH ACTIONS SHALL BE COMPLETED AT DELDOT'S DISCRETION, AND IN CONFORMANCE WITH DELDOT DEVELOPMENT COORDINATION MANUAL.
5. PRIVATE STREETS CONSTRUCTED WITHIN THIS SUBDIVISION SHALL BE MAINTAINED BY THE DEVELOPER, THE PROPERTY OWNERS WITHIN THIS SUBDIVISION OR BOTH (TITLE 17 §131). DELDOT ASSUMES NO RESPONSIBILITIES FOR THE FUTURE MAINTENANCE OF THESE STREETS.
6. THE SIDEWALK AND SHARED-USE PATH SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, THE PROPERTY OWNERS OR BOTH WITHIN THIS SUBDIVISION. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THE SIDEWALK AND/OR SHARED-USE PATH.
7. DRIVEWAYS WILL NOT BE PERMITTED TO BE PLACED AT CATCH BASIN LOCATIONS.
8. TO MINIMIZE RUTTING AND EROSION OF THE ROADSIDE DUE TO ON-STREET PARKING, DRIVEWAY AND BUILDING LAYOUTS MUST BE CONFIGURED TO ALLOW FOR VEHICLES TO BE STORED IN THE DRIVEWAY BEYOND THE RIGHT-OF-WAY, WITHOUT INTERFERING WITH SIDEWALK ACCESS AND CLEARANCE.
9. THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS IN ACCORDANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.
10. THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MARKERS TO PROVIDE A PERMANENT REFERENCE FOR RE-ESTABLISHING THE RIGHT-OF-WAY AND PROPERTY CORNERS ON LOCAL AND HIGHER ORDER FRONTAGE ROADS. RIGHT-OF-WAY MARKERS SHALL BE SET AND/OR PLACED ALONG THE FRONTAGE ROAD RIGHT-OF-WAY AT PROPERTY CORNERS AND AT EACH CHANGE IN RIGHT-OF-WAY ALIGNMENT IN ACCORDANCE WITH SECTION 3.2.4.2 OF THE DEVELOPMENT COORDINATION MANUAL.
11. CONSTRUCTION WILL NOT BE PERMITTED UNTIL CONSTRUCTION PLANS HAVE BEEN APPROVED, SURETY HAS BEEN RECEIVED AND THE TRAFFIC SIGNAL AGREEMENT IS COMPLETE AT DELDOT'S DISCRETION. A TEMPORARY CONSTRUCTION ENTRANCE PERMIT MAY BE ISSUED FOR CLEARING, GRUBBING, TEMPORARY ENTRANCE CONSTRUCTION, BULK GRADING AND PERIMETER EROSION AND SEDIMENT CONTROLS UP TO THIRTY (30) DAYS PRIOR TO PLAN APPROVAL NO BUILDING CONSTRUCTION WILL BE PERMITTED UNDER A TEMPORARY ENTRANCE CONSTRUCTION PERMIT. IF PLAN APPROVAL IS NOT RECEIVED WITHIN THIRTY (30) CALENDAR DAYS, ALL CONSTRUCTION ACTIVITIES SHALL BE STOPPED. DELDOT WILL NOT PROVIDE A C/O APPROVAL FOR A COMMERCIAL ENTRANCE TO NCC UNTIL THE ENTRANCE(S) ARE COMPLETED TO THE SATISFACTION OF THE DEPARTMENT.
12. THIS COMMERCIAL PARCEL HAS DIRECT FRONTAGE ALONG 0 JAMISON CORNER ROAD, WHICH HAS A FUNCTIONAL CLASSIFICATION OF PRINCIPAL ARTERIAL/FREEWAY/INTERSTATE AS DEFINED BY THE STATE OF DELAWARE'S DEPARTMENT OF TRANSPORTATION. PER SECTION 3.6.1 OF THE DELDOT DEVELOPMENT COORDINATION MANUAL (DCM): IT IS THE DEVELOPER'S RESPONSIBILITY TO EVALUATE NOISE LEVELS AND THEIR IMPACTS ON PROPOSED DEVELOPMENT, FOR PROJECTS ADJACENT TO EXISTING TRANSPORTATION FACILITIES WITH THIS FUNCTIONAL CLASSIFICATION. ROADWAYS WITH THIS CLASSIFICATION CAN BE EXPECTED TO GENERATE ELEVATED LEVELS OF ROAD AND TRAFFIC RELATED NOISE, SIMILAR TO WHAT CAN BE EXPECTED IN URBAN AREAS. A DETAILED NOISE ANALYSIS PER DCM 3.6 IS TYPICALLY RECOMMENDED TO HELP GAUGE THE ACTUAL IMPACTS THAT ROADWAY RELATED NOISE MAY HAVE ON VARIOUS POTENTIAL LAND-USES (SUCH AS THOSE DESCRIBED IN DCM FIGURE 3.6.3-A: NOISE ABATEMENT CRITERIA). WITH THE INCLUSION OF THIS NOTE, THE DEVELOPER IS ACKNOWLEDGING THAT THE PROPOSED SITE AND/OR BUILDING LOCATION CAN BE EXPECTED TO EXCEED THE SPECIFIC MAXIMUM NOISE LEVELS FOR CERTAIN COMMERCIAL AND NON-RESIDENTIAL USES AS SHOWN IN DCM FIGURE 3.6.3-A. THE DEVELOPER'S WAIVER OF THE NOISE ANALYSIS AND REVIEW OF POTENTIAL NOISE MITIGATION MEASURES ARE SUPPORTED BY THE INFEASIBILITY OF APPLYING NOISE MITIGATION MEASURES, BASED ON ENGINEERING CONSIDERATIONS AND FACTORS THAT WOULD LIMIT THE ABILITY TO ACHIEVE SUBSTANTIAL NOISE REDUCTION, RELATED TO THE COMMERCIAL USE OF THE SITE AND/OR BUILDINGS. THIS WAIVER ACKNOWLEDGES THAT THE DECIBEL LEVEL FOR THIS PARCEL MAY EXCEED THE APPLICABLE LIMITS FOR SOME CURRENT OR FUTURE PROPOSED USES. THE USE OF THIS NOTE SIGNIFIES THE SUBDIVISION ENGINEER'S CONCURRENCE WITH WAIVING THE DEVELOPER'S COMPLETION OF A DETAILED NOISE STUDY AND SUBSEQUENT REVIEW OF RESULTING NOISE ABATEMENT FINDINGS OR MITIGATION MEASURES. ANY FUTURE COMPLAINTS RELATING TO EXISTING OR FUTURE NOISE LEVELS IMPACTING PROPOSED USES ON THIS SITE AND ALONG THIS EXISTING TRANSPORTATION FACILITY SHALL BE THE RESPONSIBILITY OF THE DEVELOPER OR LAND OWNER OR BOTH.
13. THE OWNER/DEVELOPER SHALL ENTER INTO THE SNCC TID INFRASTRUCTURE RECOUPMENT AGREEMENT, AND PAY THE TID FEE PRIOR TO ISSUANCE OF THE BUILDING PERMITS. CREDIT AGAINST TID FEES OWED FOR REQUIRED FRONTAGE IMPROVEMENTS WILL BE DETERMINED, DOCUMENTED, AND GRANTED, IN ACCORDANCE WITH THE TERMS OF THIS INFRASTRUCTURE RECOUPMENT AGREEMENT DATED 10/19/21 AND THE TRANSPORTATION IMPROVEMENT DISTRICT AND OFFSITE IMPROVEMENTS MEMORANDUM DATED 4/20/22. THIS DOCUMENT HAS BEEN RECORDED WITH NEW CASTLE COUNTY AND THE INSTRUMENT NUMBER IS 20211104-0127815.
   13.1. THE DEVELOPER SHALL IMPROVE THE STATE-MAINTAINED ROAD(S) ON WHICH THEY FRONT, WITHIN THE LIMITS OF THEIR FRONTAGE, TO MEET DELDOT'S STANDARDS FOR THEIR FUNCTIONAL CLASSIFICATION AS FOUND IN SECTION 1.1 OF THE DEVELOPMENT COORDINATION MANUAL AND ELSEWHERE THEREIN. THE IMPROVEMENTS SHALL INCLUDE BOTH DIRECTIONS OF TRAVEL, REGARDLESS OF WHETHER THE DEVELOPER'S LANDS ARE ON ONE OR BOTH SIDES OF THE ROAD. FRONTAGE IS DEFINED IN SECTION 1 OF THE DEVELOPMENT COORDINATION MANUAL, WHICH STATES 'THIS LENGTH INCLUDES THE LENGTH OF ROADWAY PERPENDICULAR TO LINES CREATED BY THE PROJECTION OF THE OUTSIDE PARCEL CORNERS TO THE ROADWAY.' QUESTIONS OR APPEALS OF THIS REQUIREMENT SHOULD BE DIRECTED TO THE DELDOT SUBDIVISION REVIEW COORDINATOR IN WHOSE AREA THE DEVELOPMENT IS LOCATED.
   13.2. THE DEVELOPER SHALL ENTER INTO A SIGNAL AGREEMENT WITH DELDOT FOR THE INTERSECTION OF THE NORTH MOST SITE ENTRANCE/SCOTT RUN COMMERCE CENTER NORTH ENTRANCE AND JAMISON CORNER ROAD (NEW CASTLE ROAD 413). THE DEVELOPER SHOULD DISCUSS THE DETAILS OF THIS AGREEMENT WITH DELDOT'S TRAFFIC SECTION.
   13.3. THE DEVELOPER SHALL ENTER INTO A SIGNAL AGREEMENT WITH DELDOT FOR THE INTERSECTION OF THE SOUTH MOST SITE ENTRANCE/SCOTT RUN COMMERCE CENTER SOUTH ENTRANCE AND JAMISON CORNER ROAD (NEW CASTLE ROAD 413). THE DEVELOPER SHOULD DISCUSS THE DETAILS OF THIS AGREEMENT WITH DELDOT'S TRAFFIC SECTION.
14. DATUM/BENCHMARK: NAVD88 BENCHMARK IS CONCRETE MONUMENT SET IN THE RIGHT OF WAY FOR JAMISON CORNER ROAD ON THE NORTH EAST SIDE OF THE SUBJECT PROPERTY AT ELEVATION 68.87.
15. AS OF 08/12/2022, DELDOT POCA SHOWS NO EXISTING BMPS WITHIN DELDOT ROW.



(SCALE 1"=1,000')

PHASING

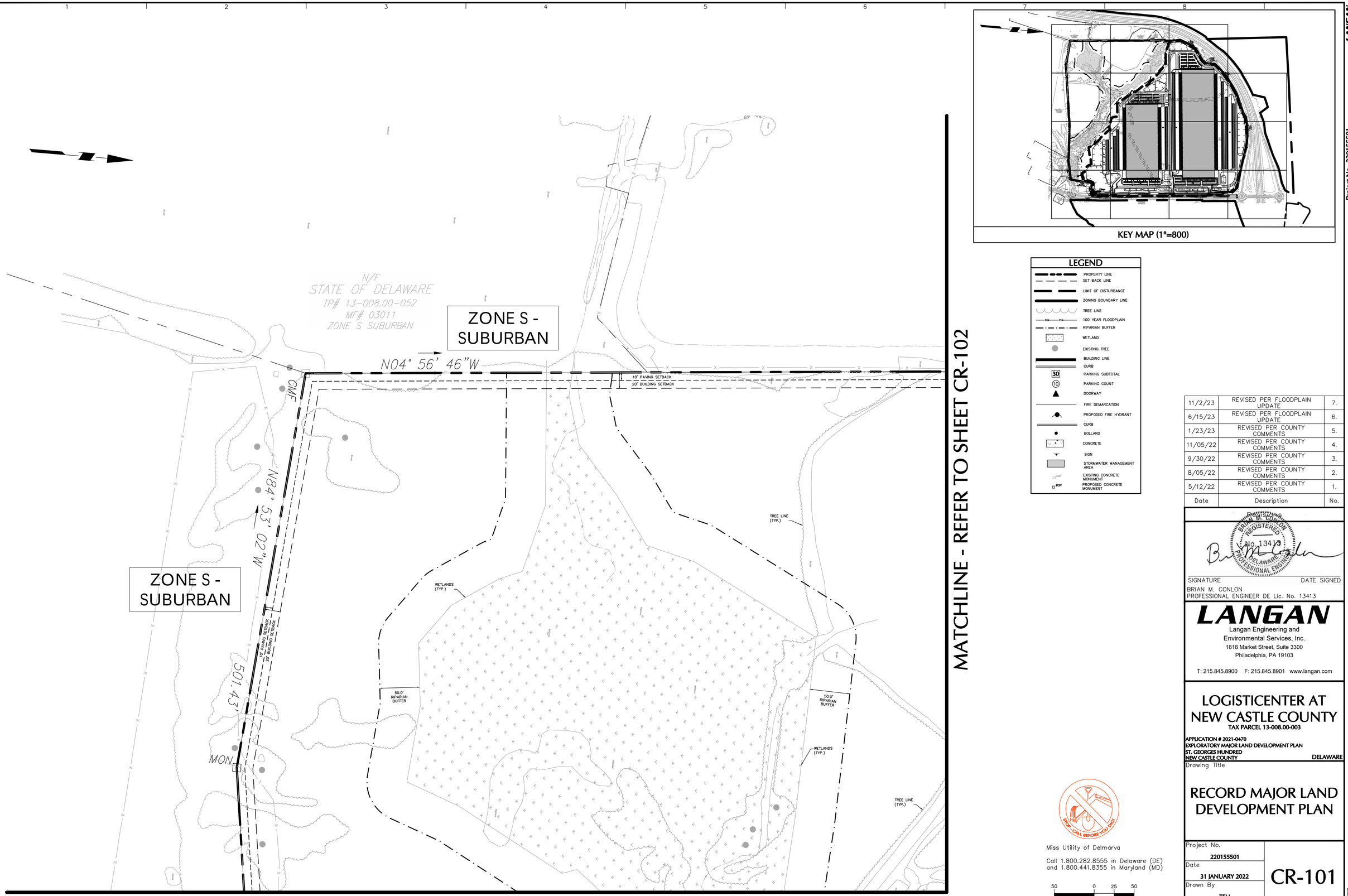
NOTE: PHASES MAY RUN CONCURRENTLY BUT CERTAIN AREAS SHALL BE AT 100% COMPLETION PRIOR TO CERTIFICATE OF OCCUPANCIES AS DESCRIBED BELOW.

1. PHASE 1 INCLUDES THE COMMENCEMENT OF CONSTRUCTION OF ALL ON-SITE IMPROVEMENTS INCLUDING THE PROPOSED STORMWATER MANAGEMENT FACILITIES, SITEWORK, UTILITIES, LANDSCAPING AND LIGHTING. PORTIONS OF THE SITE AROUND THE PERIMETERS OF THE BUILDINGS WILL BE USED FOR BUILDING CONSTRUCTION STAGING AND WILL BE BROUGHT TO SUBGRADE ELEVATION, STONED AND STABILIZED. THESE AREAS MAY NOT BE FULLY COMPLETED (FINAL PAVING, LANDSCAPING, AND STRIPING) UNTIL NEAR THE END OF BUILDING CONSTRUCTION. ALL FINAL PAVING, LANDSCAPING AND STRIPING WILL BE COMPLETED PRIOR TO CERTIFICATE OF OCCUPANCY AND THE AREA FOR EACH BUILDING IS SHOWN IN SUBSET PHASE 1A AND 1B.
2. PHASE 1A REPRESENTS THE AREAS THAT WILL BE AT FINAL COMPLETION PRIOR TO CERTIFICATE OF OCCUPANCY FOR BUILDING 1.
3. PHASE 1B REPRESENTS THE AREAS THAT WILL BE AT FINAL COMPLETION PRIOR TO CERTIFICATE OF OCCUPANCY FOR BUILDING 2.
4. PHASE 2 INCLUDES THE CONSTRUCTION OF THE PROPOSED BUILDING 1. ALL PHASE 1A SITEWORK SHALL BE COMPLETED PRIOR TO CERTIFICATE OF OCCUPANCY.
5. PHASE 3 INCLUDES THE CONSTRUCTION OF THE PROPOSED BUILDING 2. ALL PHASE 1B SITEWORK SHALL BE COMPLETED PRIOR TO CERTIFICATE OF OCCUPANCY.

MAP: ZONING MAP NO.83

LOCATION MAP

SCALE



MATCHLINE - REFER TO SHEET CR-102

KEY MAP (1"=800)

LEGEND

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

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

BRIAN M. CONLON
REGISTERED
No. 13413
PROFESSIONAL ENGINEER
DELAWARE

SIGNATURE DATE SIGNED

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

LANGAN
Langan Engineering and Environmental Services, Inc.
1818 Market Street, Suite 3300
Philadelphia, PA 19103
T: 215.845.8900 F: 215.845.8901 www.langan.com

LOGISTICENTER AT NEW CASTLE COUNTY

TAX PARCEL 13-008.00-003

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

Drawing Title

RECORD MAJOR LAND DEVELOPMENT PLAN

Miss Utility of Delmarva

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

50 0 25 50
SCALE: 1 INCH = 50 FEET

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

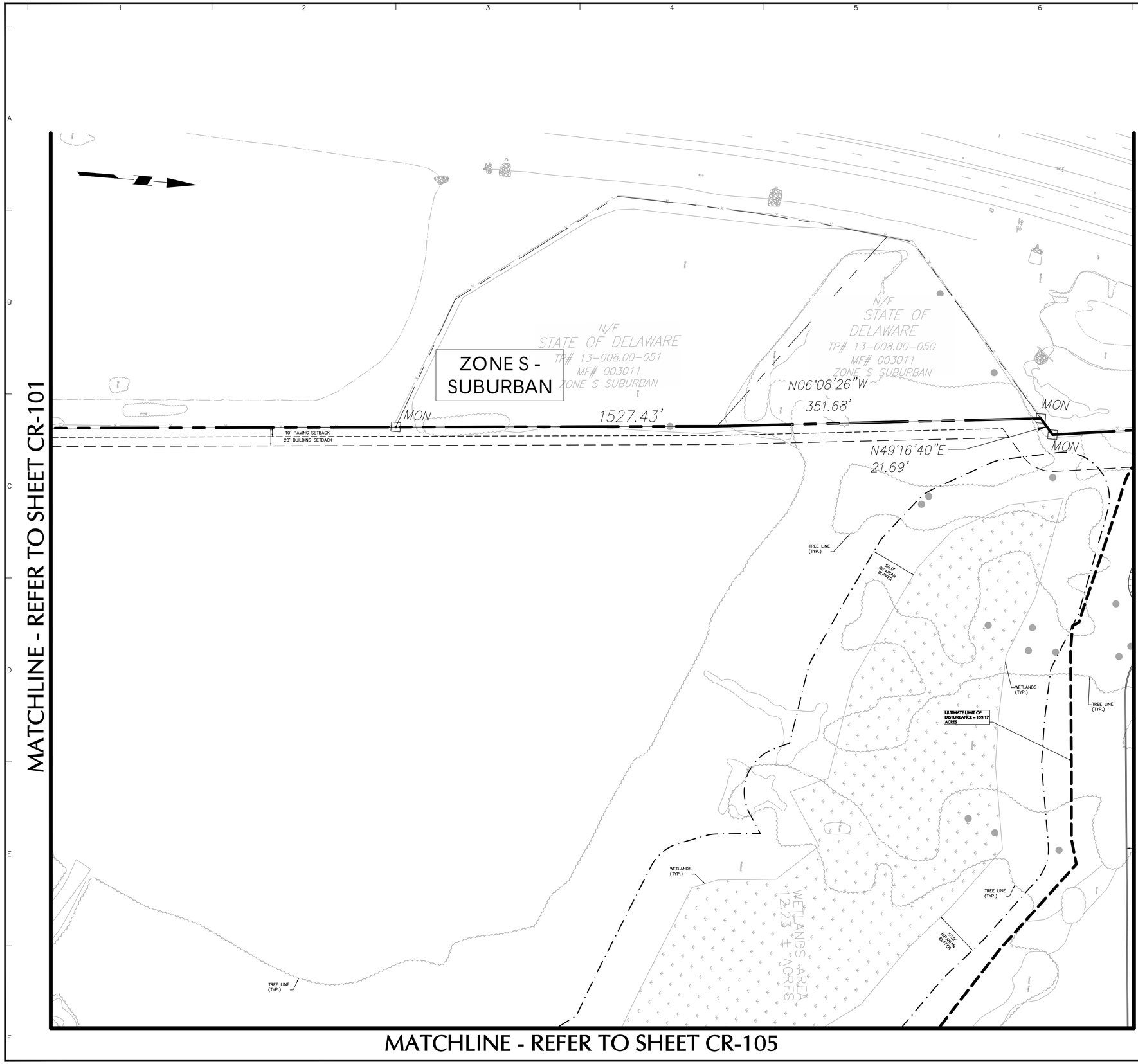
CR-101

Sheet 2 of 16

© 2020 Langan

Filename: c:\bms\langan-pw-01\d0113861\220155501-0302-CR101-0102.DWG Date: 11/2/2023 Time: 12:27 User: tholmes Style Table: Langan.stb Layout: EXP-101

LANGAN
Project No. 220155501



KEY MAP (1"=800)

LEGEND

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

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

REVISIONS

BRIAN M. CONLON REGISTERED No. 13413 PROFESSIONAL ENGINEER DELAWARE

SIGNATURE DATE SIGNED

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

LANGAN
Langan Engineering and Environmental Services, Inc.
1818 Market Street, Suite 3300
Philadelphia, PA 19103
T: 215.845.8900 F: 215.845.8901 www.langan.com

LOGISTICENTER AT NEW CASTLE COUNTY

TAX PARCEL 13-008.00-003

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

Drawing Title

RECORD MAJOR LAND DEVELOPMENT PLAN

Miss Utility of Delmarva

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

50 0 25 50
SCALE: 1 INCH = 50 FEET

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

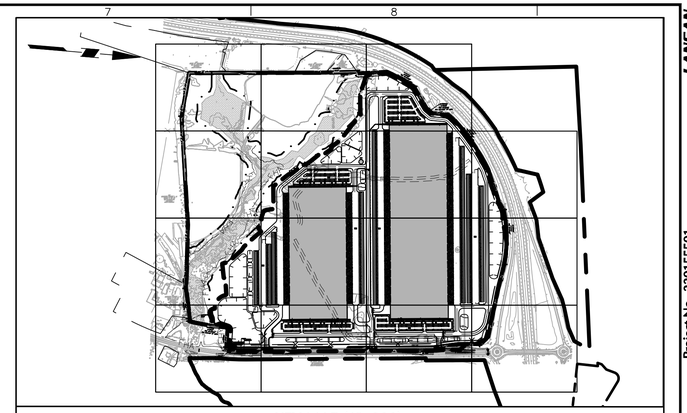
CR-102

Sheet 3 of **16**

LANGAN

Project No. 220155501

© 2020 Langan



KEY MAP (1"=800)

LEGEND

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

MATCHLINE - REFER TO SHEET CR-102

ZONE S - SUBURBAN

STORMWATER MANAGEMENT AREA 8 (1.4 ACRES)

N07°52'28"W 322.40'

R=2350.00'
L=344.01'
Chd L9=343.70'
Chd Bng=N24° 19' 02"E

40.0' BUILDING SETBACK
40.0' PARKING SETBACK

MON

ULTIMATE LIMIT OF DISTURBANCE = 159.17 ACRES

ZONE BP - BUSINESS PARK

N54°59'40"E 277.69'

R=2240.00'
L=84.38'
Chd L9=84.38'
Chd Bng=N35° 57' 38"E

MON

MON N00°08'17"E 183.67'

MON W38°52'27"E 297.74'

CMF

ASPHALT PAVEMENT

9' X 18' VEHICLE PARKING STALLS (TYP.)

304

FIRE LANE

DOUBLE YELLOW STRIPING (TYP.)

6" CONCRETE CURB (TYP.)

TREE LINE (TYP.)

PROPOSED 6" CURB (TYP.)

ADA RAMP (TYP.)

5' WIDE CONCRETE SIDEWALK (TYP.)

PAINTED CROSSWALK

BIKE RACKS

15' WIDE CONCRETE SIDEWALK (TYP.)

650.0'

BOLLARD (TYP.)
FIRE HYDRANT (TYP.)

MATCHLINE - REFER TO SHEET CR-106

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

REVISIONS

BRIAN M. CONLON
REGISTERED
No. 13413
PROFESSIONAL ENGINEER
DELAWARE

SIGNATURE DATE SIGNED

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

LANGAN

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

T: 215.845.8900 F: 215.845.8901 www.langan.com

LOGISTICENTER AT NEW CASTLE COUNTY

TAX PARCEL 13-008.00-003

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

Drawing Title

RECORD MAJOR LAND DEVELOPMENT PLAN

Miss Utility of Delmarva

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

SCALE: 1 INCH = 50 FEET

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

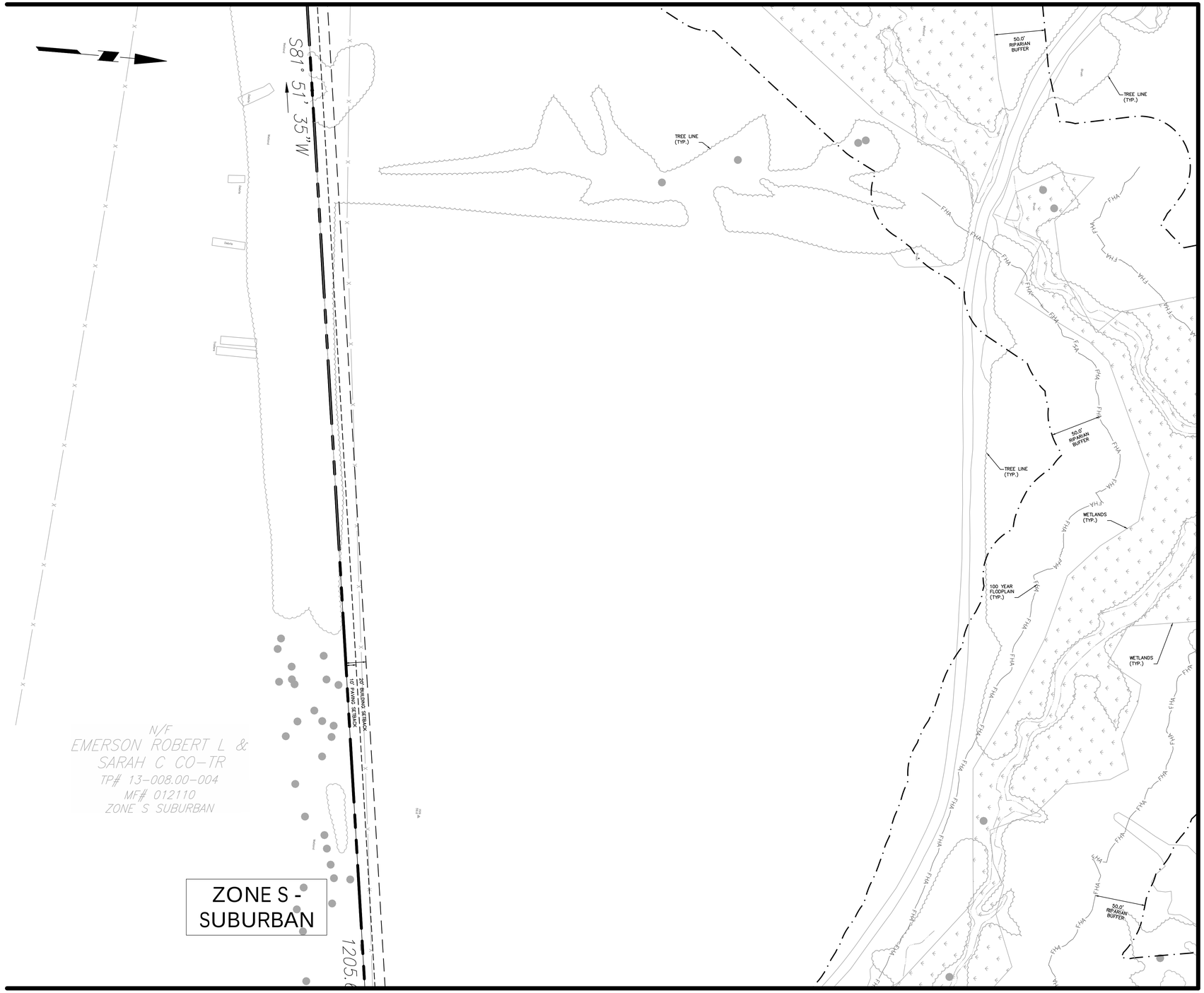
CR-103

Sheet 4 of 16

©2020 Langan

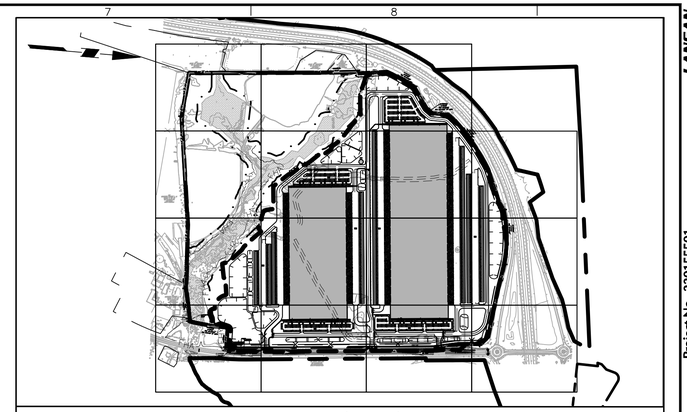
Filename: c:\bms\langan-pw-01\d0113861\220155501-0302-CR101-0102.DWG Date: 11/2/2023 Time: 12:28 User: tholmes Style Table: Langan.stb Layout: EXP-103

MATCHLINE - REFER TO SHEET CR-101



MATCHLINE - REFER TO SHEET CR-105

MATCHLINE - REFER TO SHEET CR-108



KEY MAP (1"=800)

LEGEND

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

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

REVISIONS

BRIAN M. CONLON REGISTERED No. 13413 DELAWARE PROFESSIONAL ENGINEER

SIGNATURE DATE SIGNED

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

LANGAN
Langan Engineering and Environmental Services, Inc.
1818 Market Street, Suite 3300
Philadelphia, PA 19103
T: 215.845.8900 F: 215.845.8901 www.langan.com

LOGISTICENTER AT NEW CASTLE COUNTY

TAX PARCEL 13-008.00-003

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

Drawing Title

RECORD MAJOR LAND DEVELOPMENT PLAN

Miss Utility of Delmarva

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

SCALE: 1 INCH = 50 FEET (50 0 25 50)

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

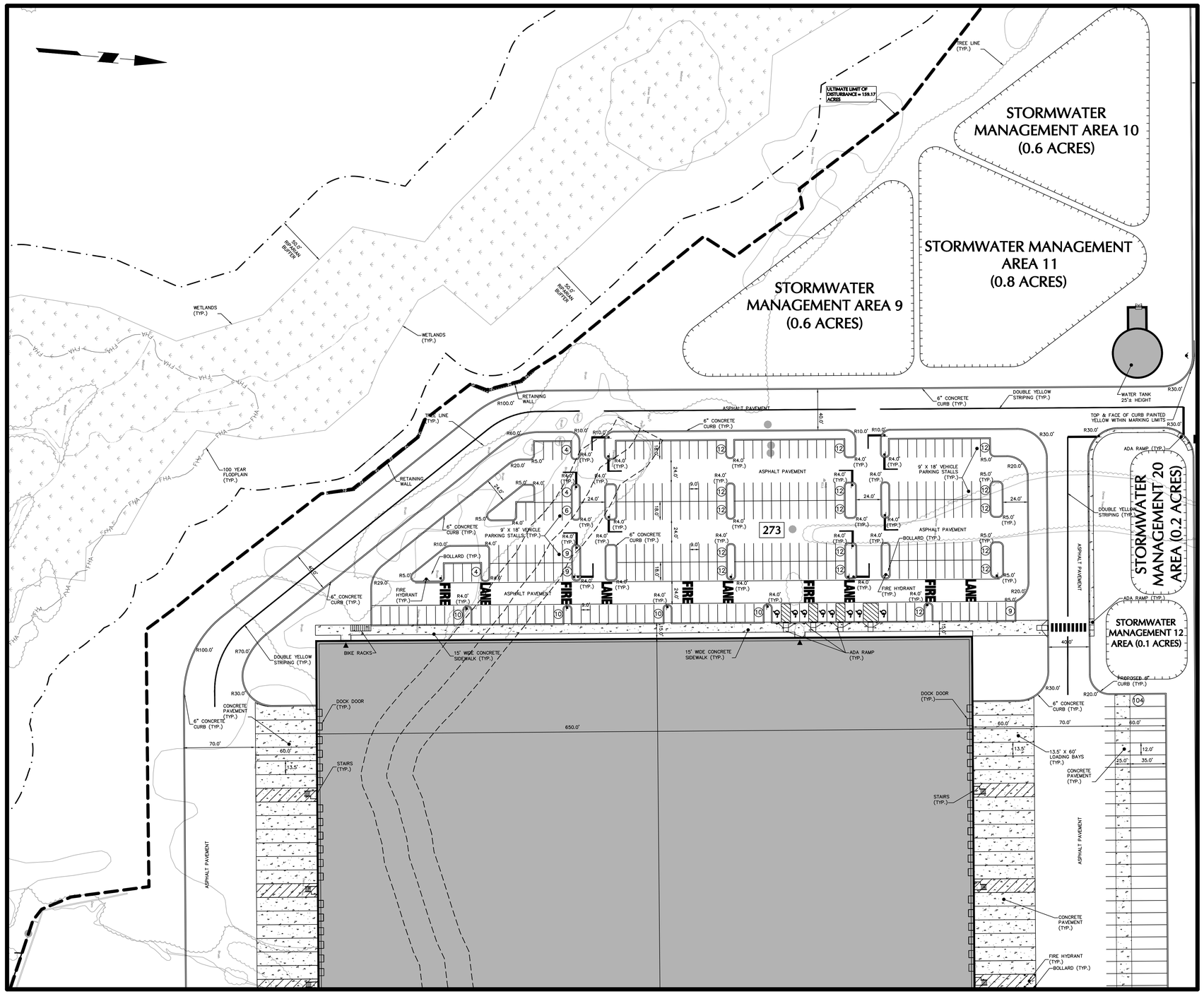
CR-104

Sheet 5 of 16

© 2020 Langan

Project No. 220155501

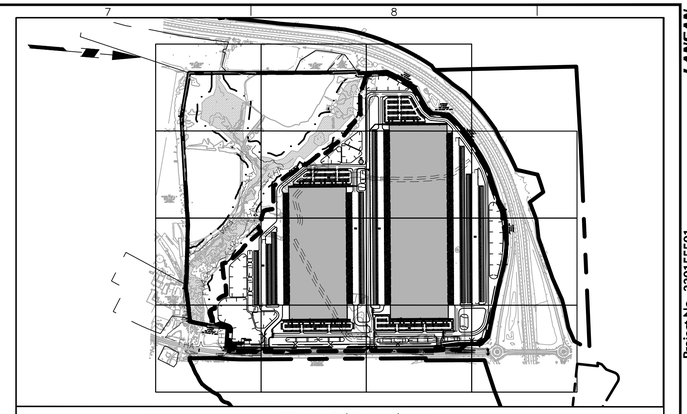
MATCHLINE - REFER TO SHEET CR-102



MATCHLINE - REFER TO SHEET CR-104

MATCHLINE - REFER TO SHEET CR-106

MATCHLINE - REFER TO SHEET CR-109



KEY MAP (1"=800)

LEGEND

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

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

REVISIONS

BRIAN M. CONLON REGISTERED No. 13413 PROFESSIONAL ENGINEER STATE OF DELAWARE

SIGNATURE DATE SIGNED

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

LANGAN
Langan Engineering and Environmental Services, Inc.
1818 Market Street, Suite 3300
Philadelphia, PA 19103
T: 215.845.8900 F: 215.845.8901 www.langan.com

LOGISTICENTER AT NEW CASTLE COUNTY

TAX PARCEL 13-008.00-003

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

Drawing Title

RECORD MAJOR LAND DEVELOPMENT PLAN

Miss Utility of Delmarva

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

SCALE: 1 INCH = 50 FEET

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

CR-105

Sheet 6 of 16

© 2020 Langan

LANGAN

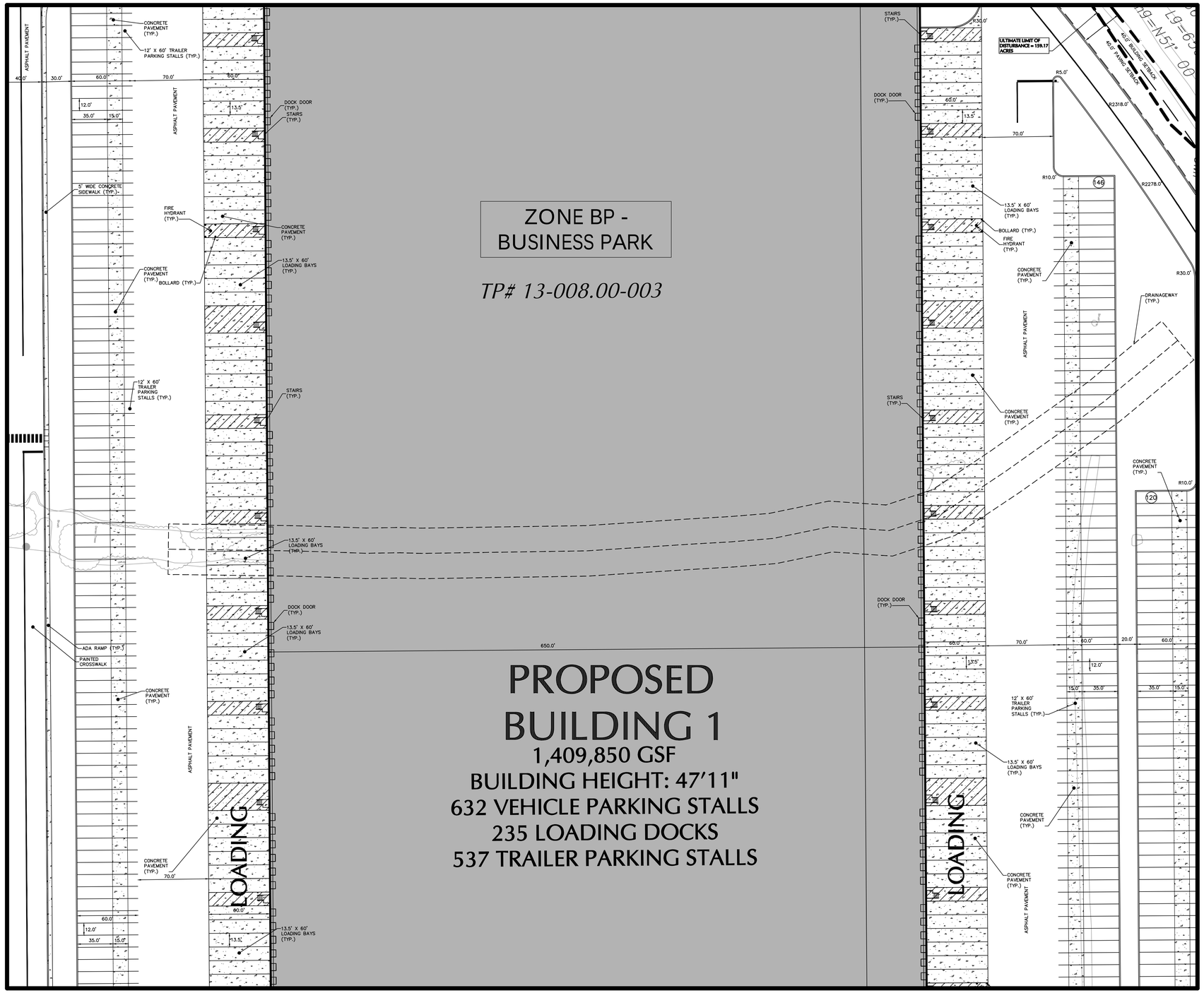
Project No. 220155501

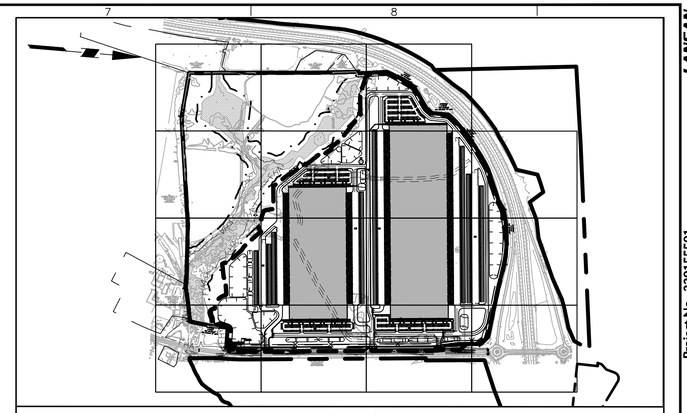
MATCHLINE - REFER TO SHEET CR-103

MATCHLINE - REFER TO SHEET CR-105

MATCHLINE - REFER TO SHEET CR-107

MATCHLINE - REFER TO SHEET CR-110





KEY MAP (1"=800)

LEGEND

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

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

BRIAN M. CONLON REGISTERED No. 13413 PROFESSIONAL ENGINEER DELAWARE

SIGNATURE DATE SIGNED

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

LANGAN
Langan Engineering and Environmental Services, Inc.
1818 Market Street, Suite 3300
Philadelphia, PA 19103
T: 215.845.8900 F: 215.845.8901 www.langan.com

LOGISTICENTER AT NEW CASTLE COUNTY

TAX PARCEL 13-008.00-003

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

Drawing Title

RECORD MAJOR LAND DEVELOPMENT PLAN

Miss Utility of Delmarva

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

50 0 25 50
SCALE: 1 INCH = 50 FEET

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

CR-106

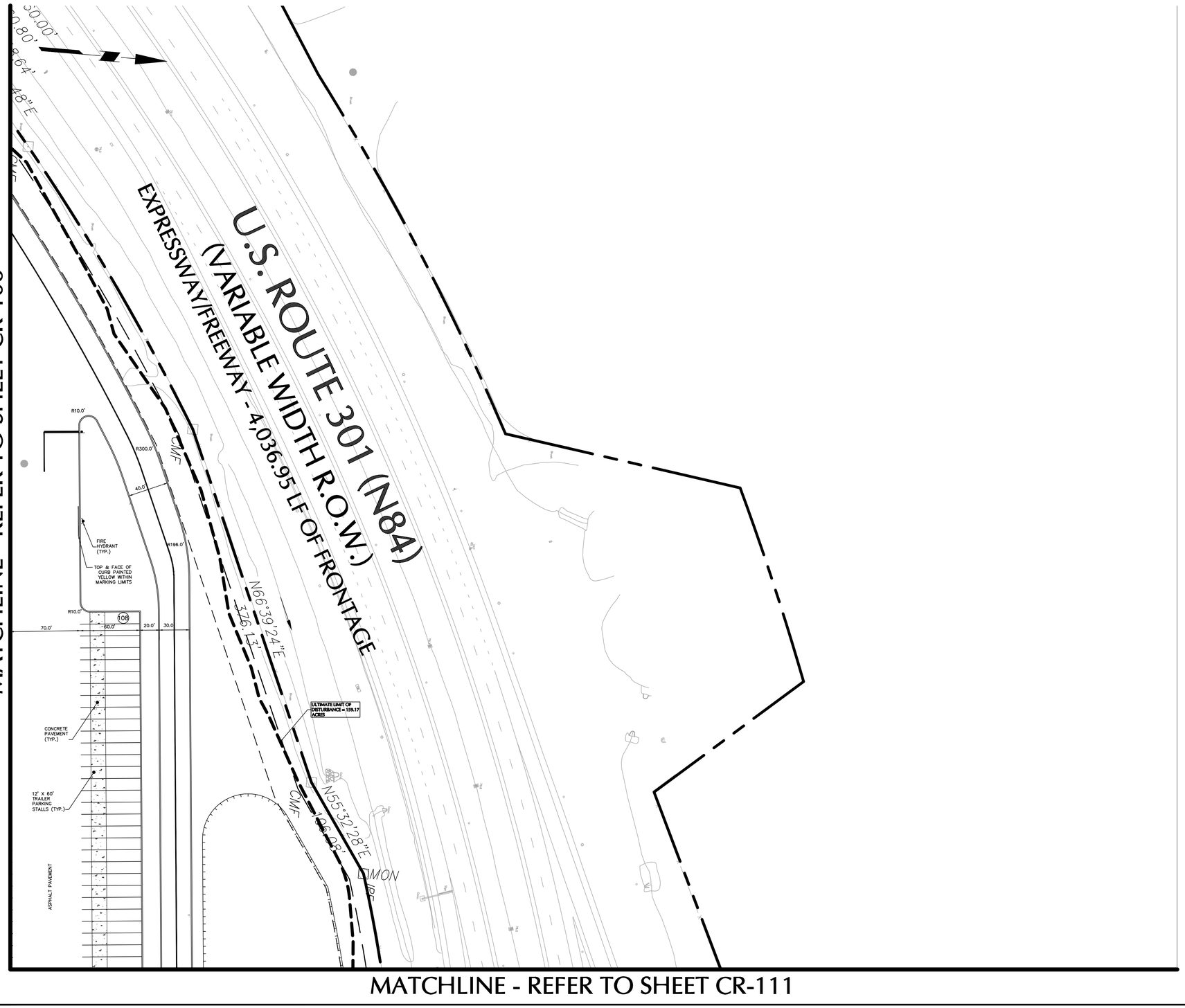
Sheet 7 of 16

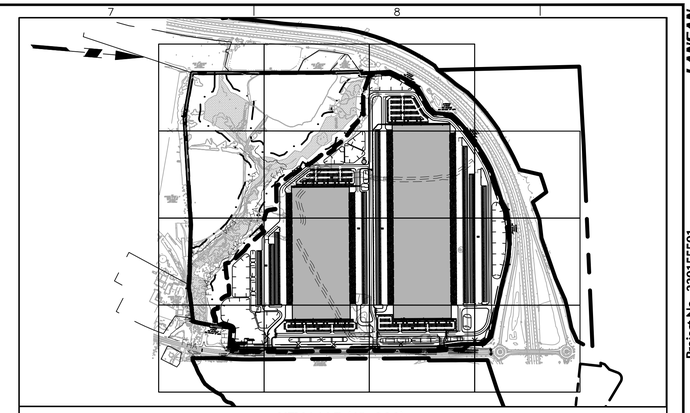
Project No. 220155501

LANGAN

© 2020 Langan

Filename: c:\bms\langan-pw-01\d0113861\220155501-0302-CR101-0102.DWG Date: 11/2/2023 Time: 12:28 User: tholmes Style Table: Langan.stb Layout: EXP-106





KEY MAP (1"=800)

LEGEND

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

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

REVISIONS

BRIAN M. CONLON
REGISTERED
No. 13413
PROFESSIONAL ENGINEER
STATE OF DELAWARE

SIGNATURE DATE SIGNED

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

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

T: 215.845.8900 F: 215.845.8901 www.langan.com

LOGISTICENTER AT NEW CASTLE COUNTY

TAX PARCEL 13-008.00-003

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

Drawing Title

RECORD MAJOR LAND DEVELOPMENT PLAN

Miss Utility of Delmarva

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

50 0 25 50
SCALE: 1 INCH = 50 FEET

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

CR-107

Sheet 8 of 16

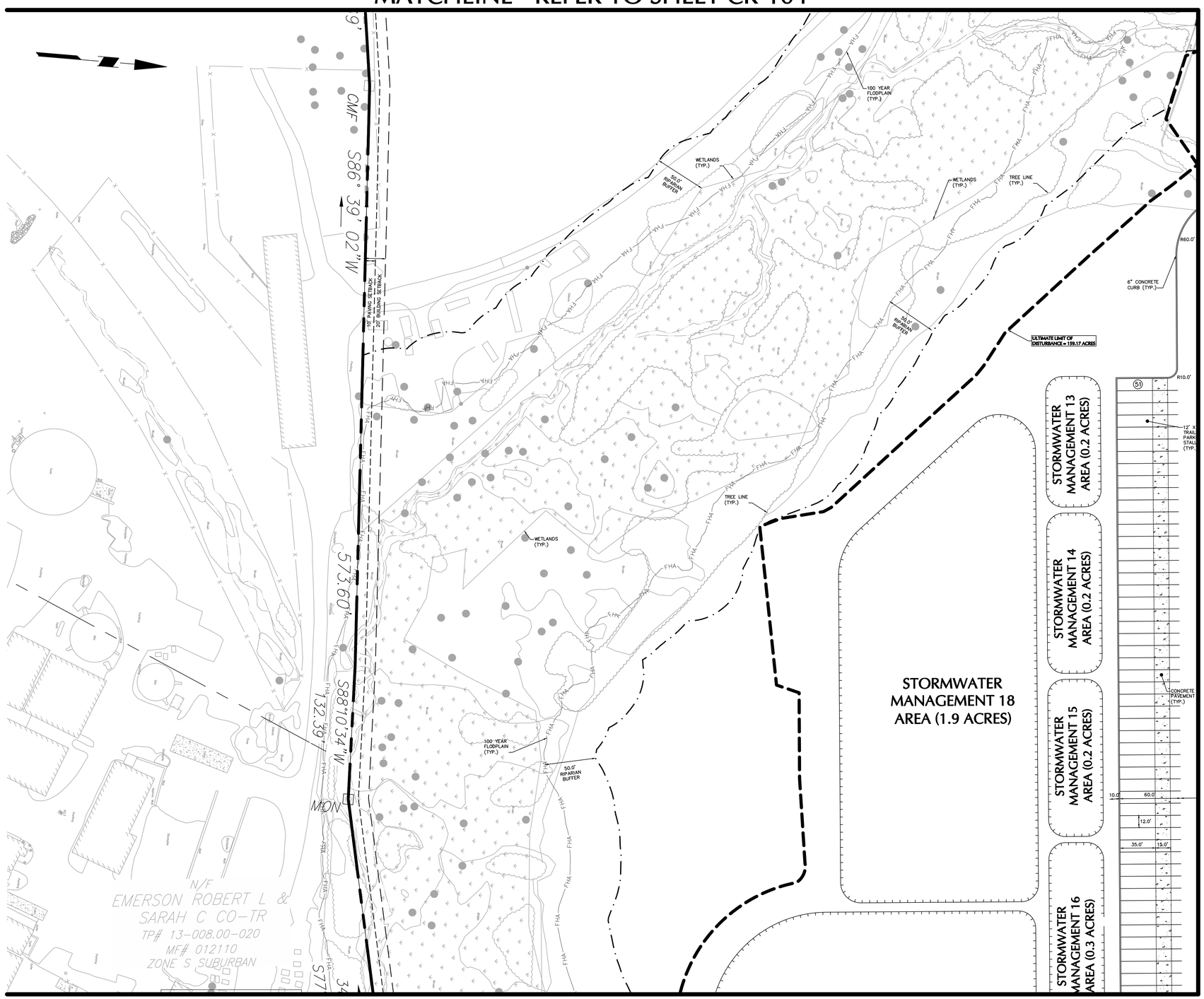
© 2020 Langan

Filename: c:\bms\langan-pw-01\d0113861\220155501-0302-CR101-0102.DWG Date: 11/2/2023 Time: 12:28 User: tholmes Style Table: Langan.stb Layout: EXP-107

LANGAN

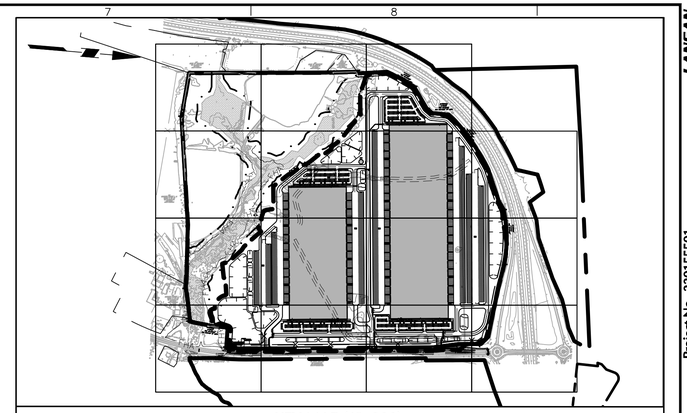
Project No. 220155501

MATCHLINE - REFER TO SHEET CR-104



MATCHLINE - REFER TO SHEET CR-109

MATCHLINE - REFER TO SHEET CR-112



KEY MAP (1"=800)

LEGEND

- PROPERTY LINE
- SET BACK LINE
- LIMIT OF DISTURBANCE
- ZONING BOUNDARY LINE
- TREE LINE
- FHA — FHA — 100 YEAR FLOODPLAIN
- RIPARIAN BUFFER
- WETLAND
- EXISTING TREE
- BUILDING LINE
- CURB
- 30 — PARKING SUBTOTAL
- (10) — PARKING COUNT
- DOORWAY
- FIRE DEMARCATION
- PROPOSED FIRE HYDRANT
- CURB
- BOLLARD
- CONCRETE
- SIGN
- STORMWATER MANAGEMENT AREA
- CMF — EXISTING CONCRETE MONUMENT
- MON — PROPOSED CONCRETE MONUMENT

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

BRIAN M. CONLON REGISTERED No. 13413 DELAWARE PROFESSIONAL ENGINEER

SIGNATURE DATE SIGNED

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

LANGAN
Langan Engineering and Environmental Services, Inc.
1818 Market Street, Suite 3300
Philadelphia, PA 19103
T: 215.845.8900 F: 215.845.8901 www.langan.com

LOGISTICENTER AT NEW CASTLE COUNTY

TAX PARCEL 13-008.00-003

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

Drawing Title

RECORD MAJOR LAND DEVELOPMENT PLAN

Miss Utility of Delmarva

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

50 0 25 50
SCALE: 1 INCH = 50 FEET

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

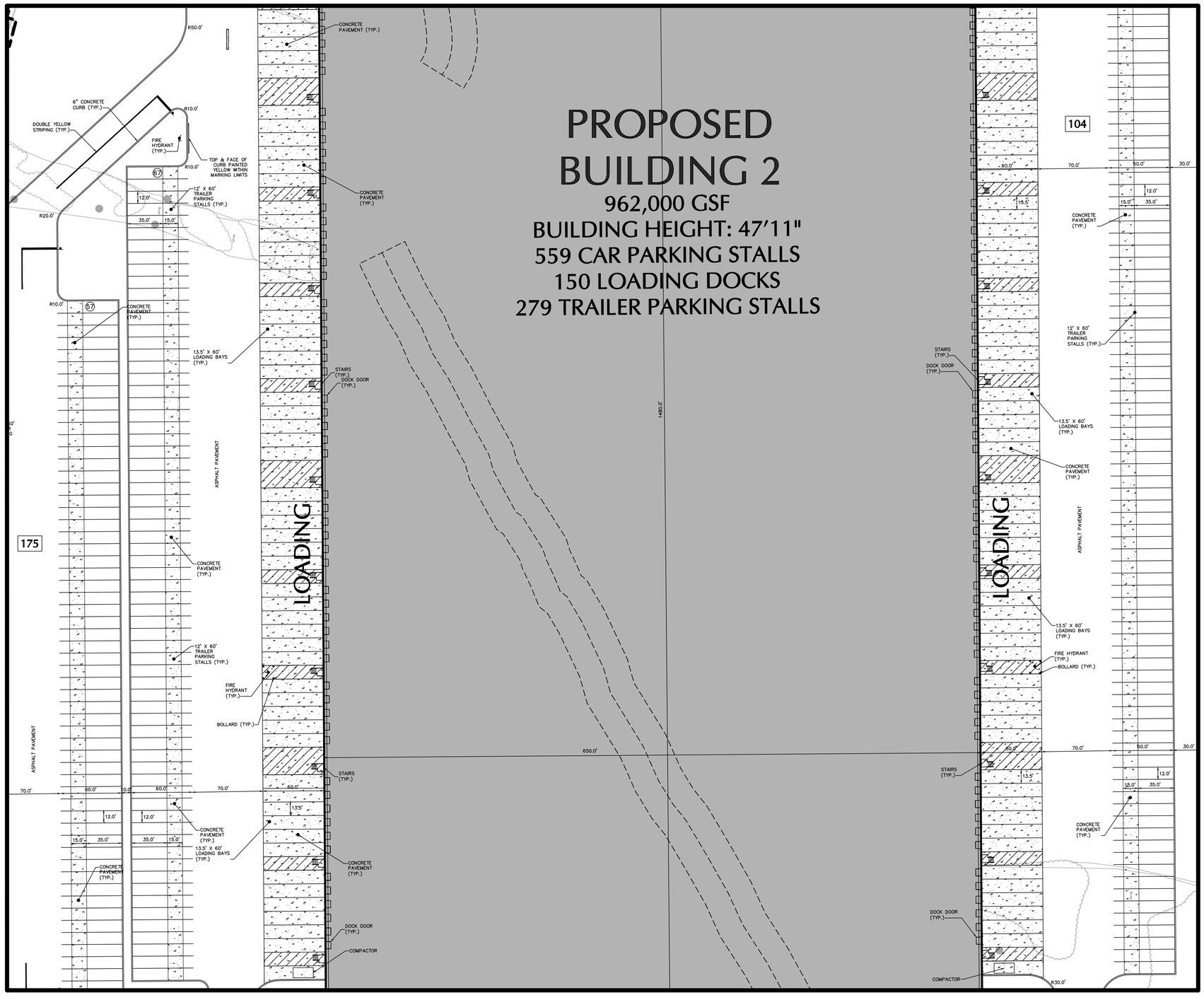
CR-108

Sheet 9 of 16

LANGAN
Project No. 220155501

© 2020 Langan

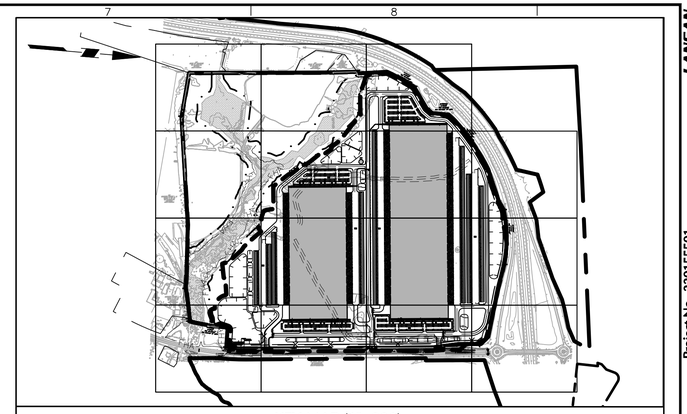
MATCHLINE - REFER TO SHEET CR-105



MATCHLINE - REFER TO SHEET CR-108

MATCHLINE - REFER TO SHEET CR-110

MATCHLINE - REFER TO SHEET CR-113



LEGEND

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

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

BRIAN M. CONLON REGISTERED No. 13413 DELAWARE PROFESSIONAL ENGINEER

SIGNATURE DATE SIGNED

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

LANGAN
Langan Engineering and Environmental Services, Inc.
1818 Market Street, Suite 3300
Philadelphia, PA 19103
T: 215.845.8900 F: 215.845.8901 www.langan.com

LOGISTICENTER AT NEW CASTLE COUNTY

TAX PARCEL 13-008.00-003

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

Drawing Title

RECORD MAJOR LAND DEVELOPMENT PLAN

Miss Utility of Delmarva

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

SCALE: 1 INCH = 50 FEET

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

CR-109

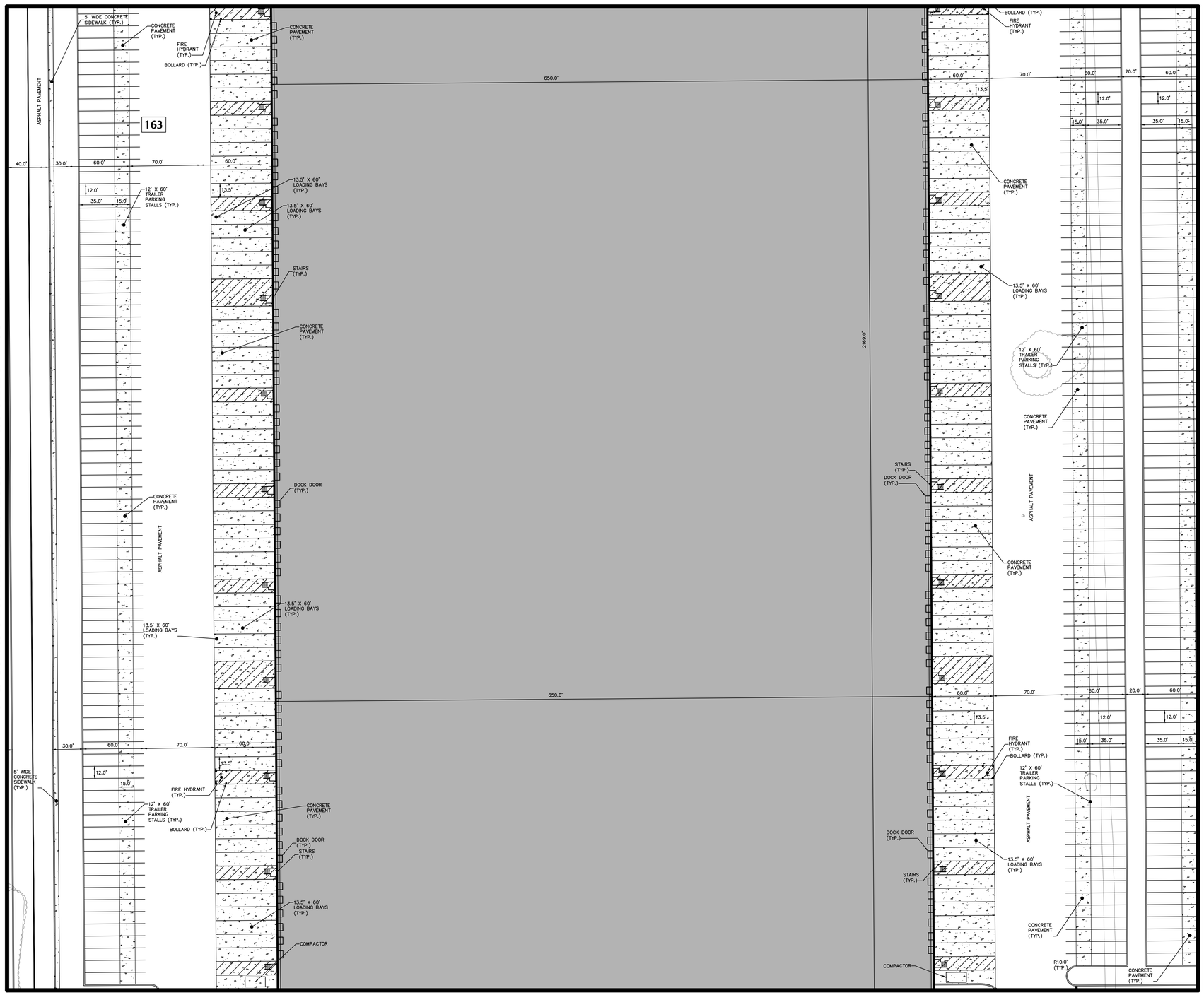
Sheet 10 of **16**

© 2020 Langan

Project No. 220155501

Filename: c:\bms\langan-pw-01\d0113861\220155501-0302-CR101-0102.DWG Date: 11/2/2023 Time: 12:29 User: tholmes Style Table: Langan.stb Layout: EXP-109

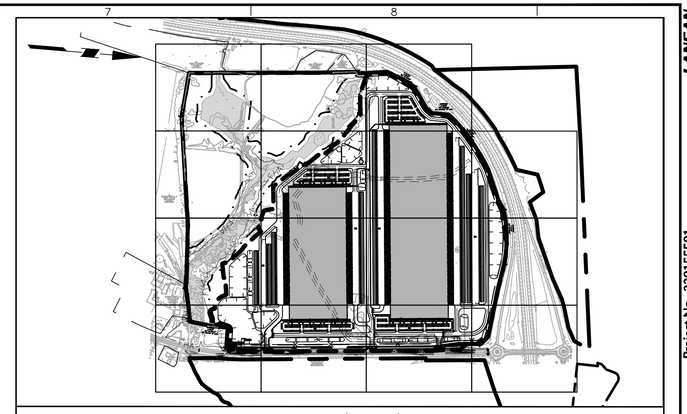
MATCHLINE - REFER TO SHEET CR-106



MATCHLINE - REFER TO SHEET CR-109

MATCHLINE - REFER TO SHEET CR-111

MATCHLINE - REFER TO SHEET CR-114



KEY MAP (1"=800)

LEGEND

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

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

PROFESSIONAL ENGINEER
BRIAN M. CONLON
REGISTERED
No. 13413
DELAWARE
PROFESSIONAL ENGINEER

SIGNATURE DATE SIGNED

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

LANGAN
Langan Engineering and Environmental Services, Inc.
1818 Market Street, Suite 3300
Philadelphia, PA 19103
T: 215.845.8900 F: 215.845.8901 www.langan.com

LOGISTICENTER AT NEW CASTLE COUNTY

TAX PARCEL 13-008.00-003

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

Drawing Title

RECORD MAJOR LAND DEVELOPMENT PLAN

Miss Utility of Delmarva

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

SCALE: 1 INCH = 50 FEET

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

CR-110

Sheet 11 of 16

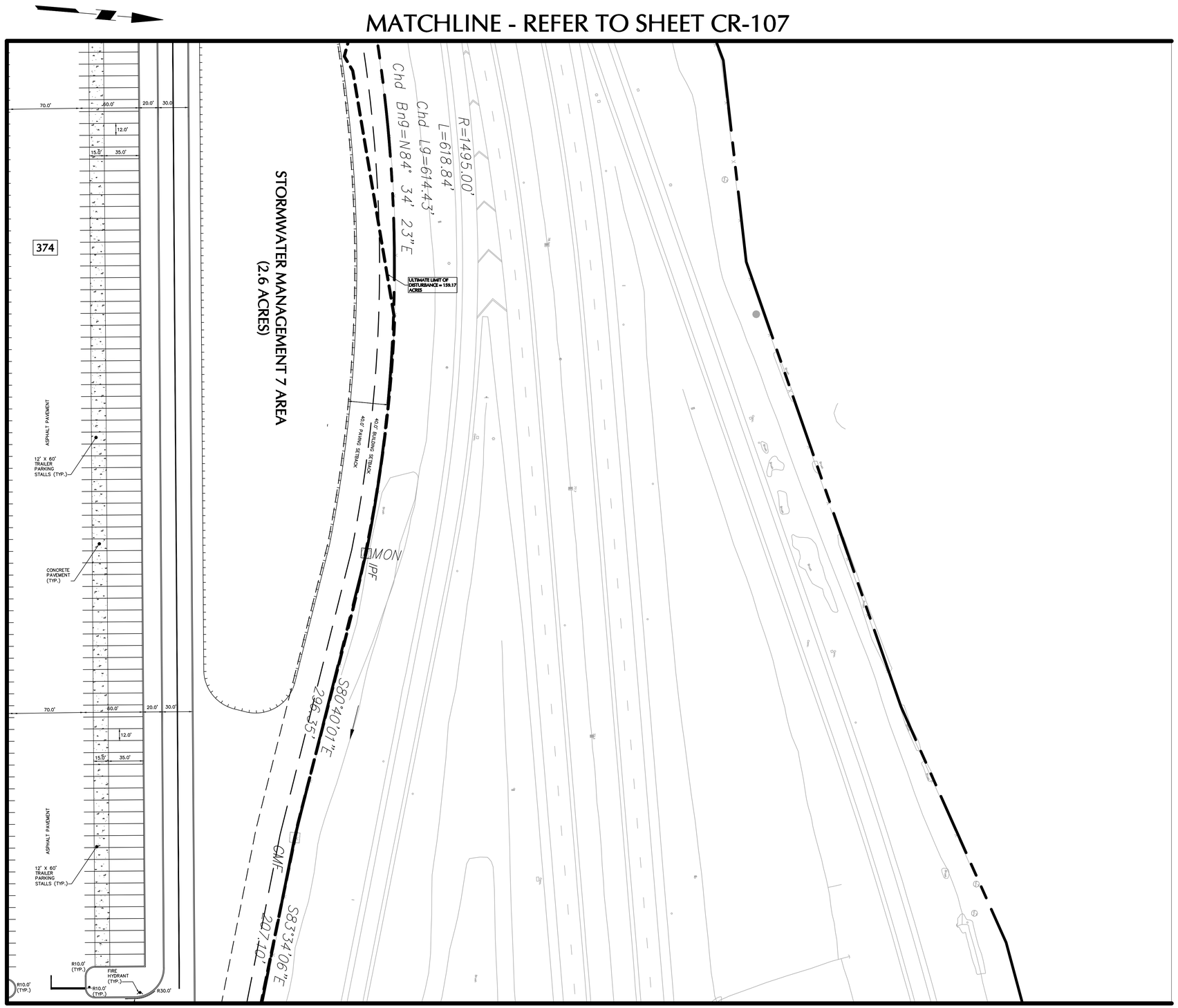
LANGAN Project No. 220155501

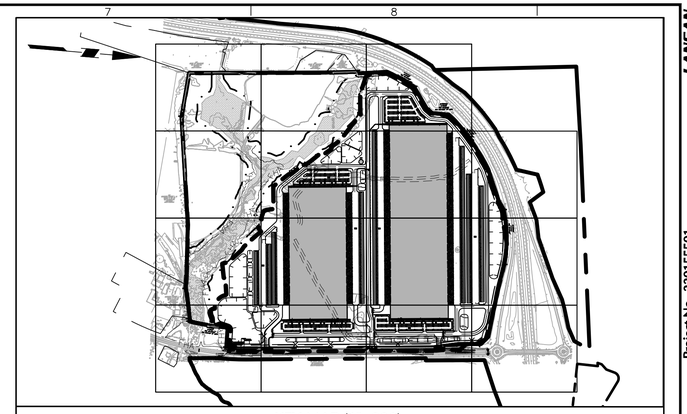
© 2020 Langan

MATCHLINE - REFER TO SHEET CR-107

MATCHLINE - REFER TO SHEET CR-110

MATCHLINE - REFER TO SHEET CR-115





KEY MAP (1"=800)

LEGEND

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

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

BRIAN M. CONLON REGISTERED No. 13413 DELAWARE PROFESSIONAL ENGINEER

SIGNATURE DATE SIGNED

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

LANGAN
Langan Engineering and Environmental Services, Inc.
1818 Market Street, Suite 3300
Philadelphia, PA 19103
T: 215.845.8900 F: 215.845.8901 www.langan.com

LOGISTICENTER AT NEW CASTLE COUNTY

TAX PARCEL 13-008.00-003

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

Drawing Title

RECORD MAJOR LAND DEVELOPMENT PLAN

Miss Utility of Delmarva

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

50 0 25 50
SCALE: 1 INCH = 50 FEET

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

CR-111

Sheet 12 of 16

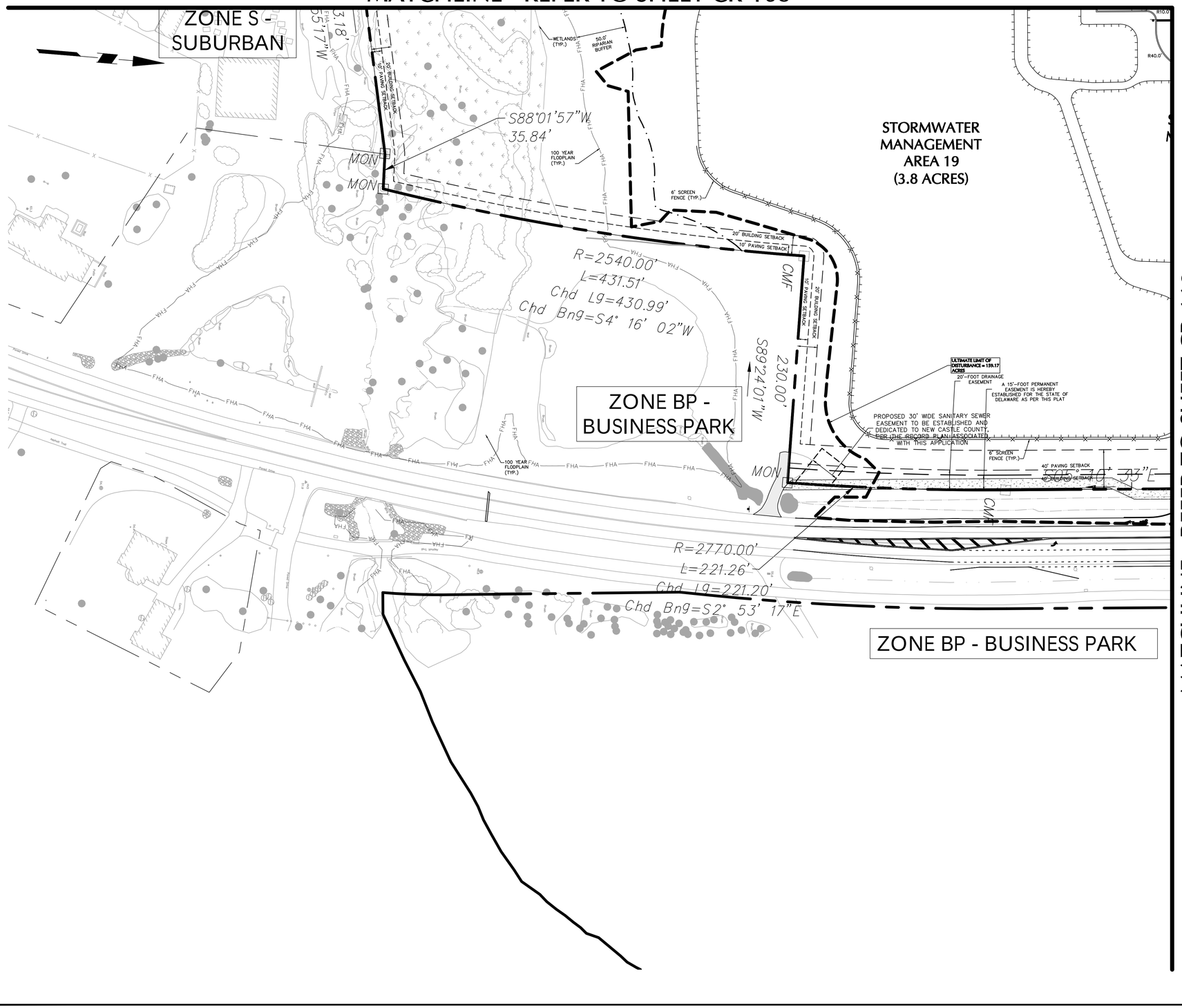
© 2020 Langan

Project No. 220155501

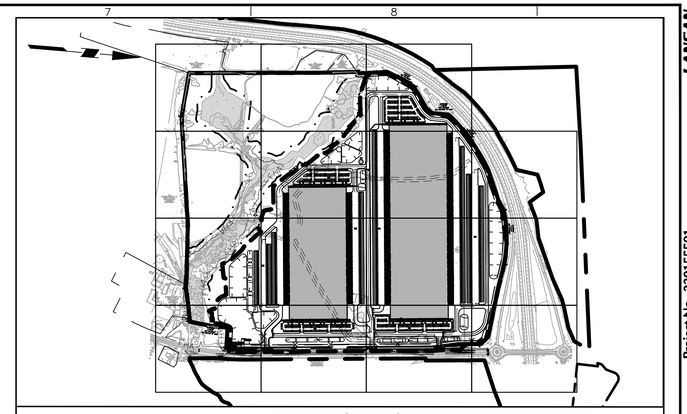
LANGAN

Filename: c:\bms\langan-pw-01\d0113861\220155501-0302-CR101-0102.DWG Date: 11/2/2023 Time: 12:29 User: tholmes Style Table: Langan.stb Layout: EXP-111

MATCHLINE - REFER TO SHEET CR-108



MATCHLINE - REFER TO SHEET CR-113



KEY MAP (1"=800)

LEGEND

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

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

BRIAN M. CONLON REGISTERED No. 13413 PROFESSIONAL ENGINEER DELAWARE

SIGNATURE DATE SIGNED

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

LANGAN
Langan Engineering and Environmental Services, Inc.
1818 Market Street, Suite 3300
Philadelphia, PA 19103
T: 215.845.8900 F: 215.845.8901 www.langan.com

LOGISTICENTER AT NEW CASTLE COUNTY

TAX PARCEL 13-008.00-003

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

Drawing Title

RECORD MAJOR LAND DEVELOPMENT PLAN

Miss Utility of Delmarva

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

50 0 25 50
SCALE: 1 INCH = 50 FEET

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

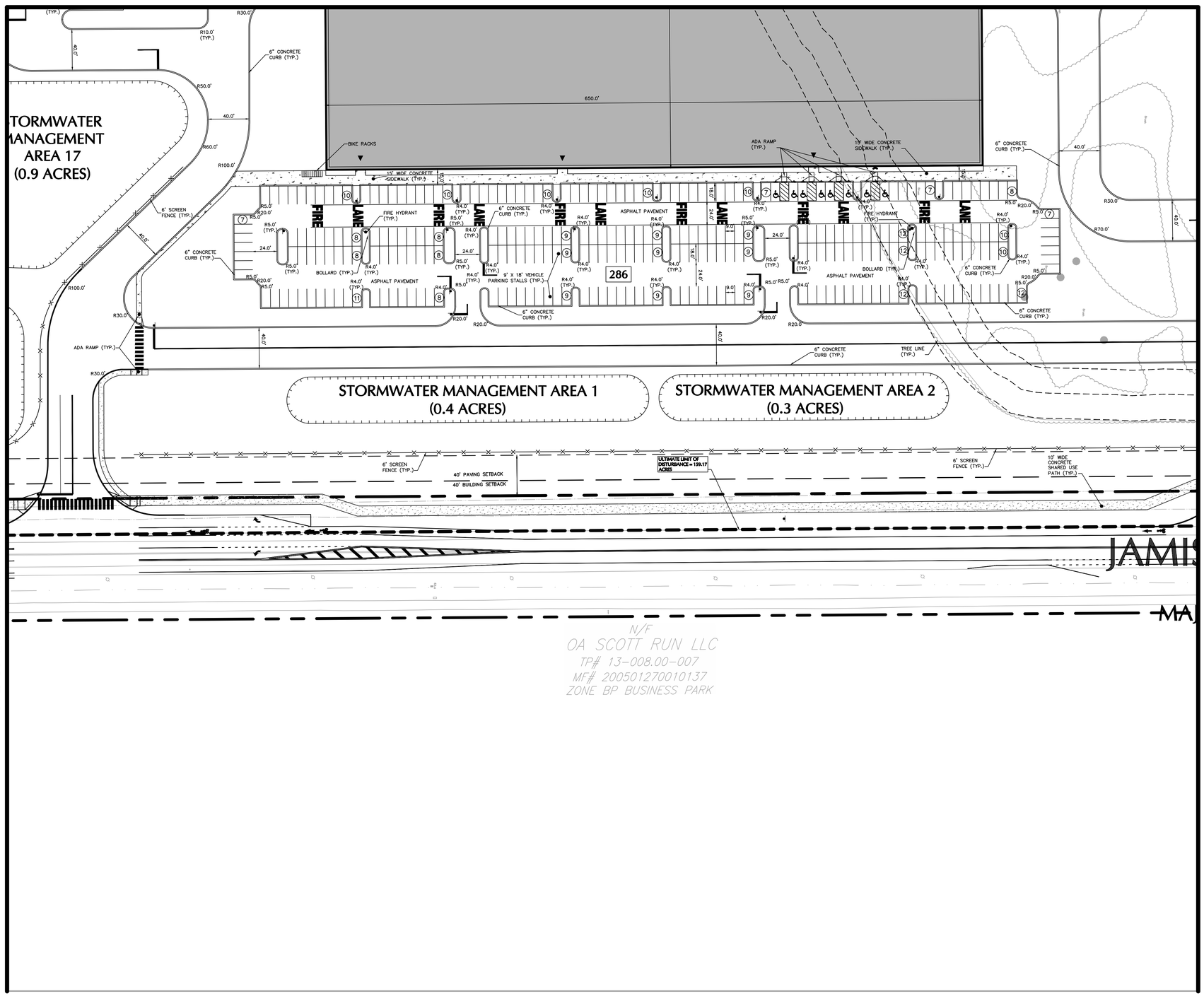
CR-112

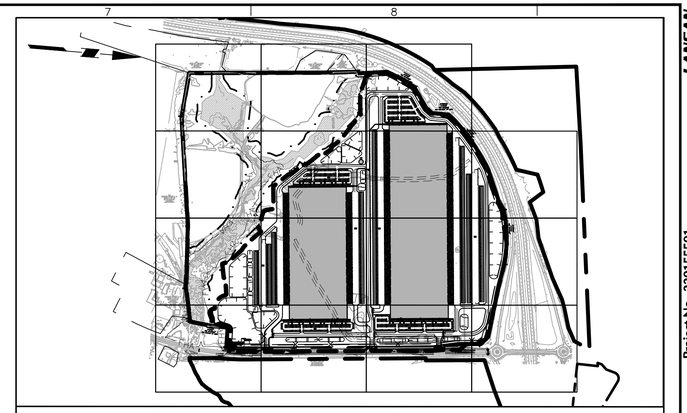
Sheet 13 of 16

©2020 Langan

Project No. 220155501

MATCHLINE - REFER TO SHEET CR-109





KEY MAP (1"=800)

LEGEND

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

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

REVISIONS

BRIAN M. CONLON REGISTERED No. 13413 PROFESSIONAL ENGINEER DELAWARE

SIGNATURE DATE SIGNED

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

LANGAN
Langan Engineering and Environmental Services, Inc.
1818 Market Street, Suite 3300
Philadelphia, PA 19103
T: 215.845.8900 F: 215.845.8901 www.langan.com

LOGISTICENTER AT NEW CASTLE COUNTY

TAX PARCEL 13-008.00-003

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

Drawing Title

RECORD MAJOR LAND DEVELOPMENT PLAN

Miss Utility of Delmarva

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

50 0 25 50
SCALE: 1 INCH = 50 FEET

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

CR-113

Sheet 14 of 16

LANGAN

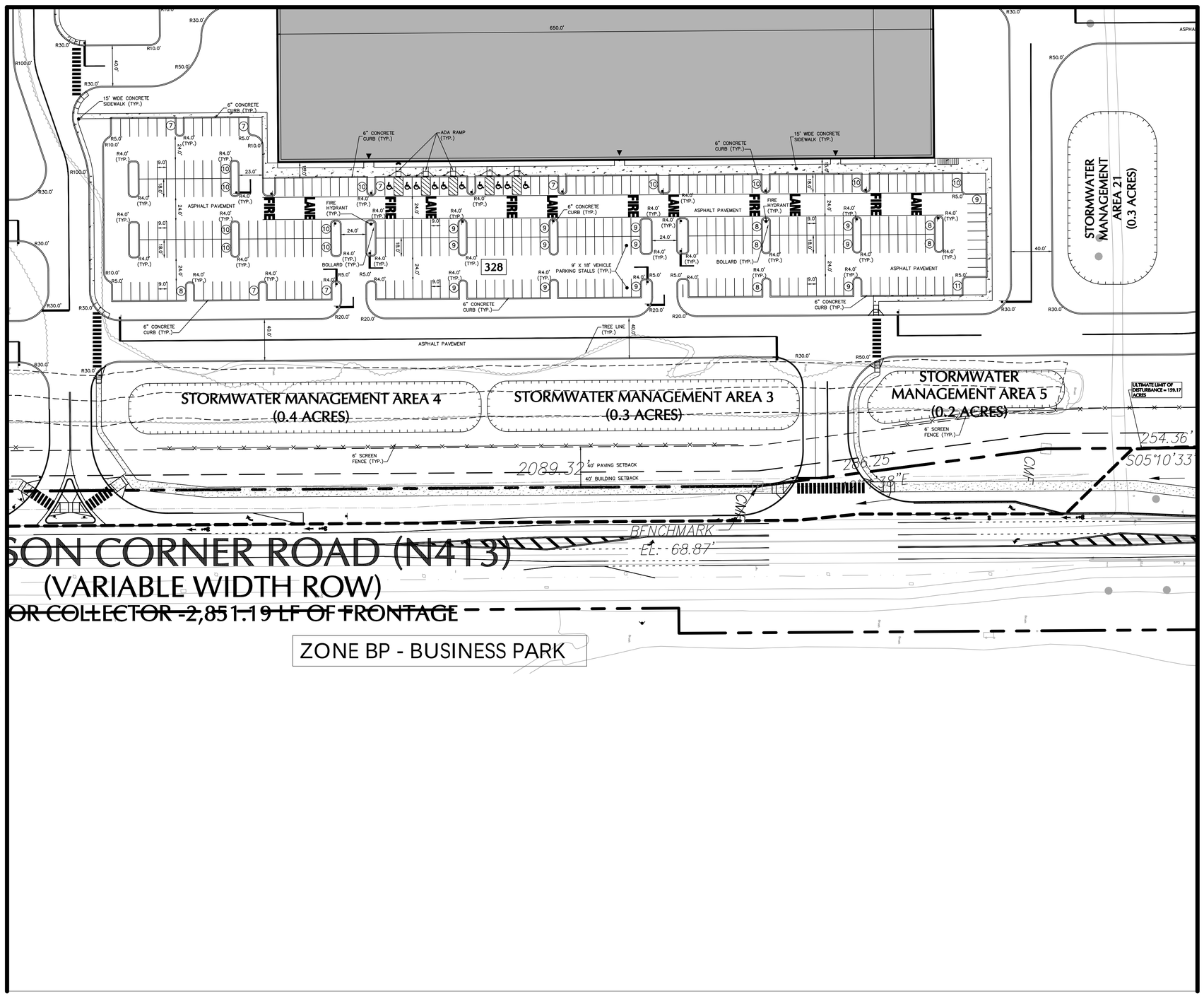
Project No. 220155501

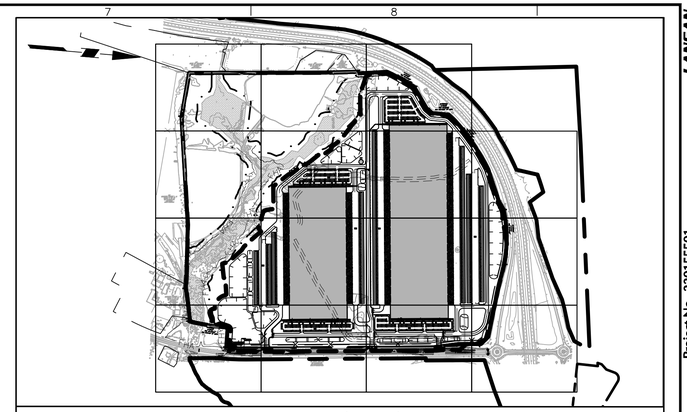
© 2020 Langan

MATCHLINE - REFER TO SHEET CR-110

MATCHLINE - REFER TO SHEET CR-113

MATCHLINE - REFER TO SHEET CR-115





KEY MAP (1"=800)

LEGEND

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

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

BRIAN M. CONLON REGISTERED No. 13413 DELAWARE PROFESSIONAL ENGINEER

SIGNATURE DATE SIGNED

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

LANGAN
Langan Engineering and Environmental Services, Inc.
1818 Market Street, Suite 3300
Philadelphia, PA 19103
T: 215.845.8900 F: 215.845.8901 www.langan.com

LOGISTICENTER AT NEW CASTLE COUNTY

TAX PARCEL 13-008.00-003

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

Drawing Title

RECORD MAJOR LAND DEVELOPMENT PLAN

Miss Utility of Delmarva

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

SCALE: 1 INCH = 50 FEET

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

CR-114

Sheet 15 of **16**

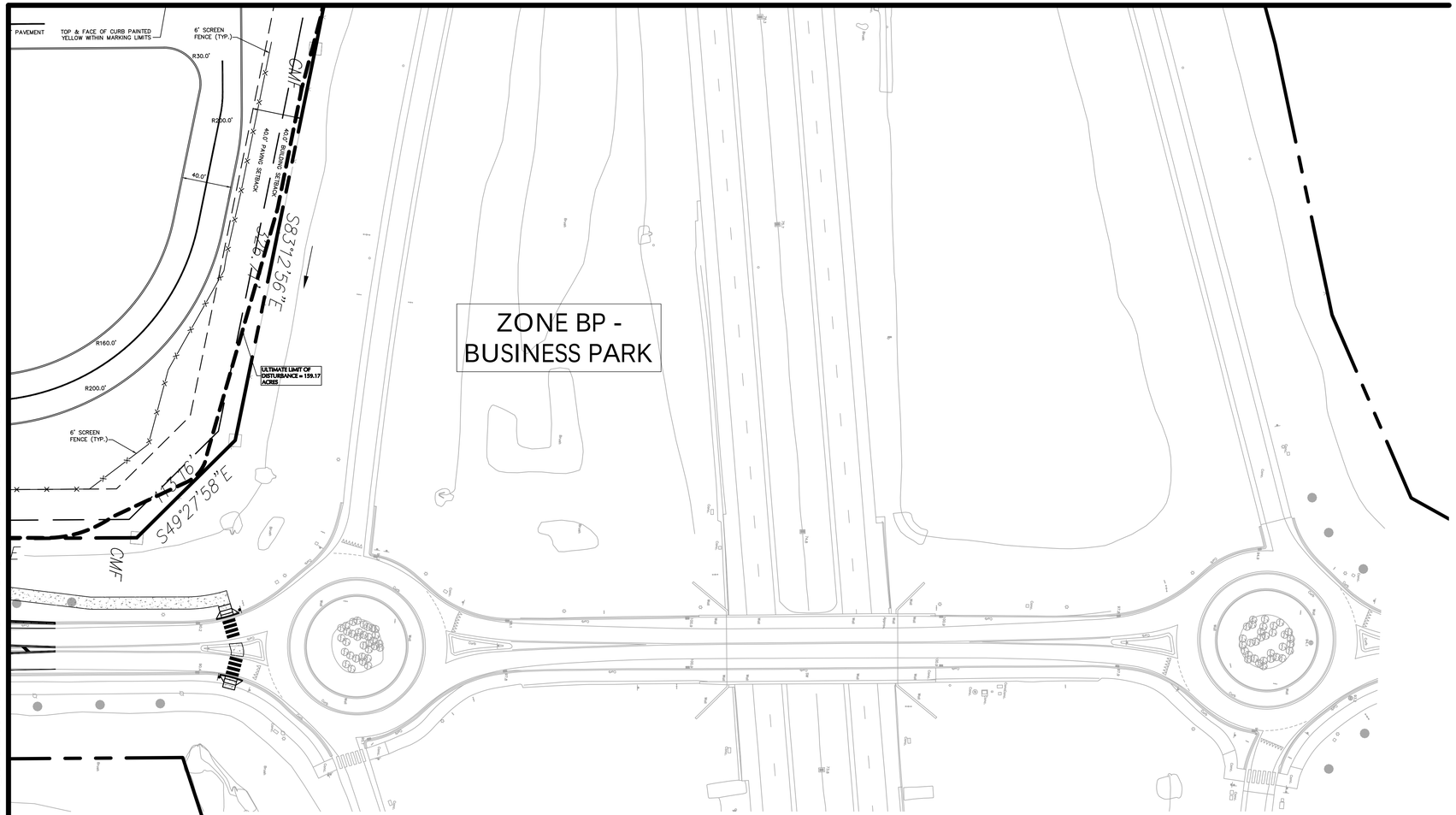
©2020 Langan

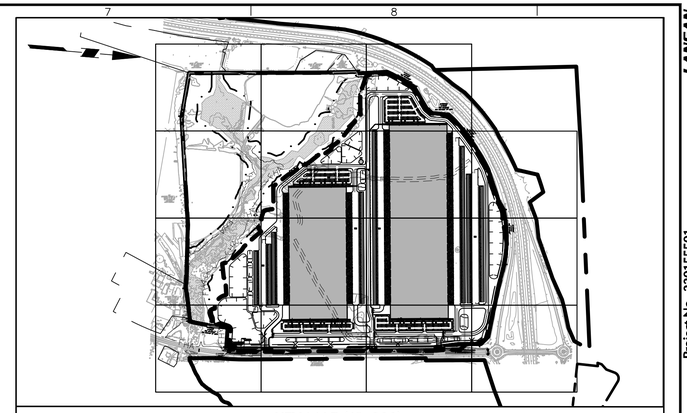
Project No. 220155501

LANGAN

MATCHLINE - REFER TO SHEET CR-111

MATCHLINE - REFER TO SHEET CR-114





KEY MAP (1"=800)

LEGEND

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

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

BRIAN M. CONLON REGISTERED No. 13413 DELAWARE PROFESSIONAL ENGINEER

SIGNATURE DATE SIGNED

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

LANGAN
Langan Engineering and Environmental Services, Inc.
1818 Market Street, Suite 3300
Philadelphia, PA 19103
T: 215.845.8900 F: 215.845.8901 www.langan.com

LOGISTICENTER AT NEW CASTLE COUNTY

TAX PARCEL 13-008.00-003

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

Drawing Title

RECORD MAJOR LAND DEVELOPMENT PLAN

Miss Utility of Delmarva

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

50 0 25 50
SCALE: 1 INCH = 50 FEET

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

CR-115

Sheet 16 of **16**

Project No. 220155501

© 2020 Langan

Prime Sponsor(s): Mr. Smiley, Mr. Cartier
Requested by: Administration/Finance
Date of introduction: February 27, 2024

ORDINANCE NO. 24-019

TO AMEND *NEW CASTLE COUNTY CODE* CHAPTERS 14 ("ADMINISTRATION") AND 38 ("FINANCE AND TAXATION") REGARDING THE ASSESSMENT DIVISION

WHEREAS, the provisions contained in the New Castle County Code at Chapter 2 and Chapter 14 need to be updated as to reflect the fact that the Assessment Division is located in the Office of Finance and not in the Department of Land Use and to create uniformity within the New Castle County Code as to the Assessment Division.

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

Section 1. *New Castle County Code* Chapter 2 ("Administration") and Article 14 ("Finance and taxation"), are hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below.

Division 2.05.100. - Department of Land Use.

The Department of Land Use, managed by the General Manager of the Department, who shall be qualified by education, experience and training, shall perform the following functions unless otherwise provided:

~~O. The Department shall assess all property subject to taxation by the County and maintain appropriate records.~~

Sec. 2.05.503. - Office of Finance.

The Office of Finance, managed by the Chief Financial Officer, who shall be qualified for the position by education, training, and experience, may perform the following functions:

Q. The Assessment Division of the Office of Finance shall assess all property subject to taxation by the County and maintain appropriate records.

Sec. 14.02.001. - Interim assessments.

A. Before performing a final assessment as required by 9 Del. C. Chs. 13 ("County Departments") and 83 ("Valuation and Assessment of Property"), the Assessment Division ~~Section~~ shall enter onto the assessment rolls an interim assessment that shall operate in all respects as a final assessment, except as provided in this Article.

B. Prior to the issuance of a certificate of occupancy by the Department of Land Use for new construction or for improvements to existing structures and prior to the recordation of any deed to a property on which is erected a structure not theretofore valued or assessed for tax purposes, the owner of such property shall deliver to the Assessment Division ~~Section~~ an affidavit stating his or her good faith estimate of the current fair market value of the improvement, as

defined in Section 14.02.002. That estimate of value shall be used as the basis for determining the interim assessment.

C. The amount of the interim assessment shall be derived by multiplying the current fair market value of the improvement, as defined in Section 14.02.002, by an index to be determined by the Assessment Division ~~Section~~. Such index shall fairly represent the relationship between the average current fair market value and the average fair market value as of the assessment base year.

Sec. 14.02.003. - Notice of assessment; supplemental tax bill; adjustment of interim assessment; right of appeal.

C. For all interim assessments, the Assessment Division ~~Section~~ shall, at its earliest opportunity, conduct a review of valuation of the improvements and impose a final assessment. Any increase in the interim assessment shall be subject to all notice and appeal procedures set forth in 9 Del. C. Ch. 83 (Valuation and Assessment of Property) for quarterly supplemental assessments.

D. At the time of final assessment, the Office of Finance shall, if the interim assessment was higher than the final assessment, issue a credit to the owner of record of the property at the time the final assessment is levied and, if the interim assessment was lower than the final assessment, mail a supplemental bill to the owner of record at the time the final assessment is levied. This supplemental bill shall be issued only after the Assessment Division ~~Section~~ has issued an assessment change notice and added the additional increase to a supplemental assessment roll in accordance with all notice procedures required by 9 Del. C. Ch. 83 (Valuation and Assessment of Property) and shall not operate retroactively to the date of the levy of the interim assessment. Penalty and interest shall accrue on the supplemental bill in the same manner and at the same rate and time as provided for all quarterly supplemental or annual tax bills issued in the same quarter.

Sec. 14.04.001. - Appraisal of mobile home; preparation of assessment roll

On or before February 15th of each year, the Assessment Division ~~Section~~ shall prepare an assessment roll listing each mobile home, the name and address of the owner thereof as shall appear on the title to such mobile home, the appraised value of such mobile home, and the school district in which such mobile home is located. Mobile homes shall be assessed based on value, as noted in a nationally recognized appraisal guide. For models not appearing in a guide, the Assessment Division ~~Section~~ shall contact a reputable mobile home dealer to determine value. Mobile homes shall be reassessed on site as frequently as real property or as required by State law. However, mobile home assessments shall be adjusted each year for depreciation or appreciation due to age. Such adjustments shall not require on-site inspection, but may be based on depreciation statistics from a nationally recognized appraisal guide. Assessments for mobile homes shall use the same base year, if any, and the same percentage-of-value basis as are used in the assessment of real property.

Sec. 14.04.002. - Presentation, review, and certification of assessment roll.

On or before February 15th of each year, the Assessment Division ~~Section~~ shall present the assessment roll prepared in accordance with Section 14.04.001 to the Board of Assessment Review. During March of each year, the Board of Assessment Review shall review the assessment roll and hear appeals from property owners who believe their properties are improperly assessed and shall make such corrections or additions to the assessment rolls as may be necessary. Such appeals shall be in writing upon forms provided by the Board and in accordance with rules prescribed by the Board. No later than April of each year, the Board of Assessment Review shall certify to the Assessment Division ~~Section~~ a true and correct assessment roll for the year.

Sec. 14.06.502. - Exemption for construction in the City of Wilmington.

D. Applications for the exemption provided by this Division shall be made to the Assessment Division ~~Section~~ within thirty (30) days after the issuance of a notice of supplemental assessment pursuant to 9 Del. C. § 8342 (Notice) and 9 Del. C. § 8343 (Appeal). Once an exemption is granted, no annual application for such structure need be filed. The exemption shall not extend to any subsequent grantee of the property required to pay a realty transfer tax pursuant to 30 Del. C. § 5402 (Rate of tax)

E. The Assessment Division ~~Section~~ shall specify by regulation those items it considers necessary to prove entitlement to the exemption provided by this Division. The burden of proof shall rest upon the applicant.

F. The Assessment Division ~~Section~~ shall provide the applicant with timely notice in writing of the disposition of the application and, where the application is denied, ~~the Office of Finance~~ shall set forth the reasons for the denial.

Sec. 14.06.503. - Exemption for construction in unincorporated parts of New Castle County.

F. The Assessment Division shall provide the applicant with timely notice in writing of the disposition of the application and, where the application is denied, ~~the Department of Land Use~~ shall set forth the reasons for the denial.

Sec. 14.06.1103. - Filing frequency.

A. A completed application for exemption pursuant to Divisions 14.06.100 and 14.06.700 of this Article pertaining to charitable, religious and educational property, and cemetery property, respectively, or specific organizations enumerated in Title 9, Chapter 81, Section 8106A of the Delaware Code must be filed with the Assessment Division ~~Section~~ on forms prescribed by the Office of Finance by March 1 of the fiscal year immediately preceding the fiscal year for which the exemption is sought. If an owner acquires property after March 1, the owner shall apply for an exemption within thirty (30) days of its acquisition of the property. Once an exemption for a parcel or part thereof has been granted, no annual application for such parcel need be filed.

B. Applications for exemption pursuant to Division 14.06.300, relating to over sixty-five (65), disability and disabled veteran's disability, must be filed with the Assessment Division ~~Section~~ on forms prescribed by the Office of Finance. The applications must be filed on or before June 1st of the fiscal year immediately

preceding the fiscal year for which an exemption is sought for the full year's exemption from County and school taxes. If an owner acquires property after June 1, the owner shall apply for an exemption within thirty (30) days from the issuance of an assessment change notice. The assessment change notice shall state that the owner has thirty (30) days within which to apply for the exemption. If the exemption eligibility criteria are met, the exemption shall be granted as of the effective date of the assessment change notice. Once an exemption for a parcel has been granted, no annual application for such parcel need be filed.

Sec. 14.06.1106. - Signature on application; false statements; fee; inspection.

C. The Assessment Division ~~Department of Land Use~~ may physically inspect any property for which an exemption is being sought and, notwithstanding anything in this Article, may request any additional information it deems necessary at the time of examining the initial application and at any time thereafter during which the property enjoys an exemption to determine the property's eligibility and continued qualification for a tax exemption. The property owner's failure to provide such information by the requested deadline shall constitute a forfeiture of any claim to an exemption on such property for the forthcoming fiscal year.

Sec. 14.06.1107. - Disposition of applications.

The Assessment Division ~~Section~~ shall review each application and make a determination on each; provided, however, that with respect to each application for exemption pursuant to Division 14.06.600, the Assessment Division ~~Department~~ shall determine only whether the conditions of subsections 14.06.601 A through G have been satisfied. If the Assessment Division ~~Department~~ determines that those conditions have been satisfied, it shall forward the application to the Department of Public Works, which shall review the application and file with the Clerk of Council its recommendations as to the suitability of such property for recreational use and as to whether such use would be consistent with the recreational needs of the County. Such exemption shall be granted only upon passage of a resolution by Council after its review of the impact upon the assessment roll, the recommendation from the Department of Public Works, and any other facts it deems pertinent.

Sec. 14.06.1109. - Notice of disposition.

The Assessment Division ~~Section~~ shall notify the applicant of its decision on any exemption application. If the application is denied, the Department shall state in its decision the reasons for denial.

Sec. 14.06.1111. - Appeals.

B. Appeals of applications pursuant to Section 14.06.601 shall be limited to the question of whether such property and its use satisfies the conditions of subsections 14.06.601 A through G. If the Board of Assessment Review finds that the property and its use satisfies the conditions of subsections 14.06.601 A through G, the Assessment Division ~~Department of Land Use~~ shall immediately forward the application to the Department of Public Works, which shall submit its recommendation as to the suitability of the parcel for recreational use to the Clerk of Council within three (3) weeks after the date of

the decision by the Board of Assessment Review. County Council shall consider the application of such property in the same manner as if it had been approved by the Assessment Division ~~Department of Land Use~~. If County Council decides to grant the exemption, it must confirm such action by the passage of a resolution within three (3) weeks after the date of receipt of the recommendation from the Department of Public Works.

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: This Ordinance would update the New Castle County Code to reflect that the Assessment Division is located in the Office of Finance and no longer in the Department of Land Use as well as create uniformity as to Assessment Division.

FISCAL NOTE: There will be no fiscal impact arising from the passage of this Ordinance.

Prime Sponsor(s): Mr. Bell, Ms. Hartley-Nagle
Requested by: Public Safety
Date of introduction: February 27, 2024

ORDINANCE NO. 24-020

**AMEND THE GRANTS BUDGET:
APPROPRIATE $50,000.00 IN DONATIONS AND ACTUAL PROGRAM INCOME TO THE LOCAL PARAMEDIC PROGRAM GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY MEDICAL SERVICES**

WHEREAS, the donations and actual program income collected in the amount of $50,000.00 will be appropriated to the Local Paramedic Program Grant to cover deficits in the grant and purchase blood warmers and other medical supplies and equipment for the Department of Public Safety, Division of Emergency Medical Services; and

WHEREAS, the County Executive has determined that funds received are sufficient to cover the increase in the Grants Budget as hereinafter amended; and

WHEREAS, Council has determined that the provisions of this Ordinance 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 Grants Budget as adopted by Ordinance No. 75-173 is hereby amended by adding the material on the attached "Exhibit A."

Section 2. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided by 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

SYNOPSIS: This Ordinance, if approved, will appropriate $50,000.00 in donations and actual program income to the Local Paramedic Program Grant. This funding will be used to cover deficits in the grant and purchase blood warmers and other medical supplies and equipment for the Department of Public Safety, Division of Emergency Medical Services.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating $50,000.00 in donations and actual program income to the Local Paramedic Program Grant, which is administered by the Department of Public Safety, Division of Emergency Medical Services.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of $50,000.00. This increase will affect FY2024 and beyond since this is a continuous program. Previous program income funding was authorized in the amount of $204,132.59. This appropriation will increase the aggregate amount to $254,132.59. The Program Income balance after this appropriation will be $2,049.50.

DEPARTMENT: Public Safety **EXHIBIT:** "A"

GRANT TITLE: Local Paramedic Program **Ordinance No.** 24-020

PROGRAM TITLE: Local Paramedic Program

Revenue	Current	Change	Revised
Federal	$ -	$ -	$ -
State		$ -	$ -
County	$ -	$ -	$ -
Program Income	$ 204,132.59	$ 50,000.00	$ 254,132.59
Other	$ -	$ -	$ -
Total	$ 204,132.59	$ 50,000.00	$ 254,132.59

Expense	Current	Change	Revised
Salaries and Wages	$ -	$ -	$ -
Benefits	$ -	$ -	$ -
Training/Civic Affairs	$ 62,647.21	$ 2,800.00	$ 65,447.21
Communication/Utilities	$ -	$ -	$ -
Materials/Supplies	$ 36,955.31	$ 22,200.00	$ 59,155.31
Contractual Services	$ 32,830.07	$ -	$ 32,830.07
Equipment	$ 71,700.00	$ 25,000.00	$ 96,700.00
Grants/Fixed Charges	$ -	$ -	$ -
Land and Structures	$ -	$ -	$ -
Contingency	$ -	$ -	$ -
Operating Transfer Charges	$ -	$ -	$ -
Operating Transfer Credits	$ -	$ -	$ -
Total	$ 204,132.59	$ 50,000.00	$ 254,132.59

SUPPLEMENTAL INFORMATION

Estimated Program Initiation: 7/1/1997

Estimated Program Completion: ongoing

The Local Match: **Found in (ORG):**

Ordinance Passed: **Date Revised:**

PROGRAM DESCRIPTION:

Funds in the Local Paramedic Program grant will be used for Paramedic trainings, materials and supplies and equipment expenditures.

Prime Sponsor(s): Mr. Bell, Ms. Hartley-Nagle
Co-Sponsor(s): Mr. Toole
Requested by: Public Safety
Date of introduction: February 27, 2024

ORDINANCE NO. 24-021

**AMEND THE GRANTS BUDGET:
AUTHORIZE THE COUNTY EXECUTIVE TO SIGN AN AGREEMENT AND APPROPRIATE $52,000 FROM THE STATE OF DELAWARE, DEPARTMENT OF TRANSPORTATION TO THE CRANSTON HEIGHTS FIRE COMPANY CONCRETE APRON GRANT FOR THE DEPARTMENT OF PUBLIC SAFETY**

WHEREAS, funding has been awarded from the State of Delaware, Department of Transportation to the Cranston Heights Fire Company Concrete Apron Grant for the installation of concrete aprons; and

WHEREAS, authorization is requested for the County Executive to sign the agreement with the State of Delaware, Department of Transportation; and

WHEREAS, New Castle County will use the pass-through grant funding for concrete aprons at the Cranston Heights Fire Company; and

WHEREAS, the County Executive has determined that funds received are sufficient to cover the increase in the Grants Budget as hereinafter amended; and

WHEREAS, Council has determined that the provisions of this Ordinance 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 Grants Budget, as adopted by Ordinance No. 75-173, is hereby amended by adding the material on the attached "Exhibit A," which is considered to be underscored in its entirety.

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

Section 3. It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to November 28, 2023.

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: This Ordinance, if approved, will authorize the County Executive to sign an agreement and appropriate $52,000 from the State of Delaware, Department of Transportation to the Cranston Heights Fire Company Concrete Apron Grant for installation of concrete aprons.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to November 28, 2023.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating $52,000 from the State of Delaware, Department of Transportation to the Cranston Heights Fire Company Concrete Apron Grant.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of $52,000. This increase will impact FY2024 only, since the targeted program completion date of this award is June 30, 2024.

There will be no fiscal impact beyond FY2024 as a result of this grant award.

DEPARTMENT: Public Safety **EXHIBIT:** **"A"**

GRANT TITLE: Cranston Heights Fire Company Concrete Apron **Ordinance No.** 24-

PROGRAM TITLE: Cranston Heights Fire Company Concrete Apron

Revenue	Current	Change	Revised
Federal	$ -	$ -	$ -
State	$ 52,000.00	$ -	$ 52,000.00
County	$ -	$ -	$ -
Program Income	$ -	$ -	$ -
Other	$ -	$ -	$ -
Total	$ 52,000.00	$ -	$ 52,000.00

Expense	Current	Change	Revised
Salaries and Wages	$ -	$ -	$ -
Benefits	$ -	$ -	$ -
Training/Civic Affairs	$ -	$ -	$ -
Communication/Utilities	$ -	$ -	$ -
Materials/Supplies	$ -	$ -	$ -
Contractual Services	$ 52,000.00	$ -	$ 52,000.00
Equipment	$ -	$ -	$ -
Grants/Fixed Charges	$ -	$ -	$ -
Land and Structures	$ -	$ -	$ -
Contingency	$ -	$ -	$ -
Operating Transfer Charges	$ -	$ -	$ -
Operating Transfer Credits	$ -	$ -	$ -
Total	$ 52,000.00	$ -	$ 52,000.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation: 11/28/2023

Estimated Program Completion: 6/30/2024

The Local Match: **Found in (ORG):**

Ordinance Passed: **Date Revised:**

PROGRAM DESCRIPTION:

New Castle County Department of Public Safety will use this pass-through grant funding for the installation of concrete aprons for Cranston Heights Fire Company.

2/27/2024

Prime Sponsor(s): Ms. Hartley-Nagle
Requested by: Administration/HR
Date of introduction: February 27, 2024

ORDINANCE NO. 24-022

AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607 AND ADOPT THE REVISED CLASS SPECIFICATION FOR SCHOOL CROSSING GUARD SUPERVISOR FOR THE DEPARTMENT OF PUBLIC SAFETY

WHEREAS, the Department of Public Safety has determined the class specification for School Crossing Guard Supervisor needs to be updated to reflect the work currently being performed; and

WHEREAS, the Department of Public Safety has determined that it is necessary to make changes to the Pay Grade for the class specification of School Crossing Guard Supervisor; and

WHEREAS, it is recommended that the Pay Grade for the class specification School Crossing Guard Supervisor be changed from Pay Grade 22 to Pay Grade 24; and

WHEREAS, the Human Resources Advisory Board at its meeting on February 1, 2024, reviewed the revisions to the class specification for School Crossing Guard Supervisor and recommended the change from Pay Grade 22 to Pay Grade 24 on the Pay Plan and Rates of Pay for Classified Service Employees Represented by the Delaware Public Employees Council 81, AFSCME, AFL-CIO, Affiliate Local 1607; and

WHEREAS, the Chief Human Resources Officer concurs with the recommendation of the Human Resources Advisory Board.

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

Section 1. The revised Class Specification for School Crossing Guard Supervisor is adopted as set forth in Exhibit “A.”

Section 2. The Pay Plan and Rates of Pay for Classified Service Employees Represented by the Delaware Public Employees Council 81, AFSCME, AFL-CIO, Affiliate Local 1607, effective July 1, 2022, is hereby amended by adding the material that is underscored and deleting the material that is stricken as set forth in Exhibit “B.”

Section 3. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* § 1156.

Section 4. It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to May 23, 2023.

Adopted by Council of
New Castle County on:

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

Approved on:

_____
Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, changes the Pay Grade for the position title of School Crossing Guard Supervisor from Pay Grade 22 to Pay Grade 24 on the Pay Plan and Rates of Pay for Classified Service Employees Represented by the Delaware Public Employees Council 81, AFSCME, AFL-CIO, Affiliate Local 1607, and adopts the revised class specification, as recommended by the Human Resources Advisory Board.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to May 23, 2023.

FISCAL IMPACT: This Ordinance, if approved, changes the Pay Grade for the position title of School Crossing Guard Supervisor from Pay Grade 22 to Pay Grade 24 on the Pay Plan and Rates of Pay for Classified Service Employees Represented by the Delaware Public Employees Council 81, AFSCME, AFL-CIO, Affiliate Local 1607, and adopts the revised class specification, as recommended by the Human Resources Advisory Board.

There are currently two filled positions with the title of School Crossing Guard Supervisor. The estimated fiscal impact (Salaries/Wages and Benefits) of reclassifying the two employees currently in these positions is $10,535 in FY2024, $10,741 in FY2025 and $11,028 in FY2026.

NEW CASTLE COUNTY GOVERNMENT	Number 1105
	Page 1 of 2
CLASS SPECIFICATION	Date Draft
Title: SCHOOL CROSSING GUARD SUPERVISOR	**Approved:**

GENERAL STATEMENT OF DUTIES: Plans, oversees, and supervises the work of School Crossing Guards; does related work as required.

DISTINGUISHING FEATURES OF THE CLASS: An employee in this class performs work involving the responsibility for seeing that School Crossing Guards perform their duties according to prescribed standards. The work is performed under general supervision and includes early morning shifts.

EXAMPLES OF WORK: (Illustrative only)

- Supervises, plans, and reviews the work of School Crossing Guards;
- ~~Conducts the interview and hiring processes for School Crossing Guard applicants;~~
- Schedules and conducts interviews, sending background information to HR, schedules pre-employment physicals, and conducts new hire orientations;
- ~~Evaluates the performance of School Crossing Guards and makes recommendations for appropriate disciplinary action~~;
- Performs Annual Evaluations to all School Crossing Guards (130) to include evaluating the performance of each School Crossing Guard at their posts, writing each evaluation, obtaining supervisory approval, and meeting with each School Crossing Guard out in the field to discuss and present the evaluations;
- Interacts with Union representatives to ensure an effective and efficient working atmosphere;
- Makes daily inspection of School Crossing Guard activities at each school;
- Issues School Crossing Guard uniforms;
- Substitutes for absent School Crossing Guards;
- ~~Maintains time, mileage, and payroll records;~~
- Uses HRIS technology program, PeopleSoft, to enter payroll and mileage for all 130 School Crossing Guards;
- Oversees the custody and issuance of school patrol equipment;
- Promotes safety in the schools;
- Participate in Safe Streets, which is a program through the Department of Education
- Keeps records and makes reports of School Crossing Guard activities;
- Responsible for full budget administration & presentation;
- ~~Trains School Crossing Guards~~
- Train School Crossing Guards as well as provide external training throughout the year, to extra-departmental organizations on Pedestrian Safety and Crossing Guard techniques;

NEW CASTLE COUNTY GOVERNMENT	**Number** 1105
	Page 2 of 2
CLASS SPECIFICATION	**Date** Draft
Title: SCHOOL CROSSING GUARD SUPERVISOR	**Approved:**

- Promotes an ongoing attitude of dedication to excellent public service and ensures that external and internal customers are provided with the highest quality of service;
- Operates a personal computer and other related equipment in the course of the work.

REQUIRED KNOWLEDGE, SKILLS AND ABILITIES: Thorough knowledge of office terminology and procedures; some knowledge of elementary bookkeeping; good knowledge of traffic regulations and of school safety practices; ability and willingness to work in inclement weather throughout the year; ability to work with children; ability to supervise others; mental alertness and ability to react quickly and properly in an emergency; tact and courtesy; ability to communicate courteously and effectively, both verbally and in writing; ability to work with representatives from various school districts, DelDOT and other agencies to develop assignments and safety strategies at each assigned post; ability to learn specialized data processing programs.

MINIMUM QUALIFICATIONS: At least one (1) year law enforcement experience or at least one (1) calendar year working as a School Crossing Guard and possession of a high school diploma or GED certificate; or an equivalent combination of education, experience or training directly related to the required knowledge, skills, and abilities.

ADDITIONAL REQUIREMENTS: Must pass a Class III County physical examination and a background check.

HISTORY OF REVISIONS:

Established:	07/01/73
Revised:	07/01/87
Revised:	03/20/89
Revised:	01/19/93
Revised:	07/01/97
Revised:	01/01/02
Revised:	03/05/09
Revised:	DRAFT

EXHIBIT B
PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10
CLERK	12	27,354	28,721	30,157	31,664	33,245	34,908	36,654	38,486	40,411	42,432
SURVEYOR ASSISTANT	12										
ADMINISTRATIVE SERVICES TECHNICIAN	14	30,157	31,664	33,245	34,908	36,654	38,486	40,411	42,432	44,553	46,780
AUTOMOTIVE PARTS CLERK	14										
CLERK TYPIST	14										
COMPUTER OPERATOR I	14										
JUNIOR ADMINISTRATIVE AIDE	14										
KEY OPERATOR	14										
MICROFILM TECHNICIAN	14										
PUBLIC SAFETY AIDE	14										
ACCOUNT CLERK I	15	31,664	33,245	34,908	36,654	38,486	40,411	42,432	44,553	46,780	49,121
CUSTOMER SERVICES COORDINATOR	15										
DRAFTING TECHNICIAN I	15										
INTERLIBRARY LOAN ASSISTANT	15										
LIBRARY ASSISTANT	15										
COMPUTER OPERATOR II	16	33,245	34,908	36,654	38,486	40,411	42,432	44,553	46,780	49,121	51,578
SURVEY INSTRUMENT OPERATOR	16										
ACCOUNT CLERK II	17	34,908	36,654	38,486	40,411	42,432	44,553	46,780	49,121	51,578	54,157
COURT CLERK	17										
DEPUTY I	17										
PRINCIPAL LIBRARY ASSISTANT	17										
SECRETARY	17										
STOREKEEPER	17										
PUBLIC WORKS DATA TECHNICIAN	17										
DISPATCHER	18	36,654	38,486	40,411	42,432	44,553	46,780	49,121	51,578	54,157	56,864
GRAPHIC ARTS DESIGNER	18										
MAINTENANCE PROGRAM TECHNICIAN	18										
RADIO COMMUNICATOR	18										
SANITARY MAINTENANCE TECHNICIAN	18										
TREASURY CUSTOMER SERVICE REPRESENTATIVE	18										
ACCOUNT CLERK III	19	38,486	40,411	42,432	44,553	46,780	49,121	51,578	54,157	56,864	59,707
ADMINISTRATIVE AIDE	19										
ASSESSMENT TECHNICIAN	19										
ASSESSOR I	19										
BUDGET OFFICE ASSISTANT	19										
LIBRARY SPECIALIST	19										
PARTY CHIEF	19										
PERMIT PROCESS TECHNICIAN	19										
ASSISTANT PROCUREMENT AGENT	20	40,411	42,432	44,553	46,780	49,121	51,578	54,157	56,864	59,707	62,694
BUILDING AND SITE INSPECTOR	20										
CERTIFIED ASSESSOR I	20										
COMMUNITY DEVELOPMENT HOUSING INSPECTOR	20										
CUSTOMER INFORMATION & ASSISTANCE SPECIALIST	20										
CUSTOMER SERVICE AND INFORMATION TECHNICIAN	20										
DELINQUENT ACCOUNT COLLECTOR	20										
DEPUTY II	20										
DRAFTING TECHNICIAN II	20										
GRAPHIC ARTS DESIGNER II	20										
HOUSING PROGRAM ASSISTANT	20										
MAINTENANCE OFFICE ADMINISTRATOR	20										
PAYROLL ASSISTANT I	20										
PLAN EXAMINER	20										
PUBLIC WORKS INSPECTOR	20										
SANITARY SEWER INFORMATION SPECIALIST	20										
SENIOR OFFICE ASSISTANT	20										
SENIOR SANITARY MAINTENANCE TECHNICIAN	20										
VICTIM'S ASSISTANCE OFFICER	20										

EXHIBIT B
PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10
CERTIFIED PERMIT PROCESS TECHNICIAN	21	42,432	44,553	46,780	49,121	51,578	54,157	56,864	59,707	62,694	65,828
CODE ENFORCEMENT OFFICER	21										
CONSTRUCTION INSPECTOR	21										
DRAFTING TECHNICIAN III	21										
ENVIRONMENTAL ANALYST	21										
PLUMBING AND MECHANICAL CODE SUPERVISOR	21										
RIGHT-OF-WAY AGENT	21										
ACCOUNTANT I	22	44,553	46,780	49,121	51,578	54,157	56,864	59,707	62,694	65,828	69,122
ASSESSOR II	22										
GEOGRAPHIC INFORMATION SYSTEMS TECHNICIAN	22										
HOUSING REHABILITATION SPECIALIST I	22										
OPERATIONS SPECIALIST	22										
~~SCHOOL CROSSING GUARD SUPERVISOR~~	~~22~~										
ACCOUNTING OPERATIONS ASSISTANT	23	46,780	49,121	51,578	54,157	56,864	59,707	62,694	65,828	69,122	72,577
CENTRAL RECEIVING SUPERVISOR	23										
CENTRAL SERVICES TECHNICIAN	23										
CERTIFIED ASSESSOR II	23										
CERTIFIED BUILDING AND SITE INSPECTOR	23										
CERTIFIED PLAN EXAMINER	23										
CERTIFIED PLUMBING & MECHANICAL PLAN EXAMINER	23										
CERTIFIED PROPERTY MAINTENANCE & HOUSING INSPECT	23										
COMPLAINTS SPECIALIST	23										
CONSTRUCTION INSPECTION SUPERVISOR	23										
EQUESTRIAN PROGRAM COORDINATOR	23										
HOUSING REHABILITATION SPECIALIST II	23										
SURVEY PARTIES SUPERVISOR	23										
TREASURY ASSOCIATE	23										
CHIEF RIGHT-OF-WAY AGENT	24	49,121	51,578	54,157	56,864	59,707	62,694	65,828	69,122	72,577	76,206
CUSTOMER SERVICES SPECIALIST	24										
GEOGRAPHIC INFORMATION SYSTEMS SPECIALIST	24										
PUBLIC WORKS CONTRACTS OFFICER	24										
<u>SCHOOL CROSSING GUARD SUPERVISOR</u>	<u>24</u>										
SITE INSPECTIONS SUPERVISOR	24										
STAFF ENGINEER	24										
ACCOUNTANT II	25	51,578	54,157	56,864	59,707	62,694	65,828	69,122	72,577	76,206	80,015
CHIEF CONSTRUCTION INSPECTOR	25										
CHIEF FIELD SUPERVISOR	25										
EQUESTRIAN PROGRAM SUPERVISOR	25										
PROCUREMENT AGENT	25										
SUPERINTENDENT OF WASTEWATER TREATMENT	25										
CIVIL ENGINEER I	26	54,157	56,864	59,707	62,694	65,828	69,122	72,577	76,206	80,015	84,017
DRAFTING AND DESIGN SUPERVISOR	26										
ENVIRONMENTAL PROGRAM MANAGER I	26										
GEOGRAPHIC INFORMATION SYSTEMS ANALYST	26										
PAYROLL ASSISTANT II	26										
PROGRAMMER ANALYST	26										
ARCHITECT	28	59,707	62,694	65,828	69,122	72,577	76,206	80,015	84,017	88,217	92,627
CIVIL ENGINEER II	28										
ENVIRONMENTAL PROGRAM MANAGER II	28										
SENIOR PROCUREMENT AGENT	28										
SEWER MANAGEMENT ENGINEER	28										
SENIOR APPLICATION ENGINEER	28										
CHIEF OF FACILITY MAINTENANCE	30	65,828	69,122	72,577	76,206	80,015	84,017	88,217	92,627	97,260	102,125
CHIEF OF PROJECT MANAGEMENT	30										
CIVIL ENGINEER III	30										
ENVIRONMENTAL PROGRAM MANAGER III	30										
PUBLIC WORKS PROJECT ADMINISTRATOR	30										
CHIEF OF DRAINAGE OPERATIONS	32	72,577	76,206	80,015	84,017	88,217	92,627	97,260	102,125	107,231	112,592
CHIEF OF SITE MANAGEMENT	32										

Effective: 07/01/2022 (Ordinance 20-072)
Revised: 03/16/2021 (Ordinance 21-016)
Revised: 07/25/2022 (Ordinance 22-093)
Revised: 05/09/2023 (Ordinance 23-047)
Revised: 06/16/2023 (Ordinance 23-057)
Revised: 09/06/2023 (Ordinance 23-096)
Revised: 09/06/2023 (Ordinance 23-098)
Revised: xx/xx/xxxx (Ordinance xx-xxx)

Prime sponsor(s): Mr. Carter, Ms. Durham
Co-sponsor(s): Mr. Toole, Mr. Cartier, Ms. Hartley-Nagle
Date of introduction: July 11, 2023

SUBSTITUTE NO. 2 TO ORDINANCE NO. 23-095

AMENDING NEW CASTLE COUNTY CODE CHAPTER 40 (THE "UNIFIED DEVELOPMENT CODE") TO ESTABLISH A PROTECTED OPEN SPACE ZONING DISTRICT

WHEREAS, in 1997, New Castle County Council enacted a comprehensive overhaul of New Castle County's original 1954 zoning and subdivision regulations with the addition of Chapter 40 to the *New Castle County Code* (the "Unified Development Code" or "UDC"); and

WHEREAS, the Unified Development Code has since undergone considerable evolution to better reflect growth trends in the County and to advance the UDC regulations to include planning and land use ideas and values to meet today's needs; and

WHEREAS, the County's urban growth patterns have created a void in the ability of County government and its citizens to clearly recognize and appreciate the significant amounts of public and private open space that exist today in the County; and

WHEREAS, the zoning of open space protected in perpetuity in categories describing other uses is confusing to the public and leads to a practical misunderstanding of the future growth patterns of the County, rather than clearly depicting the real world current and future land use conditions; and

WHEREAS, it is important to establish a Protected Open Space (OS) District to readily show the extent of publicly protected lands and provide a clearer vision of the size and extent of these important land uses; and

WHEREAS, Strategy 1.1.6 of the 2022 New Castle County Comprehensive Plan states that the County should consider the addition of a preservation zoning category, and defines "Protected Open Space" as privately or publicly held land that has been protected from future development, yet such parcels are not readily designated differently from other parcels which are able to be further developed; and

WHEREAS, the establishment of the Open Space District, which will include Federal, State, County, and local government lands protected in perpetuity through donation or the use of public funds and placed under protective covenants or conservation easements will provide a clearer picture of the extent of permanent open space and recreational land use in the County, and their protected class; and

WHEREAS, County Council has determined that the provisions of this Ordinance substantially advance, and are reasonably and rationally related to, legitimate government interests, including the protection and preservation of the public health, safety, prosperity, general welfare, and quality of life.

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

Section 1. *New Castle County Code* Chapter 40 (the "Unified Development Code"), Article 2 ("Establishment of Zoning Districts"), Division 40.02.200 ("Statement of purpose and intent of districts") is hereby amended by adding the material that is underlined and deleting the material with strikethroughs, as set forth below.

Division 40.02.200. - Statement of purpose and intent of districts.

This Division specifies the purpose and intent of the zoning districts established by this Chapter. The major community character classes (urban, suburban transition, suburban, [~~and~~] special, and protected open space) are used to organize the districts. Uses within a community character class are more similar in character than uses in a different class. All districts share the purpose of implementing the Comprehensive Development Plan.

It is County Council's intent to encourage agricultural preservation in all New Castle County zoning districts. …

Section 2. *New Castle County Code* Chapter 40 ("Unified Development Code"), Article 2 ("Establishment of Zoning Districts"), Division 40.02.200 ("Statement of purpose and intent of districts") is hereby by adding the material that is underlined and deleting the material with strikethroughs, as set forth below.

Sec. 40.02.248. - Protected Open Space (OS) District.

The Protected Open Space (OS) District includes land that is protected in perpetuity through acquisition or donation of fee simple land or protective covenants to a public entity including public parks, an ecological habitat, or any other environmental or outdoor recreational area.

A. Land designated as OS includes:
    1. Federal, state, and county owned land and land owned by a municipality located in an unincorporated portion of the County that has been permanently protected from development as open space; and
    2. Private land protected in perpetuity that is voluntarily zoned OS at the request of the landowner.

B. Private land protected under the Delaware Agricultural Lands Preservation program or private community open space set aside as part of a land use record plan shall not be designated as OS.

C. By July 1 of each year, the Departments of Land Use and Public Works are to jointly advise County Council of all land in the County that satisfies the above criteria but is not currently zoned as OS.

Section 3. *New Castle County Code* Chapter 40 ("Unified Development Code"), Article 3 ("Use Regulations"), Division 40.03.100 ("Use regulations"), Section 40.03.110 ("Use table") is hereby amended by adding the material that is underlined and deleting the material with strikethroughs, as set forth below.

Sec. 40.03.110. – Use table.

Table 40.03.110 lists the type of uses permitted in each district. Refer to Division 40.33.200 for definitions of the various use categories and their components…

Table 40.03.110 A GENERAL USE TABLE									*Table 40.03.110 B GENERAL USE TABLE*								*Table 40.03.110 C GENERAL USE TABLE*	
Zoning District (Urban and Suburban-Transition Character) Y=permitted, N=prohibited, L=limited review, S=special use review, A=accessory,									*Zoning District (Suburban and Special Character)*								*Additional Standards (all districts)*	
Land Use	** TN*	*ST*	*MM*	*ON*	*OR*	*CR*	*BP*	*I*	*CN*	**** S*	*SE*	*** NC*	*HI*	*EX*	*SR*	*OS*	*Parking*	*Limited & Special Use Standards*
Agricultural									**Agricultural**								**Agricultural**	
Agriculture (includes uses pursuant to Delaware Law)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	na.	---
Clearing	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	na.	Section 40.03.301
Farmstead	N	N	N	N	N	N	N	N	N	Y	Y	N	N	N	Y	Y	2.0/du.	---
Farm market	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	8 spaces	Section 40.03.328
Commercial stables	N	N	N	N	N	N	N	N	N	L	L	N	N	N	L	L	1 per 2 stalls	Section 40.03.302
Residential									**Residential**								**Residential**	
Single-family, detached	Y	Y	N	N	N	N	N	N	N	Y	Y	Y	N	N	Y	N	2.0/du.	---
Open space subdivision, option 1	N	N	N	N	N	N	N	N	N	Y	Y	N	N	N	Y	N	3.0/du.	---
Open space subdivision, option 2	N	N	N	N	N	N	N	N	N	Y	N	N	N	N	N	N	2.0/du.	---
Single-family, attached	Y	Y	N	N	N	N	N	N	N	N	N	Y	N	N	N	N	2.25/du.	---
Open space planned	Y	Y	N	N	N	N	N	N	N	Y	N	N	N	N	N	N	2.25/du.	---
Apartments	Y	Y	N	N	N	N	N	N	N	N	N	L	N	N	N	N	Table 40.03.522	Section 40.03.303
Apartment conversions	L	L	N	N	N	N	N	N	N	L	N	L	N	N	N	N	2.0/du.	Section 40.03.304
Commercial apartments	L	N	N	N	N	L	N	N	L	N	N	N	N	N	N	N	2.0/du.	Section 40.03.305
Hamlet	N	N	N	N	N	N	N	N	N	L	N	N	N	N	N	N	Division 40.25.100	Division 40.25.100
Village	N	N	N	N	N	N	N	N	N	L	N	N	N	N	N	N	Division 40.25.100	Division 40.25.100
Group home	Y	Y	N	N	N	N	N	N	N	Y	Y	Y	N	N	Y	N	1.0/2 beds	---
Manufactured home park	N	N	L	N	N	N	N	N	N	N	N	L	N	N	N	N	2.25/du.	Section 40.03.306
Small single-family	L	L	N	N	N	L	N	N	L	L	N	L	N	N	N	N	[2.0/du.]	[---]
Home Uses									**Home Uses**								**Home Uses**	
Day care, family/large family	A	A	A	N	N	N	N	N	N	A	A	A	N	N	A	N	Section 40.03.420	Section 40.03.420
Home occupation	A	A	A	N	N	A	N	N	A	A	A	A	N	N	A	N	Table 40.03.522	Section 40.03.420
Home business	N	N	N	N	N	N	N	N	N	L	L	N	N	N	L	N	Table 40.03.522	Table 40.03.210, Article 25 for design standards
Cottage industry	N	N	N	N	N	N	N	N	N	L	L	N	N	N	L	N	Table 40.03.522	Table 40.03.210, Article 25 for design standards
Institutional									**Institutional**								**Institutional**	

Table 40.03.110 A GENERAL USE TABLE									Table 40.03.110 B GENERAL USE TABLE								Table 40.03.110 C GENERAL USE TABLE	
Zoning District (Urban and Suburban-Transition Character) Y=permitted, N=prohibited, L=limited review, S=special use review, A=accessory,									Zoning District (Suburban and Special Character)								Additional Standards (all districts)	
Land Use	* TN	ST	MM	ON	OR	CR	BP	I	CN	*** S	SE	** NC	HI	EX	SR	OS	Parking	Limited & Special Use Standards
Assembly and worship	L	L	N	N	L	Y	L	L	L	L	L	L	N	N	L	N	Table 40.03.522	Section 40.03.307, Division 40.25.200
Schools	L	L	N	N	L	Y	L	L	L	L	L	L	N	N	L	N	Table 40.03.522	Section 40.03.307
Colleges	Y	Y	N	L	Y	Y	Y	Y	L	N	N	N	N	N	N	N	Table 40.03.522	Section 40.03.307
Institutional, regional	N	L	N	N	L	L	L	L	N	L	L	L	N	N	L	L	Table 40.03.522	Section 40.03.308
Institutional, neighborhood	L	L	L	L	L	L	L	L	L	L	L	L	N	N	L	L	Table 40.03.522	Section 40.03.309
Institutional, residential (Type I)	L	L	N	N	N	Y	N	N	L	L	L	L	N	N	Y	N	Table 40.03.522	Table 40.03.210
Institutional, residential (Type II)	L	L	N	N	N	L	N	N	L	L	L	L	N	N	L	N	Table 40.03.522	Table 40.03.210
Protective care	N	N	N	N	S	N	S	S	N	N	N	N	S	N	S	N	Table 40.03.522	Table 40.03.210, Section 40.03.310
Public service	L	L	L	Y	Y	Y	Y	Y	Y	L	L	L	Y	Y	L	L	Table 40.03.522	Section 40.03.311
Hospitals	N	N	N	N	Y	Y	Y	Y	N	N	N	L	N	N	N	N	1/bed	Table 40.03.210
Commercial									**Commercial**								**Commercial**	
Adaptive reuse, historic building	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	Table 40.03.522	Section 40.15.240
Adult uses	N	N	N	N	N	S	N	N	N	N	N	N	N	N	N	N	1/100 GFA	Section 40.03.313
Agricultural support and other rural services	N	N	N	N	Y	Y	Y	Y	Y	S	S	S	Y	Y	S	L	Table 40.03.522	Section 40.03.314 and Section 40.03.336
Bed and breakfast	L	L	N	N	N	N	N	N	L	L	L	L	N	N	L	N	1 / room plus 2 / du	Section 40.03.315
Commercial lodging	N	N	N	N	L	Y	L	L	Y	N	N	N	N	N	N	N	Table 40.03.522	Table 40.03.210
Commercial retail and service	L	N	N	N	L	Y	L	L	Y	N	N	N	N	N	N	N	Table 40.03.522	Table 40.03.210, Division 40.25.200
Corporate guest house	N	L	N	N	Y	Y	Y	Y	N	L	L	L	N	N	L	N	Table 40.03.522	Table 40.03.210
Craft alcohol production establishment	N	N	N	N	N	L	L	L	L	L	L	N	N	N	L	N	Table 40.03.522	Table 40.03.210, Section 40.03.318, Section 40.03.338
Drive-in facility	L	N	N	L	L	L	L	L	L	N	N	N	L	N	N	N	Table 40.03.522	Table 40.03.210, Section 40.03.316
Heavy retail and service	N	N	N	N	N	Y	N	Y	N	N	N	N	S	N	N	N	Table 40.03.522	Section 40.31.430
Light automobile service	L	N	N	N	L	Y	L	Y	Y	N	N	N	N	N	N	N	Table 40.03.522	Section 40.03.317
Mixed use	L	N	N	L	L	L	N	N	L	N	N	N	N	N	N	N	Table 40.03.522	Section 40.03.318, Division 40.25.200
Restaurants	L	N	N	N	L	Y	L	L	Y	N	N	N	N	N	N	S	Table 40.03.522	Table 40.03.210, Division 40.25.200
Office	L	N	N	Y	Y	Y	Y	Y	Y	N	N	N	L	N	N	N	Table 40.03.522	Table 40.03.210, Section 40.03.321, Division 40.25.200
Shopping center	N	N	N	N	N	Y	N	N	Y	N	N	N	N	N	N	N	Table 40.03.522	---
Vehicular sales, rental and service	N	N	N	N	N	Y	N	N	N	N	N	N	N	N	N	N	Table 40.03.522	---
Recreation and Amusement									**Recreation and Amusement**								**Recreation and Amusement**	
Campground	N	N	N	N	N	N	N	N	N	L	N	N	N	N	L	L	1/space + 3/50 spaces at office	Table 40.03.210

Table 40.03.110 A GENERAL USE TABLE									*Table 40.03.110 B GENERAL USE TABLE*								*Table 40.03.110 C GENERAL USE TABLE*	
Zoning District (Urban and Suburban-Transition Character) Y=permitted, N=prohibited, L=limited review, S=special use review, A=accessory,									*Zoning District (Suburban and Special Character)*								*Additional Standards (all districts)*	
Land Use	** TN*	*ST*	*MM*	*ON*	*OR*	*CR*	*BP*	*I*	*CN*	**** S*	*SE*	*** NC*	*HI*	*EX*	*SR*	*OS*	*Parking*	*Limited & Special Use Standards*
Recreation, high intensity	N	N	N	N	S	Y	S	S	L	N	N	N	N	L	N	L	Table 40.03.522	Table 40.03.210. In EX, see also Section 40.03.324
Recreation, low intensity	L	L	L	L	L	Y	L	L	Y	L	L	L	L	N	L	L	Table 40.03.522	Table 40.03.210
Resort	N	N	N	N	N	L	N	N	N	L	L	N	N	N	L	N	Table 40.03.522	Table 40.03.210, Section 40.03.322
Industrial Uses									**Industrial Uses**								**Industrial Uses**	
Compost operations	N	N	N	N	N	N	N	L	N	N	N	N	L	L	S	N	Table 40.03.522	Section 40.03.336
Extraction	N	N	N	N	N	N	N	N	N	N	N	N	N	L	N	N	Table 40.03.522	Section 40.03.324 and Table 40.03.210
Heavy industry	N	N	N	N	N	N	N	N	N	N	N	N	S	N	N	N	Table 40.03.522	---
Light industry	N	N	N	N	L	S	Y	Y	N	N	N	N	Y	Y	N	N	Table 40.03.522	Section 40.03.333
Recycling or storage	N	N	N	N	L	N	L	L	N	N	N	N	L	N	N	N	Table 40.03.522	Table 40.03.210
Utilities, maintenance facilities	N	N	N	N	Y	L	Y	Y	N	N	N	N	Y	N	N	L	Table 40.03.522	Section 40.03.312
Utility, minor	L	L	L	L	L	L	L	L	L	L	L	L	Y	Y	L	L	Table 40.03.522	Section 40.03.334
Utility, major	S	S	S	S	S	S	S	L	S	S	S	S	L	S	S	L	Table 40.03.522	Section 40.03.312
Solar energy system, large-scale	N	N	L	L	L	L	L	L	N	L	N	N	L	N	L	N	na.	Section 40.03.337
Other Uses									**Other Uses**								**Other Uses**	
Airports	N	N	N	N	L	N	L	L	N	S	N	N	L	N	S	N	Special study, Section 40.03.524	Table 40.03.210, Section 40.03.325 and 40.03.432
Commercial communications towers	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	2 per tower	Section 40.03.326
Community recycling bins	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	---	Section 40.03.430
Exterior lighting for outdoor recreational uses	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Table 40.03.522	Table 40.03.210 and Division 40.22.700
Park and ride facility	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	N	---	Table 40.03.210
Parking structures	N	N	N	S	S	S	S	S	S	S	N	N	S	N	N	S	---	Sections 40.03.528, 40.01.320, and 40.25.137
Temporary Uses									**Temporary Uses**								**Temporary Uses**	
Temporary storage, office or classroom modulars or trailers	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	Table 40.03.522	Table 40.03.210
Concrete/asphalt batch plant	N	N	N	N	N	N	N	L	N	N	N	N	L	L	L	N	Table 40.03.522	Section 40.03.327
Contractor's office	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	1/200 sf.	---
Model homes/sale office	L	L	L	N	N	N	N	N	N	L	L	L	N	N	L	N	2/model	Section 40.03.335
Commercial temporary outdoor sales	L	N	N	N	N	L	N	N	L	N	N	N	N	N	N	L	None	Section 40.03.329
Public interest and special events	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	Table 40.03.522	Section 40.03.330
Temporary miscellaneous sales	L	N	N	N	N	L	N	N	L	N	N	N	N	N	N	L	Table 40.03.522	Table 40.03.210, Section 40.03.331
	NOTES: * Refer to Article 25 for design standards for TN District. ** Refer to Section 40.02.241 for identification of permitted residential uses by specific NC zoning district. *** See Division 40.25.100 for Village and Hamlet Standards.																	

Section 4. *New Castle County Code* Chapter 40 ("Unified Development Code"), Article 4 ("District Intensity and Bulk Standards"), Division 40.04.100 ("District performance standards"), Section 40.04.110 ("District and bulk standards") is hereby amended by adding the material that is underlined and deleting the material with strikethroughs, as set forth below.

Sec. 40.04.110. - District and bulk standards.

Table 40.04.110 A. DISTRICT AND BULK STANDARDS								Table 40.04.110 B. DISTRICT AND BULK STANDARDS								Table 40.04.110 C. DISTRICT AND BULK STANDARDS	
District Standards								**Lot, and Building Standards**								**Storage and Comments**	
Zoning District & Development Type	**Min. OSR / LSR**	**Density**		**Floor Area Ratio**		**Utilities (on-site, public)**	**Min. Site Area**	**Minimum**							**Maximum**	**Exterior Storage**	**Notes**
		Max. Gross	**Max Net**	**Max. Gross**	**Max Net**			**Lot Area**	**Lot Width (feet)**	**Street Yard (feet)**	**Side Yard (feet)**	**Rear Yard (feet)**	**Paving street yard/other yard (feet)**	**Unit Mix (%)**	**Building Height (feet)**	**Percent of Lot Area**	
Protected Open Space (OS)								Protected Open Space (OS)								Protected Open Space (OS)	
Permitted uses*	0.70	na.	na.	0.12	0.45	OS	na.	na.	na.	50	40	50	50/30	na.	40	na.	*The standards are applicable unless explicitly established otherwise by a governmental agreement. …

Section 5. *New Castle County Code* Chapter 40 ("Unified Development Code"), Article 4 ("District Intensity and Bulk Standards"), Division 40.04.100 ("District performance standards"), Section 40.04.111 ("Landscape and illumination standards"), Table 40.04.111 ("Use and Lot Standards") is hereby amended by adding the material that is underlined and deleting the material with strikethroughs, as set forth below.

Sec. 40.04.111. - Landscape and illumination standards.

Bufferyard, landscaping standards and lighting standards are provided in Table 40.04.111.

Table 40.04.111 A. USE AND LOT STANDARDS							Table 40.04.111 B. USE AND LOT STANDARDS																Table 40.04.111 C. USE AND LOT STANDARDS			
Zoning District & Development Type	Landscaping Plant Units per (See Division 40.23.100)			Bufferyard Opacity Standards			Bufferyard Opacity Standards (*See* Section 40.23.140)																Street Tree Spacing (feet	Max. Illumination/Height		Notes
				Adjoining Streets			Adjoining District or Use (1) (No bufferyard shall be required where like zoning district and like developments options are adjacent)																	Illumination	Height	*NC6.5 or less includes NC5, NCap, NCga, NCth, NCsd, CNmm, and NCpud
	Lot	Acre Open Space	Parking Spaces	Arterial	Collector	Minor	SR	SE NC 2a	S	NC 40-10	ST	TN	MM	NC 6.5 or less*	ON	OR	CN	CR	BP	I	HI	EX		C=Cutoff fc=footcandles S=Semi-Cutoff	C=Cutoff ft=feet S=Semi-Cutoff	
Protected Open Space (OS)							Protected Open Space (OS)																Protected Open Space (OS)			
Permitted uses	5/ac.	4	1/12	0.4	0.3	0.2	0.3	0.3	0.3	0.3	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.2	1	40	C=4 fc S=2 fc	C=20 ft S=20 ft	…

Section 6. *New Castle County Code* Chapter 40 ("Unified Development Code"), Article 6 ("Sign Regulations"), Division 40.06.000 ("Applicability") is hereby amended by adding the material that is underlined and deleting the material with strikethroughs, as set forth below.

Division 40.06.000. - Applicability.

A. With regard to Section 40.06.060 Schedule of Sign Restrictions, the following rules

shall govern:

1. Protected Open Space (OS), Neighborhood Conservation (NC), Suburban Reserve (SR), Suburban Estate (SE), Suburban (S), Suburban Transition (ST), and Traditional Neighborhood (TN) districts shall all be considered residential districts.

2. Commercial Neighborhood (CN)…

Section 7. New Castle County Council finds that the provisions of this Ordinance are consistent with the spirit and intent of the New Castle County Comprehensive Plan

Section 8. This Ordinance shall become effective immediately upon its adoption by County Council and approval by 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
of New Castle County

SYNOPSIS: Ordinance No. 23-095 proposed the creation of a new zoning district known as the Protected Open Space (OS) District. The OS District will designate public interest open space that has been protected in perpetuity. The Ordinance sets forth the purposes of the OS District. Moreover, the Ordinance establishes permitted and prohibited uses, as well as limited and accessory uses within the district.

Substitute No. 1 to Ordinance No. 23-095 clarified the composition and scope of land in the proposed new Section 40.02.248. Protected Open Space (OS) District. Furthermore, this Substitute clarifies originally prohibited uses which are now permissible uses subject to limited review, such as high intensity Recreation, Public Service, and Commercial temporary outdoor sales. In addition, this Substitute clarifies originally prohibited uses which are now permissible uses subject to special use review, such as Restaurants.

Substitute No. 2 to Ordinance No. 23-095 changes language at line 79 from may to shall.

FISCAL NOTE: There is no discernible fiscal impact with the adoption of this Ordinance.

Prime Sponsor(s): Mr. Carter, Ms. Durham
Co-Sponsor(s): Mr. Toole, Mr. Cartier, Ms. Hartley-Nagle
Date of introduction: July 11, 2023

SUBSTITUTE NO. 1 TO ORDINANCE NO. 23-095

AMENDING *NEW CASTLE COUNTY CODE* CHAPTER 40 (THE "UNIFIED DEVELOPMENT CODE") TO ESTABLISH A PROTECTED OPEN SPACE ZONING DISTRICT

WHEREAS, in 1997, New Castle County Council enacted a comprehensive overhaul of New Castle County's original 1954 zoning and subdivision regulations with the addition of Chapter 40 to the *New Castle County Code* (the "Unified Development Code" or "UDC"); and

WHEREAS, the Unified Development Code has since undergone considerable evolution to better reflect growth trends in the County and to advance the UDC regulations to include planning and land use ideas and values to meet today's needs; and

WHEREAS, the County's urban growth patterns have created a void in the ability of County government and its citizens to clearly recognize and appreciate the significant amounts of public and private open space that exist today in the County; and

WHEREAS, the zoning of open space protected in perpetuity in categories describing other uses is confusing to the public and leads to a practical misunderstanding of the future growth patterns of the County, rather than clearly depicting the real world current and future land use conditions; and

WHEREAS, it is important to establish a Protected Open Space (OS) District to readily show the extent of publicly protected lands and provide a clearer vision of the size and extent of these important land uses; and

WHEREAS, Strategy 1.1.6 of the 2022 New Castle County Comprehensive Plan states that the County should consider the addition of a preservation zoning category, and defines "Protected Open Space" as privately or publicly held land that has been protected from future development, yet such parcels are not readily designated differently from other parcels which are able to be further developed; and

WHEREAS, the establishment of the Open Space District, which will include Federal, State, County, and local government lands protected in perpetuity through donation or the use of public funds and placed under protective covenants or conservation easements will provide a clearer picture of the extent of permanent open space and recreational land use in the County, and their protected class; and

WHEREAS, County Council has determined that the provisions of this Ordinance substantially advance, and are reasonably and rationally related to, legitimate government interests, including the protection and preservation of the public health, safety, prosperity, general welfare, and quality of life.

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

Section 1. *New Castle County Code* Chapter 40 (the "Unified Development Code"), Article 2 ("Establishment of Zoning Districts"), Division 40.02.200 ("Statement of purpose and intent of districts") is hereby amended by adding the material that is underlined and deleting the material with strikethroughs, as set forth below.

Division 40.02.200. - Statement of purpose and intent of districts.

This Division specifies the purpose and intent of the zoning districts established by this Chapter. The major community character classes (urban, suburban transition, suburban, [~~and~~] special, and protected open space) are used to organize the districts. Uses within a community character class are more similar in character than uses in a different class. All districts share the purpose of implementing the Comprehensive Development Plan.

It is County Council's intent to encourage agricultural preservation in all New Castle County zoning districts. …

Section 2. *New Castle County Code* Chapter 40 ("Unified Development Code"), Article 2 ("Establishment of Zoning Districts"), Division 40.02.200 ("Statement of purpose and intent of districts") is hereby by adding the material that is underlined and deleting the material with strikethroughs, as set forth below.

Sec. 40.02.248. - Protected Open Space (OS) District.

The Protected Open Space (OS) District includes land that is protected in perpetuity through acquisition or donation of fee simple land or protective covenants to a public entity including public parks, an ecological habitat, or any other environmental or outdoor recreational area.

A. Land designated as OS includes:
   1. Federal, state, and county owned land and land owned by a municipality located in an unincorporated portion of the County that has been permanently protected from development as open space; and
   2. Private land protected in perpetuity that is voluntarily zoned OS at the request of the landowner.

B. Private land protected under the Delaware Agricultural Lands Preservation program or private community open space set aside as part of a land use record plan may not be designated as OS.

C. By July 1 of each year, the Departments of Land Use and Public Works are to jointly advise County Council of all land in the County that satisfies the above criteria but is not currently zoned as OS.

Section 3. New Castle County Code Chapter 40 ("Unified Development Code"), Article 3 ("Use Regulations"), Division 40.03.100 ("Use regulations"), Section 40.03.110 ("Use table") is hereby amended by adding the material that is underlined and deleting the material with strikethroughs, as set forth below.

Sec. 40.03.110. - Use table.

Table 40.03.110 lists the type of uses permitted in each district. Refer to Division 40.33.200 for definitions of the various use categories and their components…

Table 40.03.110 A GENERAL USE TABLE									*Table 40.03.110 B GENERAL USE TABLE*								*Table 40.03.110 C GENERAL USE TABLE*	
Zoning District (Urban and Suburban-Transition Character) Y=permitted, N=prohibited, L=limited review, S=special use review, A=accessory,									*Zoning District (Suburban and Special Character)*								*Additional Standards (all districts)*	
Land Use	** TN*	*ST*	*M M*	*ON*	*OR*	*CR*	*BP*	*I*	*CN*	**** S*	*SE*	*** NC*	*HI*	*EX*	*SR*	*OS*	*Parking*	*Limited & Special Use Standards*
Agricultural									**Agricultural**								**Agricultural**	
Agriculture (includes uses pursuant to Delaware Law)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	na.	---
Clearing	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	na.	Section 40.03.301
Farmstead	N	N	N	N	N	N	N	N	N	Y	Y	N	N	N	Y	Y	2.0/du.	---
Farm market	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	8 spaces	Section 40.03.328
Commercial stables	N	N	N	N	N	N	N	N	N	L	L	N	N	N	L	L	1 per 2 stalls	Section 40.03.302
Residential									**Residential**								**Residential**	
Single-family, detached	Y	Y	N	N	N	N	N	N	N	Y	Y	Y	N	N	Y	N	2.0/du.	---
Open space subdivision, option 1	N	N	N	N	N	N	N	N	N	Y	Y	N	N	N	Y	N	3.0/du.	---
Open space subdivision, option 2	N	N	N	N	N	N	N	N	N	Y	N	N	N	N	N	N	2.0/du.	---
Single-family, attached	Y	Y	N	N	N	N	N	N	N	N	N	Y	N	N	N	N	2.25/du.	---
Open space planned	Y	Y	N	N	N	N	N	N	N	Y	N	N	N	N	N	N	2.25/du.	---
Apartments	Y	Y	N	N	N	N	N	N	N	N	N	L	N	N	N	N	Table 40.03.522	Section 40.03.303
Apartment conversions	L	L	N	N	N	N	N	N	N	L	N	L	N	N	N	N	2.0/du.	Section 40.03.304
Commercial apartments	L	N	N	N	N	L	N	N	L	N	N	N	N	N	N	N	2.0/du.	Section 40.03.305
Hamlet	N	N	N	N	N	N	N	N	N	L	N	N	N	N	N	N	Division 40.25.100	Division 40.25.100
Village	N	N	N	N	N	N	N	N	N	L	N	N	N	N	N	N	Division 40.25.100	Division 40.25.100
Group home	Y	Y	N	N	N	N	N	N	N	Y	Y	Y	N	N	Y	N	1.0/2 beds	---
Manufactured home park	N	N	L	N	N	N	N	N	N	N	N	L	N	N	N	N	2.25/du.	Section 40.03.306
Small single-family	L	L	N	N	N	L	N	N	L	L	N	L	N	N	N	N	[2.0/du.]	[---]
Home Uses									**Home Uses**								**Home Uses**	
Day care, family/large family	A	A	A	N	N	N	N	N	N	A	A	A	N	N	A	N	Section 40.03.420	Section 40.03.420
Home occupation	A	A	A	N	N	A	N	N	A	A	A	A	N	N	A	N	Table 40.03.522	Section 40.03.420
Home business	N	N	N	N	N	N	N	N	N	L	L	N	N	N	L	N	Table 40.03.522	Table 40.03.210, Article 25 for design standards
Cottage industry	N	N	N	N	N	N	N	N	N	L	L	N	N	N	L	N	Table 40.03.522	Table 40.03.210, Article 25 for design standards
Institutional									**Institutional**								**Institutional**	

Table 40.03.110 A GENERAL USE TABLE									Table 40.03.110 B GENERAL USE TABLE								Table 40.03.110 C GENERAL USE TABLE	
Zoning District (Urban and Suburban-Transition Character) Y=permitted, N=prohibited, L=limited review, S=special use review, A=accessory,									Zoning District (Suburban and Special Character)								Additional Standards (all districts)	
Land Use	* TN	ST	MM	ON	OR	CR	BP	I	CN	*** S	SE	** NC	HI	EX	SR	OS	Parking	Limited & Special Use Standards
Assembly and worship	L	L	N	N	L	Y	L	L	L	L	L	L	N	N	L	N	Table 40.03.522	Section 40.03.307, Division 40.25.200
Schools	L	L	N	N	L	Y	L	L	L	L	L	L	N	N	L	N	Table 40.03.522	Section 40.03.307
Colleges	Y	Y	N	L	Y	Y	Y	Y	L	N	N	N	N	N	N	N	Table 40.03.522	Section 40.03.307
Institutional, regional	N	L	N	N	L	L	L	L	N	L	L	L	N	N	L	L	Table 40.03.522	Section 40.03.308
Institutional, neighborhood	L	L	L	L	L	L	L	L	L	L	L	L	N	N	L	L	Table 40.03.522	Section 40.03.309
Institutional, residential (Type I)	L	L	N	N	N	Y	N	N	L	L	L	L	N	N	Y	N	Table 40.03.522	Table 40.03.210
Institutional, residential (Type II)	L	L	N	N	N	L	N	N	L	L	L	L	N	N	L	N	Table 40.03.522	Table 40.03.210
Protective care	N	N	N	N	S	N	S	S	N	N	N	N	S	N	S	N	Table 40.03.522	Table 40.03.210, Section 40.03.310
Public service	L	L	L	Y	Y	Y	Y	Y	Y	L	L	L	Y	Y	L	L	Table 40.03.522	Section 40.03.311
Hospitals	N	N	N	N	Y	Y	Y	Y	N	N	N	L	N	N	N	N	1/bed	Table 40.03.210
Commercial									**Commercial**								**Commercial**	
Adaptive reuse, historic building	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	Table 40.03.522	Section 40.15.240
Adult uses	N	N	N	N	N	S	N	N	N	N	N	N	N	N	N	N	1/100 GFA	Section 40.03.313
Agricultural support and other rural services	N	N	N	N	Y	Y	Y	Y	Y	S	S	S	Y	Y	S	L	Table 40.03.522	Section 40.03.314 and Section 40.03.336
Bed and breakfast	L	L	N	N	N	N	N	N	L	L	L	L	N	N	L	N	1 / room plus 2 / du	Section 40.03.315
Commercial lodging	N	N	N	N	L	Y	L	L	Y	N	N	N	N	N	N	N	Table 40.03.522	Table 40.03.210
Commercial retail and service	L	N	N	N	L	Y	L	L	Y	N	N	N	N	N	N	N	Table 40.03.522	Table 40.03.210, Division 40.25.200
Corporate guest house	N	L	N	N	Y	Y	Y	Y	N	L	L	L	N	N	L	N	Table 40.03.522	Table 40.03.210
Craft alcohol production establishment	N	N	N	N	N	L	L	L	L	L	L	N	N	N	L	N	Table 40.03.522	Table 40.03.210, Section 40.03.318, Section 40.03.338
Drive-in facility	L	N	N	L	L	L	L	L	L	N	N	N	L	N	N	N	Table 40.03.522	Table 40.03.210, Section 40.03.316
Heavy retail and service	N	N	N	N	N	Y	N	Y	N	N	N	N	S	N	N	N	Table 40.03.522	Section 40.31.430
Light automobile service	L	N	N	N	L	Y	L	Y	Y	N	N	N	N	N	N	N	Table 40.03.522	Section 40.03.317
Mixed use	L	N	N	L	L	L	N	N	L	N	N	N	N	N	N	N	Table 40.03.522	Section 40.03.318, Division 40.25.200
Restaurants	L	N	N	N	L	Y	L	L	Y	N	N	N	N	N	N	S	Table 40.03.522	Table 40.03.210, Division 40.25.200
Office	L	N	N	Y	Y	Y	Y	Y	Y	N	N	N	L	N	N	N	Table 40.03.522	Table 40.03.210, Section 40.03.321, Division 40.25.200
Shopping center	N	N	N	N	N	Y	N	N	Y	N	N	N	N	N	N	N	Table 40.03.522	---
Vehicular sales, rental and service	N	N	N	N	N	Y	N	N	N	N	N	N	N	N	N	N	Table 40.03.522	---
Recreation and Amusement									**Recreation and Amusement**								**Recreation and Amusement**	
Campground	N	N	N	N	N	N	N	N	N	L	N	N	N	N	L	L	1/space + 3/50 spaces at office	Table 40.03.210

Table 40.03.110 A GENERAL USE TABLE									*Table 40.03.110 B GENERAL USE TABLE*								*Table 40.03.110 C GENERAL USE TABLE*	
Zoning District (Urban and Suburban-Transition Character) Y=permitted, N=prohibited, L=limited review, S=special use review, A=accessory,									*Zoning District (Suburban and Special Character)*								*Additional Standards (all districts)*	
Land Use	** TN*	*ST*	*MM*	*ON*	*OR*	*CR*	*BP*	*I*	*CN*	**** S*	*SE*	*** NC*	*HI*	*EX*	*SR*	*OS*	*Parking*	*Limited & Special Use Standards*
Recreation, high intensity	N	N	N	N	S	Y	S	S	L	N	N	N	N	L	N	L	Table 40.03.522	Table 40.03.210. In EX, see also Section 40.03.324
Recreation, low intensity	L	L	L	L	L	Y	L	L	Y	L	L	L	L	N	L	L	Table 40.03.522	Table 40.03.210
Resort	N	N	N	N	N	L	N	N	N	L	L	N	N	N	L	N	Table 40.03.522	Table 40.03.210, Section 40.03.322
Industrial Uses									**Industrial Uses**								**Industrial Uses**	
Compost operations	N	N	N	N	N	N	N	L	N	N	N	N	L	L	S	N	Table 40.03.522	Section 40.03.336
Extraction	N	N	N	N	N	N	N	N	N	N	N	N	N	L	N	N	Table 40.03.522	Section 40.03.324 and Table 40.03.210
Heavy industry	N	N	N	N	N	N	N	N	N	N	N	N	S	N	N	N	Table 40.03.522	---
Light industry	N	N	N	N	L	S	Y	Y	N	N	N	N	Y	Y	N	N	Table 40.03.522	Section 40.03.333
Recycling or storage	N	N	N	N	L	N	L	L	N	N	N	N	L	N	N	N	Table 40.03.522	Table 40.03.210
Utilities, maintenance facilities	N	N	N	N	Y	L	Y	Y	N	N	N	N	Y	N	N	L	Table 40.03.522	Section 40.03.312
Utility, minor	L	L	L	L	L	L	L	L	L	L	L	L	Y	Y	L	L	Table 40.03.522	Section 40.03.334
Utility, major	S	S	S	S	S	S	S	L	S	S	S	S	L	S	S	L	Table 40.03.522	Section 40.03.312
Solar energy system, large-scale	N	N	L	L	L	L	L	L	N	L	N	N	L	N	L	N	na.	Section 40.03.337
Other Uses									**Other Uses**								**Other Uses**	
Airports	N	N	N	N	L	N	L	L	N	S	N	N	L	N	S	N	Special study, Section 40.03.524	Table 40.03.210, Section 40.03.325 and 40.03.432
Commercial communications towers	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	2 per tower	Section 40.03.326
Community recycling bins	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	---	Section 40.03.430
Exterior lighting for outdoor recreational uses	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Table 40.03.522	Table 40.03.210 and Division 40.22.700
Park and ride facility	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	N	---	Table 40.03.210
Parking structures	N	N	N	S	S	S	S	S	S	S	N	N	S	N	N	S	---	Sections 40.03.528, 40.01.320, and 40.25.137
Temporary Uses									**Temporary Uses**								**Temporary Uses**	
Temporary storage, office or classroom modulars or trailers	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	Table 40.03.522	Table 40.03.210
Concrete/asphalt batch plant	N	N	N	N	N	N	N	L	N	N	N	N	L	L	L	N	Table 40.03.522	Section 40.03.327
Contractor's office	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	1/200 sf.	---
Model homes/sale office	L	L	L	N	N	N	N	N	N	L	L	L	N	N	L	N	2/model	Section 40.03.335
Commercial temporary outdoor sales	L	N	N	N	N	L	N	N	L	N	N	N	N	N	N	L	None	Section 40.03.329
Public interest and special events	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	Table 40.03.522	Section 40.03.330
Temporary miscellaneous sales	L	N	N	N	N	L	N	N	L	N	N	N	N	N	N	L	Table 40.03.522	Table 40.03.210, Section 40.03.331
	NOTES: * Refer to Article 25 for design standards for TN District. ** Refer to Section 40.02.241 for identification of permitted residential uses by specific NC zoning district. *** See Division 40.25.100 for Village and Hamlet Standards.																	

Section 4. *New Castle County Code* Chapter 40 ("Unified Development Code"), Article 4 ("District Intensity and Bulk Standards"), Division 40.04.100 ("District performance standards"), Section 40.04.110 ("District and bulk standards") is hereby amended by adding the material that is underlined and deleting the material with strikethroughs, as set forth below.

Sec. 40.04.110. - District and bulk standards.

Table 40.04.110 A. DISTRICT AND BULK STANDARDS								Table 40.04.110 B. DISTRICT AND BULK STANDARDS								Table 40.04.110 C. DISTRICT AND BULK STANDARDS	
District Standards								**Lot, and Building Standards**								**Storage and Comments**	
Zoning District & Development Type	**Min. OSR / LSR**	**Density**		**Floor Area Ratio**		**Utilities (on-site, public)**	**Min. Site Area**	**Minimum**							**Maximum**	**Exterior Storage**	**Notes**
		Max. Gross	**Max Net**	**Max. Gross**	**Max Net**			**Lot Area**	**Lot Width (feet)**	**Street Yard (feet)**	**Side Yard (feet)**	**Rear Yard (feet)**	**Paving street yard/other yard (feet)**	**Unit Mix (%)**	**Building Height (feet)**	**Percent of Lot Area**	
Protected Open Space (OS)								Protected Open Space (OS)								Protected Open Space (OS)	
Permitted uses*	0.70	na.	na.	0.12	0.45	OS	na.	na.	na.	50	40	50	50/30	na.	40	na.	*The standards are applicable unless explicitly established otherwise by a governmental agreement. …

Section 5. *New Castle County Code* Chapter 40 ("Unified Development Code"), Article 4 ("District Intensity and Bulk Standards"), Division 40.04.100 ("District performance standards"), Section 40.04.111 ("Landscape and illumination standards"), Table 40.04.111 ("Use and Lot Standards") is hereby amended by adding the material that is underlined and deleting the material with strikethroughs, as set forth below.

Sec. 40.04.111. - Landscape and illumination standards.

Bufferyard, landscaping standards and lighting standards are provided in Table 40.04.111.

Table 40.04.111 A. USE AND LOT STANDARDS							Table 40.04.111 B. USE AND LOT STANDARDS																			Table 40.04.111 C. USE AND LOT STANDARDS			
Zoning District & Development Type	Landscaping Plant Units per (See Division 40.23.100)			Bufferyard Opacity Standards			Bufferyard Opacity Standards (*See* Section 40.23.140)																			Street Tree Spacing (feet	Max. Illumination/Height		Notes
				Adjoining Streets			Adjoining District or Use (1) (No bufferyard shall be required where like zoning district and like developments options are adjacent)																				Illumination	Height	
	Lot	Acre Open Space	Parking Spaces	Arterial	Collector	Minor	SR	SE NC 2a	S	NC 40-10	ST	TN	MM	NC 6.5 or less*	ON	OR	CN	CR	BP	I	HI	EX				C=Cutoff fc=footcandles S=Semi-Cutoff	C=Cutoff ft=feet S=Semi-Cutoff	*NC6.5 or less includes NC5, NCap, NCga, NCth, NCsd, CNmm, and NCpud
Protected Open Space (OS)							Protected Open Space (OS)																			Protected Open Space (OS)			
Permitted uses	5/ac.	4	1/12	0.4	0.3	0.2	0.3	0.3	0.3	0.3	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.2	0.2	1		40	C=4 fc S=2 fc	C=20 ft S=20 ft	…

Section 6. *New Castle County Code* Chapter 40 ("Unified Development Code"), Article 6 ("Sign Regulations"), Division 40.06.000 ("Applicability") is hereby amended by adding the material that is underlined and deleting the material with strikethroughs, as set forth below.

Division 40.06.000. - Applicability.

A. With regard to Section 40.06.060 Schedule of Sign Restrictions, the following rules shall govern:

1. Protected Open Space (OS), Neighborhood Conservation (NC), Suburban Reserve (SR), Suburban Estate (SE), Suburban (S), Suburban Transition (ST), and Traditional Neighborhood (TN) districts shall all be considered residential districts.

2. Commercial Neighborhood (CN)…

Section 7. New Castle County Council finds that the provisions of this Ordinance are consistent with the spirit and intent of the New Castle County Comprehensive Plan.

Section 8. This Ordinance shall become effective immediately upon passage by New Castle County Council and approval by 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
of New Castle County

SYNOPSIS: Ordinance No. 23-095 proposed the creation of a new zoning district known as the Protected Open Space (OS) District. The OS District will designate public interest open space that has been protected in perpetuity. The Ordinance sets forth the purposes of the OS District. Moreover, the Ordinance establishes permitted and prohibited uses, as well as limited and accessory uses within the district.

This Substitute to Ordinance No. 23-095 clarifies the composition and scope of land in the proposed new Section 40.02.248. Protected Open Space (OS) District. Furthermore, this Substitute clarifies originally prohibited uses which are now permissible uses subject to limited review, such as high intensity *Recreation*, *Public Service*, and *Commercial temporary outdoor sales*. In addition, this Substitute clarifies originally prohibited uses which are now permissible uses subject to special use review, such as *Restaurants*.

FISCAL NOTE: There is no discernible fiscal impact with the adoption of this Ordinance.

Prime Sponsor(s): Mr. Carter, Ms. Durham
Co-Sponsor(s): Mr. Toole, Mr. Cartier
Date of introduction: July 11, 2023

ORDINANCE NO. 23-095

AMENDING *NEW CASTLE COUNTY CODE* CHAPTER 40 (THE "UNIFIED DEVELOPMENT CODE") TO ESTABLISH A PROTECTED OPEN SPACE ZONING DISTRICT

WHEREAS, in 1997, New Castle County Council enacted a comprehensive overhaul of New Castle County's original 1954 zoning and subdivision regulations with the addition of Chapter 40 to the *New Castle County Code* (the "Unified Development Code" or "UDC"); and

WHEREAS, the Unified Development Code has since undergone considerable evolution to better reflect growth trends in the County and to advance the UDC regulations to include planning and land use ideas and values to meet today's needs; and

WHEREAS, the County's urban growth patterns have created a void in the ability of County government and its citizens to clearly recognize and appreciate the significant amounts of public and private open space that exist today in the County; and

WHEREAS, the zoning of open space protected in perpetuity in categories describing other uses is confusing to the public and leads to a practical misunderstanding of the future growth patterns of the County, rather than clearly depicting the real world current and future land use conditions; and

WHEREAS, it is important to establish an Open Space (OS) District to readily show the extent of publicly protected lands and provide a clearer vision of the size and extent of these important land uses; and

WHEREAS, Strategy 1.1.6 of the 2022 New Castle County Comprehensive Plan states that the County should consider the addition of a preservation zoning category, and defines "Protected Open Space" as privately or publicly held land that has been protected from future development, yet such parcels are not readily designated differently from other parcels which are able to be further developed; and

WHEREAS, the establishment of the Open Space District, which will include all Federal, State, County, and other local government lands protected in perpetuity through donation or the use of public funds and placed under protective covenants or conservation easements will provide a clearer picture of the extent of permanent open space and recreational land use in the County, and their protected class; and

WHEREAS, County Council has determined that the provisions of this Ordinance substantially advance, and are reasonably and rationally related to, legitimate government interests, including the protection and preservation of the public health, safety, prosperity, general welfare, and quality of life.

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

Section 1. *New Castle County Code* Chapter 40 (the "Unified Development Code"), Article 2 ("Establishment of Zoning Districts"), Division 40.02.200 ("Statement of purpose and intent of districts") is hereby amended by the addition of the underscored text as set forth below.

Division 40.02.200. Statement of purpose and intent of districts.

This Division specifies the purpose and intent of the zoning districts established by this Chapter. The major community character classes (urban, suburban transition, suburban, [~~and~~] special, and protected open space) are used to organize the districts. Uses within a community character class are more similar in character than uses in a different class. All districts share the purpose of implementing the Comprehensive Development Plan.

It is County Council's intent to encourage agricultural preservation in all New Castle County zoning districts. …

Section 2. *New Castle County Code* Chapter 40 ("Unified Development Code"), Article 2 ("Establishment of Zoning Districts"), Division 40.02.200 ("Statement of purpose and intent of districts") is hereby amended by the underscored language as set forth below:

Sec. 40.02.248. Protected Open Space (OS) District.

The Protected Open Space (OS) District is comprised of land that is protected in perpetuity through the purchase of protective covenants utilizing public funds or the donation of protective covenants to a public entity including public parks, an ecological habitat or any other environmental or outdoor recreation area.

A. Land designated as OS includes federal, state, county, and other local government lands that have been permanently protected from land development.

B. Land designated as OS additionally includes private lands protected in perpetuity through donation of fee simple property or conservation easements, covenants, or deed restrictions, or through the purchase of protections utilizing public funds where the federal, state, county, or other local government has obtained ownership or is a named beneficiary in conservation easements or other protective covenants, with the exception that it does not include land protected under the Delaware Agricultural Lands Preservation Program.

C. The Department of Land Use must advise New Castle County Council, biyearly of any land not already zoned OS that meets the above criteria. County Council will introduce an ordinance, consistent with the provisions of this Chapter, to rezone all land meeting the above criteria to OS.

Section 3. New Castle County Code Chapter 40 (“Unified Development Code”), Article 3 (“Use Regulations”), Division 40.03.100 (“Use regulations”), Section 40.03.110 (“Use table”) is hereby amended by adding the material that is underscored and by deleting the material with strikethroughs, as set forth below:

Sec. 40.03.110. Use table.

Table 40.03.110 lists the type of uses permitted in each district. Refer to Division 40.33.200 for definitions of the various use categories and their components…

Table 40.03.110 A GENERAL USE TABLE									*Table 40.03.110 B GENERAL USE TABLE*								*Table 40.03.110 C GENERAL USE TABLE*	
Zoning District (Urban and Suburban-Transition Character) Y=permitted, N=prohibited, L=limited review, S=special use review, A=accessory,									*Zoning District (Suburban and Special Character)*								*Additional Standards (all districts)*	
Land Use	** TN*	*ST*	*MM*	*ON*	*OR*	*CR*	*BP*	*I*	*CN*	**** S*	*SE*	*** NC*	*HI*	*EX*	*SR*	*OS*	*Parking*	*Limited & Special Use Standards*
Agricultural									**Agricultural**								**Agricultural**	
Agriculture (includes uses pursuant to Delaware Law)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	na.	---
Clearing	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	N	na.	Section 40.03.301
Farmstead	N	N	N	N	N	N	N	N	N	Y	Y	N	N	N	Y	Y	2.0/du.	---
Farm market	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	8 spaces	Section 40.03.328
Commercial stables	N	N	N	N	N	N	N	N	N	L	L	N	N	N	L	N	1 per 2 stalls	Section 40.03.302
Residential									**Residential**								**Residential**	
Single-family, detached	Y	Y	N	N	N	N	N	N	N	Y	Y	Y	N	N	Y	N	2.0/du.	---
Open space subdivision, option 1	N	N	N	N	N	N	N	N	N	Y	Y	N	N	N	Y	N	3.0/du.	---
Open space subdivision, option 2	N	N	N	N	N	N	N	N	N	Y	N	N	N	N	N	N	2.0/du.	---
Single-family, attached	Y	Y	N	N	N	N	N	N	N	N	N	Y	N	N	N	N	2.25/du.	---
Open space planned	Y	Y	N	N	N	N	N	N	N	Y	N	N	N	N	N	N	2.25/du.	---
Apartments	Y	Y	N	N	N	N	N	N	N	N	N	L	N	N	N	N	Table 40.03.522	Section 40.03.303
Apartment conversions	L	L	N	N	N	N	N	N	N	L	N	L	N	N	N	N	2.0/du.	Section 40.03.304
Commercial apartments	L	N	N	N	N	L	N	N	L	N	N	N	N	N	N	N	2.0/du.	Section 40.03.305
Hamlet	N	N	N	N	N	N	N	N	N	L	N	N	N	N	N	N	Division 40.25.100	Division 40.25.100
Village	N	N	N	N	N	N	N	N	N	L	N	N	N	N	N	N	Division 40.25.100	Division 40.25.100
Group home	Y	Y	N	N	N	N	N	N	N	Y	Y	Y	N	N	Y	N	1.0/2 beds	---
Manufactured home park	N	N	L	N	N	N	N	N	N	N	N	L	N	N	N	N	2.25/du.	Section 40.03.306
Small single-family	L	L	N	N	N	L	N	N	L	L	N	L	N	N	N	N	[2.0/du.]	[---]
Home Uses									**Home Uses**								**Home Uses**	
Day care, family/large family	A	A	A	N	N	N	N	N	N	A	A	A	N	N	A	N	Section 40.03.420	Section 40.03.420
Home occupation	A	A	A	N	N	A	N	N	A	A	A	A	N	N	A	N	Table 40.03.522	Section 40.03.420
Home business	N	N	N	N	N	N	N	N	N	L	L	N	N	N	L	N	Table 40.03.522	Table 40.03.210, Article 25 for design standards
Cottage industry	N	N	N	N	N	N	N	N	N	L	L	N	N	N	L	N	Table 40.03.522	Table 40.03.210, Article 25 for design standards
Institutional									**Institutional**								**Institutional**	

Table 40.03.110 A GENERAL USE TABLE									Table 40.03.110 B GENERAL USE TABLE								Table 40.03.110 C GENERAL USE TABLE	
Zoning District (Urban and Suburban-Transition Character) Y=permitted, N=prohibited, L=limited review, S=special use review, A=accessory,									Zoning District (Suburban and Special Character)								Additional Standards (all districts)	
Land Use	* TN	ST	MM	ON	OR	CR	BP	I	CN	*** S	SE	** NC	HI	EX	SR	OS	Parking	Limited & Special Use Standards
Assembly and worship	L	L	N	N	L	Y	L	L	L	L	L	L	N	N	L	N	Table 40.03.522	Section 40.03.307, Division 40.25.200
Schools	L	L	N	N	L	Y	L	L	L	L	L	L	N	N	L	N	Table 40.03.522	Section 40.03.307
Colleges	Y	Y	N	L	Y	Y	Y	Y	L	N	N	N	N	N	N	N	Table 40.03.522	Section 40.03.307
Institutional, regional	N	L	N	N	L	L	L	L	N	L	L	L	N	N	L	N	Table 40.03.522	Section 40.03.308
Institutional, neighborhood	L	L	L	L	L	L	L	L	L	L	L	L	N	N	L	N	Table 40.03.522	Section 40.03.309
Institutional, residential (Type I)	L	L	N	N	N	Y	N	N	L	L	L	L	N	N	Y	N	Table 40.03.522	Table 40.03.210
Institutional, residential (Type II)	L	L	N	N	N	L	N	N	L	L	L	L	N	N	L	N	Table 40.03.522	Table 40.03.210
Protective care	N	N	N	N	S	N	S	S	N	N	N	N	S	N	S	N	Table 40.03.522	Table 40.03.210, Section 40.03.310
Public service	L	L	L	Y	Y	Y	Y	Y	Y	L	L	L	Y	Y	L	N	Table 40.03.522	Section 40.03.311
Hospitals	N	N	N	N	Y	Y	Y	Y	N	N	N	L	N	N	N	N	1/bed	Table 40.03.210
Commercial									**Commercial**								**Commercial**	
Adaptive reuse, historic building	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	Table 40.03.522	Section 40.15.240
Adult uses	N	N	N	N	N	S	N	N	N	N	N	N	N	N	N	N	1/100 GFA	Section 40.03.313
Agricultural support and other rural services	N	N	N	N	Y	Y	Y	Y	Y	S	S	S	Y	Y	S	N	Table 40.03.522	Section 40.03.314 and Section 40.03.336
Bed and breakfast	L	L	N	N	N	N	N	N	L	L	L	L	N	N	L	N	1 / room plus 2 / du	Section 40.03.315
Commercial lodging	N	N	N	N	L	Y	L	L	Y	N	N	N	N	N	N	N	Table 40.03.522	Table 40.03.210
Commercial retail and service	L	N	N	N	L	Y	L	L	Y	N	N	N	N	N	N	N	Table 40.03.522	Table 40.03.210, Division 40.25.200
Corporate guest house	N	L	N	N	Y	Y	Y	Y	N	L	L	L	N	N	L	N	Table 40.03.522	Table 40.03.210
Craft alcohol production establishment	N	N	N	N	N	L	L	L	L	L	L	N	N	N	L	N	Table 40.03.522	Table 40.03.210, Section 40.03.318, Section 40.03.338
Drive-in facility	L	N	N	L	L	L	L	L	L	N	N	N	L	N	N	N	Table 40.03.522	Table 40.03.210, Section 40.03.316
Heavy retail and service	N	N	N	N	N	Y	N	Y	N	N	N	N	S	N	N	N	Table 40.03.522	Section 40.31.430
Light automobile service	L	N	N	N	L	Y	L	Y	Y	N	N	N	N	N	N	N	Table 40.03.522	Section 40.03.317
Mixed use	L	N	N	L	L	L	N	N	L	N	N	N	N	N	N	N	Table 40.03.522	Section 40.03.318, Division 40.25.200
Restaurants	L	N	N	N	L	Y	L	L	Y	N	N	N	N	N	N	N	Table 40.03.522	Table 40.03.210, Division 40.25.200
Office	L	N	N	Y	Y	Y	Y	Y	Y	N	N	N	L	N	N	N	Table 40.03.522	Table 40.03.210, Section 40.03.321, Division 40.25.200
Shopping center	N	N	N	N	N	Y	N	N	Y	N	N	N	N	N	N	N	Table 40.03.522	---
Vehicular sales, rental and service	N	N	N	N	N	Y	N	N	N	N	N	N	N	N	N	N	Table 40.03.522	---
Recreation and Amusement									**Recreation and Amusement**								**Recreation and Amusement**	
Campground	N	N	N	N	N	N	N	N	N	L	N	N	N	N	L	L	1/space + 3/50 spaces at office	Table 40.03.210

Table 40.03.110 A GENERAL USE TABLE									*Table 40.03.110 B GENERAL USE TABLE*								*Table 40.03.110 C GENERAL USE TABLE*	
Zoning District (Urban and Suburban-Transition Character) Y=permitted, N=prohibited, L=limited review, S=special use review, A=accessory,									*Zoning District (Suburban and Special Character)*								*Additional Standards (all districts)*	
Land Use	** TN*	*ST*	*MM*	*ON*	*OR*	*CR*	*BP*	*I*	*CN*	**** S*	*SE*	*** NC*	*HI*	*EX*	*SR*	*OS*	*Parking*	*Limited & Special Use Standards*
Recreation, high intensity	N	N	N	N	S	Y	S	S	L	N	N	N	N	L	N	N	Table 40.03.522	Table 40.03.210. In EX, see also Section 40.03.324
Recreation, low intensity	L	L	L	L	L	Y	L	L	Y	L	L	L	L	N	L	L	Table 40.03.522	Table 40.03.210
Resort	N	N	N	N	N	L	N	N	N	L	L	N	N	N	L	N	Table 40.03.522	Table 40.03.210, Section 40.03.322
Industrial Uses									**Industrial Uses**								**Industrial Uses**	
Compost operations	N	N	N	N	N	N	N	L	N	N	N	N	L	L	S	N	Table 40.03.522	Section 40.03.336
Extraction	N	N	N	N	N	N	N	N	N	N	N	N	N	L	N	N	Table 40.03.522	Section 40.03.324 and Table 40.03.210
Heavy industry	N	N	N	N	N	N	N	N	N	N	N	N	S	N	N	N	Table 40.03.522	---
Light industry	N	N	N	N	L	S	Y	Y	N	N	N	N	Y	Y	N	N	Table 40.03.522	Section 40.03.333
Recycling or storage	N	N	N	N	L	N	L	L	N	N	N	N	L	N	N	N	Table 40.03.522	Table 40.03.210
Utilities, maintenance facilities	N	N	N	N	Y	L	Y	Y	N	N	N	N	Y	N	N	N	Table 40.03.522	Section 40.03.312
Utility, minor	L	L	L	L	L	L	L	L	L	L	L	L	Y	Y	L	N	Table 40.03.522	Section 40.03.334
Utility, major	S	S	S	S	S	S	S	L	S	S	S	S	L	S	S	N	Table 40.03.522	Section 40.03.312
Solar energy system, large-scale	N	N	L	L	L	L	L	L	N	L	N	N	L	N	L	N	na.	Section 40.03.337
Other Uses									**Other Uses**								**Other Uses**	
Airports	N	N	N	N	L	N	L	L	N	S	N	N	L	N	S	N	Special study, Section 40.03.524	Table 40.03.210, Section 40.03.325 and 40.03.432
Commercial communications towers	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	2 per tower	Section 40.03.326
Community recycling bins	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	---	Section 40.03.430
Exterior lighting for outdoor recreational uses	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Table 40.03.522	Table 40.03.210 and Division 40.22.700
Park and ride facility	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	N	---	Table 40.03.210
Parking structures	N	N	N	S	S	S	S	S	S	S	N	N	S	N	N	N	---	Sections 40.03.528, 40.01.320, and 40.25.137
Temporary Uses									**Temporary Uses**								**Temporary Uses**	
Temporary storage, office or classroom modulars or trailers	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	N	Table 40.03.522	Table 40.03.210
Concrete/asphalt batch plant	N	N	N	N	N	N	N	L	N	N	N	N	L	L	L	N	Table 40.03.522	Section 40.03.327
Contractor's office	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	N	1/200 sf.	---
Model homes/sale office	L	L	L	N	N	N	N	N	N	L	L	L	N	N	L	N	2/model	Section 40.03.335
Commercial temporary outdoor sales	L	N	N	N	N	L	N	N	L	N	N	N	N	N	N	N	None	Section 40.03.329
Public interest and special events	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	Table 40.03.522	Section 40.03.330
Temporary miscellaneous sales	L	N	N	N	N	L	N	N	L	N	N	N	N	N	N	N	Table 40.03.522	Table 40.03.210, Section 40.03.331

NOTES: * Refer to Article 25 for design standards for TN District.
** Refer to Section 40.02.241 for identification of permitted residential uses by specific NC zoning district.
*** See Division 40.25.100 for Village and Hamlet Standards.

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

Sec. 40.04.110. District and bulk standards.

Table 40.04.110 A. DISTRICT AND BULK STANDARDS								Table 40.04.110 B. DISTRICT AND BULK STANDARDS								Table 40.04.110 C. DISTRICT AND BULK STANDARDS	
District Standards								**Lot, and Building Standards**								**Storage and Comments**	
Zoning District & Development Type	**Min. OSR / LSR**	**Density**		**Floor Area Ratio**		**Utilities (on-site, public)**	**Min. Site Area**	**Minimum**							**Maximum**	**Exterior Storage**	**Notes**
		Max. Gross	**Max Net**	**Max. Gross**	**Max Net**			**Lot Area**	**Lot Width (feet)**	**Street Yard (feet)**	**Side Yard (feet)**	**Rear Yard (feet)**	**Paving street yard/other yard (feet)**	**Unit Mix (%)**	**Building Height (feet)**	**Percent of Lot Area**	
Protected Open Space (OS)								Protected Open Space (OS)								Protected Open Space (OS)	
Permitted uses*	0.70	na.	na.	0.12	0.45	OS/P	na.	na.	na.	50	40	50	50/30	na.	40	na.	*Standards are applicable unless explicitly established by a Governmental agreement. …

Section 5. *New Castle County Code* Chapter 40 ("Unified Development Code"), Article 4 ("District Intensity and Bulk Standards"), Division 40.04.100 ("District performance standards"), Section 40.04.111 ("Landscape and illumination standards"), Table 40.04.111 ("Use and Lot Standards") is hereby amended by adding the material underscored and by deleting of the material with strikethroughs as set forth below:

Sec. 40.04.111. Landscape and illumination standards.

Bufferyard, landscaping standards and lighting standards are provided in Table 40.04.111.

Table 40.04.111 A. USE AND LOT STANDARDS							Table 40.04.111 B. USE AND LOT STANDARDS																Table 40.04.111 C. USE AND LOT STANDARDS			
Zoning District & Development Type	Landscaping Plant Units per (See Division 40.23.100)			Bufferyard Opacity Standards			Bufferyard Opacity Standards (See Section 40.23.140)																Street Tree Spacing (feet)	Max. Illumination/Height		Notes
				Adjoining Streets			Adjoining District or Use (1) (No bufferyard shall be required where like zoning district and like developments options are adjacent)																	Illumination	Height	*NC6.5 or less includes NC5, NCap, NCga, NCth, NCsd, CNmm, and NCpud
	Lot	Acre Open Space	Parking Spaces	Arterial	Collector	Minor	SR	SE NC 2a	S	NC 40-10	ST	TN	MM	NC 6.5 or less*	ON	OR	CN	CR	BP	I	HI	EX		C=Cutoff fc=footcandles S=Semi-Cutoff	C=Cutoff ft=feet S=Semi-Cutoff	
Protected Open Space (OS)							Protected Open Space (OS)																Protected Open Space (OS)			
Permitted uses	5/ac.	4	1/12	0.4	0.3	0.2	0.3	0.3	0.3	0.3	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.2	0.2	-	40	C=4 fc S=2 fc	C=20 ft S=20 ft	…

Section 6. *New Castle County Code* Chapter 40 ("Unified Development Code"), Article 6 ("Sign Regulations"), Division 40.06.000 ("Applicability") is hereby amended by the deletion of the material with strikethroughs and the addition of the underscored material as set forth below:

Division 40.06.000. Applicability.

A. With regard to Section 40.06.060 Schedule of Sign Restrictions, the following rules shall govern:

1. Protected Open Space (OS), Neighborhood Conservation (NC), Suburban Reserve (SR), Suburban Estate (SE), Suburban (S), Suburban Transition (ST), and Traditional Neighborhood (TN) districts shall all be considered residential districts.

2. Commercial Neighborhood (CN)…

Section 7. New Castle County Council finds that the provisions of this Ordinance are consistent with the spirit and intent of the New Castle County Comprehensive Development Plan.

Section 8. This Ordinance shall become effective immediately upon passage by New Castle County Council and approval by 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 Council

Approved on:

_____
Mathew Meyer
County Executive
of New Castle County

SYNOPSIS: This Ordinance proposes the creation of a new zoning district known as the Protected Open Space (OS) District. The OS zoning district will designate public interest open space that has been protected in perpetuity. The Ordinance sets forth the purposes of the Protected Open Space (OS) District, and establishes the permitted by right and prohibited uses as well as limited and accessory uses within the district.

FISCAL NOTE: There is no discernible fiscal impact.

Matthew S. Meyer
County Executive

Charuni Patibanda
General Manager

Department of Land Use

DEPARTMENT OF LAND USE
RECOMMENDATION REPORT

Ordinance 23-095
Application 2023-0385-T
Protected Open Space

November 28, 2023

Sponsor: Councilman David Carter (District 6), Councilwoman Dee Durham (District 2), Councilman Toole (District 1), Councilman Cartier (District 8)

Description: Amendment to amend New Castle County Code Chapter 40 (The "Unified Development Code") to establish a Protected Open Space Zoning District.

EXECUTIVE SUMMARY

Application 2023-0385-T (Ordinance 23-095), is a text amendment to the Unified Development Code (UDC) that proposes to establish a new zoning district, Protected Open Space (OS). The Protected Open Space (OS) zoning designation would be required for properties that are publicly protected and identified as protected in perpetuity for the public benefit. According to the synopsis of the ordinance, the district is an effort to provide a clearer picture of permanently protected open space in New Castle County. As written, the proposed Protected Open Space (OS) District would only apply to lands that are protected in perpetuity through; the use of protective covenants that utilize public funds, were donated to a public entity including parks, ecological habitats, and environmental / outdoor recreation areas. The ordinance neither addresses lands preserved through the State of Delaware Agricultural Lands Program, nor does it apply to lands that are protected through private easements and/or covenants.

Absent an Open Space zoning district, open space, along with its natural, agricultural, cultural, and historic resources have been protected and preserved through various public and private meansin the county. The Department believes that the establishment of a Protected Open Space District will not have a material impact on open space preservation but would serve to re-affirm the existing protections on publicly protected and designated Open Space lands in New Castle County, memorializing them on the Zoning Map. If adopted, Ord. 23-095 would require a comprehensive rezoning of all parcels eligible for Open Space pursuant to the parameters included in the ordinance. It will also require additional comprehensive rezonings every two years to account for increases in publicly held open space in the county.

Based on the standards in Section 40.31.420, the Department of Land Use recommends **APPROVAL** of Ordinance 23-095.

DESCRIPTION

App. 2023-0395-T (Ord. 23-095) proposes to amend Chapter 40 (UDC) of New Castle County Code in order to establish a Protected Open Space (OS) zoning designation. Lands eligible for the proposed OS zoning designation include those that are protected in perpetuity through protective covenants that utilize public funds or that were donated to a public entity.

BACKGROUND

New Castle County actively preserves and protects our valuable natural and agricultural resources as open space, while providing quality recreational areas such as Glasgow Park. While land is actively preserved through public and private conservation easements and covenants, some of the most impactful preservation of land has been accomplished through the creation of community area open space as required by the residential development process. This process requires the preservation of environmentally sensitive land, provides ample land for active recreation purposes, and creates buffering.[1]

There are many ways that County, municipal, state, and federal governments have preserved land as open space in New Castle County. The Department of Public Works maintains and has expanded County owned open space to just under 7,000 acres. Since 1996, the State Department of Agriculture has partnered with the County to preserve more than 14,000 acres of farmland. Municipal, state, and federal governments have preserved more than 33,000 additional acres of land through a variety programs. Private voluntary preservation of land through deed restrictions, protective covenants, and conservation easements, have separately preserved more than 10,000 acres of land.

Preservation and equitable access to open space and recreational areas are central components of the 2022 Comprehensive Plan Update (NCC2050).[2] The plan clearly identifies open space areas for County residents through a series of maps:

- Map D-1: Protected Lands (page 105);
- Map D-10: Agricultural Land (page120);
- Map E-1: Parks and Open Space (page 136); and
- Map E-2 Parks and Trails (page 137).

New Castle County provides access to these maps and other important open space and preservation information through a publicly available map application.[3]

[1] Regulatory efforts have historically been most successful through Cluster Developments in the Former Code (Pre-UDC, before December 31,1997) and in Open Space Subdivisions (UDC cluster type developments).
[2] NCC2050, Priority Policy: Land Preservation, pages 47-51; Element E: Open Space and Recreation Element, pages 133-146.
[3] Public map application: http://gis.nccde.org/.

In February of 2023, the Planning Board had considered Ord. 22-112, which proposed the establishment of an Open Space district in the Unified Development Code. The ordinance received a negative recommendation from the Department of Land Use and the Planning Board due to a number of concerns including the proposed language that focused on privately protected lands and the required rezoning of parcels on what would typically be minor land use applications. In following months, the sponsors worked with the Department of Land Use to address concerns and a new ordinance, Ord. 23-095, was introduced.

Ordinance 23-095 was introduced on July 11, 2023 by the sponsors. Addressing the concerns raised by the Department and the Planning Board, Ord. 23-095 focuses on the protection of publicly protected lands through donation to public or the use of public funds. The sponsors have also expressed their desire for an Open Space zoning district in order for there to be better clarity on what lands are protected from development.

PRELIMINARY LAND USE SERVICE (PLUS) REVIEW

The proposed text amendment was reviewed at a PLUS meeting held on August 23, 2023. The PLUS Review Letter, dated September 21, 2023, includes comments from the Office of State Planning and Coordination, who notes that the 2022 New Castle County Comprehensive Plan includes strategies for the protection of Open Space. DelDOT, DNREC, DEMA, SHPO and DE State Fire Marshal noted that they did not have any comments or objection to approval of the proposed ordinance.

PLANNING BOARD PUBLIC HEARING – *November 7, 2023*
*Please note, the below is a summary. A recording and transcripts of the public hearing are available at the Department of Land Use.

Councilwoman Dee Durham, the ordinance's sponsor, spoke on behalf of the application. She provided a brief background of the proposed ordinance and how it differed to the previous Open Space ordinance that was considered by the Board earlier in the year. She noted after working with the Department of Land Use in the spring, Ord. 23-095 was drafted. Councilwoman Durham stated that the Ord. 23-095 only applies to land that have been protected through public means and would not apply to privately held easements and protections. She noted that Ord. 23-095 does not include parcels preserved through the Delaware Farmland preservation or privately held open space that is set aside as parts of developments. She stated that the goals of the Open Space district is to provide further clarity in the zoning code as to uses appropriate within preserved open space areas, as well as to provide a clear picture of publicly protected lands. Councilwoman Durham stated that the New Castle County Open Space Advisory Board recommended approval of the proposed ordinance. Councilwoman Durham spoke to different maps of the County based on the Delaware State Strategies and New Castle County's mapping layers. She stated that she did not believe parks should have a base residential zoning that would permit development. She provided examples of different protected lands layers on the County's GIS and noted that she had been working with the Department of Land Use regarding the GIS maps available at the County to ensure accuracy.

Ms. Peterson inquired about the Open Space Advisory Committee's letter and asked if the Board could get a copy of the letter. Councilwoman Durham noted she would send in a copy. Ms. Peterson inquired about the proposed provision which references the State of DE Agland Program are not included in the ordinance. Councilwoman Durham noted that the program functions differently than other publicly

protected lands and do permit a certain amount of development. Councilwoman Durham noted that the County should take a deeper look at the program and how it would function in concert with the ordinance. Ms. Peterson and Councilwoman Durham discussed the definition of perpetuity and how long it lasts. Ms. Peterson inquired about the bi-yearly update. Councilwoman Durham noted that bi-yearly means every two years.

Ms. Peterson noted for the record that the Board had received a significant amount of emails.

Leslie Brower, resident of Whitehall, spoke in favor of the proposed ordinance. She noted her appreciation of the effort and transparency of open space. She inquired about the district and bulk standards and the maximum building height of 40ft. and what the ordinance contemplates about structures with a maximum height of 40ft.

Sherri Evans Stanton, Chair of the New Castle County Open Space Advisory Board, spoke in favor of the proposed ordinance. She read into the record the Open Space Advisory Board's letter, which notes their support due to the benefit to citizens of the County.[4] Ms. Stanton noted that the ordinance achieves the goals the Comprehensive Plan. She noted that there is considerable overlap on open space between land use and the Public Works Department and encouraged that there be coordination between Public Works and Land Use in regard to preservation of open space.

Cheryl Siskin, a representative of the Delaware Sierra Club, spoke in favor of the ordinance. She noted that the ordinance provides clarity to the public regarding dedicated open space. She stated that the maps available are confusing and that the proposed ordinance helps clarify open space.

Anna Quisel, League of Women Voters, spoke in favor of the ordinance. She stated that she agreed that there should be a clear picture of Open Space that is protected in perpetuity. She noted that the ordinance complies with the most recent Comprehensive Plan and expressed thanks to the ordinance's sponsors for their effort.

ANALYSIS

Approximately 27% of the land area in New Castle County is protected as open space through public and private programs, as well as through land development regulations included in the UDC. Specifically, areas that are impacted by environmental resources receive 100% protection through Article 10 (Environmental Resources) in the UDC. Ord. 23-095 seeks to establish a new zoning category in the Unified Development Code that applies to lands that have been protected in perpetuity through the use of public means, such as covenants or donations. Therefore, the proposed district would reaffirm protected status of designated areas through zoning. As proposed, Open Space zoning district includes district and bulk standards, as well as use standards, that are akin to other existing, low-density zoning districts that exist today (Suburban, Suburban Reserve, Suburban Estate). Hence, permissible development would not be encumbered as there would be established permitted uses within the proposed Open Space district.

As noted in the sponsor's testimony to the Planning Board at its November 7, 2023 public hearing, the genesis behind the ordinance is to provide a clear and reliable picture of open space in New Castle

[4] Letter of Support – New Castle County Open Space Advisory Board

County, particularly through the County's GIS mapping system. Mapping reflecting existing, preserved open space has been and continues to be available through the County's GIS Division. The Department continuing to work with the State and the ordinance's sponsors to ensure that the GIS maps accurately reflect lands that are protected through open space programs. While there are lands protected through private programs, the creation of an open space zoning district can be considered an improvement in regard to clearly identifying publicly protected open space.

The New Castle County Comprehensive Plan (Strategy 1.1.6) states that the County should consider the addition of a preservation zoning category. Ord. 23-095 received a positive recommendation from the New Castle County Open Space Advisory Board on August 22, 2023. If adopted, Ord. 23-095 would require a comprehensive rezoning of all parcels eligible for Open Space pursuant to the parameters included in the ordinance, as well as a potential for a comprehensive rezoning of open space parcels every two years.

Standards for Text Amendment – Section 40.31.420 of the New Castle County Code

Pursuant to Section 40.31.420 of the New Castle County Code, in determining whether a text amendment shall be recommended or approved, all the following factors shall be considered:

A. *Implementation of a new portion of the Comprehensive Development Plan.*

   New Castle County Comprehensive Plan updates as early as 2007 contemplate the establishment of an Open Space zoning district. If adopted, Ord. 23-095 would uphold the recommendations of the 2007 Comprehensive Plan update, the 2012 Comprehensive Plan update, and the most recent 2022 Comprehensive Plan update.

B. *Implementation and achievement of the Comprehensive Plan's goals and objectives.*

   The 2022 Comprehensive Plan recommends consideration of the establishment of an Open Space zoning district. Ord. 23-095 achieves this recommendation.

C. Consistency with the provisions of this Chapter and the standards for similar uses.

   N/A

D. *Necessity to respond to State and/or Federal legislation.*

   N/A

E. *Flexibility in meeting the objectives of this Chapter.*

   If adopted, Ordinance 23-095 will have little to no functional impact in regards to the objectives included in Chapter 40 of the UDC, due to the fact that the new zoning regulations would apply to lands already largely protected under other articles of the UDC. In addition, the proposed district includes permitted uses that would be expected in designated open space.

F. Changes to conditions, interpretations, and/or clarifications to existing language for new uses.

N/A

G. Consideration of specific problems found in this Chapter.

N/A

DEPARTMENT OF LAND USE RECOMMENDATION

The Department of Land Use has considered the Standards for Text Amendment in Section 40.31.420 of the New Castle County Code and comments received from other agencies. The Department recommends **APPROVAL** of Ordinance 23-095 based on the analysis discussed above.

PLANNING BOARD RECOMMENDATION

At a business meeting held on November 28, 2023, the Planning Board considered 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 APPROVAL of Ordinance 23-095.

The motion was adopted by a vote of 8-0-0-0 (In Favor: Peterson, Daigle, Gray, Visvardis, Snowden, Cochran, Cahill-Krout, Drake; In Opposition: None; Abstention: None; Absent None:).

No questions or comments were made by the Board.

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.

12/18/2023

Charuni Patibanda date
General Manager
Department of Land Use

12/18/2023

Karen Peterson date
Chair
Planning Board

STATE OF DELAWARE
OFFICE OF MANAGEMENT AND BUDGET
OFFICE OF STATE PLANNING COORDINATION

September 21, 2023

Elizabeth Hatch
Department of Land Use
New Castle County
Government Center
87 Reads Way
New Castle, DE 19720

RE: PLUS review – 2023-08-03; New Castle County Protected Open Space Zoning District Ordinance

Dear Ms. Hatch,

Thank you for meeting with State agency planners on August 23, 2023 to discuss the proposed ordinance to create a new zoning district. According to the application, the County desires to create a new zoning district known as the Protected Open Space (OS) District which will designate public interest open space that has been protected in perpetuity.

The Office of State Planning Coordination acknowledges the work that has been put into this ordinance. The comments below reflect only issues that are the responsibility of the agencies that were represented at the meeting.

Office of State Planning Coordination – Contact: Tricia Arndt 302-739-3090

The OSPC reviewed the 2022 New Castle County Comprehensive Plan and noted support for the goals and strategies identified therein. This ordinance intends to create a zoning district to designate certain land protected in perpetuity. The creation of a Protected Open Space District is consistent with the strategies identified in the comprehensive plan. The OSPC has no concerns or objections to this ordinance.

Department of Transportation – Contact Stephen Bayer 302-760-4834

- DelDOT has no comments on the proposed ordinance.

Department of Natural Resources and Environmental Control – Beth Krumrine 302-735-3495

Disclaimer Clause: Staff from the Delaware Department of Natural Resources and Environmental Control (DNREC) reviewed the draft of the New Castle County Open Space Zoning District Ordinance submitted for PLUS review. Municipal officials are encouraged to reach out to Beth Krumrine at Beth.Krumrine@delaware.gov or (302) 735-3480 if they have any specific requests for information.

- DNREC reviewers support the new zoning district ordinance and have no concerns or comments.

Delaware Emergency Management Agency – Contact Phillip Cane 302-659-2325

- DEMA has no objections, concerns or comments.

State Historic Preservation Office – Contact Carlton Hall 736-7400

- The Delaware SHPO has no objections to the proposed ordinance.

Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394

- The Office of the State Fire Marshal has no objection to the approval of this ordinance.

Once the ordinance is voted on by Planning and Zoning and/or County Council, please forward a copy of the decision regarding the amendment to this office for our files. Thank you for the opportunity to review this amendment. If you have any questions, please contact me at 302-739-3090.

Sincerely,

Tricia A

On behalf of David L. Edgell, AICP
Director, Office of State Planning Coordination

August 22, 2023

Ms. Charuni Patibanda
Land Use General Manager
New Castle County Government Center
87 Reads Way
New Castle, DE 19720

RE: NEW CASTLE COUNTY PROTECTED OPEN SPACE ZONING DISTRICTS (ORDINANCE 23-095)

Dear Ms. Patibanda:

The New Castle County Open Space Advisory Board (OSAB) wholeheartedly supports the above reference Ordinance which Councilman Carter and Councilperson Durham recently introduced. The OSAB reviewed the final draft at our regularly scheduled meeting on June 15, 2023 and unanimously voted to support the ordinance.

The Ordinance will benefit citizens of New Castle County (NCCo) in a number of ways which are as follows:

- Establish Protected Open Space (OS) Districts to accurately identify the location and size of publicly protected open space lands in NCCo.
- Provide the public with more accurate information on the location and size of publicly protected land on NCCo's land use maps updated in accordance with the Ordinance.
- Assist landowners and real estate developers identify, avoid and mitigate potential issues arising from proposed adjoining use under the NCCo land use permitting process.
- Assist real estate developers and utility companies in designing utility right-of-way corridors to avoid protected open space lands where there are no existing utility right-of way easements.
- Provide NCCo the means to clearly demonstrate its commitment and progress to protecting 30% of lands to open space by 2050.

The Open Space Advisory Board encourages you and the County Planning Board to advance this important Ordinance as soon as practical. Thank you for your attention to this request.

Sincerely,

Sherri Evans-Stanton
Chair, New Castle County Open Space Advisory Board

Prime Sponsor(s): Ms. Durham
Requested by: Administration/Finance
Date of introduction: November 28, 2023

SUBSTITUTE NO. 1 TO ORDINANCE NO. 23-161

TO PROVIDE FOR THE INSTALLATION OF GRANVILLE STREET LIGHTS WITH LIGHT EMITTING DIODE (LED) BULBS AND THE OPTIONAL WADSWORTH 12' POLE IN THE DELAWARE NATIONAL SUBDIVISION LOCATED IN THE CHRISTIANA HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS

WHEREAS, a petition has been filed with the Clerk of New Castle County Council for the establishment of a street light tax district in the DELAWARE NATIONAL SUBDIVISION and for the installation of Dark Skies compliant Granville street lights with 150 watt light emitting diode (LED) bulbs and the optional Wadsworth 12' pole, therein.

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

Section 1. The County Executive is hereby authorized to execute a contract, in accordance with 9 *Del. C.* Chapter 21, to provide Dark Skies compliant GRANVILLE street lights with 150 watt light emitting diode (LED) bulbs and the optional Wadsworth 12' pole, according to the standards established by the New Castle County Department of Land Use, to be erected along MERION DRIVE, COBBS CREEK WAY, MUIRFIELD WAY, SPYGLASS HILL WAY, PHALEN COURT, ROLLING OAKS WAY, SHINNECOCK DRIVE, PRAIRIE DUNES DRIVE, BETHPAGE DRIVE and SAWGRASS COURT as set forth in the petition.

Section 2. The properties set forth in the petition shall be subject to an annual tax based on the full annual cost of the street lighting in an amount to be provided for in the Annual Revenue Ordinance.

Section 3. This Ordinance shall become effective immediately upon its adoption by County Council and approval by 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 Council
of New Castle County

Approved on:

_____
Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance approves the installation of Dark Skies compliant GRANVILLE street lights with 150 watt light emitting diode (LED) bulbs and the optional Wadsworth 12’ pole in the DELAWARE NATIONAL SUBDIVISION.

FISCAL NOTE: This Ordinance provides for the installation of Dark Skies compliant GRANVILLE street lights with 150 watt light emitting diode (LED) bulbs and the optional Wadsworth 12’ pole and the assessment of a light tax based on the rates set in the Annual Revenue Ordinance.

The light tax assessed on these DELAWARE NATIONAL SUBDIVISION properties set forth in the petition filed with the Clerk of County Council will be billed in conjunction with the annual property tax billing. The increased expenditure to the County resulting from the installation and maintenance will be offset by the increased revenues realized from the light tax assessment.

Prime Sponsor(s): Ms. Durham
Requested by: Administration/Finance
Date of introduction: November 28, 2023

ORDINANCE NO. 23-161

TO PROVIDE FOR THE INSTALLATION OF GRANVILLE STREET LIGHTS WITH LIGHT EMITTING DIODE (LED) BULBS AND THE OPTIONAL WADSWORTH 12' POLE IN THE DELAWARE NATIONAL SUBDIVISION LOCATED IN THE CHRISTIANA HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS

WHEREAS, a petition has been filed with the Clerk of New Castle County Council for the establishment of a street light tax district in the **DELAWARE NATIONAL SUBDIVISION** and for the installation of Granville street lights with 150 watt light emitting diode (LED) bulbs and the optional Wadsworth 12' pole, therein.

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

Section 1. The County Executive is hereby authorized to execute a contract, in accordance with 9 *Del. C.* Chapter 21, to provide GRANVILLE street lights with 150 watt light emitting diode (LED) bulbs and the optional Wadsworth 12' pole, according to the standards established by the New Castle County Department of Land Use, to be erected along MERION DRIVE, COBBS CREEK WAY, MUIRFIELD WAY, SPYGLASS HILL WAY, PHALEN COURT, ROLLING OAKS WAY, SHINNECOCK DRIVE, PRAIRIE DUNES DRIVE, BETHPAGE DRIVE and SAWGRASS COURT as set forth in the petition.

Section 2. The properties set forth in the petition shall be subject to an annual tax based upon the full annual cost of the street lighting in an amount to be provided for in the Annual Revenue Ordinance.

Section 3. This Ordinance shall become effective immediately upon its adoption by County Council and approval by 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 Council
of New Castle County

Approved on:

_____
Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance approves the installation of GRANVILLE street lights with 150 watt light emitting diode (LED) bulbs and the optional Wadsworth 12' pole in the DELAWARE NATIONAL SUBDIVISION.

FISCAL NOTE: This Ordinance provides for the installation of GRANVILLE street lights with 150 watt light emitting diode (LED) bulbs and the optional Wadsworth 12' pole and the assessment of a light tax based on the rates set in the Annual Revenue Ordinance.

The light tax assessed on these DELAWARE NATIONAL SUBDIVISION properties set forth in the petition filed with the Clerk of County Council will be billed in conjunction with the annual property tax billing. The increased expenditure to the County resulting from the installation and maintenance will be offset by the increased revenues realized from the light tax assessment.

Matthew Meyer
County Executive

23-161
Michael Smith
Chief Financial Officer

OFFICE OF FINANCE

BUILDERS PETITION FOR STREET LIGHTING

STATE OF DELAWARE :

SS :

NEW CASTLE COUNTY :

TO: The Honorable President and Members of County Council of New Castle County, Delaware

BE IT KNOWN, that on this 11 TH Day of NOVEMBER, A.D. 2023 personally appeared before me, the undersigned Notary Public, ANDREW FINEROSKY, AUTH AGENT PAR 1, INC

of the State of Delaware, known to me as such, and being first duly sworn by me according to law, stated and said as follows:

1. PAR 1, INC holds record title to DELAWARE NATIONAL

a subdivision located in CHRISTIANA / MILL CREEK HUNDREDS, New Castle County, Delaware, the metes and bounds for which are set forth in the Deed dated 6/9/2023, , between GOLF COURSE ASSOC, LLC as grantors, and PAR 1, INC as grantee, recorded in the Office for the Recorder of Deeds in and for New Castle County at Wilmington, Delaware, in Deed Instrument Number 20230612-0037703, a copy of which is attached hereto and made a part hereof as EXHIBIT A. A substantially reduced copy of the record subdivision plan for the portion of the lands known as DELAWARE NATIONAL

New Castle County, Delaware, being known as Subdivision Instrument No. 20200916-0079846, is attached hereto and made a part hereof as EXHIBIT B.

2. PAR 1, INC as sole owner of DELAWARE NATIONAL an unincorporated community in CHRISTIANA / MILL CREEK HUNDRED, New Castle County, Delaware, hereby petitions New Castle County pursuant to 9 Del. C. 2101 et seq. (Rev. 1974) to enter into a contract for the purpose of providing light for the streets running through and within DELAWARE NATIONAL, the boundary lines of which are set forth on EXHIBIT A attached hereto and made part hereof, and more visually represented in EXHIBIT B attached hereto and made part hereof.

3. The type of streetlight and wattage being requested – Select one…

- ☐ Traditionaire LED (70 watt HPS equivalent)
- ☐ Traditionaire LED (100 watt HPS equivalent)
- ☐ Granville LED (70 watt HPS equivalent)
- ☐ Granville LED (100 watt HPS equivalent)
- ☒ Granville LED (150 watt HPS equivalent) *
- ☐ Granville with Ribs LED (70 watt HPS equivalent)
- ☐ Granville with Ribs LED (100 watt HPS equivalent)
- ☐ Granville with Ribs LED (100 watt HPS equivalent

* SEE ATTACHED FOR OPTIONAL POLE - WADSWORTH, 12'

4. List names of all streets you wish to have lights installed on SEE ATTACHED

BY Andrea Finerosky AUTH AGENT
ANDREA FINEROSKY PAR 1, INC.

BY _____

SWORN TO AND SUBSCRIBED before me the day and year aforesaid.

Notary Public

My commission expires: 2-22-25

(Seal)

KATHERINE MARY COZZA
NOTARY PUBLIC
STATE OF DELAWARE
MY COMMISSION EXPIRES FEB. 22, 2025

Delaware National Street Names

Merion Drive

Cobbs Creek Way

Muirfield Way

Spyglass Hill Way

Bethpage Drive

Phalen Court

Rolling Oaks Way

Shinnecock Drive

Prairie Dunes Drive

Sawgrass Court

DELAWARE NATIONAL
STREET LIGHT SELECTION

10/13/2023

Granville Street Light - 100 HPS
Optional Pole - Aluminum / 12' High

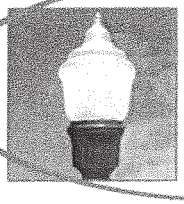
conectiv
Power Delivery

Conectiv Power Delivery

Your complete source for outdoor lighting.

Choose from a variety of products and services to meet all of your lighting needs ... from equipment selection and expert installation to long-term maintenance and energy supply!

Decorative Styles



Granville
Combines the aesthetic appeal of early 20th century acorn lights with advanced optics for superior performance.

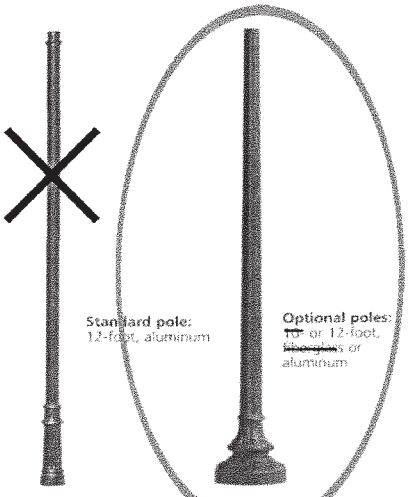
Wattages/Lighting Source:
50 - 100 HPS

Granville With Ribs
Adds to the Granville's old-world elegance, enhancing the ambience of avenues, walk-ways & plazas.

Wattages/Lighting Source:
70 - 100 HPS

Arlington
Blends graceful octagonal symmetry with sleek design for parks, streets and open areas.

Wattages/Lighting Source:
100 - 150 HPS



Wherever the project, Conectiv Power Delivery can meet your outdoor lighting needs:

Neighborhoods • Cities and Towns • Institutions
Resort Areas • Shops and Businesses

Call today for more information:

Delaware, Maryland and Virginia ***1.800.375.7117***

New Jersey ***1.800.642.3780***

Prime Sponsor(s): Ms. Hartley-Nagle
Date of introduction: March 12, 2024

RESOLUTION NO. 24-078

HONORING THE IRISH CULTURE CLUB OF DELAWARE FOR ITS DEDICATION AND PROMOTING IRISH HERITAGE AND CULTURE

WHEREAS, "*There are no strangers here; only friends you haven't yet met*," as beautifully articulated by the Irish poet William Butler Yeats, encapsulates the spirit and mission of the Irish Culture Club of Delaware (ICCD) in fostering personal connections and cultural exchange throughout the Delaware Valley; and

WHEREAS, the ICCD, under the dedicated leadership of President David Ireland in 2024, has continued to thrive as a beacon of Irish heritage and culture in New Castle County since its inception in 1976; and

WHEREAS, the Club tirelessly works to promote Irish culture and history, not only to benefit Irish Americans but to share these rich traditions with all community members, regardless of their ethnic background, thereby embodying true inclusiveness and cultural diversity; and

WHEREAS, through the organization of flagship events such as the Wilmington St. Patrick's Day Parade and the Irish Culture Club of Delaware Festival & Feisanna, the ICCD has significantly contributed to the vibrancy and cultural diversity of our community, offering opportunities for engagement, celebration, and education; and

WHEREAS, the ICCD's commitment to community development extends beyond cultural events, as evidenced by their active involvement in fundraising, scholarship provision, and participation in community projects aimed at improving the quality of life for individuals and families in our communities; and

WHEREAS, the Club's dedication to advancing the knowledge of Irish culture and fostering a sense of community through outreach, education, and cultural events aligns with New Castle County's values of diversity, education, and community engagement; and

WHEREAS, the Irish Culture Club of Delaware's College Scholarship program exemplifies the organization's commitment to supporting the educational aspirations of the youth in our community, thus ensuring the perpetuation of cultural heritage and the development of future leaders.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby honors and commends the Irish Culture Club of Delaware for its invaluable contributions to the preservation and promotion of Irish culture, heritage, and traditions in our community; and

BE IT FURTHER RESOLVED that this resolution be a testament to the Council's appreciation for the ICCD's efforts to enhance cultural understanding, promote inclusivity, and build stronger community bonds through their diverse array of cultural, educational, and charitable activities.

Adopted by County Council
New Castle County on: 3/12/2024

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

SYNOPSIS: Same as title.
FISCAL IMPACT: There is no discernible fiscal impact with the adoption of this resolution

Prime Sponsor(s): Ms. Hartley-Nagle
Co-sponsor(s): Mr. Street
Date of introduction: March 12, 2024

RESOLUTION NO. 24-079

HONORING THE LIFE AND LEGACY OF HERMAN HOLLOWAY, JR.

WHEREAS, “The best way to find yourself is to lose yourself in the service of others,” Gandhi's words resonate deeply when reflecting on the life and legacy of Herman M. Holloway, Jr., a cherished pillar of the Wilmington, Delaware community, whose passing on March 3, 2024, at the age of 79, marks the end of an era of unwavering commitment to service, leadership, and compassion; and

WHEREAS, born on July 30, 1944, in Wilmington, Delaware, to the late Senator Herman M. Holloway, Sr. and the late Ethel Mae Holloway, Herman M. Holloway, Jr., dedicated his life to the service of the city that raised him, exemplifying the virtues of entrepreneurship, political acumen, and social activism from an early age; and

WHEREAS, after graduating from Howard High School, Herman embarked on a journey of entrepreneurship, founding several neighborhood businesses and a janitorial service, before stepping into the political arena to further his father's legacy, serving six distinguished years in the House of Representatives, and tirelessly advocating for the residents of Delaware; and

WHEREAS, Herman M. Holloway, Jr., established and served as the Executive Director of the Martin Luther King, Jr. Complaint and Referral Center for 48 years, providing a voice for the unheard and free assistance to those in need, thereby embodying the spirit of justice, equality, and community service; and

WHEREAS, a man of deep Christian faith, Herman was a long-time member of Mt. Joy United Methodist Church, and his contributions extended beyond the church walls to include significant involvement in various organizations, such as the NAACP, the Henrietta Johnson Medical Center, Wilmington Housing Authority, Rose Hill Community Center, and the 1212 Corporation; and

WHEREAS, Herman's profound impact on the Wilmington community was also felt through his role as a host of a local TV show, where he engaged with community issues and special guests, and his decisive action to save Local TV Channel 28, preserving a vital community resource and numerous local jobs; and

WHEREAS, beyond his public endeavors, Herman was a devoted family man, leaving behind a legacy through his children Tracy Shy, Lisa Holloway-Shinn, Herman Holloway, III, and Marlo Holloway-Burris, his grandchildren, and great-grandchildren, all of whom knew him as the beloved “Pop Pop Herman”; and

WHEREAS, Herman's life was a testament to the joy of living with a full heart, the importance of family, and the power of service, leaving an indelible mark on the world that will inspire future generations to strive for a positive impact in their communities.

NOW, THEREFORE, BE IT RESOLVED, by and for the County Council of New Castle County that County Council hereby honors the life and legacy of Herman M. Holloway, Jr. and expresses its deepest condolences to his family, friends, and all those whose lives he touched. County Council celebrates his extraordinary contributions to the community and commits to preserving his memory as a guiding light for acts of service, compassion, and leadership.

Adopted by County Council of
New Castle County on: 3/12/2024

_____

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

SYNOPSIS: Same as title.
FISCAL IMPACT: There is no discernible fiscal impact with the adoption of this resolution