



NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

June 25, 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

°24-113: AMENDING CHAPTER 14 ("FINANCE AND TAXATION"), ARTICLE 1 ("IN GENERAL") RELATING TO CERTAIN RESERVE ACCOUNTS AND VOTING REQUIREMENTS RELATED THERETO

Prime Sponsor(s): Mr. Smiley, Mr. Hollins

°24-114: AMEND THE FY2024 CAPITAL PROGRAM AND BUDGET: APPROPRIATE \$1,393,900.65 IN FUNDING FROM THE STATE OF DELAWARE, DEPARTMENT OF TRANSPORTATION TO THE DEPARTMENT OF PUBLIC WORKS, WATER QUALITY IMPROVEMENT PLAN CAPITAL PROJECT

Prime Sponsor(s): Mr. Sheldon, Mr. Carter

°24-115: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 34 ("TRAFFIC AND VEHICLES"), BY ADDING ARTICLE 4 ("TRUCK MONITORING SYSTEM") TO ASSIST IN ENFORCEMENT OF TITLE 21 § 4505 OF THE DELAWARE CODE

Prime Sponsor(s): Mr. Street

°24-116: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 ("UNIFIED DEVELOPMENT CODE"), ARTICLE 31 ("PROCEDURES AND ADMINISTRATION"), SECTION 40.31.120. ("TEXT AMENDMENTS") REGARDING TEXT AMENDMENTS

Prime Sponsor(s): Ms. Durham

°24-117: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 ("UNIFIED DEVELOPMENT CODE"), ARTICLE 31

("PROCEDURES AND ADMINISTRATION"), SECTION 40.31.120. ("TEXT AMENDMENTS")
REGARDING TEXT AMENDMENTS AND SCHEDULING

Prime Sponsor(s): Ms. Durham

E. Reports from Select and Special Committees

F. Consent Calendar

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

R24-145: PLAN OF VISTA AT RED LION – SECTION 1; NEW CASTLE HUNDRED; NORTH SIDE OF OLD PORTER ROAD, 2000 FEET WEST OF RED LION ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO SUBDIVIDE TAX PARCEL NO. 10-052.00-011 INTO 240 TOWNHOUSE UNITS UTILIZING THE SINGLE FAMILY ATTACHED OPTION; ST ZONING; [APPLICATION NO. 2008-0002](#); COUNCIL DISTRICT 12

Prime Sponsor(s): Mr. Bell, Ms. Kilpatrick

R24-146: PLAN OF VISTA AT RED LION – SECTION 2; NEW CASTLE HUNDRED; SOUTH SIDE OF OLD PORTER ROAD, 2700 FEET WEST OF RED LION ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO SUBDIVIDE TAX PARCEL NO. 10-052.00-011 AND TAX PARCEL NO. 10-052.00-018 INTO 279 AGE-RESTRICTED LOTS WITH A 4,800 SQUARE FOOT CLUBHOUSE UTILIZING THE SINGLE FAMILY DETACHED OPTION; ST ZONING; [APPLICATION NO. 2008-0003](#); COUNCIL DISTRICT 12

Prime Sponsor(s): Mr. Bell, Ms. Kilpatrick

R24-147: PLAN OF 2805 PULASKI HIGHWAY; PENCADER HUNDRED; NORTH SIDE OF PULASKI HIGHWAY, 885 FEET EAST OF PLEASANT VALLEY ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO COMBINE TAX PARCELS 11-026.00-002 AND 003 INTO ONE PARCEL TO CONSTRUCT 89,400 SQUARE FEET OF SELF-STORAGE WAREHOUSE, EXTERIOR STORAGE AREA FOR VEHICLES AND ASSOCIATED IMPROVEMENTS; RECONFIRMATION OF CR ZONING; [APPLICATION NO. 2021-0004-S/Z](#); COUNCIL DISTRICT 5

Prime Sponsor(s): Ms. George

R24-148: TO AMEND NEW CASTLE COUNTY COUNCIL EMPLOYEE HANDBOOK CHAPTER 3 ("APPROPRIATE APPEARANCE") REGARDING THE APPEARANCE OF COUNCIL EMPLOYEES

Prime Sponsor(s): Mr. Sheldon, Ms. George, Mr. Hollins

Co-sponsor(s): Mr. Smiley

R24-149: TO AMEND NEW CASTLE COUNTY COUNCIL PROCEDURAL RULE 8.1.9 REGARDING VIRTUAL PARTICIPATION OF COUNCIL MEMBERS DURING COUNCIL MEETINGS

Prime Sponsor(s): Mr. Carter

Co-sponsor(s): Mr. Cartier, Ms. Durham, Mr. Smiley

I. Consideration of Ordinances

°24-094: AMEND THE GRANTS BUDGET: REALIGN \$128,227.78 IN FUNDS FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO A SPECIAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM DESIGNATED AS CDBG-CV, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES

Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-095: AMEND THE GRANTS BUDGET: REALIGN \$79,701.78 IN FEDERAL FUNDS WITHIN THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM DESIGNATED AS CDBG-CARES ACT ROUND III, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES

Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-096: AMEND THE GRANTS BUDGET: APPROPRIATE \$2,452,724 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND \$350,000 IN ESTIMATED PROGRAM INCOME TO THE FY2025 COMMUNITY DEVELOPMENT BLOCK GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING

Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-097: AMEND THE GRANTS BUDGET: FOR FY2025, APPROPRIATE FEDERAL FUNDS OF \$964,060 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND ESTIMATED PROGRAM INCOME OF \$50,000 TO THE FY2025 HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING

Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-098: AMEND THE GRANTS BUDGET: FOR FY2025, APPROPRIATE FEDERAL FUNDS OF \$209,446 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) TO THE FY2025 EMERGENCY SOLUTIONS GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING

Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-099: AMEND THE GRANTS BUDGET: APPROPRIATE \$225,490 IN ANTICIPATED STATE OF DELAWARE GRANT-IN-AID FUNDS TO THE ABSALOM JONES SENIOR CENTER FY2025 GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, COMMUNITY RESOURCES DIVISION

Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-100: AMEND THE GRANTS BUDGET: APPROPRIATE \$75,000 FROM THE STATE OF DELAWARE, DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF SERVICES FOR AGING AND ADULTS WITH PHYSICAL DISABILITIES TO THE HEALTHY HOMES-DHSS GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING

Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-101: AMEND THE GRANTS BUDGET: FOR FY2025, APPROPRIATE ANTICIPATED \$2,841,311 FROM THE DEPARTMENT OF STATE, DELAWARE DIVISION OF LIBRARIES TO: (A) LIBRARY ADMINISTRATION \$2,575,961; (B) APPOQUINIMINK LIBRARY \$19,547; (C) BEAR LIBRARY \$34,431; (D) CLAYMONT LIBRARY \$14,431; (E) BRANDYWINE HUNDRED LIBRARY \$82,530; (F) ELSMERE LIBRARY \$14,430; (G) HOCKESSIN LIBRARY \$17,544; (H) KIRKWOOD LIBRARY \$21,748; (I) NEWARK LIBRARY \$30,353; (J) ROUTE 9 LIBRARY \$11,697; AND (K) WOODLAWN LIBRARY \$18,639 WHICH ARE ALL ADMINISTERED BY THE DEPARTMENT OF

COMMUNITY SERVICES, DIVISION OF LIBRARIES

Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-102: AMEND THE FY2025 APPROVED OPERATING BUDGET: APPROPRIATE \$1,800,000 IN ROOM RENTAL FEES AND \$491,389 FROM THE HOPE CENTER RESERVE (GENERAL FUND SUB-FUND) TO THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING TO FUND HOPE CENTER OPERATIONS

Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-103: AMEND THE FY2025 APPROVED OPERATING BUDGET: APPROPRIATE FUNDING FROM THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF COUNTY COUNCIL TO THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES FOR YOUTH EMPLOYMENT

Prime Sponsor(s): Mr. Hollins, Mr. Street, Mr. Smiley

°24-104: AMEND THE GRANTS BUDGET: APPROPRIATE \$83,000 IN PRIVATE FUNDING FROM THE PUBLIC SERVICE ENTERPRISE GROUP (PSEG) NUCLEAR TO FUND THE OPERATIONS OF THE NEW CASTLE COUNTY OFFICE OF EMERGENCY MANAGEMENT (OEM) FOR FY2025

Prime Sponsor(s): Mr. Bell, Ms. Hartley-Nagle

°24-105: AMEND THE GRANTS BUDGET: APPROPRIATE \$83,600 IN FEDERAL FUNDING FROM THE DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO THE FY2025 HMGP HAZARD MITIGATION PLAN UPDATE GRANT

Prime Sponsor(s): Mr. Bell, Ms. Hartley-Nagle

°24-106: AMEND THE GRANTS BUDGET: APPROPRIATE \$26,785.00 FROM THE STATE OF DELAWARE, DEPARTMENT OF JUSTICE – SPECIAL LAW ENFORCEMENT ASSISTANCE FUND (SLEAF) TO THE SLEAF AUTO LICENSE PLATE READERS GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE

Prime Sponsor(s): Mr. Bell, Ms. Hartley-Nagle

°24-107: AMEND THE GRANTS BUDGET: APPROPRIATE \$76,000 OF FEDERAL FUNDS FROM THE UNITED STATES DEPARTMENT OF JUSTICE VICTIMS OF CRIME ACT (VOCA) VICTIM ASSISTANCE PROGRAM THROUGH THE DELAWARE CRIMINAL JUSTICE COUNCIL (CJC) TO THE CRIMINAL JUSTICE COUNCIL NEW CASTLE COUNTY POLICE DEPARTMENT EXPANSION OF VICTIM SERVICES – EIGHTH YEAR GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE

Prime Sponsor(s): Mr. Bell, Ms. Hartley-Nagle

°24-108: AMEND THE FY2024 APPROVED OPERATING BUDGET: TRANSFER FUNDS FROM THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF COUNTY COUNCIL TO THE SOUTHERN REGIONAL PARK CAPITAL PROJECT FOR ASSISTANCE IN CREATING A WORKING SPACE FOR MAINTENANCE OPERATIONS

Prime Sponsor(s): Mr. Carter

°24-109: AMEND THE FY2024 CAPITAL PROGRAM AND BUDGET: APPROPRIATE FUNDING FROM THE NEW CASTLE COUNTY COUNCIL FY2024 APPROVED OPERATING BUDGET TO THE DEPARTMENT OF PUBLIC WORKS, SOUTHERN REGIONAL PARK CAPITAL PROJECT

Prime Sponsor(s): Mr. Carter

°24-110: AMEND THE GRANTS BUDGET: APPROPRIATE \$100,000 FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION THROUGH THE STATE OF DELAWARE, DELAWARE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF SUBSTANCE ABUSE AND MENTAL HEALTH TO THE WASTEWATER GRANT DHSS 2024 FOR THE DEPARTMENT OF

PUBLIC WORKS

Prime Sponsor(s): Mr. Sheldon, Mr. Carter

°24-111: TO APPROPRIATE \$190,000 IN THE GARSTIN TRUST TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC WORKS

Prime Sponsor(s): Mr. Sheldon, Mr. Carter

°24-023: COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 1 REGARDING THE FOLLOWING TAX PARCELS: WHITE CLAY CREEK HUNDRED: [09-011.00-070 \(606 Stanton Christiana Rd\)](#), [09-030.30-091 \(2008 Point Hamlet Rd, Christiana Village\)](#)

Introduced by: Mr. Toole

°24-024: COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 10 REGARDING THE FOLLOWING TAX PARCELS: CHRISTIANA HUNDRED: [07-043.40-054 \(2 Highspeed Way\)](#), [07-043.40-055 \(1400 Delmarva Ln, Russell W Peterson Urban Wildlife Refuge\)](#), [07-044.30-003 \(0 S Madison St Off\)](#) Introduced by: Mr. Street

°24-025: COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 3 REGARDING THE FOLLOWING TAX PARCELS: CHRISTIANA HUNDRED: [07-009.00-027 \(17 Gun Club Rd, Auburn Valley\)](#), [07-009.00-028 \(0 Creek Rd\)](#); MILL CREEK HUNDRED: [07-009.00-027 \(17 Gun Club Rd, Auburn Valley\)](#), [08-001.00-022 \(1166 Yorklyn Rd, Auburn Valley\)](#), [08-007.40-124 \(623 Yorklyn Rd, Hockessin Center\)](#), [09-008.00-010 \(0 Creek Rd, 555 Paper Mill Road\)](#) Introduced by: Ms. Kilpatrick

J. Time Sensitive Congratulatory/Honorary Resolutions

K. Introduction/Consideration of Emergency Ordinances

L. Public Comment/Other

M. Motion to Adjourn

AGENDA POSTED: June 18, 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  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.

ORDINANCE NO. 24-113

**AMENDING CHAPTER 14 ("FINANCE AND TAXATION"), ARTICLE 1 ("IN
GENERAL") RELATING TO CERTAIN RESERVE ACCOUNTS
AND VOTING REQUIREMENTS RELATED THERETO**

1 **WHEREAS**, to safeguard the financial well-being of New Castle County and to
2 buffer taxpayers from volatile and unpredictable swings during challenging financial times,
3 necessitating tax increases, New Castle County Council had the forethought of creating
4 certain reserve accounts to mitigate the impact on County residents; and
5

6 **WHEREAS**, the reserve accounts (also referred to as "funds") created by County
7 Council include the Budget Reserve Account, the Sewer Rate Stabilization Reserve
8 Account, and the Reassessment Reserve Account, among others; and
9

10 **WHEREAS**, State law (9 *Del. C.* Section 1150) provides that under the authority
11 granted to the government of New Castle County, County Council may by ordinance
12 impose upon itself a supermajority voting requirement; and
13

14 **WHEREAS**, given the importance of maintaining the predictability of the Reserve
15 Account balances, ensuring funds are there to balance the budget or to be used for other
16 important functions when needed, and to avoid the temptation of drawing funds from the
17 accounts when not absolutely necessary, County Council deems it important to require a
18 10/13 supermajority vote count for appropriations or transfers from the Reserve Accounts;
19 and
20

21 **WHEREAS**, County Council has determined that the provisions of this Ordinance
22 substantially advance and are reasonably and rationally related to legitimate government
23 interests, including promoting the health, safety, prosperity, and welfare of present and
24 future inhabitants of New Castle County.
25

26 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
27

28 Section 1. *New Castle County Code* Ch. 14 ("Finance and Taxation"), Article 1 ("In
29 General") is hereby amended by adding the material that is underscored and deleting the
30 material with strikethroughs, as set forth below.
31

32 **Sec. 14.01.013. Budget Reserve Account.**

- 33 A. There is hereby established a Budget Reserve Account within the General Fund and
34 the Sewer Fund.
35 B. The amount of the reserve in each fund at the beginning of each fiscal year shall be
36 equal to ~~twenty (20) percent~~ 20% of the total estimated revenues of that fund for that
37 fiscal year.

- 38 C. County Council may, by a ~~ten-thirteenths (10/13)~~ supermajority 10/13 vote,
39 appropriate from the Budget Reserve Account such sums as may be necessary to
40 fund any unanticipated deficit in any given fiscal year or to provide funds required as
41 a result of any revenue reduction enacted by the General Assembly or County
42 Council. The requisite supermajority vote of 10/13 to appropriate or transfer funds
43 from the reserve account may not be altered except by an equal supermajority vote
44 of 10/13.
- 45 D. Any change to the percentage allocation to the Budget Reserve Account of either the
46 General Fund or the Sewer Fund shall require a ~~ten-thirteenths (10/13)~~ supermajority
47 10/13 vote of County Council.

48
49 **Sec. 14.01.014. Tax Stabilization Reserve Account.**

- 50 A. There is hereby established a Tax Stabilization Reserve Account within the General
51 Fund.
- 52 B. The amount in the reserve account shall be set annually by County Council in
53 conjunction with adoption of the operating budget.
- 54 C. County Council may by a supermajority 10/13 vote appropriate or transfer from the
55 Tax Stabilization Reserve Account such sums as may be necessary for the limited
56 purpose of only balancing the annual operating budget or covering budgeted capital
57 costs for County assets that would otherwise require the issuance of bonds and/or a
58 tax increase. The requisite supermajority vote of 10/13 to appropriate or transfer
59 funds from the reserve account may not be altered except by an equal supermajority
60 vote of 10/13.

61
62 **Sec. 14.01.015. Sewer Rate Stabilization Reserve Account.**

- 63 A. There is hereby established a Sewer Rate Stabilization Reserve Account within the
64 Sewer Fund.
- 65 B. The amount in ~~that the~~ reserve account shall be set annually by County Council in
66 conjunction with ~~the~~ adoption of the operating budget.
- 67 C. County Council may by a supermajority 10/13 vote appropriate or transfer from the
68 Sewer Rate Stabilization Reserve Account such sums as may be necessary to
69 balance the annual operating budget or to cover budgeted sewer capital costs that
70 would otherwise require the issuance of bonds or payment of a rate increase. The
71 requisite supermajority vote of 10/13 to appropriate or transfer funds from the reserve
72 account may not be altered except by an equal supermajority vote of 10/13.

73
74 **Sec. 14.01.016. New Castle County Strategic Economic Development Fund.**

- 75 A. There is hereby established a New Castle County Strategic Economic Development
76 Fund.
- 77 B. The amount in the fund shall be set by County Council ~~with an initial transfer of funds~~
78 ~~from the general fund tax stabilization reserve and as thereafter~~ provided by
79 ordinance, which must be approved by a supermajority 10/13 vote of County Council.
80 The requisite supermajority vote of 10/13 to appropriate or transfer funds from the
81 fund may not be altered except by an equal supermajority vote of 10/13.
- 82 C. This fund shall serve as a source to retain and/or create jobs, maintain and/or

improve the tax base, or otherwise maintain and/or enhance the quality of life in the community.

- D. Funds received for the New Castle County Strategic Economic Development Fund shall be invested and dispersed in accordance with rules, regulations and criteria developed by the Executive Branch and approved by ~~New Castle County Council~~.

Sec. 14.01.017. Library Reserve Account.

- A. There is hereby established a Library Reserve Account within the General Fund.

- B. Subject to the limitations established by Subsection D. ~~below~~, the County Council may set aside up to ~~five hundred thousand dollars (\$500,000.00)~~ \$500,000 annually in the Library Reserve Account in conjunction with the adoption of the operating budget. Funds are to be withdrawn, as needed, from the General Fund Tax Stabilization Reserve Account for the purpose of funding the Library Reserve Account.

- C. By a supermajority 10/13 vote, County Council may appropriate or transfer from the Library Reserve Account such sums as may be necessary, in County Council's discretion, for funding of library maintenance expenses, capital expenses, operational expenses, and/or other necessary library-related expenses. The funds in the Library Reserve Account may be used for any library in the New Castle County library system. The requisite supermajority vote of 10/13 to appropriate or transfer funds from the reserve account may not be altered except by an equal supermajority vote of 10/13.

- D. The Library Reserve Account shall not exceed ~~two million five hundred thousand dollars (\$2,500,000.00)~~ \$2,500,000, in the aggregate.

Sec. 14.01.018. Reassessment Reserve Account.

- A. There is hereby established a Reassessment Reserve Account within the General Fund.

- ~~B. The principal amount due, in addition to the interest of six (6) percent 6% per annum on the unpaid principal amount (to be paid annually until the principal is paid in full), plus all other amounts due under the promissory note executed by the Delaware Board of Trade shall, upon receipt, be deposited into the Reassessment Reserve Account. The Office of Finance shall promptly advise New Castle County Council when any funds have been deposited into the reserve account.~~

- ~~C.B.~~ County Council may, by a supermajority 10/13 vote, appropriate or transfer from the Reassessment Reserve Account such sums as County Council deems appropriate to pay for reassessment-related costs and expenses. County Council, by a ~~ten-thirteenths (10/13)~~ supermajority 10/13 vote, may appropriate, transfer, or reduce funds in the Reassessment Reserve Account to balance the annual operating budget or to cover costs that otherwise would require the issuance of a bond or a tax increase. The requisite supermajority vote of 10/13 to appropriate, transfer, or reduce funds from the reserve account may not be altered except by an equal supermajority vote of 10/13.

- C. The Office of Finance shall promptly advise County Council when any funds have been deposited into the reserve account.

Sec. 14.01.020. Affordable Housing Fund.

- 129 A. There is hereby established an Affordable Housing Fund.
- 130 B. The amount of the fund shall be set by County Council ~~with an initial transfer of funds~~
- 131 ~~from the Tax Stabilization Reserve Account within the General Fund and as~~
- 132 ~~hereafter~~ provided by ordinance.
- 133 C. Before County Council may consider an affordable housing project at a committee
- 134 meeting, the originating source of the funds transferred into the Affordable Housing
- 135 Fund (e.g., Community Development Block Grants, Housing Trust Fund, HOME
- 136 funds, etc.) shall be expressly identified in the title and the body of the ordinance
- 137 introduced to approve of and appropriate or transfer funds in support of the housing
- 138 project.
- 139 D. The fund shall be used exclusively for the preservation and development of
- 140 affordable housing within New Castle County. Funds shall be appropriated or
- 141 transferred to projects and initiatives consistent with the purpose of the Affordable
- 142 Housing Fund by resolution adopted by a majority of County Council. Funds placed
- 143 in the Affordable Housing Fund may not be reappropriated or transferred for a use
- 144 inconsistent with the purposes of the Affordable Housing Fund except through the
- 145 adoption of a resolution by a supermajority 10/13 vote ~~two-thirds majority~~ of County
- 146 Council. The requisite supermajority vote of 10/13 to appropriate, transfer, or
- 147 reappropriate funds from the Affordable Housing Fund may not be altered except by
- 148 an equal supermajority vote of 10/13.
- 149 E. The fund shall be administered by the Department of Community Services, with
- 150 oversight by County Council, and governed by policies and procedures set forth in
- 151 an administrative manual to be approved by County Council.
- 152 F. A report on the status of the fund will be given to County Council and the Executive
- 153 by the Department of Community Services annually.

154 Section 2. This Ordinance shall become effective immediately upon its adoption

155 by County Council and approval by the County Executive, or as otherwise provided in

156 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: This Ordinance clarifies the requisite supermajority 10/13 vote count of County Council that is necessary to authorize an appropriation or transfer (which includes a "reappropriation") from the identified reserve accounts (also referred to as "funds"). The requisite supermajority vote of 10/13 to appropriate or transfer funds from the reserve accounts may not be altered except by an equal supermajority vote of 10/13.

FISCAL NOTE: This Ordinance, if approved, will have no fiscal impact.

ORDINANCE NO. 24-114

**AMEND THE FY2024 CAPITAL PROGRAM AND BUDGET: APPROPRIATE \$1,393,900.65
IN FUNDING FROM THE STATE OF DELAWARE, DEPARTMENT OF TRANSPORTATION
TO THE DEPARTMENT OF PUBLIC WORKS, WATER QUALITY IMPROVEMENT PLAN
CAPITAL PROJECT**

1 **WHEREAS**, Chapter 39 of Title 7 of the *Delaware Code*, as amended, authorizes New
2 Castle County to carry out preventive and control measures and works of improvement for the
3 prevention of erosion, floodwater, and sediment damages, and the County Council of New
4 Castle County determines to construct, improve, and develop stormwater courses and facilities;
5 and
6

7 **WHEREAS**, New Castle County has partnered with State of Delaware, Department of
8 Transportation (DelDOT) and State of Delaware, Department of Natural Resources and
9 Environmental Control (DNREC) to establish stream restoration, meadow/forest restorations
10 and a pedestrian access path to improve water quality resulting from channel erosion; and
11

12 **WHEREAS**, the project is located within the Robscott Manor Park between Sanford Drive
13 and Edjil Drive on property owned by New Castle County; and
14

15 **WHEREAS**, Robscott Manor is a project under the existing Water Quality Improvement
16 Plans Capital project and supports DelDOT and New Castle County's requirements to fulfill the
17 Christina River Water Quality Improvement Plan and will provide enhanced water quality, which
18 is important as the Christina River is a source of public drinking water; and
19

20 **WHEREAS**, the agreement between DNREC and New Castle County provides
21 authorization for DelDOT to be reimbursed by DNREC; and
22

23 **WHEREAS**, this legislation will amend the FY2024 Capital Budget by appropriating
24 \$1,393,900.65 from the State of Delaware, Department of Transportation to properly account for
25 the improvements planned under the Robscott Manor cooperative project and paid for by
26 DNREC.
27

28 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
29

30 Section 1. The Capital Budget Ordinance for the fiscal year beginning July 1, 2023 is
31 hereby amended by deleting the material that is stricken and adding the material that is
32 underscored on the attached Exhibit "A."
33

34 Section 2. The Capital Program Resolution for the fiscal year beginning July 1, 2023 is
35 hereby amended by deleting the material stricken and adding the material underscored on the
36 attached Exhibit "B."
37

38 Section 3. State funding in the amount of \$1,393,900.65 is appropriated to the
39 Department of Public Works, Water Quality Improvement Plan Capital Project to properly
40 account for the improvements planned under the Robscott Manor cooperative project.

41 Section 4. It is hereby determined and declared that the normal life of said improvements
42 is not less than three (3) years (9 *Del. C.* § 1163).
43

44 Section 5. This Ordinance shall become effective immediately upon its adoption by
45 County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* §
46 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 \$1,393,900.65 in State funding to the Department of Public Works, Water Quality Improvement Plan Capital Project to properly account for the improvements planned under the Robscott Manor cooperative project and paid for by DNREC. The improvements include establishing stream restoration, meadow/forest restorations and a pedestrian access path to improve water quality resulting from channel erosion. The project is located within the Robscott Manor Park between Sanford Drive and Edjil Drive on property owned by New Castle County.

FISCAL NOTE: This Ordinance, if approved, will amend the FY2024 Capital Budget by appropriating \$1,393,900.65 in State funding to the Department of Public Works, Water Quality Improvement Plan Capital Project.

The revised FY2024 total Capital Budget amount for the Water Quality Improvement Plan Capital Project will be \$1,624,133.65.

The revised FY2024 New Castle County Capital Budget total will be \$72,045,913.65.

There will be no fiscal impact to New Castle County since DeIDOT will submit reimbursement requests for New Castle County approval, then paid directly to DeIDOT from DNREC.

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2024

24-114

DEPARTMENT OF ADMINISTRATION

Human Resources Scanning	\$	135,800
Land Use Information System		3,000,000
Recorder of Deeds HOA Portal		129,000
Register of Wills System		250,000
Subtotal	\$	3,514,800

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		2,350,000
Public Safety Building Renovations		300,000
Public Safety Equipment		291,000
Public Safety Vest Protection Program		201,840
Subtotal	\$	6,087,988

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

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2024

24-114

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
Southern Regional Park		5,801
Weiss Park Improvements		700,000
Subtotal	\$	18,171,921

Sewer/Stormwater

Asset Management	\$	100,000
Backwater Valve Improvement		50,000
Christina River Force Main		37,400,000
Countywide Drainage		500,000
DeIDOT 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
Richardson Park Pump Station Upgrade		(10,000,000)
Sewer Fleet Equipment 2022		(650,000)
Sewer Fleet Equipment 2024		2,162,169
Sewer Repairs and Rehabilitation 2024-2025		1,000,000
Southern Sewer Service Area		(32,966,984)
Stoney Creek Basin		500,000
Stormwater Basin Renovation		725,000
Terminal Avenue System Rehabilitation		275,000
Water Quality Improvement Plan		
	230,233	1,624,134
White Clay System Rehabilitation		2,800,000
Subtotal		
	8,484,372	\$ 9,878,273

CAPITAL BUDGET TOTAL

--- **70,652,013** **---** **\$ 72,045,914** **---**

EXHIBIT B**PROJECT PROFILES
PUBLIC WORKS - SEWER/STORMWATER (continued)**

Project Name (Number): Water Quality Improvement Plan (C301903)					
Description: Develop and implement the Water Quality Improvement Plans (WQIP's).				Council Districts: All	
Funding Schedule					
	Bonds	Federal	State	Other	Total
Prior Authorizations	\$ 3,004,900	\$ -	\$ 997,000	\$ 7,500	\$ 4,009,400
FY2024	-	230,233		-	230,233
	-	-	1,393,901	-	1,624,134
FY2025	-	-	-	-	-
FY2026	1,000,000	-	-	-	1,000,000
FY2027	1,000,000	-	-	-	1,000,000
FY2028	1,000,000	-	-	-	1,000,000
FY2029	1,000,000	-	-	-	1,000,000
Future Years	2,000,000	-	-	-	2,000,000
Total	\$ 9,004,900	\$ 230,233	\$ 997,000	\$ 7,500	\$ 10,239,633
			<u>\$ 2,390,901</u>		<u>\$ 11,633,534</u>
Available Authorizations:		\$ 3,612,300			
Available Funding:		\$ 381,885			
Operating Budget Impact:		\$ -			

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

FY2024 Activity:

Construction of WQIP projects (Woodland Run), required by NPDES permit. Phase one of multiphase restoration for Banning Regional Park. Properly account for DelDOT's contribution to the improvements planned under the Robscott Manor cooperative project.

Future Activity:

Construction of WQIP projects, required by NPDES permit, including Dragon Run in coordination with DelDOT.

Prime Sponsor: Mr. Street
Requested by: Public Safety
Date of introduction: June 25, 2024

ORDINANCE NO. 24-115

TO AMEND NEW CASTLE COUNTY CODE CHAPTER 34 ("TRAFFIC AND VEHICLES"), BY ADDING ARTICLE 4 ("TRUCK MONITORING SYSTEM") TO ASSIST IN ENFORCEMENT OF TITLE 21 § 4505 OF THE DELAWARE CODE

1 **WHEREAS**, in accordance with Title 21 § 4513 of the Delaware Code, New Castle
2 County is authorized to adopt an ordinance to enforce Title 21 § 4505 of the Delaware
3 Code through the use of a truck monitoring system that results in issuance of citations
4 imposing warnings and civil penalties for violations in locations identified by the Delaware
5 Department of Transportation as potential candidates for use of truck monitoring systems;
6 and
7

8 **WHEREAS**, manufacturing facilities and industrial centers attract high volumes of
9 large commercial vehicles in certain parts of the County. Commercial vehicle travel can
10 be challenging for both vehicle operators and nearby residents when vehicles travel along
11 roadways that were not designed to accommodate their weight, capacity, and size.
12 Furthermore, this unauthorized use of certain motorways can endanger citizens, damage
13 infrastructure, and create unwanted disturbances for the locality's residents; and
14

15 **WHEREAS**, the County proposes installing truck monitoring systems to reduce
16 high volumes of truck traffic in residential areas through the promotion of behavioral
17 change among vehicle operators. These automated systems will also improve the quality
18 of life for New Castle County residents, those conducting business in the County, and
19 visitors to the County; and
20

21 **WHEREAS**, Lambson Lane has been subject to a high volume of large commercial
22 vehicle travel which has created quality of life issues for residents living on or near the
23 area; and
24

25 **WHEREAS**, the Delaware Department of Transportation has identified Lambson
26 Lane between DE 9 (New Castle Avenue) and 100 feet east of East Avenue as one of
27 many appropriate locations for the placement of a truck monitoring system, and the
28 County intends to install a truck monitoring system at the Lambson Lane location.
29

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

31
32 Section 1. *New Castle County Code* Chapter 34 ("Traffic and Vehicles"), is hereby
33 amended by adding the underscored material as set forth below:
34

35 **Chapter 34. TRAFFIC AND VEHICLES.**

36 ...

37 **Article 4. Truck Monitoring System**

38
39 **Sec. 34.04.001**

40
41 The New Castle County Division of Police is authorized to use a truck monitoring system
42 to enforce 21 *Del. C.* § 4505 at any location in New Castle County that the Delaware
43 Department of Transportation identifies as a candidate under 21 *Del. C.* § 4513(d)(1).
44 The New Castle County Division of Police shall follow the procedures and requirements
45 established in and pursuant to 21 *Del. C.* § 4513.

Adopted by County Council of
New Castle County on:

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

Approved on:

Matthew Meyer
County Executive
of New Castle County

SYNOPSIS: This Ordinance, if approved, enables New Castle County to implement a truck monitoring system at any location identified by the Delaware Department of Transportation pursuant to 21 *Del. C.* § 4505, including Lambson Lane.

FISCAL NOTE: This Ordinance, if approved, would have a de minimis fiscal impact. It is anticipated that most violations would be first violations which result in warnings. Any revenues received would be offset by the expense of an officer's daily operational cost.

ORDINANCE NO. 24-116

**TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 40
("UNIFIED DEVELOPMENT CODE"), ARTICLE 31
("PROCEDURES AND ADMINISTRATION"),
SECTION 40.31.120. ("TEXT AMENDMENTS")
REGARDING TEXT AMENDMENTS**

1 **WHEREAS**, periodically it is important to ensure that *New Castle County Code* is
2 updated to accurately reflect current ingrained practices in process; and
3

4 **WHEREAS**, to ensure that County legislative processes are transparent and, thus,
5 easily followed by members of the public; and
6

7 **WHEREAS**, New Castle County Council finds that the provisions of this Ordinance
8 are rationally and reasonably related to and substantially advance the County's goal of
9 protecting and preserving legitimate government interests, and the protection and
10 preservation of the public health, safety, welfare, and quality of life of New Castle County
11 and its residents.
12

13 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
14

15 Section 1. *New Castle County Code* Ch. 40 ("Unified Development Code"), Article
16 31 ("Procedures and Administration"), Section 40.31.120. ("Text Amendments") is hereby
17 amended by adding the material that is underscored and deleting the material with
18 strikethroughs, as set forth below.
19

20 **Sec. 40.31.120. - Text amendments.**
21

22 Text amendment proposals, as embodied in a proposed ordinance, shall be heard
23 ~~and reviewed~~ considered by County Council after review and recommendation by the
24 Department, and the Planning Board, and the Historic Review Board, if applicable ~~review~~
25 ~~and recommendation~~. Text amendments may be proposed by the Department, the
26 County Executive, County Council, and County boards.
27

- 28 A. *Pre-introduction review*. Upon request, the Departments of Land Use and Law
29 shall assist any member of County Council ~~the proponent of any land use-related~~
30 ~~legislation in the drafting of such legislation~~ any land use-related legislation or
31 preliminary review of proposed legislation. ~~In addition, when a member of County~~
32 ~~Council proposes the legislation, the~~ Additionally, a County Council member may
33 direct Counsel to Council to draft the proposed text amendment. ~~At, and at~~ the
34 discretion of the County Council member, a copy of the legislation may be provided
35 to the Department of Land Use for comment. Under no circumstances shall a

36 County Council member be prohibited from introducing any legislation because of
37 any comments from the Departments of Land Use or Law. If a County Council
38 member elects to submit the legislation to the Department of Land Use prior to
39 introduction thereof, the Departments of Land Use and Law shall have ~~ten (10)~~ 10
40 working days to provide comment to the County Council member, unless the
41 County Council member grants the Departments additional time. This Section shall
42 not apply to any emergency ordinance introduced pursuant to 9 Del. C. § 1157.

43
44 B. ~~Department review and report~~ State of Delaware Preliminary Land Use Service
45 (PLUS), review and comment. At the Department's option, the proposed text
46 amendment may be submitted to PLUS for review and comment. A preliminary
47 report will be prepared by the Department summarizing the relevant issues and
48 comments by PLUS.

49
50 C. Historic Review Board public hearing, review and comment. Where historic
51 resource code sections are involved, the proposed text amendment and the
52 Department's preliminary report are to be submitted to the Historic Review Board
53 for consideration and comment during a public hearing. Subsequent to the
54 hearing, the Department will prepare an updated report summarizing the relevant
55 issues and comments received to date.

56
57 DG. Department/Planning Board public hearing. Following introduction of an
58 ordinance by County Council, and any PLUS meeting and/or Historic Review
59 Board hearing, the a proposed text amendment will be scheduled for public hearing
60 before the Planning Board. The purpose of the public hearing is to solicit and
61 consider public comments on the appropriateness of the proposed amendment
62 and to obtain the feedback and recommendation of the Planning Board.

63
64 E. County Council Sponsor. The Council prime sponsor of a proposed text
65 amendment is responsible for presenting and providing rebuttal regarding the
66 proposed text amendment at any public meeting or hearing at which the ordinance
67 is considered, although the prime sponsor may choose to defer to another
68 sponsor, the Department, or to present jointly.

69
70 FD. Department recommendation report. A written recommendation report by the
71 Department and the Planning Board shall contain specific findings of fact resulting
72 from the PLUS report if applicable, any Historic Review Board comments, the
73 Planning Board public hearing and any public comments, and Department
74 analysis. The recommendation may also include proposed substitute language.
75 The Department recommendation report and proposed text amendment shall then
76 be forwarded to County Council for consideration no later than 20 business days
77 following the Planning Board Business Meeting.

78
79 GE. County Council hearing and action. Upon receipt of a the recommendation report
80 from the Department, subject to the prime sponsor's right to manage the
81 ordinance, County Council shall hold a public hearing and render a decision to

82 consider the ordinance.

83

84 Section 2. This Ordinance shall become effective immediately upon its adoption
85 by County Council and approval by the County Executive, or as otherwise provided by 9
86 *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: This Ordinance provides refinements to the *New Castle County Code* to better clarify certain elements of the process for which proposed text amendments proceed through to approval.

FISCAL IMPACT: There is no discernible fiscal impact.

ORDINANCE NO. 24-117

**TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 40
("UNIFIED DEVELOPMENT CODE"), ARTICLE 31
("PROCEDURES AND ADMINISTRATION"),
SECTION 40.31.120. ("TEXT AMENDMENTS")
REGARDING TEXT AMENDMENTS AND SCHEDULING**

1 **WHEREAS**, it is in the best interests of New Castle County and its residents, and
2 thus imperative, that necessary updates to *New Castle County Code*, in the form of text
3 amendments, promptly proceed through the administrative process; and
4

5 **WHEREAS**, to achieve the above, proposed text amendments should be
6 considered as efficiently and as promptly as possible by the requisite administrative
7 boards and New Castle County Council; and
8

9 **WHEREAS**, New Castle County Council finds that the provisions of this Ordinance
10 are rationally and reasonably related to and substantially advance the County's goal of
11 protecting and preserving legitimate government interests, and the protection and
12 preservation of the public health, safety, welfare, and quality of life of New Castle County
13 and its residents.
14

15 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
16

17 Section 1. *New Castle County Code* Ch. 40 ("Unified Development Code"), Article
18 31 ("Procedures and Administration"), Section 40.31.120. ("Text Amendments") is hereby
19 amended by adding the material that is underscored and deleting the material with
20 strikethroughs, as set forth below.
21

22 **Sec. 40.31.120. - Text amendments.**
23

24 Text amendment proposals.
25

26 ...

27 B. *Department review and report.* At the Department's option, the proposed text
28 amendment may be submitted to PLUS for review and comment. A preliminary
29 report will be prepared by the Department summarizing the relevant issues and
30 comments by PLUS.
31

32 Immediately following any PLUS hearing, the proposed text amendment ordinance
33 shall be scheduled for consideration at the next hearing required by this Section
34 and adhering to public posting timing requirements, including hearings before the
35 Historic Review Board, if applicable, and the Planning Board, regardless of

36 whether the PLUS review letter has been received by the Department.

37
38 Section 2. This Ordinance shall become effective immediately upon its adoption
39 by County Council and approval by the County Executive, or as otherwise provided by 9
40 *Del. C. § 1156.*
41

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: It is in the best interests of New Castle County and its residents, and thus imperative, that necessary updates to *New Castle County Code*, in the form of text amendments, promptly proceed through the administrative process.

To achieve the above, proposed text amendments must be considered as efficiently and as soon as possible by the requisite administrative boards and New Castle County Council. This Ordinance proposes certain amendments to *County Code* which would ensure the above is realized.

FISCAL IMPACT: There is no discernible fiscal impact.

Prime Sponsor(s): Mr. Bell, Ms. Kilpatrick
Requested by: Department of Land Use
Date of introduction: June 25, 2024

RESOLUTION NO. 24-145

**PLAN OF VISTA AT RED LION – SECTION 1; NEW CASTLE HUNDRED;
NORTH SIDE OF OLD PORTER ROAD, 2000 FEET WEST OF RED LION ROAD;
MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO SUBDIVIDE
TAX PARCEL NO. 10-052.00-011 INTO 240 TOWNHOUSE UNITS
UTILIZING THE SINGLE FAMILY ATTACHED OPTION; ST ZONING;
APPLICATION NO. 2008-0002; COUNCIL DISTRICT 12**

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 Vista at Red Lion—Section 1 (Application No. 2008-0002) 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 VISTA AT RED LION – SECTION 1
New Castle Hundred**

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
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. 2008-0002
Vista at Red Lion – Section 1
Record Major Land Development Plan

Date: May 28, 2024

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 Vista at Red Lion – Section 1; New Castle Hundred; North side of Old Porter Road, 2000' west of Red Lion Road; Major Land Development Plan that proposes to subdivide TP No. 10-052.00-011 into 240 townhouse units utilizing the single family attached option; ST 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.

NOTES & DATA:

1. TAX PARCEL NUMBER(S):

2. ZONING DISTRICT DESIGNATION:

3. SOURCE OF TITLE:

4. SURVEY DATUM:
LOCAL BENCHMARK:

NUMBER OF EXISTING MONUMENTS:
NUMBER OF PROPOSED MONUMENTS:

5. SITE GROSS ACREAGE:
SITE NET ACREAGE:

6. WATER SUPPLIER:

7. SANITARY SEWER:

PROPOSED SEWER FLOWS:
SINGLE FAMILY ATTACHED: 240 LOTS x 250 G.P.D.
PEAK FLOW: 60,000 x 4 x 1DAY/1440 MIN.

8. SEPTIC FEASIBILITY:

9. PROPERTY OWNER:

10. EXISTING LOTS AND/OR DWELLING UNITS:
PROPOSED LOTS AND/OR DWELLING UNITS:

11. INTENTIONALLY LEFT BLANK

12. PARKING RATIONALE:
SINGLE-FAMILY ATTACHED
PARKING REQUIRED: 2.25 SP/UNIT x 240 UNITS
DRIVEWAY SPACES PROVIDED: 2 SP/UNIT x 240 UNITS
OVERFLOW / OFF-STREET PROVIDED:
PARKING PROVIDED:

13. SUBDIVISION / SITE DATA:

14. FLOODPLAIN

15. WATER RESOURCE PROTECTION AREA (WRPA)

16. WETLANDS

A. APPLICANT SHALL PROVIDE RESULTS FROM TEST BORINGS WITHIN AND NEAR THE MITIGATION AREAS AND PROVIDE ANALYSIS BY A QUALIFIED PROFESSIONAL TO LAND USE. LAND USE WILL REVIEW THE INFORMATION AND FORWARD TO RPATAC. THIS IS NEEDED TO VERIFY THAT THE MITIGATION WILL BE SUSTAINABLE AS A WETLAND AREA AND NOT BE DETRIMENTALLY AFFECTED BY CONSTRUCTION RELATED ACTIVITY.

B. MITIGATION AREA MUST BECOME PART OF THE VISTA AT RED LION SECTION ONE IN ORDER TO MITIGATE AT A 1-1 RATIO.

C. APPLICANT TO PROVIDE SIGNAGE AROUND THE MITIGATION AREA DESCRIBING ITS PURPOSE AND INTENT, AND APPLICANT TO PLACE LANGUAGE ON THE DEEDS OF THE LOTS IMMEDIATELY ADJACENT TO THE MITIGATION AREAS DESCRIBING PURPOSE AND INTENT OF THE MITIGATION AREA.

17. CRITICAL NATURAL AREAS

18. DEED RESTRICTIONS

19. SUPERSEDES NOTE

20. TRAFFIC IMPACT STUDY AND ROADWAY IMPROVEMENTS

A. THE DEVELOPER SHALL RECONSTRUCT OLD PORTER ROAD, ON BOTH SIDES OF THE ROADWAY ALONG THE ENTIRE LENGTH OF THE PROJECT FRONTAGE AND TO THE WEST TO A POINT JUST EAST OF GRISSOM DRIVE. THE RECONSTRUCTION SHALL CONSIST OF TWO ELEVEN-FOOT LANES WITH SHOULDERS AS FOLLOWS:

1. ON THE NORTH SIDE OF OLD PORTER ROAD, FIVE-FOOT SHOULDERS SHALL BE PROVIDED FROM THE POINT EAST OF GRISSOM DRIVE TO THE WESTERN BOUNDARY OF THE VISTA AT RED LION - SECTION 1 PROPERTY. EIGHT-FOOT SHOULDERS SHOULD BE PROVIDED WITHIN THE LIMITS OF RED LION - SECTION 1 PROPERTY FRONTAGE ALONG OLD PORTER ROAD.

2. ON THE SOUTH SIDE OF OLD PORTER ROAD, FIVE-FOOT SHOULDERS SHALL BE PROVIDED FROM THE POINT EAST OF GRISSOM DRIVE TO THE WESTERN BOUNDARY OF THE VISTA AT RED LION - SECTION 2 PROPERTY. EIGHT-FOOT SHOULDERS SHOULD BE PROVIDED WITHIN THE LIMITS OF RED LION - SECTION 2 PROPERTY FRONTAGE ALONG OLD PORTER ROAD TO THE WESTERLY LIMITS OF THE APPROACH TO DELDOT'S BRIDGE #1300393 (200-FEET WEST OF THE CENTER OF THE BRIDGE).

3. THE DEVELOPER SHALL PROVIDE A BITUMINOUS CONCRETE OVERLAY TO THE EXISTING TRAVEL LANES ON OLD PORTER ROAD FROM THE WESTERN PROJECT LIMIT TO A POINT WHICH IS 200-FEET WEST OF THE OLD PORTER ROADROUTE 71 INTERSECTION.

4. THE DEVELOPER WILL MAKE SUCH IMPROVEMENTS TO OLD PORTER ROAD EAST OF VISTA AT RED LION SECTION 1 TO THE POINT WHICH IS 200 FEET WEST OF THE CENTER OF DELDOT'S BRIDGE #1300383, AT THE DEVELOPERS COST, SO AS TO PROVIDE TWO ELEVEN-FOOT LANES WITH THREE-FOOT SHOULDERS FOR THIS PORTION OF OLD PORTER ROAD.

5. THE TIMING FOR COMPLETION OF THE IMPROVEMENTS OUTLINED HEREIN WILL BE PHASED CONSISTENT WITH THE PHASING OF THE DEVELOPMENT AS SET FORTH IN THE RECORD PLAN TO BE APPROVED BY THE NEW CASTLE COUNTY, BUT, IN ANY EVENT, THESE IMPROVEMENTS WILL NOT BE REQUIRED TO BE IN PLACE PRIOR TO THE ISSUANCE OF FIFTY PERCENT (50%) OF CERTIFICATES OF OCCUPANCY FOR BOTH VISTA AT RED LION SECTIONS 1 AND SECTIONS 2.

B. THE DEVELOPER SHALL CONSTRUCT TWO FULL MOVEMENT ACCESS ENTRIES ON OLD PORTER ROAD (SITE ACCESS EAST AND SITE ACCESS WEST) AND SHALL PROVIDE ONE LEFT TURN LANE AND ONE RIGHT TURN LANE FOR BOTH EASTBOUND AND WEST BOUND TRAFFIC AT BOTH ACCESS POINTS.

C. THE DEVELOPER SHALL ENTER INTO A TRAFFIC SIGNAL AGREEMENT WITH DELDOT FOR THE PORTER ROAD/OLD PORTER ROAD INTERSECTION, WHERE THE DEVELOPER WILL PAY AN EQUITABLE CONTRIBUTION TOWARDS THE TRAFFIC SIGNAL REVOLVING FUND.

D. THE FOLLOWING BICYCLE, PEDESTRIAN, AND TRANSIT IMPROVEMENTS SHALL BE INCLUDED:

1. A MINIMUM FIFTEEN-FOOT-WIDE PERMANENT EASEMENT FROM THE EDGE OF THE RIGHT-OF-WAY SHOULD BE DEDICATED TO DELDOT ALONG THE PROJECT FRONTAGE ON OLD PORTER ROAD. WITHIN THIS EASEMENT, THE DEVELOPER SHALL CONSTRUCT A TEN-FOOT WIDE SHARED-USE PATH ALONG EACH SIDE OF OLD PORTER ROAD TO THE WESTERLY LIMITS OF THE APPROACH TO DELDOT'S BRIDGE #1300383. MINIMUM FIVE-FOOT SETBACK WILL BE MAINTAINED FROM THE EDGE OF THE PAVEMENT TO THE SHARED-USE PATHS.

2. SIDEWALKS SHALL BE PROVIDED ON BOTH SIDES OF ALL INTERNAL STREETS.

3. MINIMUM FIVE-FOOT WIDE BICYCLE LANES SHALL BE INCORPORATED IN THE SHOULDER ALONG BOTH DIRECTIONS OF OLD PORTER ROAD WITHIN THE PROJECT FRONTAGE LIMITS.

4. UTILITY COVERS SHALL BE MOVED OUTSIDE OF ANY DESIGNATED BICYCLE LANES AND ANY PROPOSED SIDEWALKS/SHARED-USE PATHS OR SHOULD BE FLUSH WITH THE PAVEMENT.

10-052 00-011 PO

ST - (SUBURBAN TRANSITION)
ORDINANCES 17-095 AND 17-096

20150515-0023034

NAD83
FOUND CONCRETE MONUMENT ON THE SOUTHWEST AREA OF TAX PARCEL 10-052-00-011 WITHIN OLD PORTER ROAD RIGHT OF WAY.
ELEVATION= 80.09
3 (H)
56 (D)

57.9815 ACRES
55.4225 ACRES

VEOLIA NORTH AMERICA
WATER SUPPLY IS SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE DEPARTMENT OF PUBLIC HEALTH.

NEW CASTLE COUNTY
SEWERAGE IS SUBJECT TO THE APPROVAL OF THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC WORKS. AT THE TIME OF APPROVAL OF THIS PLAN, SEWER CAPACITY EXISTED TO ACCOMMODATE THE ANTICIPATED FLOWS GENERATED BY THIS ADDITIONAL DEVELOPMENT. NEW CASTLE COUNTY HAS COMMITTED TO PROVIDING SEWER SERVICE IN ACCORDANCE WITH THE LAND DEVELOPMENT IMPROVEMENT AGREEMENT FOR THIS DEVELOPMENT. THE OWNER OF THIS PROPERTY, HIS SUCCESSORS OR ASSIGNS, SHALL BE RESPONSIBLE FOR EXTENDING SEWER SERVICE TO EACH LOT SHOWN ON OR CREATED BY THIS PLAN.

= 60,000 G.P.D.
= 167 G.P.M.

NOT APPLICABLE

RED LION HP LLC
PO BOX 7189
WILMINGTON, DE 19803

1
240 SINGLE FAMILY ATTACHED

= 540 SPACES
= 480 SPACES
= 74 SPACES
= 554 SPACES

GROSS AREA = 57.9815 ACRES
AREA IN ADDITIONAL DEDICATED R.O.W. (OLD PORTER ROAD) = 2.5590 ACRES
NET SITE AREA = 55.4225 ACRES
AREA IN PROPOSED 28' R.O.W. = 3.7222 ACRES
AREA IN PROPOSED 60' R.O.W. = 2.4818 ACRES
AREA IN PROPOSED 80' R.O.W. = 0.4277 ACRES
AREA IN PROPOSED LOTS = 17.1951 ACRES
AREA TO BE DEDICATED TO N.C.C. (PUMP STATION) = 0.0878 ACRES
AREA IN OPEN SPACE = 31.5079 ACRES
(INCLUDES 2.3047 ACRES OF SWM AREAS, 2.4004 ACRES OF USABLE OPEN SPACE AND 3.0203 ACRES OF OPEN SPACE UTILIZED FOR WETLAND MITIGATION.)

A PORTION OF THE SITE LIES WITHIN THE FEMA 100-YEAR FLOODPLAIN, AS PER FLOOD INSURANCE RATE MAP NO. 10003C0231L, REVISED JANUARY 22, 2022. IN ACCORDANCE WITH UDC 10.320 C5, A LETTER OF MAP REVISION IS REQUIRED FOR ALL PORTIONS OF RED LION CREEK WITHOUT PUBLISHED BASE FLOOD ELEVATIONS AND FLOODWAY. A LETTER OF MAP REVISION HAS BEEN SUBMITTED TO FEMA AND APPROVED IN A LETTER DATED 9/29/23, CASE NUMBER 23-02-0137P.
A 100-YEAR NON-DELINEATED FLOOD PLAIN SHOWN ON THE PLAN WAS ESTABLISHED BY HOWARD L. ROBERTSON INC.

NO PORTION OF THE SITE LIES WITHIN THE WRPA, AS PER THE "WATER RESOURCE PROTECTION AREAS FOR THE CITY OF NEWARK, CITY OF WILMINGTON, NEW CASTLE COUNTY DELAWARE" MAP 2 OF 3, REVISED MARCH 2022.

THE WETLANDS BOUNDARIES DEPICTED ON THIS PLAN WERE TAKEN FROM A WETLAND DELINEATION REPORT BY JCM ENVIRONMENTAL DATED MARCH 2008. AS PER THE NCC BOARD OF ADJUSTMENT DECISION DATED JULY 9, 2009, APPLICATION NO. 2009-0090-A, A JURISDICTIONAL DECISION FROM THE ARMY CORP OF ENGINEERS IS NOT REQUIRED. ±1.35 ACRES OF WETLANDS MAY BE FILLED AND REPLACED WITH ±1.35 ACRES (MINIMUM) OF MITIGATED WETLANDS, WITH THE FOLLOWING CONDITIONS:

A. APPLICANT SHALL PROVIDE RESULTS FROM TEST BORINGS WITHIN AND NEAR THE MITIGATION AREAS AND PROVIDE ANALYSIS BY A QUALIFIED PROFESSIONAL TO LAND USE. LAND USE WILL REVIEW THE INFORMATION AND FORWARD TO RPATAC. THIS IS NEEDED TO VERIFY THAT THE MITIGATION WILL BE SUSTAINABLE AS A WETLAND AREA AND NOT BE DETRIMENTALLY AFFECTED BY CONSTRUCTION RELATED ACTIVITY.

B. MITIGATION AREA MUST BECOME PART OF THE VISTA AT RED LION SECTION ONE IN ORDER TO MITIGATE AT A 1-1 RATIO.

C. APPLICANT TO PROVIDE SIGNAGE AROUND THE MITIGATION AREA DESCRIBING ITS PURPOSE AND INTENT, AND APPLICANT TO PLACE LANGUAGE ON THE DEEDS OF THE LOTS IMMEDIATELY ADJACENT TO THE MITIGATION AREAS DESCRIBING PURPOSE AND INTENT OF THE MITIGATION AREA.

THE STATE INVENTORY OF NATURAL AREAS HAS BEEN EXAMINED AND NO CRITICAL NATURAL AREAS (CNA) EXIST ON SITE.

AT THE TIME OF THIS PLAN SUBMITTAL THERE WERE NO DEED RESTRICTIONS ASSOCIATED WITH THIS PARCEL.

NO PREVIOUS PLAN HAS BEEN RECORDED FOR THIS PARCEL.

A TRAFFIC IMPACT STUDY (TIS), WAS PREPARED FOR VISTA AT RED LION - SECTION 1 AND VISTA AT RED LION - SECTION 2 (THE"PROJECT") BY KARINS AND ASSOCIATES AND REVIEWED AND APPROVED BY THE DELAWARE DEPARTMENT OF TRANSPORTATION (DELDOT), BASED ON DELDOT'S OCTOBER 01, 2020 REVIEW COMMENTS. THE FOLLOWING SHALL APPLY.

A. THE DEVELOPER SHALL RECONSTRUCT OLD PORTER ROAD, ON BOTH SIDES OF THE ROADWAY ALONG THE ENTIRE LENGTH OF THE PROJECT FRONTAGE AND TO THE WEST TO A POINT JUST EAST OF GRISSOM DRIVE. THE RECONSTRUCTION SHALL CONSIST OF TWO ELEVEN-FOOT LANES WITH SHOULDERS AS FOLLOWS:

1. ON THE NORTH SIDE OF OLD PORTER ROAD, FIVE-FOOT SHOULDERS SHALL BE PROVIDED FROM THE POINT EAST OF GRISSOM DRIVE TO THE WESTERN BOUNDARY OF THE VISTA AT RED LION - SECTION 1 PROPERTY. EIGHT-FOOT SHOULDERS SHOULD BE PROVIDED WITHIN THE LIMITS OF RED LION - SECTION 1 PROPERTY FRONTAGE ALONG OLD PORTER ROAD.

2. ON THE SOUTH SIDE OF OLD PORTER ROAD, FIVE-FOOT SHOULDERS SHALL BE PROVIDED FROM THE POINT EAST OF GRISSOM DRIVE TO THE WESTERN BOUNDARY OF THE VISTA AT RED LION - SECTION 2 PROPERTY. EIGHT-FOOT SHOULDERS SHOULD BE PROVIDED WITHIN THE LIMITS OF RED LION - SECTION 2 PROPERTY FRONTAGE ALONG OLD PORTER ROAD TO THE WESTERLY LIMITS OF THE APPROACH TO DELDOT'S BRIDGE #1300393 (200-FEET WEST OF THE CENTER OF THE BRIDGE).

3. THE DEVELOPER SHALL PROVIDE A BITUMINOUS CONCRETE OVERLAY TO THE EXISTING TRAVEL LANES ON OLD PORTER ROAD FROM THE WESTERN PROJECT LIMIT TO A POINT WHICH IS 200-FEET WEST OF THE OLD PORTER ROADROUTE 71 INTERSECTION.

4. THE DEVELOPER WILL MAKE SUCH IMPROVEMENTS TO OLD PORTER ROAD EAST OF VISTA AT RED LION SECTION 1 TO THE POINT WHICH IS 200 FEET WEST OF THE CENTER OF DELDOT'S BRIDGE #1300383, AT THE DEVELOPERS COST, SO AS TO PROVIDE TWO ELEVEN-FOOT LANES WITH THREE-FOOT SHOULDERS FOR THIS PORTION OF OLD PORTER ROAD.

5. THE TIMING FOR COMPLETION OF THE IMPROVEMENTS OUTLINED HEREIN WILL BE PHASED CONSISTENT WITH THE PHASING OF THE DEVELOPMENT AS SET FORTH IN THE RECORD PLAN TO BE APPROVED BY THE NEW CASTLE COUNTY, BUT, IN ANY EVENT, THESE IMPROVEMENTS WILL NOT BE REQUIRED TO BE IN PLACE PRIOR TO THE ISSUANCE OF FIFTY PERCENT (50%) OF CERTIFICATES OF OCCUPANCY FOR BOTH VISTA AT RED LION SECTIONS 1 AND SECTIONS 2.

B. THE DEVELOPER SHALL CONSTRUCT TWO FULL MOVEMENT ACCESS ENTRIES ON OLD PORTER ROAD (SITE ACCESS EAST AND SITE ACCESS WEST) AND SHALL PROVIDE ONE LEFT TURN LANE AND ONE RIGHT TURN LANE FOR BOTH EASTBOUND AND WEST BOUND TRAFFIC AT BOTH ACCESS POINTS.

C. THE DEVELOPER SHALL ENTER INTO A TRAFFIC SIGNAL AGREEMENT WITH DELDOT FOR THE PORTER ROAD/OLD PORTER ROAD INTERSECTION, WHERE THE DEVELOPER WILL PAY AN EQUITABLE CONTRIBUTION TOWARDS THE TRAFFIC SIGNAL REVOLVING FUND.

D. THE FOLLOWING BICYCLE, PEDESTRIAN, AND TRANSIT IMPROVEMENTS SHALL BE INCLUDED:

1. A MINIMUM FIFTEEN-FOOT-WIDE PERMANENT EASEMENT FROM THE EDGE OF THE RIGHT-OF-WAY SHOULD BE DEDICATED TO DELDOT ALONG THE PROJECT FRONTAGE ON OLD PORTER ROAD. WITHIN THIS EASEMENT, THE DEVELOPER SHALL CONSTRUCT A TEN-FOOT WIDE SHARED-USE PATH ALONG EACH SIDE OF OLD PORTER ROAD TO THE WESTERLY LIMITS OF THE APPROACH TO DELDOT'S BRIDGE #1300383. MINIMUM FIVE-FOOT SETBACK WILL BE MAINTAINED FROM THE EDGE OF THE PAVEMENT TO THE SHARED-USE PATHS.

2. SIDEWALKS SHALL BE PROVIDED ON BOTH SIDES OF ALL INTERNAL STREETS.

3. MINIMUM FIVE-FOOT WIDE BICYCLE LANES SHALL BE INCORPORATED IN THE SHOULDER ALONG BOTH DIRECTIONS OF OLD PORTER ROAD WITHIN THE PROJECT FRONTAGE LIMITS.

4. UTILITY COVERS SHALL BE MOVED OUTSIDE OF ANY DESIGNATED BICYCLE LANES AND ANY PROPOSED SIDEWALKS/SHARED-USE PATHS OR SHOULD BE FLUSH WITH THE PAVEMENT.

21. DEBRIS DISPOSAL

NO DEBRIS SHALL BE BURIED ON THE SITE.

22. IMPACT FEES

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.

23. LANDSCAPE PLAN

A LANDSCAPE PLAN, PREPARED BY DESIGNS ETC, LAST DATED 2/12/2023 OR AS AMENDED AND APPROVED IN WRITING BY THE DEPARTMENT OF LAND USE, IS HEREBY CONSIDERED A PART OF THE RECORD PLAN.

24. SIDEWALKS

UNLESS OTHERWISE SPECIFIED ON THE PLAN, SIDEWALKS SHALL BE INSTALLED IN THE LOCATIONS SHOWN ON THIS PLAN PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE DWELLING (OR GROUP OF DWELLINGS ATTACHED DWELLINGS) IN FRONT OF WHICH THEY ARE SHOWN. SIDEWALKS SHALL BE FIVE (5) FEET IN WIDTH AND CONSTRUCTED OF PORTLAND CEMENT CONCRETE.

25. MAINTENANCE OF COMMON FACILITIES

FOR MAINTENANCE OF THE COMMON FACILITIES, INCLUDING (LIST APPLICABLE COMMON FACILITIES SUCH AS PRIVATE OPEN SPACE, PRIVATE STREETS, ETC) SHOWN ON THE PLAN, SEE THE MAINTENANCE DECLARATION DATED 2/12/2024, AND OF RECORD IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, STATE OF DELAWARE, INSTRUMENT NO. 20240213-0009430.

26. UTILITY EASEMENTS

A 6' FOOT WIDE EASEMENT ON EACH SIDE OF EACH SIDE AND REAR LOT LINE SHOWN ON THE PLAN, AND ON EACH SIDE OF EACH SIDE AND REAR LOT LINE SUBSEQUENTLY ESTABLISHED WITHIN THE AREA SHOWN ON THIS PLAN OTHER THAN COMMON PROPERTY LINES FOR TOWNHOUSES, IS HEREBY DEDICATED TO BE AVAILABLE FOR ANY UTILITY USE, PROVIDED THAT WHERE ANY LOT LINE IS ELIMINATED THE EASEMENT ALONG SAID LOT LINE SHALL BE EXTINGUISHED EXCEPT AS TO UTILITIES THEN EXISTING IN SAID EASEMENT.

27. TOTAL LENGTH OF PUBLIC AND PRIVATE RIGHT-OF-WAYS:

PROPOSED 28' WIDE R.O.W. 5428'
PROPOSED 60' WIDE R.O.W. 1660'
PROPOSED 80' WIDE R.O.W. 286'

28. SUBDIVISION STREETS:

A. ALL ENTRANCES SHALL CONFORM TO THE DEVELOPMENT COORDINATION MANUAL AND SHALL BE SUBJECT TO THEIR APPROVAL.
B. ALL RIGHTS-OF-WAY ARE INTENDED FOR DEDICATION TO PUBLIC USE.
C. SUBDIVISION STREETS CONSTRUCTED WITHIN THE LIMITS OF THE RIGHT-OF-WAY DEDICATED TO PUBLIC USE SHOWN ON THIS PLAN ARE TO BE MAINTAINED BY THE STATE OF DELAWARE FOLLOWING COMPLETION OF THE STREETS TO THE SATISFACTION OF THE STATE. THE STATE ASSUMES NO MAINTENANCE RESPONSIBILITIES WITHIN THE DEDICATED STREET RIGHT-OF-WAY UNTIL THE STREETS HAVE BEEN ACCEPTED BY THE STATE.

29. EXISTING FIRE HYDRANTS:
PROPOSED FIRE HYDRANTS:

0 (H)
14 (D)

30. COASTAL ZONE

THIS SITE DOES NOT LIE WITHIN DELAWARE'S COASTAL ZONE.

31. AVIATION RESTRICTIONS

U. S. DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION RESTRICTIONS AND SAFEGUARDS ARE NOT APPLICABLE TO THIS PROJECT.

32. CONSERVATION EASEMENT

ANY AREA DESIGNATED FOR PROTECTION AS A NATURAL RESOURCE PURSUANT TO CHAPTER 40 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.

33. NONCONFORMITIES

NOT APPLICABLE

34. TOPOGRAPHY

THE TOPOGRAPHY DEPICTED ON THIS PLAN WAS DERIVED FROM AN AERIAL SURVEY PERFORMED BY WINGS AERIAL MAPPING COMPANY, INC. IN 2007. FIELD VERIFIED BY KARINS AND ASSOCIATES 02/04/2022

35. COMMUNITY POSTAL BOXES

POSTAL BOXES SHALL BE INSTALLED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE UNITED STATES POSTAL SERVICE.

36. LAND DEVELOPMENT IMPROVEMENT AGREEMENT

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 11/27/2023, AT INSTRUMENT NO. 20231127-0078734."

37. RIGHT OF ACCESS

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.

38. NEW CASTLE COUNTY DRAINAGE CODE

DRAINAGE, EROSION AND SEDIMENT CONTROL, AND STORMWATER MANAGEMENT SHALL BE PROVIDED IN ACCORDANCE WITH THE NEW CASTLE COUNTY DRAINAGE CODE AND THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROLS' DELAWARE SEDIMENT AND STORMWATER REGULATIONS AND THE DELAWARE EROSION AND SEDIMENT CONTROL HANDBOOK.

39. RESIDENTIAL STORMWATER MANAGEMENT FACILITY MAINTENANCE FEE

THE OWNER/DEVELOPER SHALL PAY, TO NEW CASTLE COUNTY, FUNDS FOR RESIDENTIAL STORM WATER MANAGEMENT FACILITY MAINTENANCE AND INSPECTIONS PURSUANT TO SECTION 40.27.230 OF THE COUNTY CODE. THE FUNDS SHALL BE USED FOR THE COSTS ASSOCIATED WITH INSPECTIONS, LONG-TERM SEDIMENT CLEANOUT AND STRUCTURAL REPAIR AND RECONSTRUCTION OF STORM WATER MANAGEMENT FACILITIES. AN AMOUNT OF FUNDS IS DETERMINED BY THE DEPARTMENT OF PUBLIC WORKS. SHALL BE FUNDED UPON THE ISSUANCE OF SEVENTY-FIVE (75) PERCENT OF THE BUILDING PERMITS FOR THE LOTS IN THE SUBDIVISION, OR PHASE THEREOF. THE DEPARTMENT OF LAND USE SHALL WITHHOLD THE ISSUANCE OF ANY ADDITIONAL BUILDING PERMITS UNTIL THE DEPARTMENT OF LAND USE IS FURNISHED WITH SATISFACTORY WRITTEN PROOF THAT THE FUNDS HAVE BEEN PAID TO NEW CASTLE COUNTY IN ACCORDANCE WITH THE REQUIREMENTS.

40. DELDOT

ENTRANCE/EXIT FACILITIES SHALL CONFORM TO THE DEVELOPMENT COORDINATION MANUAL AND SHALL BE SUBJECT TO DELDOT APPROVAL. THE DEVELOPER IS REQUIRED TO OBTAIN A PERMIT FROM THE DELDOT NORTH DISTRICT PERMIT OFFICE.

41. MISS UTILITY NOTE:

THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PROTECT ALL EXISTING UTILITIES AND MAINTAIN UNINTERRUPTED SERVICE. ANY AND ALL DAMAGES DONE TO THEM DUE TO THE CONTRACTOR'S NEGLIGENCE SHALL BE IMMEDIATELY AND COMPETENTLY REPAIRED AT HIS EXPENSE. EXISTING UTILITIES ARE SHOWN IN ACCORDANCE WITH THE BEST AVAILABLE INFORMATION. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY AND ALLOW FOR THEIR LOCATIONS. CONTACT "MISS UTILITY" THREE (3) WORKING DAYS PRIOR TO CONSTRUCTION.

UTILITY CONTACT INFORMATION IS AS FOLLOWS:
MISS UTILITY 1-800-282-8555
THE FOLLOWING TICKET NUMBERS APPLY:

PRIOR TO ANY CONSTRUCTION, THE CONTRACTOR SHALL EXCAVATE IN THE AREA OF ANY POTENTIAL UTILITY CROSSING TO VERIFY THAT THE UTILITY WILL NOT INTERFERE WITH CONSTRUCTION. IF, AFTER UNCOVERING OF THE UTILITY, THERE IS ANY QUESTION CONCERNING A POSSIBLE CONFLICT, THE CONTRACTOR SHALL IMMEDIATELY CONTACT THE ENGINEER.

42. VOLUNTARY SCHOOL ASSESSMENT:

THE OWNERS SHALL PAY ANY VOLUNTARY SCHOOL ASSESSMENT REQUIRED BY TITLE 9, SECTION 2961(C) OF THE DELAWARE CODE, CALCULATED ON A PER UNIT BASIS AT THE TIME OF ISSUANCE OF THE FIRST BUILDING PERMIT AND IN AN AMOUNT DETERMINED PURSUANT TO TITLE 14 SECTION 103(C) OF THE DELAWARE CODE. PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY FOR ANY LOT OR UNIT SHOWN ON THIS PLAN, THE OWNER/DEVELOPER SHALL PROVIDE A CERTIFICATION FROM THE SECRETARY OF THE DEPARTMENT OF EDUCATION THAT THE VOLUNTARY SCHOOL ASSESSMENT FOR THAT LOT OR UNIT HAS BEEN PAID. A VOLUNTARY SCHOOL ASSESSMENT AGREEMENT WAS EXECUTED ON 08/11/2023 AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY ON 08/23/2023. INSTRUMENT NO. 20230823-0058511.

43. RESERVED

44. LIMIT OF DISTURBANCE:

THE LIMIT OF DISTURBANCE(LOD) AS SHOWN IS TO DELINEATE THE LIMIT OF THE INITIAL CONSTRUCTION, SO AS TO PRESERVE THE MAXIMUM NUMBER OF TREES AND STEEP SLOPES ON THE SITE. ON-LOT RESOURCES ARE NOT PART OF THE REQUIRED PROTECTION LEVEL. UPON ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR EACH LOT THE FINAL LOD WILL FOLLOW THE PROPERTY LINE.

45. FIRE MARSHAL NOTE:

ALL FIRE LANES, FIRE HYDRANTS AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE DELAWARE STATE FIRE MARSHAL PREVENTION REGULATIONS. TOWNHOUSE AND DUPLEX UNITS SHARING A COMMON WALL(PARTY WALL) WHICH ARE GROUDED BY THIS PLAN SHALL BE SEPARATED BY A FIRE BARRIER WALL THAT MEETS THE PROVISIONS OF NFPA221. FIRE WALLS AND FIRE BARRIER WALLS SHALL HAVE A TWO (2) HOUR FIRE RESISTANCE RATING.

46. OPEN SPACE MAINTENANCE ESCROW:

PURSUANT TO SECTION 40.27 OF THE NEW CASTLE COUNTY CODE, THE DEVELOPER SHALL PLACE FUNDS IN AN INTEREST ESCROW ACCOUNT EQUIVALENT TO THE COST OF MAINTAINING THE PRIVATE OPEN SPACE AND COMMON FACILITIES FOR A TWO (2) YEAR PERIOD. THE AMOUNT SHALL BE \$706 PER LOT / UNIT SHOWN ON THIS PLAN OR SUBSEQUENT PLANS. (\$706 X 240 LOTS/UNITS = \$169,440)
THE OPEN SPACE TURNOVER IS TO BE PHASED PER LANDSCAPE AND OPEN SPACE MANAGEMENT PLAN.

47. MATURE FOREST:

LIMITS OF THE MATURE FOREST TAKEN FROM "RECORD MAJOR LAND DEVELOPMENT PLAN, VISTA RED LION SECTION 1" PREPARED BY HOWARD L. ROBERTSON, INC. DATED JUNE 13, 2011 AND LAST REVISED FEBRUARY 17, 2015.

48. STORM SEWER PIPE VIDEO:

PER SECTION 40.27.340E, ALL STORM SEWERS WITHIN PRIVATE OPEN SPACE REQUIRE VIDEO INSPECTION. A THIRD-PARTY PROFESSIONAL MUST CERTIFY THAT THE PRIVATE STORM SEWER AND STREETS ARE CONSTRUCTED IN COMPLIANCE WITH DELDOT STANDARDS. THE DEPARTMENT MUST FIND THE REPORT, AS-BUILT PLAN AND PIPE VIDEO ACCEPTABLE PRIOR TO THE INSPECTION OF THE OPEN SPACE.

49. CONSERVATION EASEMENT:

CONSERVATION OF NATURAL RESOURCE PROTECTION AREAS: ANY AREA DESIGNATED FOR PROTECTION AS A NATURAL RESOURCE PURSUANT TO ARTICLE 10 OF THE NEW CASTLE COUNTY UNIFIED DEVELOPMENT CODE SHALL REMAIN IN ITS NATURAL STATE. A CONSERVATION EASEMENT IS HEREBY ESTABLISHED OVER THOSE NATURAL RESOURCE AREAS LOCATED IN PRIVATE OPEN SPACE (PARTICULARLY POS 9) AND SHALL RUN IN PERPETUITY FOR THE BENEFIT OF NEW CASTLE COUNTY. THOSE CONSERVATION AREAS WITHIN THE PRIVATE OPEN SPACE MAY BE DISTURBED ONLY FOR SAFETY REASONS AND UPON RECEIPT OF NECESSARY APPROVALS BY THE COUNTY AND OTHER GOVERNMENT ENTITIES.

THE NATURAL RESOURCE AREAS DESIGNATED ON THIS PLAN (OPEN SPACE PARCEL 1 OR OS 1) TO BE DEDICATED TO THE STATE OF DELAWARE SHALL BE KNOWN AS THE STATE TRACT OF THE VISTA AT RED LION NATURE PRESERVE. THESE LANDS SHALL BE PRESERVED IN PERPETUITY AND MAINTAINED PURSUANT TO THE NATURAL AREAS PRESERVATION SYSTEM ESTABLISHED BY THE STATE OF DELAWARE PURSUANT TO 7 DEL. C. CHAPTER 73. THESE LANDS SHALL BE MANAGED AND PROTECTED BY THE OFFICE OF NATURE PRESERVES WITHIN THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL (DNREC), OR ITS SUCCESSOR OR ASSIGN, WITH THE ASSISTANCE OF THE NATURAL AREAS ADVISORY COUNCIL, SUBJECT TO THE RULES AND REGULATIONS ESTABLISHED BY THE DNREC. DEDICATION OR CONVEYANCE OF THESE LANDS TO THE STATE MUST BE COMPLETED PRIOR TO THE ISSUANCE OF TWENTY-FIVE (25) PERCENT OF BUILDING PERMITS.

51. RETAINING WALLS:

SEPARATE BUILDING PERMIT IS REQUIRED FOR THE INSTALLATION OF EACH RETAINING WALL.

52. RECREATIONAL AREAS:

ALL ACTIVE RECREATION AREAS AND STRUCTURED RECREATIONAL FACILITIES (CLUBHOUSES, PAVILIONS, ETC.) SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF FIFTY (50) PERCENT OF THE TOTAL BUILDING PERMITS WITHIN THE SUBDIVISION.

53. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

54. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

55. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

56. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

57. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

58. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

59. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

60. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

61. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

62. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

63. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

64. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

65. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

66. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

67. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

68. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

69. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

70. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

71. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

72. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

73. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

74. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

75. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

76. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

77. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

78. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

79. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

80. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

81. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

82. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

83. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

84. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

85. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

86. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

87. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

88. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

89. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

90. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

91. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (APPLICATION # 2008-0002) WILL BE CONSIDERED PHASE 2.

92. PHASING OF RECORD PLAN

FOR PURPOSES OF PHASING, AS REFERRED TO IN NOTE #20 A 5, VISTA AT RED LION - SECTION 2 (APPLICATION # 2008-0003) WILL BE CONSIDERED PHASE 1, AND VISTA AT RED LION - SECTION 1 (

Prime Sponsor(s): Mr. Bell, Ms. Kilpatrick
Requested by: Department of Land Use
Date of introduction: June 25, 2024

RESOLUTION NO. 24-146

**PLAN OF VISTA AT RED LION – SECTION 2; NEW CASTLE HUNDRED;
SOUTH SIDE OF OLD PORTER ROAD, 2700 FEET WEST OF RED LION ROAD;
MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO SUBDIVIDE
TAX PARCEL NO. 10-052.00-011 AND TAX PARCEL NO. 10-052.00-018 INTO
279 AGE-RESTRICTED LOTS WITH A 4,800 SQUARE FOOT CLUBHOUSE
UTILIZING THE SINGLE FAMILY DETACHED OPTION; ST ZONING;
APPLICATION NO. 2008-0003; COUNCIL DISTRICT 12**

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 Vista at Red Lion—Section 2 (Application No. 2008-0003) 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 VISTA AT RED LION – SECTION 2
New Castle Hundred**

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
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. 2008-0003
Vista at Red Lion – Section 2
Record Major Land Development Plan

Date: May 28, 2024

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 Vista at Red Lion – Section 2; New Castle Hundred; South side of Old Porter Road, 2700' west of Red Lion Road; Major Land Development Plan that proposes to subdivide TP No. 10-052.00-011 and TP No. 10-052.00-018 into 279 age-restricted lots with a 4,800 SF clubhouse utilizing the single family detached option; ST 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.

Prime Sponsor(s): Ms. George
Requested by: Department of Land Use
Date of introduction: June 25, 2024

RESOLUTION NO. 24-147

PLAN OF 2805 PULASKI HIGHWAY; PENCADER HUNDRED; NORTH SIDE OF PULASKI HIGHWAY, 885 FEET EAST OF PLEASANT VALLEY ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO COMBINE TAX PARCELS 11-026.00-002 AND 003 INTO ONE PARCEL TO CONSTRUCT 89,400 SQUARE FEET OF SELF-STORAGE WAREHOUSE, EXTERIOR STORAGE AREA FOR VEHICLES AND ASSOCIATED IMPROVEMENTS; RECONFIRMATION OF CR ZONING; APPLICATION NO. 2021-0004-S/Z; COUNCIL DISTRICT 5

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 2805 Pulaski Highway (Application No. 2021-0004) 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 2805 PULASKI HIGHWAY
Pencader Hundred**

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
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.



Department of Land Use

MEMORANDUM

TO: Council President
Members of County Council
Counsel to Council
Clerk of County Council

FROM: Charuni Patibanda

RE: Application Number 2021-0004-S/Z
2805 Pulaski Highway
Record Major Land Development Plan

DATE: May 28, 2024

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 and synopsis are attached.

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

Plan of 2805 Pulaski Highway; Pencader Hundred; North side of Pulaski Highway, 885 feet east of Pleasant Valley Road; Major Land Development Plan that proposes to combine tax parcels 11-026.00-002 and 003 into one parcel to construct 89,400 s.f. of self-storage warehouse, exterior storage area for vehicles and associated improvements; reconfirmation of CR zoning; Council District 5.

Synopsis: Same as title

23. 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.
24. A LANDSCAPE PLAN, PREPARED BY DESIGNS ETC, LAST DATED 1/4/24 OR AS AMENDED AND APPROVED IN WRITING BY THE DEPARTMENT OF LAND USE, PREPARED FOR APPLICATION NO.: 2021-0004, IS HEREBY CONSIDERED A PART OF THE RECORD PLAN.
25. UNLESS OTHERWISE SPECIFIED ON THE PLAN, SIDEWALKS SHALL BE INSTALLED IN THE LOCATIONS SHOWN ON THE PLAN PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY. SIDEWALKS SHALL BE FIVE (5) FEET IN WIDTH AND CONSTRUCTED OF PORTLAND CEMENT CONCRETE.
26. DEED RESTRICTIONS FOR THE PROPERTIES SUBJECT TO THIS PLAN ARE NOT KNOWN TO EXIST.
27. NEW CASTLE COUNTY ORDINANCE 21-004 FOR THE CONFIRMATION OF THE CR ZONING OF THE PROPERTY WAS ADOPTED BY NEW CASTLE COUNTY COUNCIL ON 12/14/21.

PROTECTED NATURAL RESOURCES:

PROTECTED RESOURCES	PROTECTION RATIO	TOTAL AREA (ac)	PROTECTED AREA (ac)	PROTECTED RATIO
FLOODPLAIN	1.0	2.49	2.49	1.0
RBA *	1.0	4.13	3.94 **	0.95
MATURE FOREST	0.5	5.08	4.36	0.86
WETLANDS	1.0	2.50	2.50	1.0

* RIPARIAN BUFFER INCLUDING WETLANDS AND FLOODPLAIN
** RBA DISTURBANCE IS FOR SWM FACILITIES WITHIN ZONE 2 AND FOR SWM OUTFALLS WITHIN ZONE 1. THIS AREA IS INCLUDED IN THE CONSERVATION EASEMENT

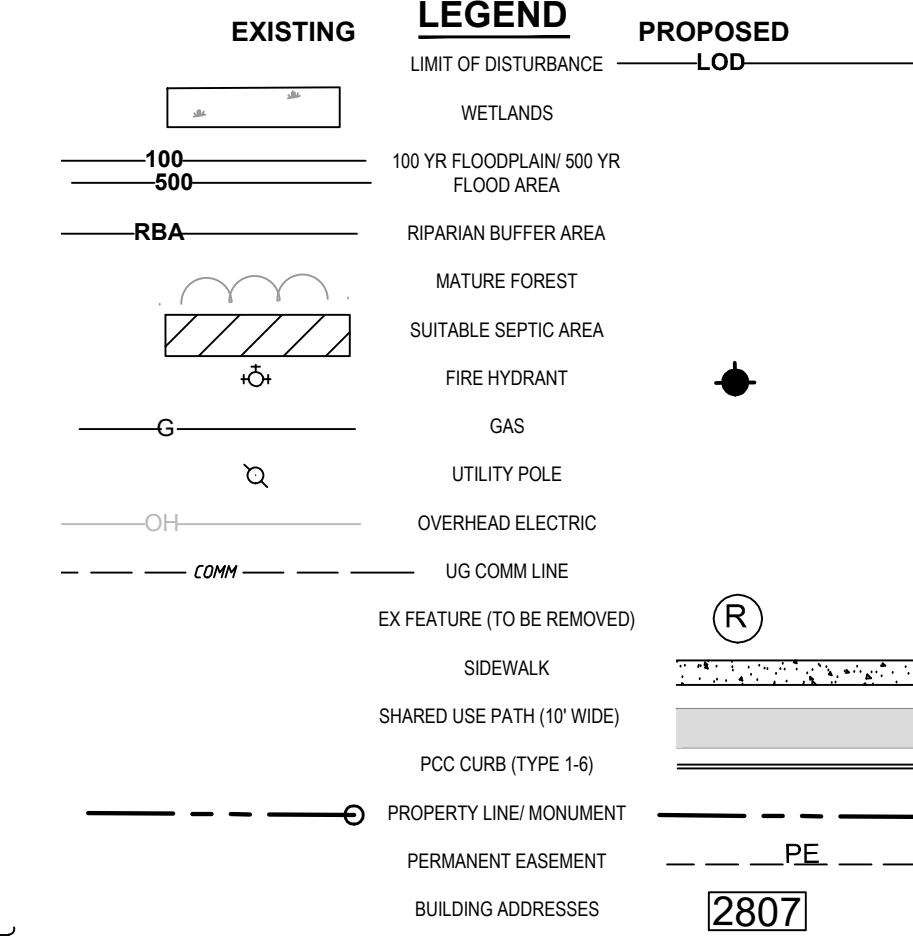
PARKING RATIONALE:
REQUIRED (PER NCC UDC):
900 SF MINI-STORAGE OFFICE X 3.5 SP/1,000 SF = 4 SP
PROVIDED:
8 SP (INC 2 HC VAN ACCESSIBLE SPACES)

18. DRAINAGE, EROSION AND SEDIMENT CONTROL, AND STORMWATER MANAGEMENT SHALL BE PROVIDED IN ACCORDANCE WITH THE NEW CASTLE COUNTY DRAINAGE CODE.
19. 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.
20. THE OWNER/DEVELOPER SHALL PAY TO NEW CASTLE COUNTY, FUNDS FOR LONG TERM STORMWATER MAINTENANCE AND INSPECTION FUND PURSUANT TO UDC SECTION 40.27.440 OF THE COUNTY CODE. THE FUNDS SHALL BE USED FOR THE COSTS ASSOCIATED WITH INSPECTIONS. AN AMOUNT OF \$4,800 SHALL BE FUNDED PRIOR TO RECEIVING THE FIRST CERTIFICATE OF OCCUPANCY. THE DEPARTMENT OF LAND USE 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.
21. SUPERSEDES NOTE: THIS PLAN SUPERSEDES, IN PART, THE PLAN OF "RECORD RESUBDIVISION PLAN LANDS OF DOMINIC SCARFO, ET AL" RECORDED ON 11-19-2004 IN THE RECORD OF DEEDS IN AND FOR NEW CASTLE COUNTY, STATE OF DELAWARE, INSTRUMENT NO.: 200411190125405 AND THE PLAN OF "RECORD MINOR SUBDIVISION PLAN LANDS OF PERCIVAL A. ROY & ETHEL M. ROY" APPROVED ON 12-16-68 AND RECORDED ON THE RECORD OF DEEDS IN AND FOR NEW CASTLE COUNTY, STATE OF DELAWARE MICROFILM NO.: 1230.
22. A STORMWATER MANAGEMENT ACCESS EASEMENT IN FAVOR OF NEW CASTLE COUNTY, ITS AGENTS AND ASSIGNS IS HEREBY CREATED ON, OVER, UNDER 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 PURPOSE 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 EASEMENTS 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 ASSESSED JOINTLY AND SEVERALLY AGAINST THE OWNERS OF THE PROPERTY SHOWN ON THIS PLAN.
31. POSTAL ADDRESS 2787 PULASKI HIGHWAY NEWARK, DE 19702 IS BEING REMOVED AND ADDRESS OF 2805 PULASKI HIGHWAY NEWARK, DE 19702 IS BEING ADDED.
34. WATER RESOURCE PROTECTION: THIS PARCEL IS NOT LOCATED IN A WATER RESOURCE PROTECTION AREA, ACCORDING TO WRPA MAP 2 OF 3, DATED MARCH 2022.
35. PER THE STATE INVENTORY OF NATURAL AREAS, THIS SITE IS NOT LOCATED WITHIN A CRITICAL NATURAL AREA.
36. NO DEBRIS SHALL BE BURIED ON THE SITE.
37. ALL IMPROVEMENTS REQUIRED BY THIS PLAN AND THE NEW CASTLE COUNTY CODE SHALL BE SUBJECT TO THE LAND DEVELOPMENT IMPROVEMENT AGREEMENT (LDA), AND THE PERFORMANCE GUARANTEE INCORPORATED THEREIN. THE LDA IS RECORDED IN THE OFFICE OF THE RECORDED OF DEEDS IN AND FOR NEW CASTLE COUNTY ON 1/31/24, AT INS NO: 2024013100006677.

DelDOT Record Plan Notes (3/21/19):

1. All entrances shall conform to the Delaware Department of Transportation's (DelDOT's) current Development Coordination Manual 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. Shrubs, 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 associated with 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's Development Coordination Manual.
5. 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.
6. The Developer shall be required to furnish and place right-of-way monuments in accordance with DelDOT's Development Coordination Manual.
7. 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.
8. 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.
9. This commercial parcel has direct frontage along Pulaski Highway (NCR 032), 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.

9. WATER SUPPLY: ARTESIAN WATER COMPANY
- WATER SUPPLY IS SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE STATE DIVISION OF PUBLIC HEALTH.
10. SEPTIC FEASIBILITY: SEPTIC SYSTEM FEASIBILITY HAS BEEN SATISFACTORILY ESTABLISHED FOR EACH LOT IN THIS SUBDIVISION. THE FEASIBILITY INDICATES ONLY THAT, AT THE TIME OF TESTING, THERE WAS AT LEAST ONE AREA ON EACH LOT THAT COULD MEET THE STANDARDS FOR AN ON-SITE SEWAGE DISPOSAL SYSTEM. FEASIBILITY IS NOT A DESIGN APPROVAL AND DOES NOT IMPLY A GUARANTEE THAT SUCH APPROVAL CAN BE OBTAINED. SUCH FACTORS AS BUILDING SIZE AND USE, PLACEMENT ON THE LOT, AND LOCATION OF WATER WELLS WILL INFLUENCE THE FINAL DESIGN. NO BUILDING PERMITS WILL BE ISSUED WITHOUT THE REVIEW AND APPROVAL OF A DETAILED DESIGN FOR EACH LOT. (SEE DNREC APPROVED SITE EVALUATION REPORT DATED 9/3/20)
11. ACCORDING TO FEMA FIRM PANEL 1003C0225L, DATED JANUARY 22, 2020, THIS SITE CONTAINS A 100 YEAR FLOODPLAIN (ZONE A). THIS FIRM HAS BEEN REVISED BY A LETTER OF MAP REVISION (LOMR CASE NO.: 23-03-0281P) EFFECTIVE APRIL 18, 2024 TO ESTABLISH A 100 YEAR FLOODPLAIN ZONE AE WITH FLOOD ELEVATIONS AND A 500 YEAR FLOODPLAIN.
12. WETLANDS: THIS SITE HAS BEEN INVESTIGATED FOR WETLANDS IN ACCORDANCE WITH THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL (TECHNICAL REPORT Y-47-1) AND WETLANDS ARE FOUND TO EXIST AS SHOWN ON THE PLAN AND IN ACCORDANCE WITH WETLANDS REPORT BY WATERSHED ECO DATED DECEMBER 2020.



TP# 11-026.00-002

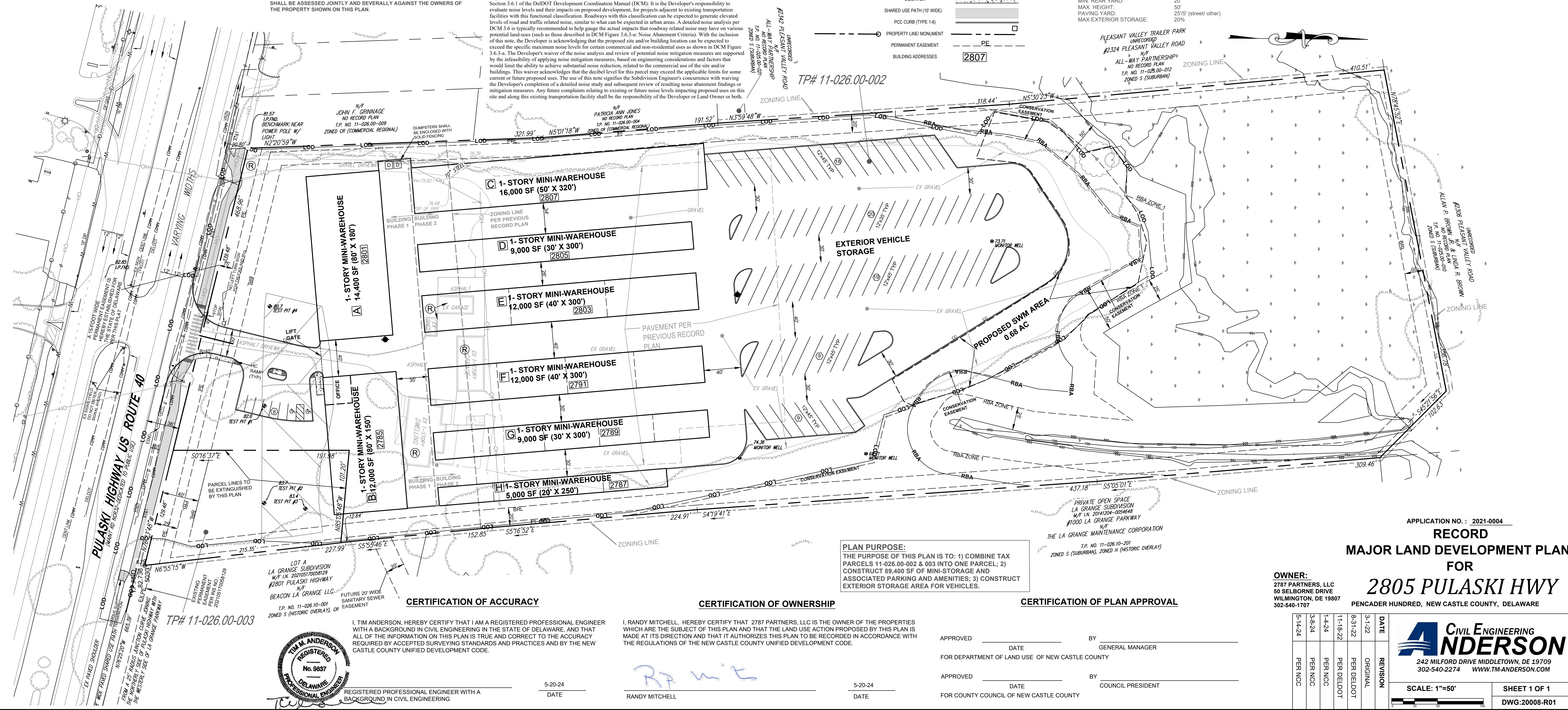
PLAN DATA

1. APPLICATION NO.: 2021-0004
2. TAX PARCEL NUMBER: 11-026.00-002 & 003 (TWO EXISTING PARCELS COMBINED INTO ONE PARCEL- SEE PLAN PURPOSE NOTE)
3. EXISTING ZONING: CR (COMMERCIAL REGIONAL)
EXISTING USE: RESIDENTIAL/ EXTERIOR STORAGE
PROPOSED USE: HEAVY RETAIL AND SERVICE
INS NO: 202106220072343
4. SOURCE OF TITLE: BENCHMARK: IP FOUND EL: 81.57 (SEE PLAN)
5. DATUM: HORZ. DATUM: NAD 83 DE STATE PLANE/ VERTICAL DATUM: NAVD 88
- BOUNDARY AND TOPOGRAPHIC INFORMATION WAS OBTAINED FROM A SURVEY BY TRANSITION ENGINEERING SURVEYING IN AUGUST/SEPTEMBER 2020, APRIL 2021, JANUARY 2022. NO STEEP SLOPES WERE FOUND WITHIN THE AREA OF PROPOSED IMPROVEMENTS ON THE SITE.
6. GROSS AREA: 12.4036 +/- Ac (TP 11-026.00-002)
0.5218 +/- Ac (TP 11-026.00-003)
12.9254 +/- Ac TOTAL
7. SITE COVERAGE:
- | | EXISTING | PROPOSED |
|-------------------|---------------------|---------------------|
| BUILDING COVER** | 0.131 +/- Ac (1%) | 2.05 +/- Ac (16%) |
| PAVING/GRAVEL | 4.85 +/- Ac (38%) | 3.90 +/- Ac (30%) |
| SIDEWALK | 0.00 +/- Ac (0%) | 0.03 +/- Ac (0%) |
| OPEN AREA | 7.95 +/- Ac (61%) | 6.95 +/- Ac (54%) |
| TOTAL | 12.93 +/- Ac (100%) | 12.93 +/- Ac (100%) |
| IMPERVIOUS COVER: | 4.98 Ac (39%) | 6.15 Ac (48%) |
| EXTERIOR STORAGE: | * 2.01 Ac (15%) | 2.24 Ac (17%) |
| SWM AREA: | 0 Ac (0%) | 0.68 Ac (5%) |
| | | 9.02 +/- Ac |
- LIMIT OF DISTURBANCE:
* PER PREVIOUS RECORD PLAN
- ** ALL EXISTING BUILDINGS WERE APPROVED BY PREVIOUS RECORD PLAN (INS NO: 200411190125405). ALL PROPOSED BUILDING (LABELED A THROUGH H ON THE PLAN) ARE PROPOSED BY THIS PLAN. (SEE USE BREAKDOWN BELOW)

EXISTING	PROPOSED
RESIDENTIAL DWELLING:	2,900 SF
GARAGES/ SHED:	2,876 SF
TOTAL:	5,776 SF

8. BULK AREA REQUIREMENTS:

	REQUIRED (PER UDC)
MIN. LOT AREA:	2 AC
MIN. LOT WIDTH:	100'
MIN. SIDE YARD:	20'
MIN. STREET YARD:	40'
MIN. REAR YARD:	20'
MAX. HEIGHT:	50'
PAVING YARD:	25'/5' (street/ other)
MAX EXTERIOR STORAGE:	20%



CERTIFICATION OF ACCURACY

I, TIM ANDERSON, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL ENGINEER WITH A BACKGROUND IN CIVIL ENGINEERING IN THE STATE OF DELAWARE, AND THAT ALL OF THE INFORMATION ON THIS PLAN IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY ACCEPTED SURVEYING STANDARDS AND PRACTICES AND BY THE NEW CASTLE COUNTY UNIFIED DEVELOPMENT CODE.

CERTIFICATION OF OWNERSHIP

I, RANDY MITCHELL, HEREBY CERTIFY THAT 2787 PARTNERS, LLC IS THE OWNER OF THE PROPERTIES WHICH ARE THE SUBJECT OF THIS PLAN AND THAT THE LAND USE ACTION PROPOSED BY THIS PLAN IS MADE AT ITS DIRECTION AND THAT IT AUTHORIZES THIS PLAN TO BE RECORDED IN ACCORDANCE WITH THE REGULATIONS OF THE NEW CASTLE COUNTY UNIFIED DEVELOPMENT CODE.

CERTIFICATION OF PLAN APPROVAL

APPROVED _____ DATE _____ BY _____
GENERAL MANAGER
FOR DEPARTMENT OF LAND USE OF NEW CASTLE COUNTY

APPROVED _____ DATE _____ BY _____
COUNCIL PRESIDENT
FOR COUNTY COUNCIL OF NEW CASTLE COUNTY

APPLICATION NO. : 2021-0004
**RECORD
MAJOR LAND DEVELOPMENT PLAN
FOR
2805 PULASKI HWY**

OWNER:
2787 PARTNERS, LLC
50 SELBORNE DRIVE
WILMINGTON, DE 19807
302-540-1707

PENCADER HUNDRED, NEW CASTLE COUNTY, DELAWARE

DATE	REVISION
3-1-22	ORIGINAL
8-31-22	PER DELDOT
11-18-22	PER DELDOT
1-4-24	PER NCC
3-5-24	PER NCC
5-14-24	PER NCC

SCALE: 1"=50'

SHEET 1 OF 1
DWG:20008-R01

**CIVIL ENGINEERING
ANDERSON**
242 MILFORD DRIVE MIDDLETOWN, DE 19709
302-540-2274 WWW.TM-ANDERSON.COM

Prime Sponsor(s): Mr. Sheldon, Ms. George,
Mr. Hollins
Co-Sponsors: Mr. Smiley
Date of introduction: June 25, 2024

RESOLUTION NO. 24-148

TO AMEND NEW CASTLE COUNTY COUNCIL EMPLOYEE HANDBOOK CHAPTER 3 (“APPROPRIATE APPEARANCE”) REGARDING THE APPEARANCE OF COUNCIL EMPLOYEES

1 **WHEREAS**, from time to time, it becomes necessary for New Castle County
2 Council to update or amend the New Castle County Council Employee Handbook (the
3 “Handbook”); and
4

5 **WHEREAS**, there are times, as here, where County Council must amend and
6 modernize its policies to ensure consistency with current laws and changes in societal
7 norms; and
8

9 **WHEREAS**, statistics show that persons of color are substantially more likely to
10 change their natural hair to meet or conform to subjective social norms or expectations,
11 to feel pressured to change their hair, or to be sent home from the workplace because of
12 their hair; and
13

14 **WHEREAS**, unfortunately, repeated examples of the above continue to occur
15 often in our society; and
16

17 **WHEREAS**, specifically, the **CROWN** (Creating a Respectful & Open World for
18 Natural Hair) Act has focused on ending such race-based hair scrutiny and
19 discrimination, bringing necessary and overdue attention - and change - to a very serious
20 issue; and
21

22 **WHEREAS**, the proposed amendments that follow will bring Council’s policies in
23 line with the CROWN Act and State Code; and
24

25 **WHEREAS**, policies and procedures in the Handbook are subject to adoption or
26 revision upon a majority vote of County Council; and
27

28 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New
29 Castle County that County Council hereby amends the New Castle County Council
30 Employee Handbook, Chapter 3 by adding the material that is underscored and deleting
31 the material with strikethroughs as set forth below.
32 ...

Chapter 3. Employment Conditions

3.3. *Appropriate Appearance*

It is impossible to list every type of clothing, hairstyle, and jewelry that will or will not be permitted while working for the Council. However, employees are expected to dress and maintain a personal appearance that is consistent with safety, efficiency and professional decorum. Employees and supervisors must exercise sound judgment at all times to insure to ensure that dress and grooming styles meet these high standards and do not create distractions or other problems in the workplace. Notwithstanding the above, Council employees are permitted to wear various hairstyles, including natural and protective hairstyles, among others including, for example, braids, cornrows, bantu knots, locs, hair extensions, and twists, that encompass traits historically associated with race or culture, including hair texture and protective styles.

Adopted by County Council of
New Castle County on:

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

SYNOPSIS: This Resolution updates County Council's policy regarding personal appearance, particularly as it relates to hairstyles and appearance of Council employees, consistent with the CROWN Act and Delaware State law.

FISCAL NOTE: There is no discernible fiscal impact.

Prime Sponsors: Mr. Carter
Co-Sponsor(s): Mr. Cartier, Ms. Durham,
Mr. Smiley
Date of Introduction: June 25, 2024

RESOLUTION NO. 24-149

**TO AMEND NEW CASTLE COUNTY COUNCIL PROCEDURAL RULE 8.1.9
REGARDING VIRTUAL PARTICIPATION OF COUNCIL MEMBERS
DURING COUNCIL MEETINGS**

1 **WHEREAS**, consistent with 29 *Del. C.* Section 10006A, New Castle County
2 Council has approved the participation of Council Members during Council meetings by
3 electronic, also referred to as virtual, means; and
4

5 **WHEREAS**, Council members serve the public, and their presence and
6 participation on behalf of their constituents is important to all Members; and
7

8 **WHEREAS**, Council Members are entitled to an accurate record of their
9 attendance during meetings, so it is crucial that their presence is accounted for.
10

11 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New
12 Castle County that County Council hereby amends County Council Rule 8.1.9 by
13 deleting the material with strike throughs and adding the underlined material, as follows:
14

15 *8.1.9 Virtual participation by electronic means* (combined audio and video).

16 Consistent with 29 *Del. C.* Section 10006A, any member of Council may participate
17 virtually by electronic means in a Council meeting from a remote location that is not open
18 to the public.
19

20 Notwithstanding the above, Council Members virtually participating by electronic means,
21 in any meeting of Council, shall maintain present a visual and ~~for~~ audio presence as a
22 minimum requirement to be recognized as present. Furthermore, Members shall make
23 a good faith effort to maintain a visual and audio presence for the duration of the
24 meeting, allowing, however, for brief periods of time where a Council Member is unable
25 to maintain a visual or audio presence due to technical issues.

Adopted by County Council
of New Castle County on:

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

SYNOPSIS: This Resolution, if approved, would revise New Castle County Council Procedural Rule 8.1.9 to ensure all Members of County Council are noted in attendance so long as they have satisfied their requisite visual and audio presence, which is to be maintained for the duration of the meeting, allowing, however, for technical issues from time to time.

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

ORDINANCE NO. 24-094

AMEND THE GRANTS BUDGET:

**REALIGN \$128,227.78 IN FUNDS FROM THE U.S. DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT TO A SPECIAL COMMUNITY DEVELOPMENT BLOCK GRANT
(CDBG) PROGRAM DESIGNATED AS CDBG-CV, WHICH IS ADMINISTERED BY THE
DEPARTMENT OF COMMUNITY SERVICES**

1 **WHEREAS**, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) made
2 available a special allocation of funds, known as the Community Development Block Grant
3 Coronavirus (CDBG-CV) funds through the U.S. Department of Housing and Urban
4 Development (HUD); and

5
6 **WHEREAS**, funds are to be used to prevent, prepare for, and respond to the
7 coronavirus (COVID-19) pandemic; and

8
9 **WHEREAS**, the major objectives of the CDBG-CV program include providing immediate
10 assistance for the COVID-19 response to moderate to low-income residents of New Castle
11 County through funding to non-profits that provide hotel/motel vouchers and rental and utility
12 assistance; and to the City of Newark for residents affected by issues associated with the
13 COVID-19 pandemic; and

14
15 **WHEREAS**, original allocated funding in the amount of \$1,427,933.00 in CDBG-CV
16 funds through HUD was previously approved by County Council and appropriated to the
17 CDBG-CV CARES ACT Grant via Ordinance 20-039; and

18
19 **WHEREAS**, authorization is sought for the realignment of \$128,227.78 in Federal funds
20 within the CDBG-CV CARES ACT Grant for contractual security services at the HOPE Center;
21 and

22
23 **WHEREAS**, County Council has determined that the provisions of this Ordinance
24 substantially advance, and are reasonably and rationally related to, legitimate government
25 interests (i.e., promoting the health, safety, morals, convenience, order, prosperity and/or
26 welfare of the present and future inhabitants of this State).

27
28 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**

29
30 Section 1. The Grants Budget as adopted by Ordinance No. 75-173 is hereby amended
31 by adding the material on the attached Exhibits "A", which shall be considered underscored in
32 their entirety.

33
34 Section 2. This Ordinance shall become effective immediately upon its adoption by
35 County Council and approval by the County Executive, or as otherwise provided by 9 *Del. C.* §
36 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 realign \$128,227.78 in Federal funds within the CDBG-CV CARES ACT Grant. The realignment of funds will be used for contractual security services at the HOPE Center.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by realigning \$128,227.78 in Federal Funds within the CDBG-CV CARES ACT Grant.

This Ordinance, if approved, will have no fiscal impact. The realignment will affect FY2024 through FY2026 since the targeted program completion date is June 22, 2026.

DEPARTMENT:	Community Services	EXHIBIT:	"A"
GRANT TITLE:	CDBG-CV CARES ACT	Ordinance No.	24-094
PROGRAM TITLE:	CDBG-CV CARES ACT		

Revenue	Current	Change	Revised
Federal	\$ 1,427,933.00	\$ -	\$ 1,427,933.00
State	\$ -	\$ -	\$ -
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ 1,427,933.00	\$ -	\$ 1,427,933.00

Expense	Current	Change	Revised
Salaries and Wages	\$ 50,871.00	\$ -	\$ 50,871.00
Benefits	\$ 29,322.00	\$ -	\$ 29,322.00
Training/Civic Affairs	\$ -	\$ -	\$ -
Communication/Utilities	\$ 13,006.00	\$ -	\$ 13,006.00
Materials/Supplies	\$ 200.00	\$ -	\$ 200.00
Contractual Services	\$ 214,887.69	\$ 128,227.78	\$ 343,115.47
Equipment	\$ -	\$ -	\$ -
Grants/Fixed Charges	\$ 1,119,146.31	\$ (128,227.78)	\$ 990,918.53
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ 500.00	\$ -	\$ 500.00
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 1,427,933.00	\$ -	\$ 1,427,933.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:	4/2/2020
Estimated Program Completion:	6/22/2026
The Local Match:	Found in (ORG):
Ordinance Passed: <u>20-039</u>	Date Revised: <u>4/22/2020</u>

PROGRAM DESCRIPTION:

Funding is provided through the Department of Housing and Urban Development (HUD), authorized by the Coronavirus Aid Relief And Economic Security Act (CARES Act) to assist low to moderate income residents of New Castle County who have been affected by issues associated with the COVID-19 pandemic.

4/22/2020

6/11/2024

ORDINANCE NO. 24-095

**AMEND THE GRANTS BUDGET:
REALIGN \$79,701.78 IN FEDERAL FUNDS WITHIN THE COMMUNITY DEVELOPMENT
BLOCK GRANT (CDBG) PROGRAM DESIGNATED AS CDBG-CARES ACT ROUND III,
WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES**

1 **WHEREAS**, the CDBG-CARES Act Round III is used to prevent, prepare for, and
2 respond to the coronavirus (COVID-19) pandemic; and
3

4 **WHEREAS**, original allocated funding in the amount of \$2,476,428.00 from the U.S.
5 Department of Housing and Urban Development (HUD) was previously approved by County
6 Council and appropriated to the special Community Development Block Grant (CDBG)
7 program designated as CDBG-CARES Act Round III via Ordinance 20-125; and
8

9 **WHEREAS**, federal funding in the amount of \$495,285.00 was realigned within the
10 CDBG-CARES Act Round III to fund the social services anchor for the HOPE Center via
11 Ordinance 21-025; and
12

13 **WHEREAS**, federal funding in the amount of \$1,328,427.00 was realigned within the
14 CDBG-CARES Act Round III for subgrantee expenses via Ordinance 23-085; and
15

16 **WHEREAS**, authorization is sought for the realignment of \$79,701.78 in Federal funds
17 within the CDBG-CARES Act Round III for contractual security services at the HOPE Center;
18 and
19

20 **WHEREAS**, Council has determined that the provisions of this Ordinance substantially
21 advance, and are reasonably and rationally related to, legitimate government interests (i.e.,
22 promoting the health, safety, morals, convenience, order, prosperity and/or welfare of the
23 present and future inhabitants of this State).
24

25 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
26

27 Section 1. The Grants Budget as adopted by Ordinance No. 75-173 is hereby amended
28 by deleting the material bracketed and stricken and by adding the material underscored on the
29 attached
30

31 Section 2. This Ordinance shall become effective immediately upon its adoption by
32 County Council and approval by the County Executive, or as otherwise provided by 9 *Del. C.* §
33 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will realign \$79,701.78 in federal funds within the CDBG-CARES Act Round III for contractual security services at the HOPE Center, which is administered by the Department of Community Services. The CDBG-CARES Act Round III is federally funded through HUD for agencies to assist low income residents affected by the COVID-19 pandemic.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by realigning \$79,701.78 in federal funds within the CDBG-CARES Act Round III, which is administered by the Department of Community Services.

This Ordinance, if approved, will have no fiscal impact. This realignment will affect FY2024 through FY2026 since the estimated program completion date for this grant is June 22, 2026.

DEPARTMENT:	Community Services	EXHIBIT:	"A"
GRANT TITLE:	CDBG-CV CARES ACT ROUND III	Ordinance No. 24-095	
PROGRAM TITLE:	CDBG-CV CARES ACT ROUND III		

Revenue	Current	Change	Revised
Federal	\$ 2,476,428.00	\$ -	\$ 2,476,428.00
State	\$ -	\$ -	\$ -
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ 2,476,428.00	\$ -	\$ 2,476,428.00

Expense	Current	Change	Revised
Salaries and Wages	\$ -	\$ -	\$ -
Benefits	\$ -	\$ -	\$ -
Training/Civic Affairs	\$ -	\$ -	\$ -
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ -	\$ -	\$ -
Contractual Services	\$ 1,328,427.00	\$ 79,701.78	\$ 1,408,128.78
Equipment	\$ -	\$ -	\$ -
Grants/Fixed Charges	\$ 1,148,001.00	\$ (79,701.78)	\$ 1,068,299.22
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 2,476,428.00	\$ -	\$ 2,476,428.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation: 9/1/2020

Estimated Program Completion: 6/22/2026

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

Ordinance Passed: 20-125 21-025 <u>23-085</u>	Date Revised: 12/15/2020 4/19/2021 <u>6/27/2023</u>
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PROGRAM DESCRIPTION:

Funding is provided through the Department of Housing and Urban Development (HUD), authorized by the Coronavirus Aid, Relief and Economic Security Act (CARES Act) to assist low to moderate income residents of New Castle County who have been affected by issues associated with the COVID-19 pandemic.

6/27/2023

6/11/2024

ORDINANCE NO. 24-096

AMEND THE GRANTS BUDGET:

APPROPRIATE \$2,452,724 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND \$350,000 IN ESTIMATED PROGRAM INCOME TO THE FY2025 COMMUNITY DEVELOPMENT BLOCK GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING

1 **WHEREAS**, the Community Development Block Grant (CDBG) is funded through
2 the U.S. Department of Housing and Urban Development (HUD) and through loan
3 repayments from rehabilitation projects and down payment and settlement loans; and
4

5 **WHEREAS**, the major objectives of the CDBG program include providing financial
6 assistance to moderate to low-income residents of New Castle County, most of which are
7 elderly, to rehabilitate their homes; down payment and settlement help for low to moderate
8 income residents buying their first home; funding to agencies that provide housing support
9 services; grants for emergency repairs; funding for the revitalization of aging
10 neighborhoods throughout the County; and social services; and
11

12 **WHEREAS**, funding has been received from HUD for the continuation of the CDBG
13 program for a forty-ninth year; and
14

15 **WHEREAS**, the County Executive has determined that grants anticipated to be
16 received from the U.S. Department of Housing and Urban Development (HUD) and
17 estimated program income will be sufficient to cover the increase in the Grants Budget as
18 hereinafter amended; and
19

20 **WHEREAS**, Council has determined that the provisions of this Ordinance
21 substantially advance, and are reasonably and rationally related to, legitimate government
22 interests (i.e., promoting the health, safety, morals, convenience, order, prosperity and/or
23 welfare of the present and future inhabitants of this State).
24

25 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
26

27 Section 1. The Grants Budget as adopted by Ordinance No. 75-173 is hereby
28 amended by adding the material on the attached Exhibits "A," which shall be considered
29 underscored in their entirety.
30

31 Section 2. The provisions of this Ordinance shall be effective July 1, 2024.
32

33 Section 3. This Ordinance shall become effective immediately upon its adoption by
34 County Council and approval by the County Executive, or as otherwise provided by 9 Del.
35 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 federal funds of \$2,452,724 from the U.S. Department of Housing and Urban Development (HUD) and \$350,000 in estimated program income to be earned in Fiscal Year 2025 to the FY2025 Community Development Block Grant, which will be administered by the Department of Community Services, Division of Community Development and Housing.

The Community Development Block Grant (CDBG) is funded through HUD and through loan repayments from rehabilitation projects and down payment and settlement loans. The major objectives of the CDBG program include providing financial assistance to moderate to low-income residents of New Castle County, most of which are elderly, to rehab their homes; down payment and settlement help for low to moderate income residents buying their first home; funding to agencies that provide housing support services; grants for emergency repairs; funding for the revitalization of aging neighborhoods throughout the County; and social services.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating federal funds of \$2,452,724 from the U.S. Department of Housing and Urban Development (HUD) and \$350,000 in estimated program income to be earned in Fiscal Year 2025 to the FY2025 Community Development Block Grant.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$2,802,724. This increase will affect FY2025 through FY2032, since the targeted program completion date is September 30, 2031. FY2024 funding was authorized in the amount of \$2,383,060 in federal funds and \$350,000 in estimated program income for a total of \$2,733,060. There is no discernible fiscal impact on the current operating budget.

DEPARTMENT:

GRANT TITLE:

PROGRAM TITLE:

Community Services

FY25 Community Development Block Grant

FY25 Community Development Block Grant

EXHIBIT:

Ordinance No. 24-096

"A"

Revenue	Current		Change		Revised
Federal	\$	2,452,724.00	\$	-	\$ 2,452,724.00
State	\$	-	\$	-	\$ -
County	\$	-	\$	-	\$ -
Program Income	\$	350,000.00	\$	-	\$ 350,000.00
Other	\$	-	\$	-	\$ -
Total	\$	2,802,724.00	\$	-	\$ 2,802,724.00

Expense	Current		Change		Revised
Salaries and Wages	\$	517,611.00	\$	-	\$ 517,611.00
Benefits	\$	302,952.00	\$	-	\$ 302,952.00
Training/Civic Affairs	\$	1,500.00	\$	-	\$ 1,500.00
Communication/Utilities	\$	5,000.00	\$	-	\$ 5,000.00
Materials/Supplies	\$	16,000.00	\$	-	\$ 16,000.00
Contractual Services	\$	450,593.00	\$	-	\$ 450,593.00
Equipment	\$	1,000.00	\$	-	\$ 1,000.00
Grants/Fixed Charges	\$	1,411,912.00	\$	-	\$ 1,411,912.00
Land and Structures	\$	-	\$	-	\$ -
Contingency	\$	-	\$	-	\$ -
Operating Transfer Charges	\$	96,156.00	\$	-	\$ 96,156.00
Operating Transfer Credits	\$	-	\$	-	\$ -
Total	\$	2,802,724.00	\$	-	\$ 2,802,724.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:

7/1/2024

Estimated Program Completion:

9/1/2031

The Local Match:

Found in (ORG):

Ordinance Passed:

Date Revised:

PROGRAM DESCRIPTION:

Funding is provided through the Department of Housing and Urban Development (HUD) to assist low to moderate income residents of New Castle County with various housing support services such as: home rehabilitation, first time homebuyer down payment and settlement help, grants for minor home repairs, the revitalization of aging neighborhoods and other social services.

6/11/2024

ORDINANCE NO. 24-097

AMEND THE GRANTS BUDGET:

FOR FY2025, APPROPRIATE FEDERAL FUNDS OF \$964,060 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND ESTIMATED PROGRAM INCOME OF \$50,000 TO THE FY2025 HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING

1 **WHEREAS**, HOME programs are funded from the U.S. Department of Housing and
2 Urban Development (HUD) and program income from the rehabilitation and acquisition of
3 housing and the administration of the program; and
4

5 **WHEREAS**, the families served by HOME programs are low to moderate income
6 households in New Castle County – outside the cities of Wilmington and Newark; and
7

8 **WHEREAS**, the current budget is to rehabilitate homes, which must be in full code
9 compliance for funding, and for subgrantee programs that support housing, including loans;
10 and
11

12 **WHEREAS**, the County Executive has determined that grants anticipated to be
13 received from the U.S. Department of Housing and Urban Development (HUD) and
14 estimated program income will be sufficient to cover the increase in the Grants Budget as
15 hereinafter amended; and
16

17 **WHEREAS**, Council has determined that the provisions of this Ordinance
18 substantially advance, and are reasonably and rationally related to, legitimate government
19 interests (i.e., promoting the health, safety, morals, convenience, order, prosperity and/or
20 welfare of the present and future inhabitants of this State).
21

22 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
23

24 Section 1. The Grants Budget as adopted by Ordinance No. 75-173 is hereby
25 amended by adding the material on the attached Exhibits "A" through "C," which shall be
26 considered underscored in their entirety.
27

28 Section 2. The provisions in this Ordinance shall be effective July 1, 2024.
29

30 Section 3. This Ordinance shall become effective immediately upon its adoption by
31 County Council and approval by the County Executive, or as otherwise provided by 9 Del.
32 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 federal funds of \$964,060 from the U.S. Department of Housing and Urban Development (HUD) and \$50,000 in estimated program income to the FY2025 Home Investment Partnerships Program (HOME), which will be administered by the Department of Community Services, Division of Community Development and Housing.

HOME programs are funded from the U.S. Department of Housing and Urban Development (HUD) and program income for the rehabilitation and acquisition of housing and the administration of the program. Families served are low to moderate income households in New Castle County – outside the cities of Wilmington and Newark. The current budget is to rehabilitate homes, which must be in full code compliance for funding, and for subgrantee programs that support housing, including loans.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating federal funds of \$964,060 from the U.S. Department of Housing and Urban Development (HUD) and \$50,000 in estimated program income to the FY2025 Home Investment Partnerships Program (HOME).

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$1,014,060 for FY2025, funded by HUD grant awards and estimated program income. This increase will affect FY2025 through FY2030, since the targeted program completion date for this grant is June 30, 2030. FY2024 funding was authorized in the amount of \$1,131,733 in federal funds and \$50,000 in estimated program income for a total of \$1,181,733. There is no discernible fiscal impact on the current operating budget.

DEPARTMENT:

GRANT TITLE:

PROGRAM TITLE:

Community Services

FY25 Home Investment Partnership Program

FY25 Home Investment Partnership Program

EXHIBIT:

Ordinance No. 24-097

"A"

Revenue	Current	Change	Revised
Federal	\$ 964,060.00	\$ -	\$ 964,060.00
State	\$ -	\$ -	\$ -
County	\$ -	\$ -	\$ -
Program Income	\$ 50,000.00	\$ -	\$ 50,000.00
Other	\$ -	\$ -	\$ -
Total	\$ 1,014,060.00	\$ -	\$ 1,014,060.00

Expense	Current	Change	Revised
Salaries and Wages	\$ 84,569.00	\$ -	\$ 84,569.00
Benefits	\$ 49,496.00	\$ -	\$ 49,496.00
Training/Civic Affairs	\$ 2,100.00	\$ -	\$ 2,100.00
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ -	\$ -	\$ -
Contractual Services	\$ 14,184.00	\$ -	\$ 14,184.00
Equipment	\$ -	\$ -	\$ -
Grants/Fixed Charges	\$ 858,479.00	\$ -	\$ 858,479.00
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ 5,232.00	\$ -	\$ 5,232.00
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 1,014,060.00	\$ -	\$ 1,014,060.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:

7/1/2024

Estimated Program Completion:

6/30/2030

The Local Match:

Found in (ORG):

Ordinance Passed:

Date Revised:

PROGRAM DESCRIPTION:

HOME Programs are funded from HUD for housing rehabilitation and acquisition, and administration of the program. Families served are low to moderate income households in New Castle County - outside the cities of Wilmington or Newark. The current budget is to rehabilitate homes to meet code and for subgrantee programs that support housing.

6/11/2024

Prime Sponsor(s): Mr. Hollins, Mr. Street
Requested by: Community Services
Date of introduction: June 11, 2024

ORDINANCE NO. 24-098

**AMEND THE GRANTS BUDGET:
FOR FY2025, APPROPRIATE FEDERAL FUNDS OF \$209,446 FROM THE U.S.
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) TO THE FY2025
EMERGENCY SOLUTIONS GRANT, WHICH WILL BE ADMINISTERED BY THE
DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY
DEVELOPMENT AND HOUSING**

1 **WHEREAS**, the FY2025 Emergency Solutions Grant is part of the U.S. Department
2 of Housing and Urban Development's (HUD) initiative to alleviate homelessness; and
3

4 **WHEREAS**, this grant will provide pass through grant assistance to shelters for
5 operating costs and will also fund homeless prevention activities in New Castle County; and
6

7 **WHEREAS**, the County Executive has determined that grants anticipated to be
8 received from the U.S. Department of Housing and Urban Development (HUD) are
9 sufficient to cover the increase in the Grants Budget as hereinafter amended; and
10

11 **WHEREAS**, Council has determined that the provisions of this Ordinance
12 substantially advance, and are reasonably and rationally related to, legitimate government
13 interests (i.e., promoting the health, safety, morals, convenience, order, prosperity and/or
14 welfare of the present and future inhabitants of this State).
15

16 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
17

18 Section 1. The Grants Budget as adopted by Ordinance No. 75-173 is hereby
19 amended by adding the material on the attached Exhibit "A," which shall be considered
20 underscored in its entirety.
21

22 Section 2. The provisions in this Ordinance shall be effective July 1, 2024.
23

24 Section 3. This Ordinance shall become effective immediately upon its adoption by
25 County Council and approval by the County Executive, or as otherwise provided by 9 Del.
26 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 federal funds of \$209,446 from the U.S. Department of Housing and Urban Development (HUD) to the FY2025 Emergency Solutions Grant, which will be administered by the Department of Community Services, Division of Community Development and Housing.

The FY2025 Emergency Solutions Grant will aid shelters for operating costs and will also fund homeless prevention activities in New Castle County. This grant is part of HUD's initiative to alleviate homelessness.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating federal funds of \$209,446 from the U.S. Department of Housing and Urban Development (HUD) to the FY2025 Emergency Solutions Grant.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$209,446 for FY2025, funded by HUD grant awards. This increase will affect FY2025 and FY2026, since the targeted program completion date for this grant is June 30, 2026. FY2024 funding was authorized in the amount of \$211,372. There is no discernible fiscal impact on the current operating budget.

DEPARTMENT:

Community Services

GRANT TITLE:

FY25 Emergency Solutions Grant

PROGRAM TITLE:

FY25 Emergency Solutions Grant

EXHIBIT:

"A"

Ordinance No. 24-098

Revenue	Current	Change	Revised
Federal	\$ 209,446.00	\$ -	\$ 209,446.00
State	\$ -	\$ -	\$ -
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ 209,446.00	\$ -	\$ 209,446.00

Expense	Current	Change	Revised
Salaries and Wages	\$ 9,260.00	\$ -	\$ 9,260.00
Benefits	\$ 5,420.00	\$ -	\$ 5,420.00
Training/Civic Affairs	\$ -	\$ -	\$ -
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ -	\$ -	\$ -
Contractual Services	\$ -	\$ -	\$ -
Equipment	\$ -	\$ -	\$ -
Grants/Fixed Charges	\$ 194,766.00	\$ -	\$ 194,766.00
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 209,446.00	\$ -	\$ 209,446.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:

7/1/2024

Estimated Program Completion:

6/30/2026

The Local Match:

Found in (ORG):

Ordinance Passed:

Date Revised:

PROGRAM DESCRIPTION:

The Emergency Solutions Grant will aid shelters for operating costs and fund homeless prevention activities. The grant is part of HUD's initiative to alleviate homelessness.

Prime Sponsor(s): Mr. Hollins, Mr. Street
Requested by: Community Services
Date of introduction: June 11, 2024

ORDINANCE NO. 24-099

**AMEND THE GRANTS BUDGET:
APPROPRIATE \$225,490 IN ANTICIPATED STATE OF DELAWARE GRANT-IN-AID
FUNDS TO THE ABSALOM JONES SENIOR CENTER FY2025 GRANT, WHICH WILL
BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES,
COMMUNITY RESOURCES DIVISION**

1 **WHEREAS**, authorization is being sought for the appropriation of \$225,490 in
2 anticipated State of Delaware Grant-In-Aid funds to the Absalom Jones Senior Center
3 FY2025 Grant; and
4

5 **WHEREAS**, the Absalom Jones Senior Center provides a variety of services for the
6 elderly in the surrounding community including transportation to the center, adult programs,
7 activities and social services; and
8

9 **WHEREAS**, the County Executive has determined that a grant is anticipated to be
10 received and shall be sufficient to cover the increase in the Grants Budget as hereinafter
11 amended; and
12

13 **WHEREAS**, Council has determined that the provisions of this Ordinance substantially
14 advance, and are reasonably and rationally related to, legitimate government interests (i.e.,
15 promoting the health, safety, morals, convenience, order, prosperity and/or welfare of the
16 present and future inhabitants of this State).
17

18 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
19

20 Section 1. The Grants Budget as adopted by Ordinance No. 75-173 is hereby
21 amended by adding the material on the attached Exhibit "A" which shall be considered
22 underscored in its entirety.
23

24 Section 2. This Ordinance shall become effective immediately upon its adoption by
25 County Council and approval by the County Executive, or as otherwise provided by 9 *Del. C.*
26 § 1156.
27

28 Section 3. The provisions of this Ordinance are effective July 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 \$225,490 in anticipated State of Delaware Grant-In-Aid funds to the Absalom Jones Senior Center FY2025 Grant for the period July 1, 2024 through June 30, 2025, which will be administered by the Department of Community Services, Division of Community Resources.

The Absalom Jones Senior Center provides a variety of services for the elderly in the surrounding community including transportation to the center, adult programs, activities and social services.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$225,490 in anticipated State of Delaware Grant-In-Aid funds to the Absalom Jones Senior Center FY2025 Grant for the period July 1, 2024 through June 30, 2025, which will be administered by the Department of Community Services, Division of Community Resources.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget. This increase will affect FY2025 since the targeted program completion date for this grant is June 30, 2025. There is no fiscal impact anticipated beyond FY2025. FY2024 original funding was authorized in the amount of \$219,362.

DEPARTMENT:

GRANT TITLE:

PROGRAM TITLE:

Community Services

Absalom Jones Senior Center FY2025

Absalom Jones Senior Center FY2025

EXHIBIT:

Ordinance No. 24-099

"A"

Revenue	Current		Change		Revised	
Federal	\$	-	\$	-	\$	-
State	\$	225,490.00	\$	-	\$	225,490.00
County	\$	-	\$	-	\$	-
Program Income	\$	-	\$	-	\$	-
Other	\$	-	\$	-	\$	-
Total	\$	225,490.00	\$	-	\$	225,490.00

Expense	Current		Change		Revised	
Salaries and Wages	\$	95,426.00	\$	-	\$	95,426.00
Benefits	\$	37,292.00	\$	-	\$	37,292.00
Training/Civic Affairs	\$	-	\$	-	\$	-
Communication/Utilities	\$	-	\$	-	\$	-
Materials/Supplies	\$	1,100.00	\$	-	\$	1,100.00
Contractual Services	\$	91,672.00	\$	-	\$	91,672.00
Equipment	\$	-	\$	-	\$	-
Grants/Fixed Charges	\$	-	\$	-	\$	-
Land and Structures	\$	-	\$	-	\$	-
Contingency	\$	-	\$	-	\$	-
Operating Transfer Charges	\$	-	\$	-	\$	-
Operating Transfer Credits	\$	-	\$	-	\$	-
Total	\$	225,490.00	\$	-	\$	225,490.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:

7/1/2024

Estimated Program Completion:

6/30/2025

The Local Match:

Found in (ORG):

Ordinance Passed:

Date Revised:

PROGRAM DESCRIPTION:

The Absalom Jones Senior Center provides a variety of services to the elderly population in the neighboring community including; transportation to the center, adult programs, activities and social services.

6/11/2024

ORDINANCE NO. 24-100

AMEND THE GRANTS BUDGET:

APPROPRIATE \$75,000 FROM THE STATE OF DELAWARE, DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF SERVICES FOR AGING AND ADULTS WITH PHYSICAL DISABILITIES TO THE HEALTHY HOMES-DHSS GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING

1 **WHEREAS**, funding has been awarded from the State of Delaware, Department of
2 Health and Social Services, Division of Services for Aging and Adults with Physical Disabilities
3 to the Healthy Homes-DHSS Grant; and
4

5 **WHEREAS**, funding will be used to modify or make repairs to approximately six (6)
6 housing units in New Castle County currently occupied by older adults (over the age of 62) so
7 that these residents are able to remain safely in their homes in the community; and
8

9 **WHEREAS**, the County Executive has determined that funds received are sufficient
10 to cover the increase in the Grants Budget as hereinafter amended; and
11

12 **WHEREAS**, Council has determined that the provisions of this Ordinance
13 substantially advance, and are reasonably and rationally related to, legitimate government
14 interests (i.e., promoting the health, safety, morals, convenience, order prosperity and/or
15 welfare of the present and future inhabitants of this State).
16

17 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
18

19 Section 1. The Grants Budget, as adopted by Ordinance No. 75-173, is hereby
20 amended by adding the material on the attached "Exhibit A," which is considered to be
21 underscored in its entirety.
22

23 Section 2. This Ordinance shall become effective immediately upon its adoption by
24 County Council and approval by the County Executive, or as otherwise provided by 9 *Del. C.* §
25 1156.
26

27 Section 3. It is the intent of the County Council that the provisions of this Ordinance
28 shall be effective retroactive to May 16, 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 \$75,000 from the State of Delaware, Department of Health and Social Services, Division of Services for Aging and Adults with Physical Disabilities to the Healthy Homes-DHSS Grant. Funding will be used to modify or make repairs to approximately six (6) housing units in New Castle County currently occupied by older adults (over the age of 62) so that these residents are able to remain safely in their homes in the community.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to May 16, 2024.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$75,000 from the State of Delaware, Department of Health and Social Services, Division of Services for Aging and Adults with Physical Disabilities to the Healthy Homes-DHSS Grant.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$75,000. This increase will impact FY2024 only since the targeted program completion date of this award is June 30, 2024.

DEPARTMENT:

Community Services

GRANT TITLE:

Healthy Homes-DHSS

PROGRAM TITLE:

Healthy Homes-DHSS

EXHIBIT:

"A"

Ordinance No. 24-100

Revenue	Current		Change		Revised	
Federal	\$	-	\$	-	\$	-
State	\$	75,000.00	\$	-	\$	75,000.00
County	\$	-	\$	-	\$	-
Program Income	\$	-	\$	-	\$	-
Other	\$	-	\$	-	\$	-
Total	\$	75,000.00	\$	-	\$	75,000.00

Expense	Current		Change		Revised	
Salaries and Wages	\$	-	\$	-	\$	-
Benefits	\$	-	\$	-	\$	-
Training/Civic Affairs	\$	-	\$	-	\$	-
Communication/Utilities	\$	-	\$	-	\$	-
Materials/Supplies	\$	-	\$	-	\$	-
Contractual Services	\$	75,000.00	\$	-	\$	75,000.00
Equipment	\$	-	\$	-	\$	-
Grants/Fixed Charges	\$	-	\$	-	\$	-
Land and Structures	\$	-	\$	-	\$	-
Contingency	\$	-	\$	-	\$	-
Operating Transfer Charges	\$	-	\$	-	\$	-
Operating Transfer Credits	\$	-	\$	-	\$	-
Total	\$	75,000.00	\$	-	\$	75,000.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:

5/16/2024

Estimated Program Completion:

6/30/2024

The Local Match:

Found in (ORG):

Ordinance Passed:

Date Revised:

PROGRAM DESCRIPTION:

Funds will be used to modify or make repairs to approximately six (6) housing units in New Castle County currently occupied by older adults (over the age of 62) so that these residents are able to remain safely in their homes in the community.

6/11/2024

ORDINANCE NO. 24-101

AMEND THE GRANTS BUDGET:

FOR FY2025, APPROPRIATE ANTICIPATED \$2,841,311 FROM THE DEPARTMENT OF STATE, DELAWARE DIVISION OF LIBRARIES TO: (A) LIBRARY ADMINISTRATION \$2,575,961; (B) APPOQUINIMINK LIBRARY \$19,547; (C) BEAR LIBRARY \$34,431; (D) CLAYMONT LIBRARY \$14,431; (E) BRANDYWINE HUNDRED LIBRARY \$82,530; (F) ELSMERE LIBRARY \$14,430; (G) HOCKESSIN LIBRARY \$17,544; (H) KIRKWOOD LIBRARY \$21,748; (I) NEWARK LIBRARY \$30,353; (J) ROUTE 9 LIBRARY \$11,697; AND (K) WOODLAWN LIBRARY \$18,639 WHICH ARE ALL ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF LIBRARIES

1 **WHEREAS**, State funds, through a contract with the Department of State, Delaware
2 Division of Libraries, are allocated to libraries to encourage the maintenance and development
3 of proper standards, including personnel standards, hours of operation, library materials,
4 collection standards and interlibrary resource sharing, and to provide for the development of
5 statewide public library services; and
6

7 **WHEREAS**, libraries must meet, or provide evidence of attempting to meet, the minimum
8 standards of operation as established by the Division of Libraries and approved by the State
9 Council on Libraries; and
10

11 **WHEREAS**, the County Executive has determined that grants will be received sufficient
12 to cover the increase in the Grants Budget as hereinafter amended; and
13

14 **WHEREAS**, Council has determined that the provisions of this Ordinance substantially
15 advance, and are reasonably and rationally related to, legitimate government interests (i.e.,
16 promoting the health, safety, morals, convenience, order, prosperity and/or welfare of the
17 present and future inhabitants of this State).
18

19 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
20

21 Section 1. The Grants Budget as adopted by Ordinance No. 75-173 is hereby amended
22 by adding the material on the attached Exhibits "A" through "K" which shall be considered
23 underscored in their entirety.
24

25 Section 2. The provisions in this Ordinance shall become effective on July 1, 2024.
26

27 Section 3. This Ordinance shall become effective immediately upon its adoption by
28 County Council and approval by the County Executive, or as otherwise provided by 9 *Del. C.* §
29 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 anticipated \$2,841,311 from the Department of State, Delaware Division of Libraries to the Department of Community Services, Division of Libraries for the New Castle County public libraries for Fiscal Year 2025. These State funds are allocated to libraries to encourage the maintenance and development of proper standards, including personnel standards, hours of operation, library materials, collection standards and interlibrary resource sharing, and to provide for the development of statewide public library services. Libraries must meet, or provide evidence of attempting to meet, the minimum standards of operation as established by the Division of Libraries and approved by the State Council on Libraries.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget for Fiscal Year 2024 by appropriating grant awards totaling \$2,841,311 to the Division of Libraries within the Department of Community Services, Libraries Division. The appropriations proposed below, if approved, will be funded by State funds through a contract with the Department of State, Delaware Division of Libraries. These appropriations are estimated since the State Budget is not anticipated to be approved until June 30, 2024.

Library Administration (Exhibit A)	\$2,571,961
Appoquinimink Library (Exhibit B)	19,547
Bear Library (Exhibit C)	34,431
Claymont Library (Exhibit D)	14,431
Brandywine Library (Exhibit E)	82,530
Elsmere Library (Exhibit F)	14,430
Hockessin Library (Exhibit G)	17,544
Kirkwood Library (Exhibit H)	21,748
Newark Library (Exhibit I)	30,353
Route 9 Library (Exhibit J)	11,697
Woodlawn Library (Exhibit K)	18,639
Total	\$2,841,311

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$2,841,311 to be funded with State funds. Since the targeted completion date for these programs is June 30, 2025, there will be no fiscal impact beyond Fiscal Year 2025. FY2024 final funding was authorized in the amount of \$2,823,393.

DEPARTMENT:

GRANT TITLE:

PROGRAM TITLE:

Community Services

FY2025 State Aid for Libraries

Library Administration

EXHIBIT:

Ordinance No. 24-101

"A"

Revenue	Current		Change		Revised	
Federal	\$	-	\$	-	\$	-
State	\$	2,575,961.00	\$	-	\$	2,575,961.00
County	\$	-	\$	-	\$	-
Program Income	\$	-	\$	-	\$	-
Other	\$	-	\$	-	\$	-
Total	\$	2,575,961.00	\$	-	\$	2,575,961.00

Expense	Current		Change		Revised	
Salaries and Wages	\$	1,026,028.00	\$	-	\$	1,026,028.00
Benefits	\$	130,515.00	\$	-	\$	130,515.00
Training/Civic Affairs	\$	11,500.00	\$	-	\$	11,500.00
Communication/Utilities	\$	-	\$	-	\$	-
Materials/Supplies	\$	647,760.00	\$	-	\$	647,760.00
Contractual Services	\$	664,694.00	\$	-	\$	664,694.00
Equipment	\$	94,964.00	\$	-	\$	94,964.00
Grants/Fixed Charges	\$	-	\$	-	\$	-
Land and Structures	\$	-	\$	-	\$	-
Contingency	\$	-	\$	-	\$	-
Operating Transfer Charges	\$	500.00	\$	-	\$	500.00
Operating Transfer Credits	\$	-	\$	-	\$	-
Total	\$	2,575,961.00	\$	-	\$	2,575,961.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:

7/1/2024

Estimated Program Completion:

6/30/2025

The Local Match:

Found in (ORG):

Ordinance Passed:

Date Revised:

PROGRAM DESCRIPTION:

To provide for statewide public library services and to encourage proper standards regarding personnel, hours of operation, library materials, collections and interlibrary resource sharing.

6/11/2024

DEPARTMENT:

GRANT TITLE:

PROGRAM TITLE:

Community Services

FY2025 State Aid for Libraries

Appoquinimink Library

EXHIBIT:

Ordinance No. 24-101

"B"

Revenue	Current		Change		Revised	
Federal	\$	-	\$	-	\$	-
State	\$	19,547.00	\$	-	\$	19,547.00
County	\$	-	\$	-	\$	-
Program Income	\$	-	\$	-	\$	-
Other	\$	-	\$	-	\$	-
Total	\$	19,547.00	\$	-	\$	19,547.00

Expense	Current		Change		Revised	
Salaries and Wages	\$	-	\$	-	\$	-
Benefits	\$	-	\$	-	\$	-
Training/Civic Affairs	\$	1,350.00	\$	-	\$	1,350.00
Communication/Utilities	\$	-	\$	-	\$	-
Materials/Supplies	\$	3,647.00	\$	-	\$	3,647.00
Contractual Services	\$	14,550.00	\$	-	\$	14,550.00
Equipment	\$	-	\$	-	\$	-
Grants/Fixed Charges	\$	-	\$	-	\$	-
Land and Structures	\$	-	\$	-	\$	-
Contingency	\$	-	\$	-	\$	-
Operating Transfer Charges	\$	-	\$	-	\$	-
Operating Transfer Credits	\$	-	\$	-	\$	-
Total	\$	19,547.00	\$	-	\$	19,547.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:

7/1/2024

Estimated Program Completion:

6/30/2025

The Local Match:

Found in (ORG):

Ordinance Passed:

Date Revised:

PROGRAM DESCRIPTION:

To provide for statewide public library services and to encourage proper standards regarding personnel, hours of operation, library materials, collections and interlibrary resource sharing.

6/11/2024

DEPARTMENT:

GRANT TITLE:

PROGRAM TITLE:

Community Services

FY2025 State Aid for Libraries

Bear Library

EXHIBIT:

Ordinance No. 24-101

"C"

Revenue	Current		Change		Revised	
Federal	\$	-	\$	-	\$	-
State	\$	34,431.00	\$	-	\$	34,431.00
County	\$	-	\$	-	\$	-
Program Income	\$	-	\$	-	\$	-
Other	\$	-	\$	-	\$	-
Total	\$	34,431.00	\$	-	\$	34,431.00

Expense	Current		Change		Revised	
Salaries and Wages	\$	-	\$	-	\$	-
Benefits	\$	-	\$	-	\$	-
Training/Civic Affairs	\$	3,831.00	\$	-	\$	3,831.00
Communication/Utilities	\$	-	\$	-	\$	-
Materials/Supplies	\$	7,800.00	\$	-	\$	7,800.00
Contractual Services	\$	18,000.00	\$	-	\$	18,000.00
Equipment	\$	4,800.00	\$	-	\$	4,800.00
Grants/Fixed Charges	\$	-	\$	-	\$	-
Land and Structures	\$	-	\$	-	\$	-
Contingency	\$	-	\$	-	\$	-
Operating Transfer Charges	\$	-	\$	-	\$	-
Operating Transfer Credits	\$	-	\$	-	\$	-
Total	\$	34,431.00	\$	-	\$	34,431.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:

7/1/2024

Estimated Program Completion:

6/30/2025

The Local Match:

Found in (ORG):

Ordinance Passed:

Date Revised:

PROGRAM DESCRIPTION:

To provide for statewide public library services and to encourage proper standards regarding personnel, hours of operation, library materials, collections and interlibrary resource sharing.

6/11/2024

DEPARTMENT:

GRANT TITLE:

PROGRAM TITLE:

Community Services

FY2025 State Aid for Libraries

Claymont Library

EXHIBIT:

Ordinance No. 24-101

"D"

Revenue	Current		Change		Revised	
Federal	\$	-	\$	-	\$	-
State	\$	14,431.00	\$	-	\$	14,431.00
County	\$	-	\$	-	\$	-
Program Income	\$	-	\$	-	\$	-
Other	\$	-	\$	-	\$	-
Total	\$	14,431.00	\$	-	\$	14,431.00

Expense	Current		Change		Revised	
Salaries and Wages	\$	-	\$	-	\$	-
Benefits	\$	-	\$	-	\$	-
Training/Civic Affairs	\$	500.00	\$	-	\$	500.00
Communication/Utilities	\$	-	\$	-	\$	-
Materials/Supplies	\$	5,000.00	\$	-	\$	5,000.00
Contractual Services	\$	8,000.00	\$	-	\$	8,000.00
Equipment	\$	931.00	\$	-	\$	931.00
Grants/Fixed Charges	\$	-	\$	-	\$	-
Land and Structures	\$	-	\$	-	\$	-
Contingency	\$	-	\$	-	\$	-
Operating Transfer Charges	\$	-	\$	-	\$	-
Operating Transfer Credits	\$	-	\$	-	\$	-
Total	\$	14,431.00	\$	-	\$	14,431.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:

7/1/2024

Estimated Program Completion:

6/30/2025

The Local Match:

Found in (ORG):

Ordinance Passed:

Date Revised:

PROGRAM DESCRIPTION:

To provide for statewide public library services and to encourage proper standards regarding personnel, hours of operation, library materials, collections and interlibrary resource sharing.

6/11/2024

DEPARTMENT:

GRANT TITLE:

PROGRAM TITLE:

Community Services
FY2025 State Aid for Libraries
Brandywine Hundred Library

EXHIBIT:

Ordinance No. 24-101

"E"

Revenue	Current		Change		Revised	
Federal	\$	-	\$	-	\$	-
State	\$	82,530.00	\$	-	\$	82,530.00
County	\$	-	\$	-	\$	-
Program Income	\$	-	\$	-	\$	-
Other	\$	-	\$	-	\$	-
Total	\$	82,530.00	\$	-	\$	82,530.00

Expense	Current		Change		Revised	
Salaries and Wages	\$	-	\$	-	\$	-
Benefits	\$	-	\$	-	\$	-
Training/Civic Affairs	\$	1,250.00	\$	-	\$	1,250.00
Communication/Utilities	\$	-	\$	-	\$	-
Materials/Supplies	\$	21,366.00	\$	-	\$	21,366.00
Contractual Services	\$	57,414.00	\$	-	\$	57,414.00
Equipment	\$	2,500.00	\$	-	\$	2,500.00
Grants/Fixed Charges	\$	-	\$	-	\$	-
Land and Structures	\$	-	\$	-	\$	-
Contingency	\$	-	\$	-	\$	-
Operating Transfer Charges	\$	-	\$	-	\$	-
Operating Transfer Credits	\$	-	\$	-	\$	-
Total	\$	82,530.00	\$	-	\$	82,530.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:

7/1/2024

Estimated Program Completion:

6/30/2025

The Local Match:

Found in (ORG):

Ordinance Passed:

Date Revised:

PROGRAM DESCRIPTION:

To provide for statewide public library services and to encourage proper standards regarding personnel, hours of operation, library materials, collections and interlibrary resource sharing.

6/11/2024

DEPARTMENT:

GRANT TITLE:

PROGRAM TITLE:

Community Services

FY2025 State Aid for Libraries

Elsmere Library

EXHIBIT:

Ordinance No. 24-101

"F"

Revenue	Current		Change		Revised	
Federal	\$	-	\$	-	\$	-
State	\$	14,430.00	\$	-	\$	14,430.00
County	\$	-	\$	-	\$	-
Program Income	\$	-	\$	-	\$	-
Other	\$	-	\$	-	\$	-
Total	\$	14,430.00	\$	-	\$	14,430.00

Expense	Current		Change		Revised	
Salaries and Wages	\$	-	\$	-	\$	-
Benefits	\$	-	\$	-	\$	-
Training/Civic Affairs	\$	1,300.00	\$	-	\$	1,300.00
Communication/Utilities	\$	-	\$	-	\$	-
Materials/Supplies	\$	10,030.00	\$	-	\$	10,030.00
Contractual Services	\$	3,100.00	\$	-	\$	3,100.00
Equipment	\$	-	\$	-	\$	-
Grants/Fixed Charges	\$	-	\$	-	\$	-
Land and Structures	\$	-	\$	-	\$	-
Contingency	\$	-	\$	-	\$	-
Operating Transfer Charges	\$	-	\$	-	\$	-
Operating Transfer Credits	\$	-	\$	-	\$	-
Total	\$	14,430.00	\$	-	\$	14,430.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:

7/1/2024

Estimated Program Completion:

6/30/2025

The Local Match:

Found in (ORG):

Ordinance Passed:

Date Revised:

PROGRAM DESCRIPTION:

To provide for statewide public library services and to encourage proper standards regarding personnel, hours of operation, library materials, collections and interlibrary resource sharing.

6/11/2024

DEPARTMENT:

GRANT TITLE:

PROGRAM TITLE:

Community Services
FY2025 State Aid for Libraries
Hockessin Library

EXHIBIT:

Ordinance No. 24-101

"G"

Revenue	Current		Change		Revised	
Federal	\$	-	\$	-	\$	-
State	\$	17,544.00	\$	-	\$	17,544.00
County	\$	-	\$	-	\$	-
Program Income	\$	-	\$	-	\$	-
Other	\$	-	\$	-	\$	-
Total	\$	17,544.00	\$	-	\$	17,544.00

Expense	Current		Change		Revised	
Salaries and Wages	\$	-	\$	-	\$	-
Benefits	\$	-	\$	-	\$	-
Training/Civic Affairs	\$	3,300.00	\$	-	\$	3,300.00
Communication/Utilities	\$	-	\$	-	\$	-
Materials/Supplies	\$	3,800.00	\$	-	\$	3,800.00
Contractual Services	\$	6,000.00	\$	-	\$	6,000.00
Equipment	\$	4,444.00	\$	-	\$	4,444.00
Grants/Fixed Charges	\$	-	\$	-	\$	-
Land and Structures	\$	-	\$	-	\$	-
Contingency	\$	-	\$	-	\$	-
Operating Transfer Charges	\$	-	\$	-	\$	-
Operating Transfer Credits	\$	-	\$	-	\$	-
Total	\$	17,544.00	\$	-	\$	17,544.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:

7/1/2024

Estimated Program Completion:

6/30/2025

The Local Match:

Found in (ORG):

Ordinance Passed:

Date Revised:

PROGRAM DESCRIPTION:

To provide for statewide public library services and to encourage proper standards regarding personnel, hours of operation, library materials, collections and interlibrary resource sharing.

6/11/2024

DEPARTMENT:

Community Services

GRANT TITLE:

FY2025 State Aid for Libraries

PROGRAM TITLE:

Kirkwood Library

EXHIBIT:

"H"

Ordinance No. 24-101

Revenue	Current		Change		Revised	
Federal	\$	-	\$	-	\$	-
State	\$	21,748.00	\$	-	\$	21,748.00
County	\$	-	\$	-	\$	-
Program Income	\$	-	\$	-	\$	-
Other	\$	-	\$	-	\$	-
Total	\$	21,748.00	\$	-	\$	21,748.00

Expense	Current		Change		Revised	
Salaries and Wages	\$	-	\$	-	\$	-
Benefits	\$	-	\$	-	\$	-
Training/Civic Affairs	\$	3,200.00	\$	-	\$	3,200.00
Communication/Utilities	\$	-	\$	-	\$	-
Materials/Supplies	\$	6,248.00	\$	-	\$	6,248.00
Contractual Services	\$	8,800.00	\$	-	\$	8,800.00
Equipment	\$	3,500.00	\$	-	\$	3,500.00
Grants/Fixed Charges	\$	-	\$	-	\$	-
Land and Structures	\$	-	\$	-	\$	-
Contingency	\$	-	\$	-	\$	-
Operating Transfer Charges	\$	-	\$	-	\$	-
Operating Transfer Credits	\$	-	\$	-	\$	-
Total	\$	21,748.00	\$	-	\$	21,748.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:

7/1/2024

Estimated Program Completion:

6/30/2025

The Local Match:

Found in (ORG):

Ordinance Passed:

Date Revised:

PROGRAM DESCRIPTION:

To provide for statewide public library services and to encourage proper standards regarding personnel, hours of operation, library materials, collections and interlibrary resource sharing.

6/11/2024

DEPARTMENT:

GRANT TITLE:

PROGRAM TITLE:

Community Services
FY2025 State Aid for Libraries
Newark Library

EXHIBIT:

Ordinance No. 24-101

"I"

Revenue	Current		Change		Revised	
Federal	\$	-	\$	-	\$	-
State	\$	30,353.00	\$	-	\$	30,353.00
County	\$	-	\$	-	\$	-
Program Income	\$	-	\$	-	\$	-
Other	\$	-	\$	-	\$	-
Total	\$	30,353.00	\$	-	\$	30,353.00

Expense	Current		Change		Revised	
Salaries and Wages	\$	-	\$	-	\$	-
Benefits	\$	-	\$	-	\$	-
Training/Civic Affairs	\$	4,500.00	\$	-	\$	4,500.00
Communication/Utilities	\$	-	\$	-	\$	-
Materials/Supplies	\$	11,853.00	\$	-	\$	11,853.00
Contractual Services	\$	13,000.00	\$	-	\$	13,000.00
Equipment	\$	500.00	\$	-	\$	500.00
Grants/Fixed Charges	\$	-	\$	-	\$	-
Land and Structures	\$	-	\$	-	\$	-
Contingency	\$	-	\$	-	\$	-
Operating Transfer Charges	\$	500.00	\$	-	\$	500.00
Operating Transfer Credits	\$	-	\$	-	\$	-
Total	\$	30,353.00	\$	-	\$	30,353.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:

7/1/2024

Estimated Program Completion:

6/30/2025

The Local Match:

Found in (ORG):

Ordinance Passed:

Date Revised:

PROGRAM DESCRIPTION:

To provide for statewide public library services and to encourage proper standards regarding personnel, hours of operation, library materials, collections and interlibrary resource sharing.

6/11/2024

DEPARTMENT:

GRANT TITLE:

PROGRAM TITLE:

Community Services

FY2025 State Aid for Libraries

Route 9 Library

EXHIBIT:

Ordinance No. 24-101

"J"

Revenue	Current		Change		Revised	
Federal	\$	-	\$	-	\$	-
State	\$	11,697.00	\$	-	\$	11,697.00
County	\$	-	\$	-	\$	-
Program Income	\$	-	\$	-	\$	-
Other	\$	-	\$	-	\$	-
Total	\$	11,697.00	\$	-	\$	11,697.00

Expense	Current		Change		Revised	
Salaries and Wages	\$	-	\$	-	\$	-
Benefits	\$	-	\$	-	\$	-
Training/Civic Affairs	\$	1,250.00	\$	-	\$	1,250.00
Communication/Utilities	\$	-	\$	-	\$	-
Materials/Supplies	\$	5,447.00	\$	-	\$	5,447.00
Contractual Services	\$	5,000.00	\$	-	\$	5,000.00
Equipment	\$	-	\$	-	\$	-
Grants/Fixed Charges	\$	-	\$	-	\$	-
Land and Structures	\$	-	\$	-	\$	-
Contingency	\$	-	\$	-	\$	-
Operating Transfer Charges	\$	-	\$	-	\$	-
Operating Transfer Credits	\$	-	\$	-	\$	-
Total	\$	11,697.00	\$	-	\$	11,697.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:

7/1/2024

Estimated Program Completion:

6/30/2025

The Local Match:

Found in (ORG):

Ordinance Passed:

Date Revised:

PROGRAM DESCRIPTION:

To provide for statewide public library services and to encourage proper standards regarding personnel, hours of operation, library materials, collections and interlibrary resource sharing.

6/11/2024

DEPARTMENT:

GRANT TITLE:

PROGRAM TITLE:

Community Services

FY2025 State Aid for Libraries

Woodlawn Library

EXHIBIT:

Ordinance No. 24-101

"K"

Revenue	Current		Change		Revised	
Federal	\$	-	\$	-	\$	-
State	\$	18,639.00	\$	-	\$	18,639.00
County	\$	-	\$	-	\$	-
Program Income	\$	-	\$	-	\$	-
Other	\$	-	\$	-	\$	-
Total	\$	18,639.00	\$	-	\$	18,639.00

Expense	Current		Change		Revised	
Salaries and Wages	\$	-	\$	-	\$	-
Benefits	\$	-	\$	-	\$	-
Training/Civic Affairs	\$	1,600.00	\$	-	\$	1,600.00
Communication/Utilities	\$	-	\$	-	\$	-
Materials/Supplies	\$	10,039.00	\$	-	\$	10,039.00
Contractual Services	\$	7,000.00	\$	-	\$	7,000.00
Equipment	\$	-	\$	-	\$	-
Grants/Fixed Charges	\$	-	\$	-	\$	-
Land and Structures	\$	-	\$	-	\$	-
Contingency	\$	-	\$	-	\$	-
Operating Transfer Charges	\$	-	\$	-	\$	-
Operating Transfer Credits	\$	-	\$	-	\$	-
Total	\$	18,639.00	\$	-	\$	18,639.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:

7/1/2024

Estimated Program Completion:

6/30/2025

The Local Match:

Found in (ORG):

Ordinance Passed:

Date Revised:

PROGRAM DESCRIPTION:

To provide for statewide public library services and to encourage proper standards regarding personnel, hours of operation, library materials, collections and interlibrary resource sharing.

6/11/2024

ORDINANCE NO. 24-102

**AMEND THE FY2025 APPROVED OPERATING BUDGET:
APPROPRIATE \$1,800,000 IN ROOM RENTAL FEES AND \$491,389 FROM THE
HOPE CENTER RESERVE (GENERAL FUND SUB-FUND) TO THE DEPARTMENT
OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND
HOUSING TO FUND HOPE CENTER OPERATIONS**

1 **WHEREAS**, the Department of Community Services hired Hersha Management
2 “the vendor” to provide property management and operational services for the Hope
3 Center in 2021; and
4

5 **WHEREAS**, the vendor has been receiving revenue and paying for the
6 operational costs from a checking account opened on behalf of New Castle County by
7 the vendor; and
8

9 **WHEREAS**, the revenue received and expended from the checking account
10 must be recorded in the County’s annual financial statements and the County’s financial
11 system; and
12

13 **WHEREAS**, appropriations in the amount of \$2,426,115 are necessary to record
14 the revenues and reflect the expenditures for the operations of the Hope Center for
15 FY2025 to comply with County Code; and
16

17 **WHEREAS**, funding in the amount of \$1,800,000 will come from room rental fees
18 and \$491,389 will come from the Hope Center Reserve (General Fund Sub-Fund); and
19

20 **WHEREAS**, the revenue measures heretofore adopted by the County Council,
21 are, in the opinion of the County Executive, estimated to yield sums at least sufficient to
22 balance the proposed expenditures as set forth in the Approved Annual Operating
23 Budget as hereinafter amended.
24

25 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
26

27 Section 1. The Annual Operating Budget for the fiscal year beginning July 1,
28 2024, is hereby amended by deleting the material stricken and adding the material
29 underscored on the attached “Exhibit A.”
30

31 Section 2. The foregoing amendment shall be considered a part of the Annual
32 Operating Budget for the fiscal year beginning July 1, 2024, and shall be effective
33 retroactively as though incorporated initially in the Annual Operating Budget.
34

35 Section 3. This Ordinance shall become effective immediately upon its adoption
36 by County Council and approval by the County Executive, or as otherwise provided in 9
37 *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, amends the FY2025 Approved Operating Budget by appropriating \$1,800,000 from room rental fees and \$491,389 from the Hope Center Reserve (General Fund Sub-Fund) to the Department of Community Services, Division of Community Development and Housing. These funds are needed to fund the operations at the Hope Center.

FISCAL NOTE: This Ordinance, if approved, will amend the FY2025 Approved Operating Budget by appropriating \$1,800,000 from room rental fees and \$491,389 from the Hope Center Reserve (General Fund Sub-Fund) to the Department of Community Services, Division of Community Development and Housing. These funds are needed to fund the operations at the Hope Center.

The revised FY2025 Approved Operating Budget will be \$344,719,297. Fiscal impact for future years will be determined on an as needed basis. The Hope Center Reserve (General Fund Sub-Fund) upon passage of this Ordinance will be \$982,496.

COUNTY COUNCIL

Salaries and Wages		\$	2,552,351
Benefits			1,493,866
Training and Civic Affairs			70,388
Communication and Utilities			17,483
Materials and Supplies			62,776
Contractual Services			256,588
Equipment			1,600
Grants and Fixed Charges			440,233
Operating Transfer Charges			175,627
Total		\$	5,070,912
Total Authorized Full-Time Positions	35		

COUNTY EXECUTIVE

Salaries and Wages		\$	2,033,684
Benefits			1,190,296
Training and Civic Affairs			31,904
Communication and Utilities			16,798
Materials and Supplies			22,236
Contractual Services			148,565
Equipment			1,000
Grants and Fixed Charges			43,000
Contingency			55,000
Operating Transfer Charges			105,264
Total		\$	3,647,747
Total Authorized Full-Time Positions	17		

DEPARTMENT OF ADMINISTRATION

Salaries and Wages		\$	12,986,061
Benefits			7,506,461
Training and Civic Affairs			132,825
Communication and Utilities			8,258,220
Materials and Supplies			162,673
Contractual Services			6,855,976
Equipment			392,900
Grants and Fixed Charges			3,932,350
Operating Transfer Charges			1,142,324
Operating Transfer Credits			(12,812,422)
Total		\$	28,557,368
Total Authorized Full-Time Positions	168		

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages		\$	27,135,440
Benefits			15,765,968
Training and Civic Affairs			45,445
Communication and Utilities			26,068,271
Materials and Supplies			4,565,701
Contractual Services			10,843,698
Equipment			483,333
Grants and Fixed Charges			1,192,757
Land and Structures			35,000
Operating Transfer Charges			4,574,405
Operating Transfer Credits			(7,722,122)
Total		\$	82,987,896
Total Authorized Full-Time Positions	389		

DEPARTMENT OF LAND USE

Salaries and Wages		\$	8,156,971
Benefits			4,742,077
Training and Civic Affairs			66,975
Communication and Utilities			111,242
Materials and Supplies			101,727
Contractual Services			1,447,909
Equipment			44,940
Grants and Fixed Charges			56,500
Operating Transfer Charges			1,061,595
Total		\$	15,789,936
Total Authorized Full-Time Positions	112		

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages		\$	12,519,168
Benefits			5,565,327
Training and Civic Affairs	18,560		28,560
Communication and Utilities	1,069,498		1,569,498
Materials and Supplies	1,429,039		1,679,039
Contractual Services	2,214,606		3,551,695
Equipment	18,900		28,900
Grants and Fixed Charges			3,235,149
Contingency	0		184,300
Operating Transfer Charges			1,175,272
Operating Transfer Credits			(225,977)
Total	27,019,542	\$	<u>29,310,931</u>
Total Authorized Full-Time Positions	162		

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages		\$	71,332,068
Benefits			40,954,368
Training and Civic Affairs			206,456
Communication and Utilities			1,008,304
Materials and Supplies			1,069,526
Contractual Services			2,251,228
Equipment			1,660,283
Grants and Fixed Charges			7,278,357
Operating Transfer Charges			7,843,655
Total		\$	133,604,245
Total Authorized Full-Time Positions	728		

REGISTER OF WILLS

Salaries and Wages		\$	1,159,211
Benefits			660,186
Training and Civic Affairs			34,950
Communication and Utilities			12,209
Materials and Supplies			10,053
Contractual Services			62,715
Equipment			2,800
Operating Transfer Charges			82,214
Total		\$	2,024,338
Total Authorized Full-Time Positions	20		

RECORDER OF DEEDS

Salaries and Wages		\$	1,256,525
Benefits			723,402
Training and Civic Affairs			40,170
Communication and Utilities			33,689
Materials and Supplies			12,398
Contractual Services			82,718
Equipment			6,150
Grants and Fixed Charges			18,350
Operating Transfer Charges			162,265
Total		\$	2,335,667
Total Authorized Full-Time Positions	23		

SHERIFF

Salaries and Wages		\$	1,380,772
Benefits			804,406
Training and Civic Affairs			29,452
Communication and Utilities			14,993
Materials and Supplies			21,259
Contractual Services			55,999
Equipment			5,000
Operating Transfer Charges			142,020
Total		\$	2,453,901
Total Authorized Full-Time Positions	21		

CLERK OF THE PEACE

Salaries and Wages		\$	483,477
Benefits			282,975
Training and Civic Affairs			9,600
Communication and Utilities			5,484
Materials and Supplies			8,754
Contractual Services			18,268
Equipment Replacement			6,000
Operating Transfer Charges			30,824
Total		\$	845,382
Total Authorized Full-Time Positions	7		

DEBT SERVICE

Debt Service		\$	45,778,427
Total		\$	45,778,427
Total Authorized Full-Time Positions			

ETHICS COMMISSION

Salaries and Wages	\$	40,200
Benefits		4,181
Training and Civic Affairs		10,500
Communication and Utilities		1,898
Materials and Supplies		2,450
Contractual Services		235,747
Equipment		500
Operating Transfer Charges		6,360
Total	\$	301,836
Total Authorized Full-Time Positions	0	

COUNCIL CONTINGENCY

Contingency	\$	250,000
Total	\$	250,000
Total Authorized Full-Time Positions		

EXECUTIVE CONTINGENCY

Contingency	\$	600,000
Total	\$	600,000
Total Authorized Full-Time Positions		

PERSONNEL CONTINGENCY

Contingency	\$	455,000
Total	\$	455,000
Total Authorized Full-Time Positions		

ATTRITION CONTINGENCY

Personal Services - Salaries and Wages	\$	(6,164,693)
Personal Services - Employee Benefits	\$	(3,608,135)
Total	\$	(9,772,828)
Total Authorized Full-Time Positions		

ONE-TIME CONTINGENCY

Contingency	\$	478,539
Total	\$	478,539

NEW CASTLE COUNTY

Salaries and Wages		\$	134,871,235
Benefits			76,085,378
Training and Civic Affairs	697,225		<u>707,225</u>
Communication and Utilities	36,618,089		<u>37,118,089</u>
Materials and Supplies	7,468,592		<u>7,718,592</u>
Contractual Services	24,474,017		<u>25,811,106</u>
Equipment	2,623,406		<u>2,633,406</u>
Grants and Fixed Charges			16,196,696
Debt Service			45,778,427
Land and Structures			35,000
Contingency	1,838,539		<u>2,022,839</u>
Operating Transfer Charges			16,501,825
Operating Transfer Credits			(20,760,521)
Sub-Total New Castle County	342,427,908	\$	<u>344,719,297</u>
Total Authorized Full-Time Positions	1,682		

RESERVE ACCOUNTS ANTICIPATED BALANCES AS OF JUNE 30, 2024

Tax Stabilization Reserve Account	63,193,549
Sewer Rate Stabilization Reserve Account	7,482,353
General Fund Budget Reserve Account	44,592,418
Sewer Fund Budget Reserve Account	18,872,304
Total Reserves:	134,140,624

Prime Sponsor(s): Mr. Hollins, Mr. Street,
Mr. Smiley
Requested by: County Council
Date of introduction: June 11, 2024

ORDINANCE NO. 24-103

**AMEND THE FY2025 APPROVED OPERATING BUDGET:
APPROPRIATE FUNDING FROM THE GRANTS AND FIXED CHARGES BUDGET LINE
ITEM OF COUNTY COUNCIL TO THE DEPARTMENT OF COMMUNITY SERVICES,
DIVISION OF COMMUNITY RESOURCES FOR YOUTH EMPLOYMENT**

1 **WHEREAS**, New Castle County Council received funds from the State of Delaware
2 Department of Labor – Delaware Workforce Investment Board to fund the New Castle County
3 Youth Employment Program; and
4

5 **WHEREAS**, the New Castle County Youth Employment Program provides employment
6 experiences for youths between the ages of 14 and 20 that will promote responsibility, teamwork
7 and work ethic; and
8

9 **WHEREAS**, New Castle County Council has determined that there will be unspent
10 funding available in the Grants and Fixed Charges Budget Line Item in FY2025; and
11

12 **WHEREAS**, New Castle County Council would like to contribute \$100,000 from their
13 Grants and Fixed Charges Budget Line Item within the FY2024 Approved Operating Budget to
14 the Department of Community Services, Division of Community Resources Salaries and Wages
15 and Benefits Budget Line Items for the New Castle County Youth Employment Program; and
16

17 **WHEREAS**, the revenue measures heretofore adopted by the County Council are, in the
18 opinion of the County Executive, estimated to yield sums at least sufficient to balance the
19 proposed expenditures as set forth in the Annual Operating Budget as hereinafter amended.
20

21 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
22

23 Section 1. The Annual Operating Budget Ordinance for the fiscal year beginning July
24 1, 2024, is hereby amended by deleting the material bracketed and stricken and adding the
25 material underscored on the attached Exhibit "A."
26

27 Section 2. The foregoing amendment shall be considered a part of the Annual
28 Operating Budget for the fiscal year beginning July 1, 2024 and shall be effective as though
29 incorporated initially in the Annual Operating Budget Ordinance.
30

31 Section 3. This Ordinance shall become effective immediately upon its adoption by
32 County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C. §*
33 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 \$100,000 from the County Council – Grants and Fixed Charges Budget Line Item within the FY2025 Approved Operating Budget to the Department of Community Services, Division of Community Resources Salaries and Wages and Benefits Budget Line Items for the New Castle County Youth Employment Program.

FISCAL NOTE: This Ordinance, if approved, will appropriate \$100,000 from the County Council – Grants and Fixed Charges Budget Line Item within the FY2025 Approved Operating Budget to the Department of Community Services, Division of Community Resources Salaries and Wages and Benefits Budget Line Items for the New Castle County Youth Employment Program.

This legislation will reduce the FY2025 Approved Operating Budget for County Council by \$100,000 and increase the Department of Community Services by \$100,000. This legislation will result in no increase to the FY2025 Approved Operating Budget as the legislation is a transfer of funds between departments. There is no fiscal impact for FY2026 or FY2027.

COUNTY COUNCIL

Salaries and Wages		\$	2,552,351
Benefits			1,493,866
Training and Civic Affairs			70,388
Communication and Utilities			17,483
Materials and Supplies			62,776
Contractual Services			256,588
Equipment			1,600
Grants and Fixed Charges	440,233		<u>340,233</u>
Operating Transfer Charges			175,627
Total	5,070,912	\$	<u>4,970,912</u>
Total Authorized Full-Time Positions	35		

COUNTY EXECUTIVE

Salaries and Wages		\$	2,033,684
Benefits			1,190,296
Training and Civic Affairs			31,904
Communication and Utilities			16,798
Materials and Supplies			22,236
Contractual Services			148,565
Equipment			1,000
Grants and Fixed Charges			43,000
Contingency			55,000
Operating Transfer Charges			105,264
Total		\$	<u>3,647,747</u>
Total Authorized Full-Time Positions	17		

DEPARTMENT OF ADMINISTRATION

Salaries and Wages		\$	12,986,061
Benefits			7,506,461
Training and Civic Affairs			132,825
Communication and Utilities			8,258,220
Materials and Supplies			162,673
Contractual Services			6,855,976
Equipment			392,900
Grants and Fixed Charges			3,932,350
Operating Transfer Charges			1,142,324
Operating Transfer Credits			(12,812,422)
Total		\$	<u>28,557,368</u>
Total Authorized Full-Time Positions	168		

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages		\$	27,135,440
Benefits			15,765,968
Training and Civic Affairs			45,445
Communication and Utilities			26,068,271
Materials and Supplies			4,565,701
Contractual Services			10,843,698
Equipment			483,333
Grants and Fixed Charges			1,192,757
Land and Structures			35,000
Operating Transfer Charges			4,574,405
Operating Transfer Credits			(7,722,122)
Total		\$	82,987,896
Total Authorized Full-Time Positions	389		

DEPARTMENT OF LAND USE

Salaries and Wages		\$	8,156,971
Benefits			4,742,077
Training and Civic Affairs			66,975
Communication and Utilities			111,242
Materials and Supplies			101,727
Contractual Services			1,447,909
Equipment			44,940
Grants and Fixed Charges			56,500
Operating Transfer Charges			1,061,595
Total		\$	15,789,936
Total Authorized Full-Time Positions	112		

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages	12,519,168	\$	<u>12,609,748</u>
Benefits	5,565,327		<u>5,574,747</u>
Training and Civic Affairs			18,560
Communication and Utilities			1,069,498
Materials and Supplies			1,429,039
Contractual Services			2,214,606
Equipment			18,900
Grants and Fixed Charges			3,235,149
Contingency			0
Operating Transfer Charges			1,175,272
Operating Transfer Credits			(225,977)
Total	27,019,542	\$	<u>27,119,542</u>
Total Authorized Full-Time Positions	162		

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages	\$	71,332,068
Benefits		40,954,368
Training and Civic Affairs		206,456
Communication and Utilities		1,008,304
Materials and Supplies		1,069,526
Contractual Services		2,251,228
Equipment		1,660,283
Grants and Fixed Charges		7,278,357
Operating Transfer Charges		7,843,655
Total	\$	133,604,245
Total Authorized Full-Time Positions		728

REGISTER OF WILLS

Salaries and Wages	\$	1,159,211
Benefits		660,186
Training and Civic Affairs		34,950
Communication and Utilities		12,209
Materials and Supplies		10,053
Contractual Services		62,715
Equipment		2,800
Operating Transfer Charges		82,214
Total	\$	2,024,338
Total Authorized Full-Time Positions		20

RECORDER OF DEEDS

Salaries and Wages	\$	1,256,525
Benefits		723,402
Training and Civic Affairs		40,170
Communication and Utilities		33,689
Materials and Supplies		12,398
Contractual Services		82,718
Equipment		6,150
Grants and Fixed Charges		18,350
Operating Transfer Charges		162,265
Total	\$	2,335,667
Total Authorized Full-Time Positions		23

SHERIFF

Salaries and Wages	\$	1,380,772
Benefits		804,406
Training and Civic Affairs		29,452
Communication and Utilities		14,993
Materials and Supplies		21,259
Contractual Services		55,999
Equipment		5,000
Operating Transfer Charges		142,020
Total	\$	2,453,901
Total Authorized Full-Time Positions		21

CLERK OF THE PEACE

Salaries and Wages	\$	483,477
Benefits		282,975
Training and Civic Affairs		9,600
Communication and Utilities		5,484
Materials and Supplies		8,754
Contractual Services		18,268
Equipment Replacement		6,000
Operating Transfer Charges		30,824
Total	\$	845,382
Total Authorized Full-Time Positions		7

DEBT SERVICE

Debt Service	\$	45,778,427
Total	\$	45,778,427
Total Authorized Full-Time Positions		

ETHICS COMMISSION

Salaries and Wages	\$	40,200
Benefits		4,181
Training and Civic Affairs		10,500
Communication and Utilities		1,898
Materials and Supplies		2,450
Contractual Services		235,747
Equipment		500
Operating Transfer Charges		6,360
Total	\$	301,836
Total Authorized Full-Time Positions		0

COUNCIL CONTINGENCY

Contingency	\$	250,000
Total	\$	250,000
Total Authorized Full-Time Positions		

EXECUTIVE CONTINGENCY

Contingency	\$	600,000
Total	\$	600,000
Total Authorized Full-Time Positions		

PERSONNEL CONTINGENCY

Contingency	\$	455,000
Total	\$	455,000
Total Authorized Full-Time Positions		

ATTRITION CONTINGENCY

Personal Services - Salaries and Wages	\$	(6,164,693)
Personal Services - Employee Benefits	\$	(3,608,135)
Total	\$	(9,772,828)
Total Authorized Full-Time Positions		

ONE-TIME CONTINGENCY

Contingency	\$	478,539
Total	\$	478,539

NEW CASTLE COUNTY

Salaries and Wages	134,871,235	\$	<u>134,961,815</u>
Benefits	76,085,378		<u>76,094,798</u>
Training and Civic Affairs			697,225
Communication and Utilities			36,618,089
Materials and Supplies			7,468,592
Contractual Services			24,474,017
Equipment			2,623,406
Grants and Fixed Charges	16,196,696		<u>16,096,696</u>
Debt Service			45,778,427
Land and Structures			35,000
Contingency			1,838,539
Operating Transfer Charges			16,501,825
Operating Transfer Credits			(20,760,521)
<i>Sub-Total New Castle County</i>		\$	<u>342,427,908</u>
<i>Total Authorized Full-Time Positions</i>	<i>1,682</i>		

RESERVE ACCOUNTS ANTICIPATED BALANCES AS OF JUNE 30, 2024

Tax Stabilization Reserve Account	63,193,549
Sewer Rate Stabilization Reserve Account	7,482,353
General Fund Budget Reserve Account	44,592,418
Sewer Fund Budget Reserve Account	18,872,304
<i>Total Reserves:</i>	<u>134,140,624</u>

Prime Sponsor(s): Mr. Bell, Ms. Hartley-Nagle
Requested by: Public Safety
Date of introduction: June 11, 2024

ORDINANCE NO. 24-104

**AMEND THE GRANTS BUDGET:
APPROPRIATE \$83,000 IN PRIVATE FUNDING FROM THE PUBLIC SERVICE
ENTERPRISE GROUP (PSEG) NUCLEAR TO FUND THE OPERATIONS OF THE NEW
CASTLE COUNTY OFFICE OF EMERGENCY MANAGEMENT (OEM) FOR FY2025**

1 **WHEREAS**, the New Castle County Office of Emergency Management (OEM) is
2 expected to receive \$83,000 in private funding from the Public Service Enterprise Group
3 (PSEG) Nuclear; and
4

5 **WHEREAS**, the private funding will be used to fund the Office of Emergency
6 Management's operations for FY2025; and
7

8 **WHEREAS**, this funding supports the operations of the Office of Emergency
9 Management, including funding 2.50 full-time positions; and
10

11 **WHEREAS**, the County Executive has determined that grants anticipated to be
12 received from the Public Service Enterprise Group (PSEG) are sufficient to cover the
13 increase in the Grants Budget as hereinafter amended; and
14

15 **WHEREAS**, Council has determined that the provisions of this Ordinance
16 substantially advance, and are reasonably and rationally related to, legitimate government
17 interests (i.e., promoting the health, safety, morals, convenience, order, prosperity and/or
18 welfare of the present and future inhabitants of this State).
19

20 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
21

22 Section 1. The Grants Budget as adopted by Ordinance No. 75-173 is hereby
23 amended by adding the material on the attached Exhibit "A," which is considered to be
24 underscored in its entirety.
25

26 Section 2. The provisions in this Ordinance shall be effective July 1, 2024.
27

28 Section 3. This Ordinance shall become effective immediately upon its adoption by
29 County Council and approval by the County Executive, or as otherwise provided by 9 Del.
30 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 \$83,000 in private funding from the Public Service Enterprise Group (PSEG) Nuclear to fund the operations of the New Castle County Office of Emergency Management (OEM) for FY2025.

The funding will allow the New Castle County Office of Emergency Management (OEM) to continue to be operational in FY2025. OEM's major service goal is to assist New Castle County government, its agencies and the citizens of New Castle County, to prepare for, respond to and recover from major emergency events. Activities are coordinated with a variety of federal, state, and local government agencies, as well as private facilities.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$83,000 in private funding from the Public Service Enterprise Group (PSEG) Nuclear to fund the operations of the New Castle County Office of Emergency Management (OEM) for FY2025.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$83,000. This increase will affect FY2025 only since the targeted program completion date is June 30, 2025. There will be no fiscal impact beyond FY2025 as a result of this grant award. FY2024 funding was authorized in the amount of \$75,000.

DEPARTMENT:

Public Safety

EXHIBIT:

"A"

GRANT TITLE:

Emergency Management FY2025 PSEG

Ordinance No. 24-104

PROGRAM TITLE:

Emergency Management FY2025 PSEG

Revenue	Current		Change		Revised	
Federal	\$	-	\$	-	\$	-
State	\$	-	\$	-	\$	-
County	\$	-	\$	-	\$	-
Program Income	\$	-	\$	-	\$	-
Other	\$	83,000.00	\$	-	\$	83,000.00
Total	\$	83,000.00	\$	-	\$	83,000.00

Expense	Current		Change		Revised	
Salaries and Wages	\$	40,371.00	\$	-	\$	40,371.00
Benefits	\$	23,629.00	\$	-	\$	23,629.00
Training/Civic Affairs	\$	3,000.00	\$	-	\$	3,000.00
Communication/Utilities	\$	1,000.00	\$	-	\$	1,000.00
Materials/Supplies	\$	3,000.00	\$	-	\$	3,000.00
Contractual Services	\$	2,000.00	\$	-	\$	2,000.00
Equipment	\$	10,000.00	\$	-	\$	10,000.00
Grants/Fixed Charges	\$	-	\$	-	\$	-
Land and Structures	\$	-	\$	-	\$	-
Contingency	\$	-	\$	-	\$	-
Operating Transfer Charges	\$	-	\$	-	\$	-
Operating Transfer Credits	\$	-	\$	-	\$	-
Total	\$	83,000.00	\$	-	\$	83,000.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:

7/1/2024

Estimated Program Completion:

6/30/2025

The Local Match:

Found in (ORG):

Ordinance Passed:

Date Revised:

PROGRAM DESCRIPTION:

The major service goal of the Office of Emergency Management (OEM) is to assist New Castle County Government, it's support agencies and the public, to adequately prepare for, respond to, and recover from major emergency events by developing and maintaining planning and program efforts to address natural, manmade and technological disasters and emergencies. Activities are coordinated with a variety of federal, state and local government agencies as well as private facilities.

Prime Sponsor(s): Mr. Bell, Ms. Hartley-Nagle
Requested by: Public Safety
Date of introduction: June 11, 2024

ORDINANCE NO. 24-105

**AMEND THE GRANTS BUDGET:
APPROPRIATE \$83,600 IN FEDERAL FUNDING FROM THE DEPARTMENT OF
HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO
THE FY2025 HMGP HAZARD MITIGATION PLAN UPDATE GRANT**

1 **WHEREAS**, the New Castle County Office of Emergency Management (OEM) has
2 been awarded \$83,600 in federal funding from the Department of Homeland Security
3 Federal Emergency Management Agency (FEMA) for the FY2025 HMGP Hazard Mitigation
4 Plan Update Grant; and

5
6 **WHEREAS**, funding will be used to support the completion of the Hazard Mitigation
7 Plan; and

8
9 **WHEREAS**, the plan will be multi-jurisdictional and will include all New Castle
10 County municipalities; and

11
12 **WHEREAS**, the County Executive has determined that grants anticipated to be
13 received from the Department of Homeland Security Federal Emergency Management
14 Agency (FEMA) are sufficient to cover the increase in the Grants Budget as hereinafter
15 amended; and

16
17 **WHEREAS**, Council has determined that the provisions of this Ordinance
18 substantially advance, and are reasonably and rationally related to, legitimate government
19 interests (i.e., promoting the health, safety, morals, convenience, order, prosperity and/or
20 welfare of the present and future inhabitants of this State).

21
22 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**

23
24 Section 1. The Grants Budget as adopted by Ordinance No. 75-173 is hereby
25 amended by adding the material on the attached Exhibit "A" and Exhibit "B," which is
26 considered to be underscored in its entirety.

27
28 Section 2. This Ordinance shall become effective immediately upon its adoption by
29 County Council and approval by the County Executive, or as otherwise provided by 9 *Del.*
30 C. § 1156.

31
32 Section 3. It is the intent of the County Council that the provisions of this Ordinance
33 shall be effective retroactive to August 5, 2021.

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 \$83,600 in federal funding from the Department of Homeland Security Federal Emergency Management Agency (FEMA) to the FY2025 HMGP Hazard Mitigation Plan Update Grant to support the completion of the Hazard Mitigation Plan.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to August 5, 2021.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$83,600 in federal funding from the Department of Homeland Security Federal Emergency Management Agency (FEMA) to the FY2025 HMGP Hazard Mitigation Plan Update Grant.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$83,600. This increase will affect FY2024, FY2025 and FY2026 since the targeted program completion date is August 5, 2025. There will be no fiscal impact beyond FY2026 as a result of this grant award. The required local match of \$8,800 will be covered within the Department of Public Safety, Division of Emergency Management Approved Operating Budget.

DEPARTMENT:

Public Safety

EXHIBIT:

"A"

GRANT TITLE:

FY25 HMGP Hazard Mitigation Plan Update

Ordinance No. 24-105

PROGRAM TITLE:

FY25 HMGP Hazard Mitigation Plan Update

Revenue	Current		Change		Revised
Federal	\$	83,600.00	\$	-	\$ 83,600.00
State	\$	-	\$	-	\$ -
County	\$	-	\$	-	\$ -
Program Income	\$	-	\$	-	\$ -
Other	\$	-	\$	-	\$ -
Total	\$	83,600.00	\$	-	\$ 83,600.00

Expense	Current		Change		Revised
Salaries and Wages	\$	-	\$	-	\$ -
Benefits	\$	-	\$	-	\$ -
Training/Civic Affairs	\$	-	\$	-	\$ -
Communication/Utilities	\$	-	\$	-	\$ -
Materials/Supplies	\$	-	\$	-	\$ -
Contractual Services	\$	79,200.00	\$	-	\$ 79,200.00
Equipment	\$	-	\$	-	\$ -
Grants/Fixed Charges	\$	4,400.00	\$	-	\$ 4,400.00
Land and Structures	\$	-	\$	-	\$ -
Contingency	\$	-	\$	-	\$ -
Operating Transfer Charges	\$	-	\$	-	\$ -
Operating Transfer Credits	\$	-	\$	-	\$ -
Total	\$	83,600.00	\$	-	\$ 83,600.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:

8/5/2021

Estimated Program Completion:

8/5/2025

The Local Match:

\$8,800

Found in (ORG):

10200601

Ordinance Passed:

Date Revised:

PROGRAM DESCRIPTION:

New Castle County Department of Public Safety will use this pass-through grant funding to support the completion of the Hazard Mitigation Plan. The plan will be multi-jurisdictional and will include all New Castle County municipalities.

ORDINANCE NO. 24-106

AMEND THE GRANTS BUDGET:

APPROPRIATE \$26,785.00 FROM THE STATE OF DELAWARE, DEPARTMENT OF JUSTICE – SPECIAL LAW ENFORCEMENT ASSISTANCE FUND (SLEAF) TO THE SLEAF AUTO LICENSE PLATE READERS GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE

1 **WHEREAS**, funding has been awarded from the State of Delaware, Department of
2 Justice-Special Law Enforcement Assistance Fund (SLEAF), to the New Castle County
3 Department of Public Safety SLEAF Auto License Plate Readers Grant; and
4

5 **WHEREAS**, this funding will be used by the New Castle County Department of
6 Public Safety, Division of Police for the purchase of Automatic License Plate Readers to
7 be used by the Special Investigation Squad; and
8

9 **WHEREAS**, the County Executive has determined that funds received are
10 sufficient to cover the increase in the Grants Budget as hereinafter amended; and
11

12 **WHEREAS**, Council has determined that the provisions of this Ordinance
13 substantially advance, and are reasonably and rationally related to, legitimate
14 government interests (i.e., promoting the health, safety, morals, convenience, order
15 prosperity and/or welfare of the present and future inhabitants of this State).
16

17 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
18

19 Section 1. The Grants Budget, as adopted by Ordinance No. 75-173, is hereby
20 amended by adding the material on the attached “Exhibit A,” which is considered to be
21 underscored in its entirety.
22

23 Section 2. This Ordinance shall become effective immediately upon its adoption
24 by County Council and approval by the County Executive, or as otherwise provided by 9
25 *Del. C. § 1156*.
26

27 Section 3. It is the intent of the County Council that the provisions of this
28 Ordinance shall be effective retroactive to March 12, 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 \$26,785.00 from the State of Delaware, Department of Justice-Special Law Enforcement Assistance Fund (SLEAF) to the SLEAF Auto License Plate Readers Grant. These funds will be used by the New Castle County Department of Public Safety, Division of Police for the purchase of Automatic License Plate Readers to be used by the Special Investigation Squad.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to March 12, 2024.

FISCAL NOTE: This Ordinance, if approved, will appropriate \$26,785.00 from the State of Delaware, Department of Justice-Special Law Enforcement Assistance Fund (SLEAF) to the SLEAF Auto License Plate Readers Grant.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$26,785.00. 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:

SLEAF Auto License Plate Readers

Ordinance No. 24-106

PROGRAM TITLE:

SLEAF Auto License Plate Readers

Revenue	Current		Change		Revised	
Federal	\$	-	\$	-	\$	-
State	\$	26,785.00	\$	-	\$	26,785.00
County	\$	-	\$	-	\$	-
Program Income	\$	-	\$	-	\$	-
Other	\$	-	\$	-	\$	-
Total	\$	26,785.00	\$	-	\$	26,785.00

Expense	Current		Change		Revised	
Salaries and Wages	\$	-	\$	-	\$	-
Benefits	\$	-	\$	-	\$	-
Training/Civic Affairs	\$	-	\$	-	\$	-
Communication/Utilities	\$	-	\$	-	\$	-
Materials/Supplies	\$	-	\$	-	\$	-
Contractual Services	\$	-	\$	-	\$	-
Equipment	\$	26,785.00	\$	-	\$	26,785.00
Grants/Fixed Charges	\$	-	\$	-	\$	-
Land and Structures	\$	-	\$	-	\$	-
Contingency	\$	-	\$	-	\$	-
Operating Transfer Charges	\$	-	\$	-	\$	-
Operating Transfer Credits	\$	-	\$	-	\$	-
Total	\$	26,785.00	\$	-	\$	26,785.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:

3/12/2024

Estimated Program Completion:

6/30/2024

The Local Match:

Found in (ORG):

Ordinance Passed:

Date Revised:

PROGRAM DESCRIPTION:

Funds will allow for the purchase of Automatic License Plate Readers to be used by the Special Investigation Squad.

6/11/2024

Prime Sponsor(s): Mr. Bell, Ms. Hartley-Nagle
Requested by: Public Safety
Date of introduction: June 11, 2024

ORDINANCE NO. 24-107

AMEND THE GRANTS BUDGET:

APPROPRIATE \$76,000 OF FEDERAL FUNDS FROM THE UNITED STATES DEPARTMENT OF JUSTICE VICTIMS OF CRIME ACT (VOCA) VICTIM ASSISTANCE PROGRAM THROUGH THE DELAWARE CRIMINAL JUSTICE COUNCIL (CJC) TO THE CRIMINAL JUSTICE COUNCIL NEW CASTLE COUNTY POLICE DEPARTMENT EXPANSION OF VICTIM SERVICES – EIGHTH YEAR GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE

WHEREAS, federal funding in the amount of \$76,000 has been awarded and will be passed through the Delaware Criminal Justice Council to the CJC New Castle County Police Department Expansion of Victims Services – 8th Year Grant; and

WHEREAS, the funding will be used for the continued support of the Division's service to victims of crime within New Castle County by allowing continued funding of Victim's Assistance Officers and the ability to provide adequate services to crime victims; 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" and "Exhibit B," 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 April 1, 2024.

Adopted by County Council of
New Castle County on:

Hartley-Nagle

Karen
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate \$76,000 in federal funding from the United States Department of Justice Victims of Crime Act (VOCA) Victim Assistance Grant Program through the Delaware Criminal Justice Council (CJC) to the CJC New Castle County Police Department Expansion of Victims Services 8th Year Grant.

Funds will be used to continue support of the Department's service to victims of crime within New Castle County. Previous funding was used to hire two additional temporary grant funded Victims Assistance Officers and temporarily promote a current Victims Assistance Officer with a grant funded five percent pay raise. Funds were also used to support outreach materials, training and cost of cell phones for five advocates and direct victim assistance when needed. The new funds will provide a seventh year of funding with the same purpose, including a ten percent promotional difference for the supervisor of the unit.

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

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$76,000 of federal funds passed through the Delaware Criminal Justice Council to the CJC New Castle County Police Department Expansion of Victims Services 8th Year Grant.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$76,000. This increase will affect FY2024 and FY2025 since the targeted program completion date is March 31, 2025. FY2024 funding was authorized in the amount of \$76,000.

DEPARTMENT:

Public Safety

EXHIBIT:

"A"

GRANT TITLE:

Victims Services - 8th Year - Federal

Ordinance No. 24-107

PROGRAM TITLE:

Victims Services - 8th Year - Federal

Revenue	Current		Change		Revised
Federal	\$	76,000.00	\$	-	\$ 76,000.00
State	\$	-	\$	-	\$ -
County	\$	-	\$	-	\$ -
Program Income	\$	-	\$	-	\$ -
Other	\$	-	\$	-	\$ -
Total	\$	76,000.00	\$	-	\$ 76,000.00

Expense	Current		Change		Revised
Salaries and Wages	\$	47,852.31	\$	-	\$ 47,852.31
Benefits	\$	28,147.69	\$	-	\$ 28,147.69
Training/Civic Affairs	\$	-	\$	-	\$ -
Communication/Utilities	\$	-	\$	-	\$ -
Materials/Supplies	\$	-	\$	-	\$ -
Contractual Services	\$	-	\$	-	\$ -
Equipment	\$	-	\$	-	\$ -
Grants/Fixed Charges	\$	-	\$	-	\$ -
Land and Structures	\$	-	\$	-	\$ -
Contingency	\$	-	\$	-	\$ -
Operating Transfer Charges	\$	-	\$	-	\$ -
Operating Transfer Credits	\$	-	\$	-	\$ -
Total	\$	76,000.00	\$	-	\$ 76,000.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:

4/1/2024

Estimated Program Completion:

3/31/2025

The Local Match:

Found in (ORG):

Ordinance Passed:

Date Revised:

PROGRAM DESCRIPTION:

Funds will be used to continue support of the Department's service to victims of crime within New Castle County. Previous funding was used to hire two additional temporary grant funded Victims Assistance Officers and temporarily promote a current Victims Assistance Officer with a grant funded five percent pay raise. Funds were also used to support outreach materials, training and cost of cell phones for five advocates and direct victim assistance when needed. The new funds will provide an eighth year of funding to support the salary and benefits, including a ten percent promotional difference for the supervisor of the unit.

6/11/2024

SUBSTITUTE NO. 1 TO ORDINANCE NO. 24-108

**AMEND THE FY2024 APPROVED OPERATING BUDGET:
TRANSFER FUNDS FROM THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM
OF COUNTY COUNCIL TO THE SOUTHERN REGIONAL PARK CAPITAL PROJECT FOR
ASSISTANCE IN CREATING A WORKING SPACE FOR MAINTENANCE OPERATIONS**

1 **WHEREAS**, County Council has budgeted funding available in the Grants and Fixed
2 Charges Budget Line Item; and
3

4 **WHEREAS**, County Council would like to contribute \$5,701 to the Southern Regional
5 Park Capital Project for assistance in creating a working space for maintenance operations by
6 providing the staff with an area to store equipment and materials at the maintenance space; and
7

8 **WHEREAS**, the revenue measures heretofore adopted by the County Council are, in the
9 opinion of the County Executive, estimated to yield sums at least sufficient to balance the
10 proposed expenditures as set forth in the Annual Operating Budget as hereinafter amended.
11

12 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
13

14 Section 1. The Annual Operating Budget for the fiscal year beginning July 1, 2023 is
15 hereby amended by deleting the material bracketed and stricken and adding the material
16 underscored on the attached Exhibit "A."
17

18 Section 2. The foregoing amendment shall be considered a part of the Annual Operating
19 Budget for the fiscal year beginning July 1, 2023 and shall be effective as though incorporated
20 initially in the Annual Operating Budget.
21

22 Section 3. This Ordinance shall become effective immediately upon its adoption by
23 County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* §
24 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 transfer \$5,701 from the County Council – Grants and Fixed Charges Budget Line Item within the FY2024 Approved Operating Budget and appropriate it to the Southern Regional Park Capital Project for assistance in creating a working space for maintenance operations by providing the staff with an area to store equipment and materials at the maintenance space. **Substitute No. 1 to Ordinance No. 23-109 must be passed by County Council to complete this transaction.**

Substitute No. 1 increases the appropriated amount by an additional \$201.

FISCAL NOTE: This Ordinance, if approved, will amend the FY2024 Approved Operating Budget by reducing the County Council – Grants and Fixed Charges Budget Line Item by \$5,701 and appropriating it to the Southern Regional Park Capital Project.

There will be no net fiscal impact if this Ordinance and its companion Ordinance are approved. The resulting effect will be the transfer of \$5,701 of FY2024 Approved Operating Budget spending authority to the Capital Budget. There is no fiscal impact beyond FY2024.

COUNTY COUNCIL

Salaries and Wages		\$	2,428,665
Benefits			1,428,590
Training and Civic Affairs			73,744
Communication and Utilities			19,649
Materials and Supplies			60,773
Contractual Services			236,621
Equipment			21,234
Grants and Fixed Charges	303,238		<u>297,537</u>
Operating Transfer Charges			162,419
Total	4,734,933	\$	<u>4,729,232</u>
Total Authorized Full-Time Positions	35		

COUNTY EXECUTIVE

Salaries and Wages		\$	1,777,524
Benefits			1,045,578
Training and Civic Affairs			33,904
Communication and Utilities			18,399
Materials and Supplies			15,535
Contractual Services			529,065
Equipment			1,000
Grants and Fixed Charges			1,140,000
Contingency			9,500
Operating Transfer Charges			82,016
Total		\$	<u>4,652,521</u>
Total Authorized Full-Time Positions	16		

DEPARTMENT OF ADMINISTRATION

Salaries and Wages		\$	12,188,612
Benefits			8,338,475
Training and Civic Affairs			127,675
Communication and Utilities			8,315,286
Materials and Supplies			146,505
Contractual Services			6,975,262
Equipment			380,184
Grants and Fixed Charges			3,925,350
Operating Transfer Charges			1,163,553
Operating Transfer Credits			(12,098,321)
Total		\$	<u>27,617,859</u>
Total Authorized Full-Time Positions	172		

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages	\$	24,597,539
Benefits		14,348,323
Training and Civic Affairs		52,527
Communication and Utilities		27,018,724
Materials and Supplies		4,991,480
Contractual Services		10,530,988
Equipment		475,133
Grants and Fixed Charges		1,193,757
Land and Structures		35,000
Operating Transfer Charges		4,845,206
Operating Transfer Credits		(7,438,785)
Total	\$	80,649,892
Total Authorized Full-Time Positions		384

DEPARTMENT OF LAND USE

Salaries and Wages	\$	8,375,178
Benefits		4,899,879
Training and Civic Affairs		60,415
Communication and Utilities		111,337
Materials and Supplies		98,807
Contractual Services		1,603,618
Equipment		53,790
Grants and Fixed Charges		56,500
Operating Transfer Charges		1,136,835
Operating Transfer Credits		(803,217)
Total	\$	15,593,142
Total Authorized Full-Time Positions		118

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages	\$	11,791,052
Benefits		5,322,217
Training and Civic Affairs		24,992
Communication and Utilities		1,227,576
Materials and Supplies		1,549,563
Contractual Services		4,320,871
Equipment		37,867
Grants and Fixed Charges		3,110,149
Operating Transfer Charges		1,224,037
Operating Transfer Credits		(190,829)
Total	\$	28,417,495
Total Authorized Full-Time Positions		160

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages	\$	67,203,955
Benefits		39,141,888
Training and Civic Affairs		180,641
Communication and Utilities		1,032,702
Materials and Supplies		1,060,547
Contractual Services		2,161,732
Equipment		1,470,572
Grants and Fixed Charges		6,791,770
Operating Transfer Charges		7,298,634
Total	\$	126,342,441
Total Authorized Full-Time Positions		711

REGISTER OF WILLS

Salaries and Wages	\$	1,111,172
Benefits		634,647
Training and Civic Affairs		40,275
Communication and Utilities		12,374
Materials and Supplies		9,925
Contractual Services		56,175
Equipment		4,143
Operating Transfer Charges		85,180
Total	\$	1,953,891
Total Authorized Full-Time Positions		20

RECORDER OF DEEDS

Salaries and Wages	\$	1,232,844
Benefits		712,707
Training and Civic Affairs		36,970
Communication and Utilities		30,977
Materials and Supplies		9,315
Contractual Services		97,001
Equipment		1,150
Grants and Fixed Charges		18,350
Operating Transfer Charges		148,002
Total	\$	2,287,316
Total Authorized Full-Time Positions		23

SHERIFF

Salaries and Wages	\$	1,260,692
Benefits		737,678
Training and Civic Affairs		29,452
Communication and Utilities		16,189
Materials and Supplies		21,259
Contractual Services		55,999
Equipment		5,000
Operating Transfer Charges		144,938
Total	\$	2,271,207
Total Authorized Full-Time Positions		21

CLERK OF THE PEACE

Salaries and Wages	\$	474,736
Benefits		279,250
Training and Civic Affairs		14,130
Communication and Utilities		5,168
Materials and Supplies		5,424
Contractual Services		30,043
Equipment Replacement		6,000
Operating Transfer Charges		31,776
Total	\$	846,527
Total Authorized Full-Time Positions		7

DEBT SERVICE

Debt Service	\$	45,540,069
Land and Structures		
Contingency		
Intragovernmental Service Charges		
Intragovernmental Service Credits		
Total	\$	45,540,069
Total Authorized Full-Time Positions		

ETHICS COMMISSION

Salaries and Wages	\$	38,000
Benefits		3,385
Training and Civic Affairs		10,500
Communication and Utilities		1,922
Materials and Supplies		2,450
Contractual Services		290,642
Equipment		500
Operating Transfer Charges		6,699
Total	\$	354,098
Total Authorized Full-Time Positions		0

COUNCIL CONTINGENCY

Contingency	\$	250,000
Total	\$	250,000
Total Authorized Full-Time Positions		

EXECUTIVE CONTINGENCY

Contingency	\$	0
Total	\$	0
Total Authorized Full-Time Positions		

PERSONNEL CONTINGENCY

Contingency	\$	455,000
Total	\$	455,000
Total Authorized Full-Time Positions		

ATTRITION CONTINGENCY

Personal Services - Salaries and Wages	\$	(4,293,340)
Personal Services - Employee Benefits	\$	(2,525,429)
Total	\$	(6,818,769)
Total Authorized Full-Time Positions		

ONE-TIME CONTINGENCY

Contingency	\$	1,139,722
Total	\$	1,139,722

NEW CASTLE COUNTY

Salaries and Wages		\$	128,186,629
Benefits			74,367,188
Training and Civic Affairs			685,225
Communication and Utilities			37,810,303
Materials and Supplies			7,971,583
Contractual Services			26,888,017
Equipment			2,456,573
Grants and Fixed Charges	16,539,114		<u>16,533,413</u>
Debt Service			45,540,069
Land and Structures			35,000
Contingency			1,854,222
Operating Transfer Charges			16,329,295
Operating Transfer Credits			(20,531,152)
<i>Sub-Total New Castle County</i>	<i>338,132,066</i>	\$	<u>338,126,365</u>
<i>Total Authorized Full-Time Positions</i>	<i>1,667</i>		

RESERVE ACCOUNTS AS OF MAY 14, 2024

Tax Stabilization Reserve Account (Unaudited)	72,059,107
Sewer Rate Stabilization Reserve Account (Unaudited)	6,261,142
General Fund Budget Reserve Account	44,592,418
Sewer Fund Budget Reserve Account	18,872,304
<i>Total Reserves:</i>	<u>141,784,971</u>

ORDINANCE NO. 24-108

**AMEND THE FY2024 APPROVED OPERATING BUDGET:
TRANSFER FUNDS FROM THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM
OF COUNTY COUNCIL TO THE SOUTHERN REGIONAL PARK CAPITAL PROJECT FOR
ASSISTANCE IN CREATING A WORKING SPACE FOR MAINTENANCE OPERATIONS**

1 **WHEREAS**, County Council has budgeted funding available in the Grants and Fixed
2 Charges Budget Line Item; and
3

4 **WHEREAS**, County Council would like to contribute \$5,500 to the Southern Regional
5 Park Capital Project for assistance in creating a working space for maintenance operations by
6 providing the staff with an area to store equipment and materials at the maintenance space;
7 and
8

9 **WHEREAS**, the revenue measures heretofore adopted by the County Council are, in
10 the opinion of the County Executive, estimated to yield sums at least sufficient to balance the
11 proposed expenditures as set forth in the Annual Operating Budget as hereinafter amended.
12

13 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
14

15 Section 1. The Annual Operating Budget for the fiscal year beginning July 1, 2023 is
16 hereby amended by deleting the material bracketed and stricken and adding the material
17 underscored on the attached Exhibit "A."
18

19 Section 2. The foregoing amendment shall be considered a part of the Annual
20 Operating Budget for the fiscal year beginning July 1, 2023 and shall be effective as though
21 incorporated initially in the Annual Operating Budget.
22

23 Section 3. This Ordinance shall become effective immediately upon its adoption by
24 County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* §
25 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 transfer \$5,500 from the County Council – Grants and Fixed Charges Budget Line Item within the FY2024 Approved Operating Budget and appropriate it to the Southern Regional Park Capital Project for assistance in creating a working space for maintenance operations by providing the staff with an area to store equipment and materials at the maintenance space. **Ordinance No. 23-109 must be passed by County Council to complete this transaction.**

FISCAL NOTE: This Ordinance, if approved, will amend the FY2024 Approved Operating Budget by reducing the County Council – Grants and Fixed Charges Budget Line Item by \$5,500 and appropriating it to the Southern Regional Park Capital Project.

There will be no net fiscal impact if this Ordinance and its companion Ordinance are approved. The resulting effect will be the transfer of \$5,500 of FY2024 Approved Operating Budget spending authority to the Capital Budget. There is no fiscal impact beyond FY2024.

COUNTY COUNCIL

Salaries and Wages		\$	2,428,665
Benefits			1,428,590
Training and Civic Affairs			73,744
Communication and Utilities			19,649
Materials and Supplies			60,773
Contractual Services			236,621
Equipment			21,234
Grants and Fixed Charges	303,238		<u>297,738</u>
Operating Transfer Charges			162,419
Total	4,734,933	\$	<u>4,729,433</u>
Total Authorized Full-Time Positions	35		

COUNTY EXECUTIVE

Salaries and Wages		\$	1,777,524
Benefits			1,045,578
Training and Civic Affairs			33,904
Communication and Utilities			18,399
Materials and Supplies			15,535
Contractual Services			529,065
Equipment			1,000
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Contingency			9,500
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Total		\$	<u>4,652,521</u>
Total Authorized Full-Time Positions	16		

DEPARTMENT OF ADMINISTRATION

Salaries and Wages		\$	12,188,612
Benefits			8,338,475
Training and Civic Affairs			127,675
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Operating Transfer Charges			1,163,553
Operating Transfer Credits			(12,098,321)
Total		\$	<u>27,617,859</u>
Total Authorized Full-Time Positions	172		

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages	\$	24,597,539
Benefits		14,348,323
Training and Civic Affairs		52,527
Communication and Utilities		27,018,724
Materials and Supplies		4,991,480
Contractual Services		10,530,988
Equipment		475,133
Grants and Fixed Charges		1,193,757
Land and Structures		35,000
Operating Transfer Charges		4,845,206
Operating Transfer Credits		(7,438,785)
Total	\$	80,649,892
Total Authorized Full-Time Positions		384

DEPARTMENT OF LAND USE

Salaries and Wages	\$	8,375,178
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Training and Civic Affairs		60,415
Communication and Utilities		111,337
Materials and Supplies		98,807
Contractual Services		1,603,618
Equipment		53,790
Grants and Fixed Charges		56,500
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Salaries and Wages	\$	11,791,052
Benefits		5,322,217
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Operating Transfer Charges		1,224,037
Operating Transfer Credits		(190,829)
Total	\$	28,417,495
Total Authorized Full-Time Positions		160

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages	\$	67,203,955
Benefits		39,141,888
Training and Civic Affairs		180,641
Communication and Utilities		1,032,702
Materials and Supplies		1,060,547
Contractual Services		2,161,732
Equipment		1,470,572
Grants and Fixed Charges		6,791,770
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Total	\$	126,342,441
Total Authorized Full-Time Positions		711

REGISTER OF WILLS

Salaries and Wages	\$	1,111,172
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Materials and Supplies		9,925
Contractual Services		56,175
Equipment		4,143
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Total	\$	1,953,891
Total Authorized Full-Time Positions		20

RECORDER OF DEEDS

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Salaries and Wages	\$	1,260,692
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Contractual Services		55,999
Equipment		5,000
Operating Transfer Charges		144,938
Total	\$	2,271,207
Total Authorized Full-Time Positions		21

CLERK OF THE PEACE

Salaries and Wages	\$	474,736
Benefits		279,250
Training and Civic Affairs		14,130
Communication and Utilities		5,168
Materials and Supplies		5,424
Contractual Services		30,043
Equipment Replacement		6,000
Operating Transfer Charges		31,776
Total	\$	846,527
Total Authorized Full-Time Positions		7

DEBT SERVICE

Debt Service	\$	45,540,069
Land and Structures		
Contingency		
Intragovernmental Service Charges		
Intragovernmental Service Credits		
Total	\$	45,540,069
Total Authorized Full-Time Positions		

ETHICS COMMISSION

Salaries and Wages	\$	38,000
Benefits		3,385
Training and Civic Affairs		10,500
Communication and Utilities		1,922
Materials and Supplies		2,450
Contractual Services		290,642
Equipment		500
Operating Transfer Charges		6,699
Total	\$	354,098
Total Authorized Full-Time Positions		0

COUNCIL CONTINGENCY

Contingency	\$	250,000
Total	\$	250,000
Total Authorized Full-Time Positions		

EXECUTIVE CONTINGENCY

Contingency	\$	0
Total	\$	0
Total Authorized Full-Time Positions		

PERSONNEL CONTINGENCY

Contingency	\$	455,000
Total	\$	455,000
Total Authorized Full-Time Positions		

ATTRITION CONTINGENCY

Personal Services - Salaries and Wages	\$	(4,293,340)
Personal Services - Employee Benefits	\$	(2,525,429)
Total	\$	(6,818,769)
Total Authorized Full-Time Positions		

ONE-TIME CONTINGENCY

Contingency	\$	1,139,722
Total	\$	1,139,722

NEW CASTLE COUNTY

Salaries and Wages		\$	128,186,629
Benefits			74,367,188
Training and Civic Affairs			685,225
Communication and Utilities			37,810,303
Materials and Supplies			7,971,583
Contractual Services			26,888,017
Equipment			2,456,573
Grants and Fixed Charges	16,539,114		<u>16,533,614</u>
Debt Service			45,540,069
Land and Structures			35,000
Contingency			1,854,222
Operating Transfer Charges			16,329,295
Operating Transfer Credits			(20,531,152)
<i>Sub-Total New Castle County</i>	<i>338,132,066</i>	\$	<u>338,126,566</u>
<i>Total Authorized Full-Time Positions</i>	<i>1,667</i>		

RESERVE ACCOUNTS AS OF MAY 14, 2024

Tax Stabilization Reserve Account (Unaudited)	72,059,107
Sewer Rate Stabilization Reserve Account (Unaudited)	6,261,142
General Fund Budget Reserve Account	44,592,418
Sewer Fund Budget Reserve Account	18,872,304
<i>Total Reserves:</i>	<u>141,784,971</u>

TOTAL NEW CASTLE COUNTY WITH RESERVES

Salaries and Wages	\$	128,186,629
Benefits		74,367,188
Training and Civic Affairs		685,225
Communication and Utilities		37,810,303
Materials and Supplies		7,971,583
Contractual Services		26,888,017
Equipment		2,456,573
Grants and Fixed Charges		16,533,614
Debt Service		45,540,069
Land and Structures		35,000
Contingency		1,854,222
Reserves		141,784,971
Intragovernmental Service Charges		16,329,295
Intragovernmental Service Credits		(20,531,152)
<i>Total Operating Budget with Reserves:</i>	\$	<u>479,911,537</u>
<i>Total Authorized Full-Time Positions</i>	<i>1,667</i>	

SUBSTITUTE NO. 1 TO ORDINANCE NO. 24-109

**AMEND THE FY2024 CAPITAL PROGRAM AND BUDGET: APPROPRIATE FUNDING
FROM THE NEW CASTLE COUNTY COUNCIL FY2024 APPROVED OPERATING
BUDGET TO THE DEPARTMENT OF PUBLIC WORKS,
SOUTHERN REGIONAL PARK CAPITAL PROJECT**

1 **WHEREAS**, New Castle County has determined there will be unspent funding
2 available in the Grants and Fixed Charges Budget Line Item at the end of FY2024; and
3

4 **WHEREAS**, New Castle County Council wishes to amend the FY2024 Capital
5 Budget by providing \$5,701 to the Department of Public Works, Southern Regional Park
6 Capital Project for assistance in creating a working space for maintenance operations; and
7

8 **WHEREAS**, the working space will provide the staff with an area to store equipment
9 and materials at the maintenance space.
10

11 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
12

13 Section 1. The Capital Budget Ordinance for the fiscal year beginning July 1, 2023
14 is hereby amended by deleting the material that is stricken and adding the material that is
15 underscored on the attached Exhibit "A."
16

17 Section 2. The Capital Program Resolution for the fiscal year beginning July 1, 2023
18 is hereby amended by deleting the material stricken and adding the material underscored
19 on the attached Exhibit "B."
20

21 Section 3. Funding in the amount of \$5,701 from the New Castle County Council
22 FY2024 Approved Operating Budget is appropriated to the Department of Public Works,
23 Southern Regional Park Capital Project, for assistance in creating a working space for
24 maintenance operations.
25

26 Section 3. This Ordinance shall become effective immediately upon its adoption by
27 County Council and approval by the County Executive, or as otherwise provided in 9 Del.
28 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 \$5,701 from the New Castle County Council FY2024 Approved Operating Budget to the Department of Public Works, Southern Regional Park Capital Project for assistance in creating a working space for maintenance operations. **Substitute No. 1 to Ordinance No. 24-108 must be passed by County Council to complete this transaction.**

Substitute No. 1 increases the appropriated amount by an additional \$201.

FISCAL NOTE: This Ordinance, if approved, will amend the FY2024 Capital Budget by appropriating \$5,701 from the New Castle County Council FY2024 Approved Operating Budget to the Department of Public Works, Southern Regional Park Capital for assistance in creating a working space for maintenance operations.

The revised FY2024 Capital Budget amount for the Southern Regional Park Capital Project will be \$5,701.

The revised FY2024 New Castle County Capital Budget grand total will be \$70,651,913.

The appropriation of funding from the New Castle County Council FY2024 Approved Operating Budget is within the adopted Key Financial Policies.

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2024

Sub 1 to 24-109

DEPARTMENT OF ADMINISTRATION

Human Resources Scanning	\$	135,800
Land Use Information System		3,000,000
Recorder of Deeds HOA Portal		129,000
Register of Wills System		250,000
Subtotal	\$	3,514,800

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		2,350,000
Public Safety Building Renovations		300,000
Public Safety Equipment		291,000
Public Safety Vest Protection Program		201,840
Subtotal	\$	6,087,988

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

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2024

Sub 1 to 24-109

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
<u>Southern Regional Park</u>	<u> </u>		<u>5,701</u>
Weiss Park Improvements			<u>700,000</u>
Subtotal	<u>18,166,120</u>	\$	<u>18,171,821</u>

Sewer/Stormwater

Asset Management		\$	100,000
Backwater Valve Improvement			50,000
Christina River Force Main			37,400,000
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
Richardson Park Pump Station Upgrade			(10,000,000)
Sewer Fleet Equipment 2022			(650,000)
Sewer Fleet Equipment 2024			2,162,169
Sewer Repairs and Rehabilitation 2024-2025			1,000,000
Southern Sewer Service Area			(32,966,984)
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			<u>2,800,000</u>
Subtotal		\$	8,484,372

CAPITAL BUDGET TOTAL

<u>70,646,212</u>	<u>\$</u>	<u>70,651,913</u>
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EXHIBIT B**PROJECT PROFILES
PUBLIC WORKS - PARKS (continued)**

Project Name (Number): Southern Regional Park (C300336)					
Description: Development of a southern regional park.				Council Districts: 6, 12	
Funding Schedule					
	Bonds	Federal	State	Other	Total
Prior Authorizations	\$ 7,490,025	\$ -	\$ -	\$ 1,709,975	\$ 9,200,000
FY2024	(500,000)	-	-	500,000	
				505,701	5,701
FY2025	-	-	-	-	-
FY2026	1,000,000	-	-	-	1,000,000
FY2027	500,000	-	-	-	500,000
FY2028	500,000	-	-	-	500,000
FY2029	500,000	-	-	-	500,000
Future Years	1,000,000	-	-	-	1,000,000
Total	\$ 10,490,025	\$ -	\$ -	\$ 2,209,975	\$ 12,700,000
				\$ 2,215,676	\$ 12,705,701
Available Authorizations:		\$ 1,876,356			
Available Funding:		\$ (4,473,769)			
Operating Budget Impact:		\$ (1,100)			

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

FY2024 Activity:

Complete construction of a park in southern New Castle County. Create a work space for maintenance operations by providing the staff with an area to store equipment and materials at the maintenance space.

Future Activity:

Complete Phase II of a park in southern New Castle County.

ORDINANCE NO. 24-109

**AMEND THE FY2024 CAPITAL PROGRAM AND BUDGET: APPROPRIATE FUNDING
FROM THE NEW CASTLE COUNTY COUNCIL FY2024 APPROVED OPERATING
BUDGET TO THE DEPARTMENT OF PUBLIC WORKS,
SOUTHERN REGIONAL PARK CAPITAL PROJECT**

1 **WHEREAS**, New Castle County has determined there will be unspent funding
2 available in the Grants and Fixed Charges Budget Line Item at the end of FY2024; and
3

4 **WHEREAS**, New Castle County Council wishes to amend the FY2024 Capital
5 Budget by providing \$5,500 to the Department of Public Works, Southern Regional Park
6 Capital Project for assistance in creating a working space for maintenance operations; and
7

8 **WHEREAS**, the working space will provide the staff with an area to store equipment
9 and materials at the maintenance space.
10

11 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
12

13 Section 1. The Capital Budget Ordinance for the fiscal year beginning July 1, 2023
14 is hereby amended by deleting the material that is stricken and adding the material that is
15 underscored on the attached Exhibit "A."
16

17 Section 2. The Capital Program Resolution for the fiscal year beginning July 1, 2023
18 is hereby amended by deleting the material stricken and adding the material underscored
19 on the attached Exhibit "B."
20

21 Section 3. Funding in the amount of \$5,500 from the New Castle County Council
22 FY2024 Approved Operating Budget is appropriated to the Department of Public Works,
23 Southern Regional Park Capital Project, for assistance in creating a working space for
24 maintenance operations.
25

26 Section 3. This Ordinance shall become effective immediately upon its adoption by
27 County Council and approval by the County Executive, or as otherwise provided in 9 Del.
28 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 \$5,500 from the New Castle County Council FY2024 Approved Operating Budget to the Department of Public Works, Southern Regional Park Capital Project for assistance in creating a working space for maintenance operations. **Ordinance No. 24-108 must be passed by County Council to complete this transaction.**

FISCAL NOTE: This Ordinance, if approved, will amend the FY2024 Capital Budget by appropriating \$5,500 from the New Castle County Council FY2024 Approved Operating Budget to the Department of Public Works, Southern Regional Park Capital for assistance in creating a working space for maintenance operations.

The revised FY2024 Capital Budget amount for the Southern Regional Park Capital Project will be \$5,500.

The revised FY2024 New Castle County Capital Budget grand total will be \$70,651,712.

The appropriation of funding from the New Castle County Council FY2024 Approved Operating Budget is within the adopted Key Financial Policies.

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2024

24-109

DEPARTMENT OF ADMINISTRATION

Human Resources Scanning	\$	135,800
Land Use Information System		3,000,000
Recorder of Deeds HOA Portal		129,000
Register of Wills System		250,000
Subtotal	\$	3,514,800

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		2,350,000
Public Safety Building Renovations		300,000
Public Safety Equipment		291,000
Public Safety Vest Protection Program		201,840
Subtotal	\$	6,087,988

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

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2024

24-109

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
<u>Southern Regional Park</u>	<u> </u>		<u>5,500</u>
Weiss Park Improvements			<u>700,000</u>
Subtotal	<u>18,166,120</u>	\$	<u>18,171,620</u>

Sewer/Stormwater

Asset Management		\$	100,000
Backwater Valve Improvement			50,000
Christina River Force Main			37,400,000
Countywide Drainage			500,000
DeIDOT 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
Richardson Park Pump Station Upgrade			(10,000,000)
Sewer Fleet Equipment 2022			(650,000)
Sewer Fleet Equipment 2024			2,162,169
Sewer Repairs and Rehabilitation 2024-2025			1,000,000
Southern Sewer Service Area			(32,966,984)
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			<u>2,800,000</u>
Subtotal		\$	<u>8,484,372</u>

CAPITAL BUDGET TOTAL	<u>70,646,212</u>	\$	<u>70,651,712</u>
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EXHIBIT B**PROJECT PROFILES
PUBLIC WORKS - PARKS (continued)**

Project Name (Number): Southern Regional Park (C300336)					
Description: Development of a southern regional park.				Council Districts: 6, 12	
Funding Schedule					
	Bonds	Federal	State	Other	Total
Prior Authorizations	\$ 7,490,025	\$ -	\$ -	\$ 1,709,975	\$ 9,200,000
FY2024	(500,000)	-	-	500,000	
				505,500	5,500
FY2025	-	-	-	-	-
FY2026	1,000,000	-	-	-	1,000,000
FY2027	500,000	-	-	-	500,000
FY2028	500,000	-	-	-	500,000
FY2029	500,000	-	-	-	500,000
Future Years	1,000,000	-	-	-	1,000,000
Total	\$ 10,490,025	\$ -	\$ -	\$ 2,209,975	\$ 12,700,000
				\$ 2,215,475	\$ 12,705,500
Available Authorizations:		\$ 1,876,356			
Available Funding:		\$ (4,473,769)			
Operating Budget Impact:		\$ (1,100)			

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

FY2024 Activity:

Complete construction of a park in southern New Castle County. Create a work space for maintenance operations by providing the staff with an area to store equipment and materials at the maintenance space.

Future Activity:

Complete Phase II of a park in southern New Castle County.

ORDINANCE NO. 24-110

**AMEND THE GRANTS BUDGET:
APPROPRIATE \$100,000 FROM THE U.S. DEPARTMENT OF HEALTH AND
HUMAN SERVICES, SUBSTANCE ABUSE AND MENTAL HEALTH
SERVICES ADMINISTRATION THROUGH THE STATE OF DELAWARE,
DELAWARE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF
SUBSTANCE ABUSE AND MENTAL HEALTH TO THE WASTEWATER GRANT
DHSS 2024 FOR THE DEPARTMENT OF PUBLIC WORKS**

1 **WHEREAS**, funding has been awarded from the U.S. Department of Health and Human
2 Services, Substance Abuse and Mental Health Services Administration through the State of
3 Delaware, Department of Health and Social Services, Division of Substance Abuse and Mental
4 Health to the Wastewater Grant DHSS 2024 Grant; and

5
6 **WHEREAS**, funding shall be used to collect samples from the sanitary sewer system to
7 be analyzed and will be shared with the State of Delaware, Department of Health and Social
8 Services and the New Castle County Police Department to track known overdoses with high-
9 risk substance data to observe trends; and

10
11 **WHEREAS**, the County Executive has determined that funds received are sufficient
12 to cover the increase in the Grants Budget as hereinafter amended; and

13
14 **WHEREAS**, Council has determined that the provisions of this Ordinance
15 substantially advance, and are reasonably and rationally related to, legitimate government
16 interests (i.e., promoting the health, safety, morals, convenience, order prosperity and/or
17 welfare of the present and future inhabitants of this State).

18
19 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**

20
21 Section 1. The Grants Budget, as adopted by Ordinance No. 75-173, is hereby
22 amended by adding the material on the attached "Exhibit A," which is considered to be
23 underscored in its entirety.

24
25 Section 2. This Ordinance shall become effective immediately upon its adoption by
26 County Council and approval by the County Executive, or as otherwise provided by 9 *Del. C.* §
27 1156.

28
29 Section 3. It is the intent of the County Council that the provisions of this Ordinance
30 shall be effective retroactive to May 24, 2024.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate \$100,000 from the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration through the State of Delaware, Department of Health and Social Services, Division of Substance Abuse and Mental Health to the Wastewater Grant DHSS 2024 Grant. Funding shall be used to collect samples from the sanitary sewer system to be analyzed and will be shared with the State of Delaware, Department of Health and Social Services and the New Castle County Police Department to track known overdoses with high-risk substance data to observe trends.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to May 24, 2024.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$100,000 from the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration through the State of Delaware, Department of Health and Social Services, Division of Substance Abuse and Mental Health to the Wastewater Grant DHSS 2024 Grant.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$100,000. This increase will impact FY2024 and FY2025, since the targeted program completion date of this award is September 29, 2024.

DEPARTMENT:

Public Works

GRANT TITLE:

Wastewater Grant DHSS 2024

PROGRAM TITLE:

Wastewater Grant DHSS 2024

EXHIBIT:

"A"

Ordinance No. 24-110

Revenue	Current		Change		Revised	
Federal	\$	100,000.00	\$	-	\$	100,000.00
State	\$	-	\$	-	\$	-
County	\$	-	\$	-	\$	-
Program Income	\$	-	\$	-	\$	-
Other	\$	-	\$	-	\$	-
Total	\$	100,000.00	\$	-	\$	100,000.00

Expense	Current		Change		Revised	
Salaries and Wages	\$	-	\$	-	\$	-
Benefits	\$	-	\$	-	\$	-
Training/Civic Affairs	\$	-	\$	-	\$	-
Communication/Utilities	\$	-	\$	-	\$	-
Materials/Supplies	\$	-	\$	-	\$	-
Contractual Services	\$	100,000.00	\$	-	\$	100,000.00
Equipment	\$	-	\$	-	\$	-
Grants/Fixed Charges	\$	-	\$	-	\$	-
Land and Structures	\$	-	\$	-	\$	-
Contingency	\$	-	\$	-	\$	-
Operating Transfer Charges	\$	-	\$	-	\$	-
Operating Transfer Credits	\$	-	\$	-	\$	-
Total	\$	100,000.00	\$	-	\$	100,000.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:

5/24/2024

Estimated Program Completion:

9/29/2024

The Local Match:

Found in (ORG):

Ordinance Passed:

Date Revised:

PROGRAM DESCRIPTION:

New Castle County will collect samples from the sanitary sewer system. The samples will be analyzed and will be shared with the State of Delaware, Department of Health and Social Services and the New Castle County Police Department. New Castle County will track known overdoses with high-risk substance data to observe trends.

6/11/2024

ORDINANCE NO. 24-111

**TO APPROPRIATE \$190,000 IN THE GARSTIN TRUST
TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC WORKS**

1 **WHEREAS**, Geoffrey Smith Garstin was a prominent and successful employee of the
2 Dupont Company; and

3
4 **WHEREAS**, Mr. Garstin and his wife, Ann Nields Garstin, were civic-minded citizens
5 especially devoted to the parks of New Castle County; and

6
7 **WHEREAS**, Mr. and Mrs. Garstin established in their wills a residuary trust, a portion of
8 which was to be given to New Castle County free from trust as a memorial to Mr. and Mrs.
9 Garstin, with the income from this endowment to be used for the care, maintenance, and upkeep
10 of parks under New Castle County jurisdiction; and

11
12 **WHEREAS**, the Garstin Trust portfolio has a balance of \$3,563,149.08 as of April 30,
13 2024; and

14
15 **WHEREAS**, Council has determined that the provisions of this Ordinance substantially
16 advance, and are reasonably and rationally related to, legitimate government interests (i.e.,
17 promoting the health, safety, morals, convenience, order prosperity and/or welfare of the present
18 and future inhabitants of this State).

19
20 **WHEREAS**, each contract or purchase order funded through this Garstin Trust
21 appropriation will be submitted on a Resolution for Council's consideration as required by *New*
22 *Castle County Code* § 2.02.004.

23
24 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**

25
26 Section 1. To promote park maintenance within New Castle County, \$190,000 in the
27 Garstin Trust Fund is hereby appropriated to be administered by the Department of Public
28 Works.

29
30 Section 2. This Ordinance shall become effective immediately upon its adoption by
31 County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* §
32 1156.

33
34 Section 3. The provisions of this Ordinance shall become effective on July 1, 2024.
35

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 \$190,000 from the Garstin Trust portfolio to the Garstin Trust Fund to fund park maintenance for Fiscal Year 2025, to be administered by the Department of Public Works. The provisions in this Ordinance shall become effective July 1, 2024.

FISCAL NOTE: This Ordinance, if approved, will appropriate \$190,000 from the Garstin Trust portfolio to the Garstin Trust Fund to fund park maintenance for Fiscal Year 2025. There is no discernible impact to the Operating Budget since this is an appropriation in the Garstin Trust Fund. The intent is to appropriate funds as follows:

Increase Materials and Supplies	70,000
Increase Contractual Services	120,000
TOTAL	\$190,000

ORDINANCE NO. 24-023

**COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING
MAPS IN COUNTY COUNCIL DISTRICT 1 REGARDING THE FOLLOWING
TAX PARCELS: WHITE CLAY CREEK HUNDRED: 09-011.00-070 (606 Stanton
Christiana Rd), 09-030.30-091 (2008 Point Hamlet Rd, Christiana Village)**

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

5
6 **WHEREAS**, the Future Land Use Element and Map Series of the New Castle
7 County Comprehensive Plan designates proposed future general distribution, location
8 and extent of the uses of land consistent with goals, policies and measurable objectives
9 enumerated in the Plan; and

10
11 **WHEREAS**, the New Castle County Comprehensive Plan guides and encourages
12 sustainable economic development sensitive to the context of neighboring residential
13 developments; and

14
15 **WHEREAS**, the New Castle County Comprehensive Plan guides and encourages
16 preservation efforts to best protect important ecological habitats; and

17
18 **WHEREAS**, 9 Del. C. § 2660 requires New Castle County to amend its official
19 zoning map within eighteen months of the date of adoption of a revision to the county
20 comprehensive plan "to rezone all lands in accordance with the uses and intensities of
21 uses provided for in the future land use element for the County"; and

22
23 **WHEREAS**, Ordinance No. 23-083 was introduced on June 13, 2023, to amend
24 the official zoning map in accordance with the uses and intensities of uses provided for in
25 the future land use element of the New Castle County Comprehensive Plan; and

26
27 **WHEREAS**, the County can foster more informed participation by the public,
28 including increased opportunities for review, by amending the zoning map in smaller
29 portions, such as by Councilmanic District; and

30 **WHEREAS**, this County-initiated rezoning is intended to guide and control future
31 growth consistent with the spirit and intent of the Comprehensive Development Plan as
32 provided by State law; and

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

37
38 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
39

40 Section 1. The Zoning Maps of White Clay Creek Hundred are hereby amended
41 by changing the zoning classification of the land shown on attached Exhibit "A", Maps 1-
42 2 dated February 4, 2024, as set forth therein.
43

44 Section 2. This Ordinance shall become effective immediately upon passage by
45 New Castle County Council and approval of the County Executive, or as otherwise
46 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:

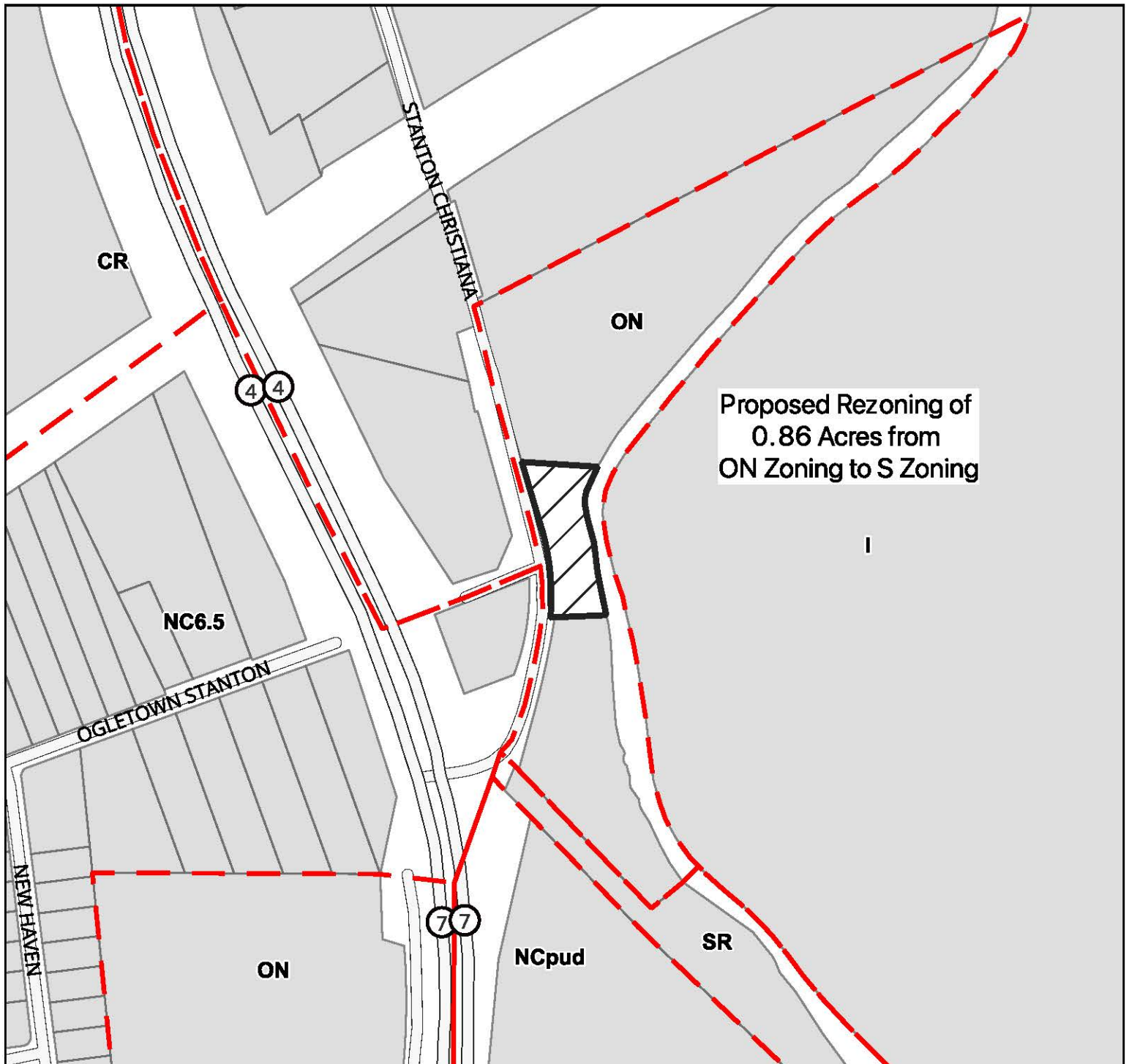
Matthew Meyer
County Executive
New Castle County

SYNOPSIS: Same as Title.

FISCAL IMPACT: None

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

APPLICATION NO. 2024-0086-Z
TAX PARCEL NO: 09-011.00-070



HUNDRED: WHITE CLAY CREEK
NEW CASTLE COUNTY, DELAWARE

Scale: 1:3656
Prepared by: Matthew Rogers

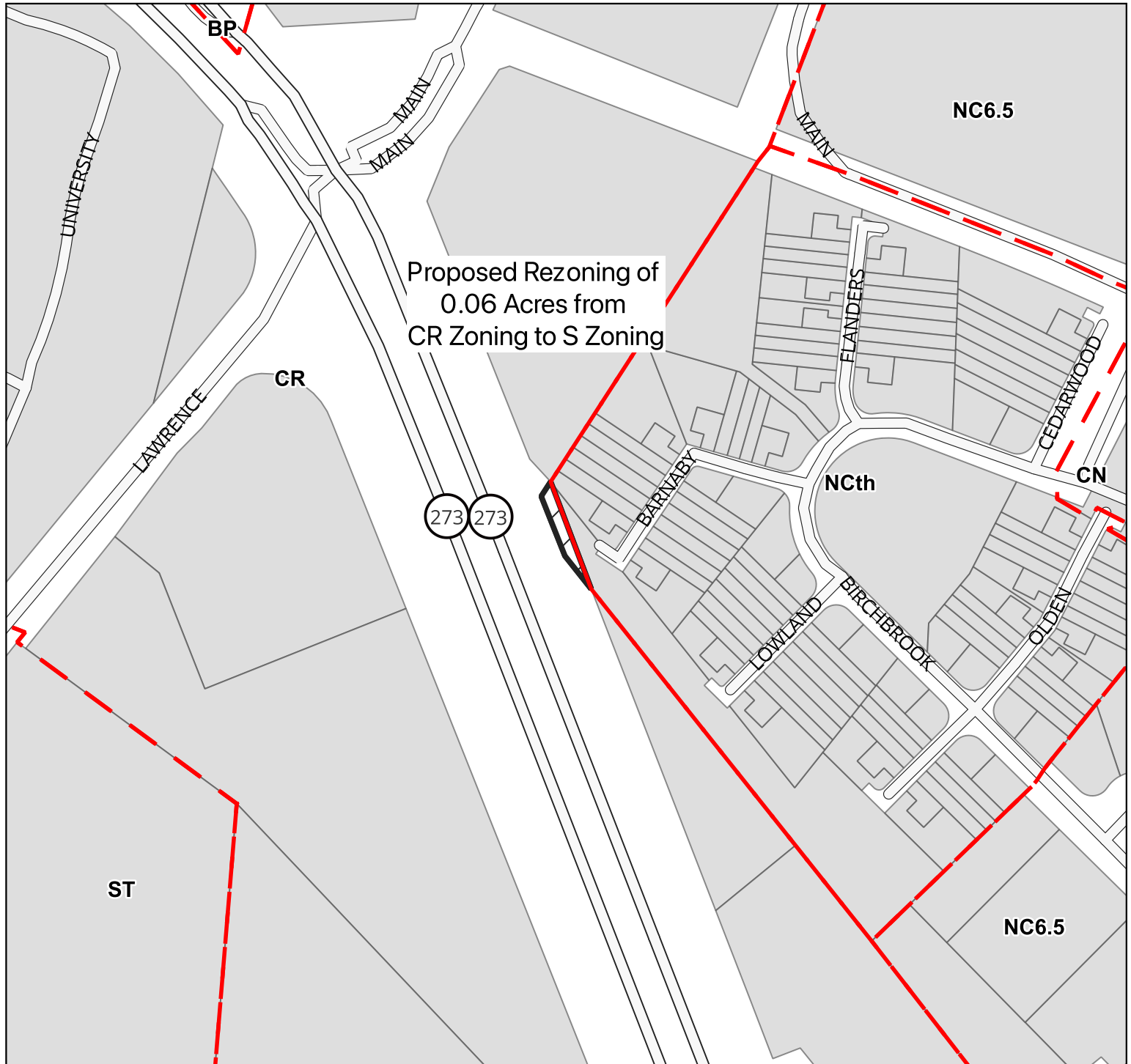
Date: 2/04/2024



PERMANENT ORDINANCE NO. 24- 023
Date Adopted by County Council:
Date Approved by County Executive:

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

APPLICATION NO. 2024-0086-Z
TAX PARCEL NO: 09-030.30-091



HUNDRED: WHITE CLAY CREEK
NEW CASTLE COUNTY, DELAWARE

Scale: 1:2407
Prepared by: Matthew Rogers

Date: 2/4/2024



PERMANENT ORDINANCE NO. 24- 023
Date Adopted by County Council:
Date Approved by County Executive:



Department of Land Use
**JOINT DEPARTMENT OF LAND USE / PLANNING BOARD
RECOMMENDATION**

**Ordinance No. 24-023
Application No. 2024-0086-Z
Comprehensive Rezoning**

May 21, 2024

Sponsor: Councilman Toole (District 1)

Description: Amend the Zoning Map for County Council District 1 consistent with the Future Land Use Map

EXECUTIVE SUMMARY

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

Ordinance 24-023 proposes to amend the County's official zoning map to rezone lands in County Council District 1 in accordance with the uses and intensities of uses provided for in the Future Land Use Element in the 2022 Update to the New Castle County Comprehensive Development Plan. While the Future Land Use map itself is by Code *not a rezoning*¹ it effectuates future development, preservation, and rezonings in the County.² It further prescribes a range of permissible zoning districts within each designation. The County rezoning process and standards are how the appropriate district for each parcel is designated.

The 2022 Update to the New Castle County Comprehensive Development Plan designates parcels 09-011.00-070 and 09-030.30-091 as Resource Preservation in the Future Land Use Map. This designation described in the Comprehensive Plan as:

These areas include existing preserved lands as well as those appropriate for future preservation. Land within this district includes important environmental and agricultural resources as well as National Scenic Byway areas. Land Use policies shall discourage development and incentivize preservation of these resources.

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

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

Rezoning parcels 09-011.00-070 and 09-030.30-091, from a nonresidential to residential zoning designation (Suburban) will better preserve and protect these open space, environmental, and historical resources, while discouraging development that could be detrimental.

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

DESCRIPTION

Ordinance 24-023 is a rezoning ordinance that rezones 2 parcels (09-011.00-070 and 09-030.30-091) from nonresidential designations to residential designations consistent with the Future Land Use map and pursuant to Delaware State Law.³

BACKGROUND

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

Establishment of Zoning & the Rezoning Process

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

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

³ Ibid.

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

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

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

Quality of Life Act of 1988⁶

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

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

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

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

Rezoning in New Castle County

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

⁷ Ibid. Emphasis added.

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

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

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

2022 Update to the New Castle County Comprehensive Plan

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

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

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

Ordinance 23-083 Comprehensive Rezoning

Ordinance 23-083 was introduced on June 13, 2023, proposing the rezoning 33 parcels from residential zoning designations to nonresidential zoning designations and 61 parcels from nonresidential designations to residential designations consistent with the Future Land Use map and pursuant to Delaware State Law.¹⁰ The Ordinance was reviewed and recommended for approval by the Department of Land Use and the Planning Board, however was subsequently withdrawn on February 13, 2024, by County Council to facilitate the Department pursuing the *Take 2* initiative. This effort includes conducting additional public outreach and dividing rezoning effort by County Council District.

Ordinance 24-023 Comprehensive Rezoning County Council District 1

Ordinance 24-023 was introduced on February 27, 2024, proposing to rezone 2 parcels from residential to nonresidential zoning designations:

Parcel 09-011.00-070 - 0.86 acres from Office Neighborhood (ON) to Suburban (S)

¹⁰ Ibid.

Owner: State of Delaware
Address: 606 Stanton Christiana Rd

Parcel 09-030.30-091 - 0.06 acres from Commercial Regional (CR) to Suburban (S)
Owner: New Castle County
Address: 2008 Point Hamlet Rd

Take 2 Community Meeting

On March 11, 2024, in coordination with County Councilmembers held a community meeting at the Gilliam Building regarding the Group 1 Comprehensive Rezoning (Ordinances; 24-023, 24-024, and 24-025). Residents had the opportunity to review maps of the proposed rezonings and have their questions answered by Department of Land Use staff.

PLUS REVIEW (Preliminary Land Use Service)

The Rezoning proposed by Ordinance 24-023 were originally proposed by Ordinance 23-083 and as such the PLUS Report, dated August 23, 2023, contains relevant comments from State agencies. The Office of State Planning Coordination reiterated their support for the 2022 New Castle County Comprehensive Plan and its goals and strategies as well as for the rezonings proposed. No other State agency had any comments.¹¹

PLANNING BOARD PUBLIC HEARING – April 4, 2024

*Please note, the below is a summary. A recording and transcripts of the public hearing are available at the Department of Land Use and hyperlinked below.¹²

Presentation

Matthew Rogers, Planner for the Department of Land Use, presented the Ordinance 24-023, discussing the process, outreach, and specific properties proposed to be rezoned as well as the rationale for the rezoning. There were no questions or comments from the Planning Board following Mr. Rogers' presentation.

Public Comment

There was no public comment on the application at the public hearing.

Written Public Comment:

The Department of Land Use did not receive written public comment while the record was open.

¹¹ PLUS Report: <https://www3.newcastlede.gov/project/details/default.aspx?ProjectKey=770318>

¹² April 2, 2024, Planning Board Public Hearing:
<https://www3.newcastlede.gov/project/details/default.aspx?ProjectKey=789150>

ANALYSIS

Ordinance 24-023 proposes rezoning 2 parcels (09-011.00-070 and 09-030.30-091) from nonresidential designations; Office Neighborhood (ON) and Commercial Regional (CR) respectively, to a residential zoning designation Suburban (S), consistent with the 2022 Update to the New Castle County Comprehensive Plan, which designated both parcels as Resource Preservation.

Parcel 09-011.00-070, owned by the State of Delaware is home to the National Register listed Hale-Byrnes House. As discussed at the Planning Board Public Hearing, this is a home that was built in 1750, and was specifically notable since after the Battle of Cooch's Bridge, General George Washington held council at the house (September 6, 1777). Additionally, the site is home to the George Washington Witness Tree of Delaware. The site is also encumbered by environmental resources being in the 100-year floodplain.

Parcel 09-030.30-091 is owned by New Castle County and is part of the Christiana Village Development's open space. The 0.06-acre portion of the 1.30-acre parcel is the only part that has a nonresidential zoning designation, the remainder is zoned Neighborhood Conservation (NCth). Since land cannot be rezoned to Neighborhood Conservation, the appropriate zoning designation is Suburban for this area of the county.

The 2022 Update to the New Castle County Comprehensive Development Plan describes land designated as Resource Preservation as:

These areas include existing preserved lands as well as those appropriate for future preservation. Land within this district includes important environmental and agricultural resources as well as National Scenic Byway areas. Land Use policies shall discourage development and incentivize preservation of these resources.

Rezoning parcels 09-011.00-070 and 09-030.30-091, from a nonresidential to residential zoning designation serves to better preserve and protect these open space, environmental, and historical resources, while discouraging development that could be detrimental.

Standards of Review

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

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

Parcels 09-011.00-070 and 09-030.30-091 are both designated as Resource Preservation by the Future Land Use Maps. Nonresidential zoning designations are not permissible within this designation. Residential districts such as Suburban are appropriate for the land designated as Resource Preservation. The County has determined that land use policy for land with the Future Land Use designation of Resource Preservation, is to encourage the preservation of environmental, agricultural, and historic resources and would permit development consistent and sensitive to existing community character. The rezoning of parcels 09-011.00-070 and 09-030.30-091 proposed by Ordinance 24-023 is consistent with the Future Land Use Map, as well as the Comprehensive Development Plan as a whole.

B. Consistency with the character of the neighborhood.

While parcel 09-011.00-070 is bordered by nonresidential uses to the north and south of the site, it has residential land to the west as well as the White Clay Creek to the east. Parcel 09-030.30-091 is part of the Christiana Village Development's open space and will continue to exist in this capacity.

C. Consistency with zoning and use of nearby properties.

While neither parcel 09-011.00-070 nor 09-030.30-091 are adjacent to Suburban (S) zoned land, it is appropriate to zone these properties to S, since the Unified Development Code does not permit rezoning land to a Neighborhood Conservation district.

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

Parcel 09-011.00-070, owned by the State of Delaware is home to the historic Hale-Byrnes House, and Parcel 09-030.30-091 is part of the Christiana Village Development's open space. The rezoning of these parcels is consistent with the current and future use of these properties.

E. Effect on nearby properties.

The rezoning of parcels 09-011.00-070 and 09-030.30-091 to Suburban, discouraging development and encouraging preservation of the land will not have a negative impact on nearby properties, and will be consistent with their current use and that of nearby properties.

DEPARTMENT OF LAND USE RECOMMENDATION

The Department of Land Use has considered the Standards for Zoning Map Amendment in Section 40.31.410, A through E of the *Unified Development Code*, the Future Land Use Map, the comments received from outside agencies, and the comments received by the public. Based on this analysis,

the Department is of the opinion that the standards are met by this proposal. Therefore, the Department of Land Use recommends **APPROVAL** of the rezoning application.

PLANNING BOARD RECOMMENDATION

At a business meeting held on May 21, 2024, the Planning Board considered the recommendation provided by the Department of Land use as well as comments from outside agencies and the public.

On a motion made by Mr. Snowden and seconded by Ms. Visvardis, the Board voted to recommend **APPROVAL** of Ordinance 24-023 as recommended by the Department of Land Use.

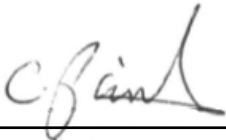
The motion was adopted by a vote of 7-0-0-2 (In Favor: Peterson, Cahill-Krout, Cantrell, Drake, Gray, Snowden, Visvardis; In Opposition: None; Abstention: None; Absent: Cochran, Daigle).

Prior to the vote the following discussion occurred:

Matthew Rogers read the Department of Land Use recommendation into the record. There were no questions from 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.

 05/24/2024

Charuni Patibanda date
General Manager
Department of Land Use

 05/24/2024

Karen Peterson date
Chair
Planning Board

ORDINANCE NO. 24-024

**COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING
MAPS IN COUNTY COUNCIL DISTRICT 10 REGARDING THE FOLLOWING
TAX PARCELS: CHRISTIANA HUNDRED: 07-043.40-054 (2 Highspeed Way), 07-
043.40-055 (1400 Delmarva Ln, Russell W Peterson Urban Wildlife Refuge), 07-044.30-
003 (0 S Madison St Off)**

1 **WHEREAS**, County Council adopted Substitute No. 2 to Ordinance No. 22-024 as
2 amended by Floor Amendment No. 1 ("New Castle County Comprehensive Plan" or "the
3 Plan"), on July 26, 2022, and the County Executive approved the Ordinance on August
4 4, 2022; and
5

6 **WHEREAS**, the Future Land Use Element and Map Series of the New Castle
7 County Comprehensive Plan designates proposed future general distribution, location
8 and extent of the uses of land consistent with goals, policies and measurable objectives
9 enumerated in the Plan; and
10

11 **WHEREAS**, the New Castle County Comprehensive Plan guides and encourages
12 sustainable economic development sensitive to the context of neighboring residential
13 developments; and
14

15 **WHEREAS**, the New Castle County Comprehensive Plan guides and encourages
16 preservation efforts to best protect important ecological habitats; and
17

18 **WHEREAS**, 9 *Del. C. § 2660* requires New Castle County to amend its official
19 zoning map within eighteen months of the date of adoption of a revision to the county
20 comprehensive plan "to rezone all lands in accordance with the uses and intensities of
21 uses provided for in the future land use element for the County"; and
22

23 **WHEREAS**, Ordinance No. 23-083 was introduced on June 13, 2023, to amend
24 the official zoning map in accordance with the uses and intensities of uses provided for in
25 the future land use element of the New Castle County Comprehensive Plan; and
26

27 **WHEREAS**, the County can foster more informed participation by the public,
28 including increased opportunities for review, by amending the zoning map in smaller
29 portions, such as by Councilmanic District; and
30

31 **WHEREAS**, this County-initiated rezoning is intended to guide and control future
32 growth consistent with the spirit and intent of the Comprehensive Development Plan as
33 provided by State law; and

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

38
39 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
40

41 Section 1. The Zoning Maps of Christiana Hundred, are hereby amended by
42 changing the zoning classification of the land shown on attached Exhibit "A", Map 1 dated
43 February 4, 2024, as set forth therein.
44

45 Section 2. This Ordinance shall become effective immediately upon passage by
46 New Castle County Council and approval of the County Executive, or as otherwise
47 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.

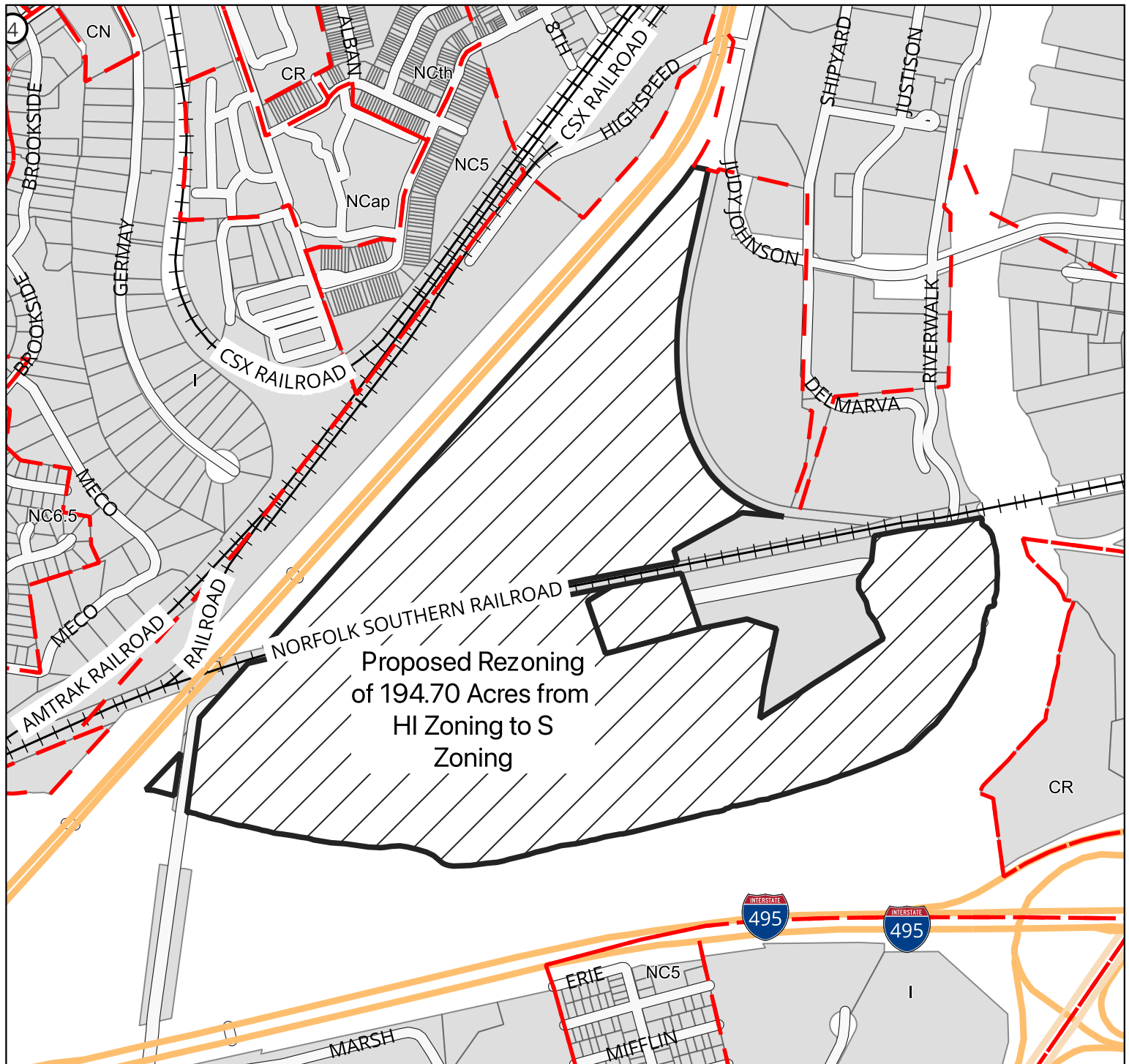
FISCAL IMPACT: None

PROPERTY MAP

Exhibit A MAP 1
ZONING ORDINANCE AS INTRODUCED

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

APPLICATION NO. 2024-0088-Z
TAX PARCEL NO: 07-043.40-054, 07-043.40-055,
07-044.30-003



HUNDRED: CHRISTIANA
NEW CASTLE COUNTY, DELAWARE

Scale: 1:10031
Prepared by: Matthew Rogers

Date: 2/4/2024



PERMANENT ORDINANCE NO. 24- 024
Date Adopted by County Council:
Date Approved by County Executive:



Department of Land Use
**JOINT DEPARTMENT OF LAND USE / PLANNING BOARD
RECOMMENDATION**

**Ordinance No. 24-024
Application No. 2024-0088-Z
Comprehensive Rezoning**

May 21, 2024

Sponsor: Councilman Street (District 10)

Description: Amend the Zoning Map for County Council District 10 consistent with the Future Land Use Map

EXECUTIVE SUMMARY

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

Ordinance 24-024 proposes to amend the County's official zoning map to rezone lands in County Council District 10 in accordance with the uses and intensities of uses provided for in the Future Land Use Element in the 2022 Update to the New Castle County Comprehensive Development Plan. While the Future Land Use map itself is by Code *not a rezoning*¹ it effectuates future development, preservation, and rezonings in the County.² It further prescribes a range of permissible zoning districts within each designation. The County rezoning process and standards are how the appropriate district for each parcel is designated.

The 2022 Update to the New Castle County Comprehensive Development Plan designates parcels 07-043.40-054, 07-043.40-055, and 07-044.30-003 as Resource Preservation in the Future Land Use Map. This designation described in the Comprehensive Plan as:

These areas include existing preserved lands as well as those appropriate for future preservation. Land within this district includes important environmental and agricultural resources as well as National Scenic Byway areas. Land Use policies shall discourage development and incentivize preservation of these resources.

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

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

Rezoning parcels 07-043.40-054, 07-043.40-055, and 07-044.30-003, from a nonresidential to residential zoning designation (Suburban) will better preserve and protect these open space and environmental resources, while discouraging development that could be detrimental.

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

DESCRIPTION

Ordinance 24-024 is a rezoning ordinance that rezones 3 parcels (07-043.40-054, 07-043.40-055, and 07-044.30-003) from nonresidential designations to residential designations consistent with the Future Land Use map and pursuant to Delaware State Law.³

BACKGROUND

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

Establishment of Zoning & the Rezoning Process

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

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

³ Ibid.

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

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

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

Quality of Life Act of 1988⁶

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

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

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

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

Rezoning in New Castle County

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

⁷ Ibid. Emphasis added.

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

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

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

2022 Update to the New Castle County Comprehensive Plan

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

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

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

Ordinance 23-083 Comprehensive Rezoning

Ordinance 23-083 was introduced on June 13, 2023, proposing the rezoning 33 parcels from residential zoning designations to nonresidential zoning designations and 61 parcels from nonresidential designations to residential designations consistent with the Future Land Use map and pursuant to Delaware State Law.¹⁰ The Ordinance was reviewed and recommended for approval by the Department of Land Use and the Planning Board, however was subsequently withdrawn on February 13, 2024, by County Council to facilitate the Department pursuing the *Take 2* initiative. This effort includes conducting additional public outreach and dividing rezoning effort by County Council District.

Ordinance 24-024 Comprehensive Rezoning County Council District 1

Ordinance 24-024 was introduced on February 27, 2024, proposing to rezone 3 parcels from residential to nonresidential zoning designations:

Parcel 07-043.40-054 – 73.58 acres from Heavy Industry (HI) to Suburban (S)

¹⁰ Ibid.

Owner: Riverfront Development Corporation of Delaware
Address: 2 Highspeed Way

Parcel 07-043.40-055- 118.05 acres from Heavy Industry (HI) to Suburban (S)
Owner: Riverfront Development Corporation of Delaware
Address: 1400 Delmarva Ln.

Parcel 07-044.30-003 - 4.58 acres from Heavy Industry (HI) to Suburban (S)
Owner: Riverfront Development Corporation of Delaware
Address: 0 Off S Madison St

Take 2 Community Meeting

On March 11, 2024, in coordination with County Councilmembers held a community meeting at the Gilliam Building regarding the Group 1 Comprehensive Rezoning (Ordinances; 24-023, 24-024, and 24-025). Residents had the opportunity to review maps of the proposed rezonings and have their questions answered by Department of Land Use staff.

PLUS REVIEW (Preliminary Land Use Service)

The Rezoning proposed by *Ordinance 24-024* were originally proposed by Ordinance 23-083 and as such the PLUS Report, dated August 23, 2023, contains relevant comments from State agencies. The Office of State Planning Coordination reiterated their support for the 2022 New Castle County Comprehensive Plan and its goals and strategies as well as for the rezonings proposed. No other State agency had any comments.¹¹

PLANNING BOARD PUBLIC HEARING – April 2, 2024

*Please note, the below is a summary. A recording and transcripts of the public hearing are available at the Department of Land Use and hyperlinked below.¹²

Presentation

Matthew Rogers, Planner for the Department of Land Use, presented the *Ordinance 24-024*, discussing the process, outreach, and specific properties proposed to be rezoned as well as the rationale for the rezoning. After the presentation, Ms. Gray inquired if rezoning the land to Suburban would permit future development of the land. Mr. Rogers explained that in their capacity as open space and being as extensively encumbered by environmental resources (floodplain and wetlands, both of which are 100% protected by the UDC) that the land was not developable. There were no additional questions or comments from the Planning Board following Mr. Rogers' presentation.

¹¹ PLUS Report: <https://www3.newcastlede.gov/project/details/default.aspx?ProjectKey=770318>

¹² April 2, 2024, Planning Board Public Hearing:
<https://www3.newcastlede.gov/project/details/default.aspx?ProjectKey=789152>

Public Comment

There was no public comment on the application at the public hearing.

Written Public Comment:

The Department of Land Use did not receive written public comment while the record was open.

ANALYSIS

Ordinance 24-024 proposes rezoning 3 parcels (07-043.40-054, 07-043.40-055, and 07-044.30-003) from nonresidential designations; Heavy Industry (HI) to a residential zoning designation Suburban (S), consistent with the 2022 Update to the New Castle County Comprehensive Plan, which designated both parcels as Resource Preservation.

Parcels 07-043.40-054, 07-043.40-055, and 07-044.30-003, are collectively owned by the Riverfront Development Corporation of Delaware. As discussed at the Planning Board Public Hearing, these parcels are part of the Russell W. Peterson Wildlife Refuge. Additionally, the site is home to a portion of the Governor Markell Trail, providing recreational opportunities for county residents. The site is also encumbered by environmental resources being in the 100-year floodplain and wetlands.

The 2022 Update to the New Castle County Comprehensive Development Plan describes land designated as Resource Preservation as:

These areas include existing preserved lands as well as those appropriate for future preservation. Land within this district includes important environmental and agricultural resources as well as National Scenic Byway areas. Land Use policies shall discourage development and incentivize preservation of these resources.

Rezoning parcels 07-043.40-054, 07-043.40-055, and 07-044.30-003, from a nonresidential to residential zoning designation serves to better preserve and protect these open space, and environmental resources, while discouraging development that could be detrimental.

Standards of Review

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

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

Parcels 07-043.40-054, 07-043.40-055, and 07-044.30-003 are all designated as Resource Preservation by the Future Land Use Maps. Nonresidential zoning designations are not permissible with in this designation. Residential districts such as Suburban are appropriate for the land designated as Resource Preservation. The County has determined that land use policy for land with the Future Land Use designation of Resource Preservation, is to encourage the preservation of environmental, agricultural, and historic resources and would permit development consistent and sensitive to existing community character. The rezoning of parcels 07-043.40-054, 07-043.40-055, and 07-044.30-003 proposed by Ordinance 24-024 is consistent with the Future Land Use Map, as well as the Comprehensive Development Plan as a whole.

B. Consistency with the character of the neighborhood.

While parcels 07-043.40-054, 07-043.40-055, and 07-044.30-003 are bordered by nonresidential uses to the north, it is bordered by the Christina River to the south. As a longtime part of the Russell W. Peterson Wildlife Refuge and home to the Governor Markell Trail continued existence as an environmental and recreational open space area will be consistent with the character of the neighborhood.

C. Consistency with zoning and use of nearby properties.

While parcels 07-043.40-054, 07-043.40-055, and 07-044.30-003 are not bordered by existing Suburban zoned land, they individually and collectively meet the Site Area requirements in Article 3 of the UDC to rezone to Suburban.

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

Parcels 07-043.40-054, 07-043.40-055, and 07-044.30-003 are proposed to continue to be an environmental and recreational open space area being part of the Russell W. Peterson Wildlife Refuge and home to the Governor Markell Trail. The rezoning of these parcels is consistent with the current and future use of these properties.

E. Effect on nearby properties.

The rezoning of parcels 07-043.40-054, 07-043.40-055, and 07-044.30-003 to Suburban, discouraging development and encouraging preservation of the land will not have a negative impact on nearby properties, and will be consistent with their current use as open space areas.

DEPARTMENT OF LAND USE RECOMMENDATION

The Department of Land Use has considered the Standards for Zoning Map Amendment in Section 40.31.410, A through E *of the Unified Development Code*, the Future Land Use Map, the comments

received from outside agencies, and the comments received by the public. Based on this analysis, the Department is of the opinion that the standards are met by this proposal. Therefore, the Department of Land Use recommends **APPROVAL** of the rezoning application.

PLANNING BOARD RECOMMENDATION

At a business meeting held on May 21, 2024, the Planning Board considered the recommendation provided by the Department of Land use as well as comments from outside agencies and the public.

On a motion made by Ms. Cahill-Krout and seconded by Ms. Visvardis, the Board voted to recommend **APPROVAL** of Ordinance 24-024 as recommended by the Department of Land Use.

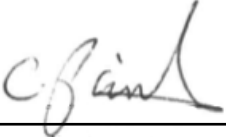
The motion was adopted by a vote of 7-0-0-2 (In Favor: Peterson, Cahill-Krout, Cantrell, Drake, Gray, Snowden, Visvardis; In Opposition: None; Abstention: None; Absent: Cochran, Daigle).

Prior to the vote the following discussion occurred:

Matthew Rogers read the Department of Land Use recommendation into the record. There were no questions from 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.

 05/24/2024

Charuni Patibanda date
General Manager
Department of Land Use

 05/24/2024

Karen Peterson date
Chair
Planning Board

ORDINANCE NO. 24-025

COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 3 REGARDING THE FOLLOWING TAX PARCELS: CHRISTIANA HUNDRED: 07-009.00-027 (17 Gun Club Rd, Auburn Valley), 07-009.00-028 (0 Creek Rd); MILL CREEK HUNDRED: 07-009.00-027 (17 Gun Club Rd, Auburn Valley), 08-001.00-022 (1166 Yorklyn Rd, Auburn Valley), 08-007.40-124 (623 Yorklyn Rd, Hockessin Center), 09-008.00-010 (0 Creek Rd, 555 Paper Mill Road)

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

5
6 **WHEREAS**, the Future Land Use Element and Map Series of the New Castle
7 County Comprehensive Plan designates proposed future general distribution, location
8 and extent of the uses of land consistent with goals, policies and measurable objectives
9 enumerated in the Plan; and

10
11 **WHEREAS**, the New Castle County Comprehensive Plan guides and encourages
12 sustainable economic development sensitive to the context of neighboring residential
13 developments; and

14
15 **WHEREAS**, the New Castle County Comprehensive Plan guides and encourages
16 preservation efforts to best protect important ecological habitats; and

17
18 **WHEREAS**, 9 *Del. C. § 2660* requires New Castle County to amend its official
19 zoning map within eighteen months of the date of adoption of a revision to the county
20 comprehensive plan "to rezone all lands in accordance with the uses and intensities of
21 uses provided for in the future land use element for the County"; and

22
23 **WHEREAS**, Ordinance No. 23-083 was introduced on June 13, 2023, to amend
24 the official zoning map in accordance with the uses and intensities of uses provided for in
25 the future land use element of the New Castle County Comprehensive Plan; and

26
27 **WHEREAS**, the County can foster more informed participation by the public,
28 including increased opportunities for review, by amending the zoning map in smaller
29 portions, such as by Councilmanic District; and

30
31 **WHEREAS**, this County-initiated rezoning is intended to guide and control future
32 growth consistent with the spirit and intent of the Comprehensive Development Plan as
33 provided by State law; and

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

38
39 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
40

41 Section 1. The Zoning Maps of Christiana Hundred and Mill Creek Hundred are
42 hereby amended by changing the zoning classification of the land shown on attached
43 Exhibit "A", Maps 1-3 dated February 4, 2024, as set forth therein.
44

45 Section 2. This Ordinance shall become effective immediately upon passage by
46 New Castle County Council and approval of the County Executive, or as otherwise
47 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:

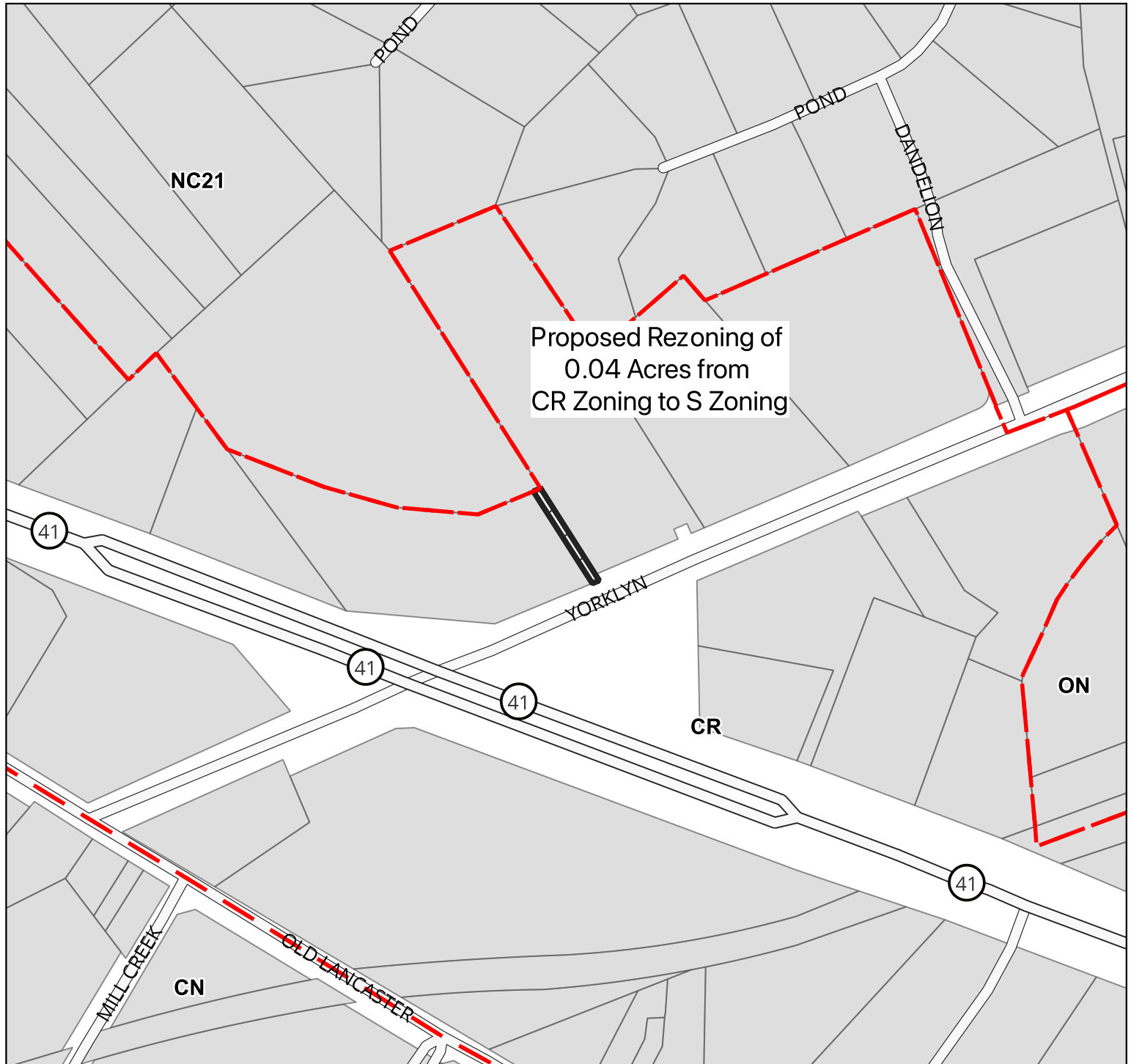
Matthew Meyer
County Executive
New Castle County

SYNOPSIS: Same as Title.

FISCAL IMPACT: None

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

APPLICATION NO. 2024-0087-Z
TAX PARCEL NO: 08-007.40-124



HUNDRED: MILL CREEK
NEW CASTLE COUNTY, DELAWARE

Scale: 1:2355
Prepared by: Matthew Rogers

Date: 2/4/2024



PERMANENT ORDINANCE NO. 24-025
Date Adopted by County Council:
Date Approved by County Executive:

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

APPLICATION NO. 2024-0087-Z
TAX PARCEL NO: 07-009.00-027,
08-001.00-022, 07-009.00-028



HUNDRED: CHRISTIANA AND MILL CREEK
NEW CASTLE COUNTY, DELAWARE

Scale: 1:2659
Prepared by: Matthew Rogers

Date: 2/4/2024



PERMANENT ORDINANCE NO. 24-025
Date Adopted by County Council:
Date Approved by County Executive:

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

APPLICATION NO. 2024-0087-Z
TAX PARCEL NO: 09-008.00-010



HUNDRED: MILL CREEK
NEW CASTLE COUNTY, DELAWARE

Scale: 1:4347
Prepared by: Matthew Rogers

Date: 2/4/2024



PERMANENT ORDINANCE NO. 24-025
Date Adopted by County Council:
Date Approved by County Executive:



Department of Land Use
**JOINT DEPARTMENT OF LAND USE / PLANNING BOARD
RECOMMENDATION**

**Ordinance No. 24-025
Application No. 2024-0087-Z
Comprehensive Rezoning**

May 21, 2024

Sponsor: Councilwoman Kilpatrick (District 3)

Description: Amend the Zoning Map for County Council District 3 consistent with the Future Land Use Map

EXECUTIVE SUMMARY

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

Ordinance 24-025 proposes to amend the County's official zoning map to rezone lands in County Council District 1 in accordance with the uses and intensities of uses provided for in the Future Land Use Element in the 2022 Update to the New Castle County Comprehensive Development Plan. While the Future Land Use map itself is by Code *not a rezoning*¹ it effectuates future development, preservation, and rezonings in the County.² It further prescribes a range of permissible zoning districts within each designation. The County rezoning process and standards are how the appropriate district for each parcel is designated.

The 2022 Update to the New Castle County Comprehensive Development Plan designates parcels 07-009.00-027, 07-009.00-028, 08-001.00-022, 08-007.40-124, and 09-008.00-010 as Resource Preservation in the Future Land Use Map. This designation described in the Comprehensive Plan as:

These areas include existing preserved lands as well as those appropriate for future preservation. Land within this district includes important environmental and agricultural resources as well as National Scenic Byway areas. Land Use policies shall discourage development and incentivize preservation of these resources.

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

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

Rezoning parcels 07-009.00-027, 07-009.00-028, 08-001.00-022, 08-007.40-124, and 09-008.00-010, from a nonresidential to residential zoning designations (Suburban & Suburban Estate) will better preserve and protect these open space, environmental, and historical resources, while discouraging development that could be detrimental.

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

DESCRIPTION

Ordinance 24-025 is a rezoning ordinance that rezones 5 parcels (07-009.00-027, 07-009.00-028, 08-001.00-022, 08-007.40-124, and 09-008.00-010) from nonresidential designations to residential designations consistent with the Future Land Use map and pursuant to Delaware State Law.³

BACKGROUND

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

Establishment of Zoning & the Rezoning Process

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

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

³ Ibid.

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

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

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

Quality of Life Act of 1988⁶

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

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

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

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

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

⁷ Ibid. Emphasis added.

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

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

Rezoning in New Castle County

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

2022 Update to the New Castle County Comprehensive Plan

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

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

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

Ordinance 23-083 Comprehensive Rezoning

Ordinance 23-083 was introduced on June 13, 2023, proposing the rezoning 33 parcels from residential zoning designations to nonresidential zoning designations and 61 parcels from nonresidential designations to residential designations consistent with the Future Land Use map and pursuant to Delaware State Law.¹⁰ The Ordinance was reviewed and recommended for approval by the Department of Land Use and the Planning Board, however was subsequently withdrawn on February 13, 2024, by County Council to facilitate the Department pursuing the *Take 2* initiative. This effort includes conducting additional public outreach and dividing rezoning effort by County Council District.

Ordinance 24-025 Comprehensive Rezoning County Council District 1

Ordinance 24-025 was introduced on February 27, 2024, proposing to rezone 5 parcels from residential to nonresidential zoning designations:

¹⁰ Ibid.

Parcel 08-007.40-124 - 0.04 acres from Commercial Regional (CR) to Suburban (S)

Owner: New Castle County

Address: 623 Yorklyn Rd.

Parcels: (1) 07-009.00-027, (2) 08-001.00-022, (3) 07-009.00-028 – 6.68 acres from Industrial (I) to Suburban Estate (SE), 7.57 acres from Heavy Industry (HI) to Suburban Estate (SE)

Owners: (1) & (2) – State of Delaware, (3) Historic Red Clay Valley Inc.

Addresses: (1) 17 Gun Club Rd., (2) 1166 Yorklyn Rd., (3) 0 Creek Rd.

Parcel 09-008.00-010 – 4.07 acres from Office Regional (OR) to Suburban Estate (SE)

Owner: State of Delaware

Address: 0 Creek Rd.

Take 2 Community Meeting

On March 11, 2024, in coordination with County Councilmembers held a community meeting at the Gilliam Building regarding the Group 1 Comprehensive Rezoning (*Ordinances; 24-025, 24-024, and 24-025*). Residents had the opportunity to review maps of the proposed rezonings and have their questions answered by Department of Land Use staff.

PLUS REVIEW (Preliminary Land Use Service)

The Rezoning proposed by *Ordinance 24-025* were originally proposed by Ordinance 23-083 and as such the PLUS Report, dated August 23, 2023, contains relevant comments from State agencies. The Office of State Planning Coordination reiterated their support for the 2022 New Castle County Comprehensive Plan and its goals and strategies as well as for the rezonings proposed. No other State agency had any comments.¹¹

PLANNING BOARD PUBLIC HEARING – April 4, 2024

*Please note, the below is a summary. A recording and transcripts of the public hearing are available at the Department of Land Use and hyperlinked below.¹²

Presentation

¹¹ PLUS Report: <https://www3.newcastlede.gov/project/details/default.aspx?ProjectKey=770318>

¹² April 2, 2024, Planning Board Public Hearing:
<https://www3.newcastlede.gov/project/details/default.aspx?ProjectKey=789151>

Matthew Rogers, Planner for the Department of Land Use, presented the *Ordinance 24-025*, discussing the process, outreach, and specific properties proposed to be rezoned as well as the rationale for the rezoning. After the presentation, Mr. Snowden inquired about the ownership of parcel 08-007.40-124 (623 Yorklyn Rd.) and that the portion proposed for rezoning was for access to the parcel. Mr. Rogers affirmed that the portion proposed to be rezoned was access to the open space area and that the property was owned by New Castle County. There were no additional questions or comments from the Planning Board following Mr. Rogers' presentation.

Public Comment

Councilwoman Kilpatrick voiced support for the ordinance, and the proposed downzonings as being consistent with the current use of the property. She also remarked that she had discussed the ordinance with the Greater Hockessin Area Development Association and that they support the rezoning as well. There was no public comment on the application at the public hearing.

Written Public Comment:

The Department of Land Use did not receive written public comment while the record was open.

ANALYSIS

Ordinance 24-025 proposes rezoning 5 parcels (07-009.00-027, 07-009.00-028, 08-001.00-022, 08-007.40-124, and 09-008.00-010) from nonresidential designations; Industrial (I), Heavy Industry (HI), Office Regional (OR), and Commercial Regional (CR), to residential zoning designation Suburban (S) and Suburban Estate (SE), consistent with the 2022 Update to the New Castle County Comprehensive Plan, which designated both parcels as Resource Preservation.

Parcels 07-009.00-027 and 08-001.00-022 are owned by the State of Delaware and are both the Auburn Heights Preserve and immediately adjacent to the National Register Listed Garrett Snuff Mills.¹³ The site is also encumbered by environmental resources being in the 100-year floodplain area and having wetlands.

Parcel 07-009.00-028 owned by Historic Red Clay Valley Inc. is wholly located in the flood plain. The approximately 0.02-acre portion of the 2.27-acre parcel proposed to be rezoned to Suburban Estate (SE) is the only part that has a nonresidential zoning designation, the remainder is zoned Suburban Estate (SE).

Parcel 08-007.40-124 is owned by New Castle County and is public open space area to the north of the Hockessin Shopping Center providing a separation between the commercial use and residential development to the north. The 0.04-acre portion of the 2.99-acre parcel is the only part that has a nonresidential zoning designation, the remainder is zoned Neighborhood

¹³ https://npgallery.nps.gov/NRHP/GetAsset/NRHP/78000913_text

Conservation (NC₂₁). Since land cannot be rezoned to Neighborhood Conservation, the appropriate zoning designation is Suburban for this area of the county.

Parcel 09-008.00-010 owned by the State of Delaware and part of the White Clay Creek State Park. The site is also encumbered by environmental resources being in the 100-year floodplain area and having wetlands. The approximately 4.07-acre portion of the 20.07-acre parcel proposed to be rezoned to Suburban Estate (SE) is the only part that has a nonresidential zoning designation, the remainder is zoned Suburban Estate (SE).

The 2022 Update to the New Castle County Comprehensive Development Plan describes land designated as Resource Preservation as:

These areas include existing preserved lands as well as those appropriate for future preservation. Land within this district includes important environmental and agricultural resources as well as National Scenic Byway areas. Land Use policies shall discourage development and incentivize preservation of these resources.

Rezoning parcels 07-009.00-027, 07-009.00-028, 08-001.00-022, 08-007.40-124, and 09-008.00-010, from a nonresidential to residential zoning designation serves to better preserve and protect these open space, environmental, and historical resources, while discouraging development that could be detrimental.

Standards of Review

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

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

Parcels 07-009.00-027, 07-009.00-028, 08-001.00-022, 08-007.40-124, and 09-008.00-010 are all designated as Resource Preservation by the Future Land Use Maps. Nonresidential zoning designations are not permissible within this designation. Residential districts such as Suburban and Suburban Estate are appropriate for the land designated as Resource Preservation. The County has determined that land use policy for land with the Future Land Use designation of Resource Preservation, is to encourage the preservation of environmental, agricultural, and historic resources and would permit development consistent and sensitive to existing community character. The rezoning of parcels 07-009.00-027, 07-009.00-028, 08-001.00-022, 08-007.40-124, and 09-008.00-010 proposed by Ordinance 24-025 is consistent with the Future Land Use Map, as well as the Comprehensive Development Plan as a whole.

B. Consistency with the character of the neighborhood.

While parcels 07-009.00-027, 08-001.00-022, and 07-009.00-028 are bordered by the Industrial zoned Garrett Snuff Mill site to the west they are bordered by residential uses and zoning to the north and south east.

Parcel 08-007.40-124 is a public open space area providing a separation between the commercial use and residential development to the north. The 0.04-acre will rezone the access to the open space consistent with the zoning on the remainder of the parcel.

Parcel 09-008.00-010 is part of the White Clay Creek State Park. The portion of the 20.07-acre parcel proposed to be rezoned to Suburban Estate (SE) is consistent with the park use on the remainder of the 20.07 acre property.

C. Consistency with zoning and use of nearby properties.

While parcels 07-009.00-027, 08-001.00-022, and 07-009.00-028 are bordered Suburban Estate zoning to southeast, Suburban and Neighborhood Conservation (NC₁₅) to the north. The UDC does not permit zoning to Neighborhood Conservation, and the property does not have sewer service. As such rezoning the parcels to Suburban Estate is the appropriate zoning designation.

The existing residentially zoned portion of parcel 08-007.40-124 is Neighborhood Conservation (NC₂₁), however since the UDC does not permit zoning to Neighborhood Conservation, and the property is in the sewer service area Suburban is the appropriate zoning designation.

The residential portion of parcel 09-008.00-010 is currently zoned Suburban Estate and is not in the sewer service area as such Suburban Estate (SE) is the appropriate zoning designation.

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

The is no proposed change in the uses of parcels 07-009.00-027, 07-009.00-028, 08-001.00-022, 08-007.40-124, and 09-008.00-010, and their continued use will not be further encumbered by the proposed rezoning.

E. Effect on nearby properties.

The rezoning of parcels 07-009.00-027, 07-009.00-028, 08-001.00-022, 08-007.40-124, and 09-008.00-010 to Suburban and Suburban Estate, discouraging development and encouraging preservation of the land will not have a negative impact on nearby properties, and will be consistent with their current use and that of nearby properties.

DEPARTMENT OF LAND USE RECOMMENDATION

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

PLANNING BOARD RECOMMENDATION

At a business meeting held on May 21, 2024, the Planning Board considered the recommendation provided by the Department of Land use as well as comments from outside agencies and the public.

On a motion made by Mr. Snowden and seconded by Ms. Cahill-Krout, the Board voted to recommend **APPROVAL** of Ordinance 24-025 as recommended by the Department of Land Use.

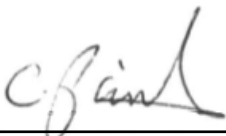
The motion was adopted by a vote of 7-0-0-2 (In Favor: Peterson, Cahill-Krout, Cantrell, Drake, Gray, Snowden, Visvardis; In Opposition: None; Abstention: None; Absent: Cochran, Daigle).

Prior to the vote the following discussion occurred:

Matthew Rogers read the Department of Land Use recommendation into the record. There were no questions from 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.


05/24/2024

Charuni Patibanda date
General Manager
Department of Land Use


05/24/2024

Karen Peterson date
Chair
Planning Board