NEW CASTLE COUNTY COUNCIL
LAND USE COMMITTEE MEETING

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

July 2, 2024
3:00 PM

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

AGENDA

A. Meeting Call to Order

B. Approval of Minutes

C. Review/Discussion of Resolution(s)

R24- : PLAN OF COUNTRY CREEK – PHASE 3; WHITE CLAY CREEK HUNDRED; EAST SIDE OF CREEKSIDE DRIVE, 550 FEET SOUTH OF HUNTING RIDGE ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO SUBDIVIDE TAX PARCEL 09-041.10-301 AND DEVELOP 28 SINGLE FAMILY DETACHED UNITS; NC6.5 ZONING; APPLICATION NO. 2022-0216-S; COUNCIL DISTRICT 11
Prime Sponsor(s): Mr. Tackett

R24- : PLAN OF MONARCH; ST. GEORGES HUNDRED; SOUTH SIDE OF LOREWOOD GROVE ROAD, EAST AND WEST SIDES OF RATLEDGE ROAD, WEST OF ROUTE 301; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO SUBDIVIDE THE PROPERTY INTO 674 SINGLE FAMILY LOTS; S ZONING; APPLICATION NO. 2020-0644; COUNCIL DISTRICT 6
Prime Sponsor(s): Mr. Carter

R24- : 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; APPLICATION NO. 2021-0004-S/Z; COUNCIL DISTRICT 5
Prime Sponsor(s): Ms. George

D. Review/Discussion of Ordinance(s)

°24-008: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 (“UNIFIED DEVELOPMENT CODE”), ARTICLE 14 (“IMPACT FEES”) REGARDING ADJUSTMENTS TO IMPACT FEES
Prime Sponsor(s): Ms. Durham, Mr. Carter, Mr. Toole
Co-sponsor(s): Mr. Cartier, Mr. Smiley Introduced by: Ms. Durham

E. Presentations

F. Other

G. Public Comment

H. Adjournment

AGENDA POSTED: June 25, 2024

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

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

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

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

Prime Sponsor(s): Mr. Tackett
Requested by: Department of Land Use
Date of introduction: July 9, 2024

RESOLUTION NO. 24-

PLAN OF COUNTRY CREEK – PHASE 3; WHITE CLAY CREEK HUNDRED; EAST SIDE OF CREEKSIDE DRIVE, 550 FEET SOUTH OF HUNTING RIDGE ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO SUBDIVIDE TAX PARCEL 09-041.10-301 AND DEVELOP 28 SINGLE FAMILY DETACHED UNITS; NC6.5 ZONING; APPLICATION NO. 2022-0216-S; COUNCIL DISTRICT 11

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 Country Creek—Phase 3 (Application No. 2022-0216-S) 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 COUNTRY CREEK – PHASE 3
White Clay Creek 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

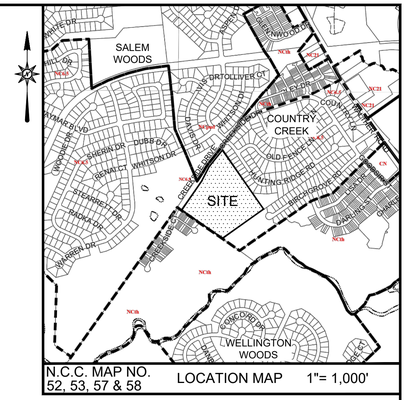
FISCAL IMPACT: This will have no immediately discernible fiscal impact on the county but, if the parcel is developed in accordance with this record plan, there may be one or more fiscal effects on New Castle County government including, but not limited to, an increase in the assessed value of the property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

RECORD MAJOR LAND DEVELOPMENT PLAN
FOR

COUNTRY CREEK PHASE 3

WHITE CLAY CREEK HUNDRED - NEW CASTLE COUNTY, DELAWARE





NOTES:

1. **TAX PARCEL NUMBER(S):** 09-041.10-301

2. **ZONING DISTRICT DESIGNATION**: NC6.5

3. **SOURCE OF TITLE**. DEED 20160111 0001317

4. **SURVEY DATUM**: NAD83, NGVD88
   LOCAL BENCHMARK: CONCRETE MONUMENT (MERESTONE) LOCATED AT NORTHWEST CORNER OF PROPERTY. ELEV.=32.79
   NUMBER OF EXISTING MONUMENTS: 5
   NUMBER OF PROPOSED MONUMENTS: 8

5. **SUBDIVISION / SITE DATA:**

GROSS AREA:	16.2464 AC.
DEDICATED ALONG CREEKSIDE DRIVE:	0.0000 AC.
NET SITE AREA:	16.2464 AC. (100.0%)
AREA IN LOTS:	4.8097 AC. (29.6%)
AREA IN RIGHT-OF-WAY:	1.1705 AC. (7.2%)
AREA IN OPEN SPACE:	10.2662 AC. (63.2%)

   (OPEN SPACE INCLUDES 0.338 ACRES FOR STORMWATER MANAGEMENT AREA)

6. **WATER SUPPLIER**: VEOLIA WATER DELAWARE, INC.
   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.

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

   AT THE TIME OF APPROVAL OF THIS PLAN, SEWER CAPACITY EXISTED TO ACCOMMODATE THE ANTICIPATED FLOWS GENERATED BY THIS ADDITIONAL DEVELOPMENT; HOWEVER, NEW CASTLE COUNTY SHALL NOT BE COMMITTED TO PROVIDE SEWER SERVICE UNTIL A SEWER AGREEMENT BETWEEN THE DEVELOPER AND THE DEPARTMENT OF PUBLIC WORKS IS EXECUTED.

   A 20' WIDE EASEMENT ON EACH SIDE OF ANY SANITARY SEWER CONSTRUCTED WITHIN THIS DEVELOPMENT SHALL BE ESTABLISHED FOR PUBLIC USE AND MAINTENANCE UNLESS OTHERWISE NOTED.

   PROPOSED SEWER FLOWS:
   SINGLE HOME LOTS: 300 GPD X 28 UNITS 8,400 GPD
   PEAK FLOW (8,400 GPD X 4 X 1 DAY/1440 MIN.) 23.3 GPM

8. **DEVELOPER/EQUITABLE PROPERTY OWNER**:
   COUNTRY CREEK LLC
   C/O ALLIED PROPERTIES
   PO BOX 7189
   WILMINGTON, DELAWARE 19803

9. **EXISTING LOTS AND/OR DWELLING UNITS:** 0
   PROPOSED LOTS AND/OR DWELLING UNITS: 28

SEE NEXT SHEET FOR CONTINUATION OF NOTES.

PURPOSE NOTE:

THE PURPOSE OF THIS PLAN IS SUBDIVIDE TAX PARCEL #09-041.10-301 AND DEVELOP 28 SINGLE FAMILY DETACHED UNITS.

APPLICATION NO. 2022-0216

COVER SHEET
RECORD
MAJOR LAND DEVELOPMENT PLAN
FOR

COUNTRY CREEK PHASE 3

SITUATE IN: WHITE CLAY CREEK HUNDRED, NEW CASTLE COUNTY, DELAWARE

CERTIFICATE OF PLAN ACCURACY

I, YOUNSIL LEE , PE 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.

PROFESSIONAL ENGINEER — DATE 6/20/2024

17637
LICENSE NO.

CERTIFICATE OF OWNERSHIP

COUNTRY CREEK LLC, HEREBY CERTIFIES THAT IT IS THE OWNER OF THE PROPERTY WHICH IS SUBJECT OF THIS PLAN AND 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.

JAMES H. OESTE — DATE 6/20/24

VICE PRESIDENT OF REAL ESTATE
TITLE

CERTIFICATION OF PLAN APPROVAL

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

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

INDEX OF SHEETS

SHEET 1	COVER SHEET
SHEET 2	NOTES AND DETAILS
SHEET 3	PLAN SHEET

revisions	checked	date
PER NCC PLANNING 06-28-2023	Y.L	07-06-23
PER NCC PLANNING 04-14-2023	Y.L	05-18-23

Karins and Associates
ENGINEERS • PLANNERS • SURVEYORS
NEWARK, DE & GEORGETOWN, DE
www.karinsengineering.com
17 POLLY DRUMMOND CENTER * SUITE 201
NEWARK, DELAWARE 19711
PHONE: (302) 369-2900 FAX: (302) 369-2975

OWNER:
COUNTRY CREEK LLC
C/O ALLIED PROPERTIES
PO BOX 7189
WILMINGTON, DE 19803
PHONE: (302) 479-8314

PROPERTY ADDRESS:
CREEKSIDE DRIVE
NEWARK, DE 19702

YOUNSIL LEE — LICENSE No. 17637 — DELAWARE — PROFESSIONAL ENGINEER
06/20/2024

SURVEY BY:	KARINS
DESIGNED BY:	J.L.
DRAWN BY:	J.L., R.C., F.D.S., M.R.B.
CHECKED BY:	Y.L.

SCALE: 1" = 100' (0, 100', 200')
DATE: 2/8/2023 SHEET: 1 OF 3
DRAWING NO.: 2994 - A01

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NOTES:

10. **PARKING RATIONALE**
REQUIRED: 2.0 SPACE PER DU x 28 DU = 56
PROVIDED: 2.0 SPACE PER DU x 28 DU = 56

11. **CONSERVATION EASEMENT**:
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.

12. **FLOODPLAIN**
A PORTION OF THE SITE LIES WITHIN THE FEMA 100 YR FLOODPLAIN, AS PER FLOOD INSURANCE RATE MAP NO. 10003C0140K DATED JANUARY 22, 2020

13. **WATER RESOURCE PROTECTION AREA (WRPA)**
A PORTION OF THE SITE LIES WITHIN THE WRPA FLOODPLAIN AREA, AS PER THE "WATER RESOURCE PROTECTION AREAS FOR CITY OF NEWARK, CITY OF WILMINGTON, NEW CASTLE COUNTY DELAWARE" MAP 2 OF 3, REVISED MARCH 2022.

14. **WETLANDS**
THE WETLANDS BOUNDARIES DEPICTED ON THIS PLAN WERE TAKEN FROM A WETLAND DELINEATION REPORT BY WATERSHED ECO DATED JULY 27, 2021.

15. **CRITICAL NATURAL AREAS**
THE STATE INVENTORY OF NATURAL AREAS HAS BEEN EXAMINED AND CRITICAL NATURAL AREAS (CNA) EXIST ON SITE.

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

17. **SUPERSEDES NOTE**
NOT APPLICABLE.

18. **TRAFFIC IMPACT STUDY**
THIS PROJECT IS NOT WITHIN THE TRANSPORTATION IMPROVEMENT DISTRICTS. TRAFFIC IMPACT STUDY IS NOT REQUIRED FOR THE PROJECT.

19. **DEBRIS DISPOSAL**
NO DEBRIS SHALL BE BURIED ON THE SITE.

20. **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.

21. **LANDSCAPE PLAN**
A LANDSCAPE PLAN, PREPARED BY DESIGN ETC. LAST DATED MARCH 10, 2023 OR AS AMENDED AND APPROVED IN WRITING BY THE DEPARTMENT OF LAND USE, IS HEREBY CONSIDERED A PART OF THE RECORD PLAN.

22. **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 IN FRONT OF WHICH THEY ARE SHOWN. SIDEWALKS SHALL BE FIVE (5) FEET IN WIDTH AND CONSTRUCTED OF PORTLAND CEMENT CONCRETE.

23. **MAINTENANCE OF COMMON FACILITIES**
FOR MAINTENANCE OF THE COMMON FACILITIES, INCLUDING PRIVATE OPEN SPACE SHOWN ON THE PLAN, SEE THE MAINTENANCE DECLARATION DATED MAY 7, 2024, AND OF RECORD IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, STATE OF DELAWARE, INSTRUMENT NO. 20240508-0029249.

24. **UTILITY EASEMENTS**
A 5' 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 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.

25. **TOTAL LENGTH OF PUBLIC RIGHT-OF-WAYS:**
50' WIDE RIGHT-OF-WAY: 1,031 L.F.±

26. **SUBDIVISION STREETS:**
A. ALL ENTRANCES SHALL CONFORM TO THE STATE OF DELAWARE DIVISION OF HIGHWAYS STANDARDS 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.

27. **EXISTING FIRE HYDRANTS:** 0
PROPOSED FIRE HYDRANTS: 2

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

29. **AVIATION RESTRICTIONS**
THE U. S. DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION, SHALL HAVE THE RIGHT AND AUTHORITY TO IMPLEMENT SUCH RESTRICTIONS AND SAFEGUARDS ON THE PREMISES AS MAY BE REASONABLE NECESSARY TO PROTECT THE SAFETY AND WELFARE OF THE PUBLIC.

30. **CONSERVATION EASEMENT**
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.

31. **NONCONFORMITIES**: NOT APPLICABLE

32. **TOPOGRAPHY**
TOPOGRAPHY DEPICTED ON THIS PLAN WAS DERIVED FROM FIELD SURVEY PERFORMED BY KARINS AND ASSOCIATES IN JULY OF 2021.

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

34. **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 05/29/2024, AT INSTRUMENT NO. 20240529-0034185."

35. **RIGHT OF ACCESS**
THE OWNER(S) OF THIS PROPERTY HEREBY GRANT(S) AND CONVEY(S) TO NEW CASTLE COUNTY AN EASEMENT(S) THAT PERPETUALLY CONVEY(S) THE RIGHT AND PRIVILEGE TO LAY, MAINTAIN, REPAIR, OPERATE, RELAY, AND REMOVE AT ANY TIME ITS PIPES AND APPURTENANCES, INCLUDING MANHOLES, LAMPHOLES, AND CLEANOUTS, FOR THE SANITARY SEWER OR STORM SEWER SYSTEM WITH THE RIGHT OF INGRESS AND EGRESS TO AND FROM THE SAME, ON, OVER AND THROUGH A STRIP OF LAND, AS DEPICTED ON THIS RECORD PLAN. THE GRANTOR(S), THE HEIRS, EXECUTORS, ADMINISTRATORS, GRANTEES ANY ASSIGNS OF THIS PROPERTY, COVENANT(S) AND AGREE(S) THAT HE/SHE/THEY SHALL NOT PLANT, ERECT, OR CONSTRUCT AND MANNER OF TREE, SHRUB, BUSH, FENCE, STRUCTURE OR OTHER MANMADE IMPROVEMENT, EXCLUDING PAVING, WITHIN THE PERPETUAL EASEMENT(S) DEPICTED ON THIS PLAN. IF THE CONSTRUCTED HORIZONTAL SEWER MAIN LOCATION DEVIATES BY MORE THAN 2.5 FEET FROM THE DESIGN LOCATION, THE PROJECT MAY BE SUBJECT TO A RESUBDIVISION PLAN OR PIPE RELOCATION AS DETERMINED BY THE DEPARTMENT OF PUBLIC WORKS.

36. **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 CONTROL'S DELAWARE SEDIMENT AND STORMWATER REGULATIONS AND THE DELAWARE EROSION AND SEDIMENT CONTROL HANDBOOK.

37. **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 $22,000, AS DETERMINED BY THE DEPARTMENT OF PUBLIC WORKS, SHALL BE FUNDED UPON THE ISSUANCE OF SEVENTY FIVE (75) PERCENT OF BUILDING PERMITS FOR 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.

38. **ADDRESSES**
ADDRESSES SHOWN ON THIS PLAN ARE AS ASSIGNED BY NEW CASTLE COUNTY GIS SERVICES.

39. **PROVISION FOR TRESPASSING**
THE DEVELOPER SHALL BE PERMITTED TO TRESPASS ON ANY LOT FOR A PERIOD OF AT LEAST ONE YEAR AFTER A LOT IS SOLD FOR THE PURPOSES OF COMPLETING OVERALL SITE DRAINAGE AND/OR LANDSCAPING REQUIREMENTS.

40. **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 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.

41. **VOLUNTARY SCHOOL ASSESSMENT**
THE OWNERS SHALL PAY ANY VOLUNTARY SCHOOL ASSESSMENT REQUIRED BY TITLE 9, SECTION 2661(C) OF THE DELAWARE CODE, CALCULATED ON A PER UNIT BASIS AT THE TIME OF THE 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 10/14/2022 AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY ON 11/29/2022, INSTRUMENT NO. 20221129-0110559.

42. **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.

43. **MAINTENANCE ESCROW:**
PURSUANT TO SECTION 40.27.220 OF THE COUNTY CODE, THE DEVELOPER SHALL PLACE FUNDS IN AN INTEREST-BEARING ESCROW ACCOUNT EQUIVALENT TO THE COST OF MAINTAINING THE PRIVATE OPEN SPACE AND COMMON FACILITIES FOR A TWO (2) YEAR PERIOD, TO INCLUDE AN AMOUNT EQUAL TO TEN (10) PERCENT OF THE COST OF ACQUIRING AND INSTALLING THE LANDSCAPING. THE AMOUNT SHALL BE $590.00 PER LOT/UNIT X 28 LOTS/UNITS = $16,520.00 AS SHOWN ON THIS PLAN OR SUBSEQUENT PLANS.

44. **SANITARY AND STORM EASEMENTS**
UNLESS OTHERWISE DESCRIBED BY METES AND BOUNDS, OR BY MATHEMATICAL REFERENCE TO A PROPERTY LINE, A 40' WIDE PERMANENT EASEMENT, 20' ON EACH SIDE OF THE CENTERLINE OF THE PIPE, SHALL BE CREATED ANYWHERE A SANITARY SEWER LINE IS DESIGNATED FOR PUBLIC USE IN UNPAVED AREAS AND IS OUTSIDE A PUBLIC RIGHT OF WAY. A 20' WIDE PERMANENT EASEMENT, 10' OF EACH SIDE OF THE CENTER LINE OF THE PIPE, SHALL BE CREATED WHERE A SANITARY SEWER LINE IS DESIGNED FOR PUBLIC USE ON A PRIVATELY MAINTAINED PAVED AREAS, SUCH AS PARKING LOTS, PRIVATE STREETS OR DRIVEWAYS. A 20' WIDE PERMANENT EASEMENT, 10' OF EACH SIDE OF THE CENTER LINE OF THE PIPE, SHALL BE CREATED WHERE A STORM SEWER LINE IS DESIGNED FOR PUBLIC USE OUTSIDE OF A PUBLIC RIGHT OF WAY. IF THE CONSTRUCTED HORIZONTAL SEWER MAIN LOCATION DEVIATED BY MORE THAN 2.5' FROM THE DESIGN LOCATION, THE PROJECT MAY BE SUBJECT TO A RESUBDIVISION PLAN OR PIPE LOCATION AS DETERMINED BY THE DEPARTMENT OF PUBLIC WORKS.

45. **DRIVEWAYS:**
ONLY LOTS 26, 27 AND 28 MAY TAKE DIRECT ACCESS FROM CREEKSIDE DRIVE.

46. **GEOTECHNICAL EVALUATION:**
A GEOTECHNICAL EVALUATION HAS BEEN PERFORMED TO APPROXIMATE THE SEASONAL HIGH WATER TABLE (SHWT) ELEVATION(S) AND ALL LOTS REQUIRE FURTHER EVALUATION WHERE SLAB-ON-GRADE CONSTRUCTION IS NOT PROPOSED, AS IT PERTAINS TO THEIR LOWEST PROPOSED FLOOR ELEVATION PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

DOCUMENTATION OF ANY/ALL CONSTRUCTION LIMITATIONS BASED ON THE GEOTECHNICAL EVALUATION OF THE SHWT ELEVATION(S) IS REQUIRED PRIOR TO BUILDING PERMIT ISSUANCE. ALL STRUCTURES PROPOSED WITH LOWEST FLOOR WITHIN 3-FEET OF THE ESTIMATED SHWT SHALL BE WATERPROOFED (UDC §40.22.130). NO LOWEST FLOOR SHALL BE CONSTRUCTED WITHIN 2 FEET OF THE ESTIMATED SHWT (UDC §40.22.220).

47. **VARIANCES:**
THE FOLLOWING VARIANCE WAS GRANTED BY THE NEW CASTLE COUNTY BOARD OF ADJUSTMENT AT THE JUNE 22, 2023, HEARING (APP.2023-0153-A, DECISION FILED SEPTEMBER 14, 2023):
A. TO PERMIT A 0.0 BUFFERYARD OPACITY ALONG THE SOUTHWESTERN PROPERTY LINE (0.1 BUFFERYARD OPACITY REQUIRED) PER TABLE 40.04.111 OF THE UDC.

48. **ACTIVE RECREATION AREAS AND STRUCTURES RECREATIONAL FACILITIES**
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.

DELDOT NOTES REVISED MARCH 21. 2019

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. SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.

4. UPON COMPLETION OF THE CONSTRUCTION OF THE SIDEWALK OR SHARED-USE PATH ACROSS THIS PROJECT'S FRONTAGE AND PHYSICAL CONNECTION TO ADJACENT EXISTING FACILITIES, THE DEVELOPER, THE PROPERTY OWNERS OR BOTH 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. 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 THE COMPLETION OF THE STREETS BY THE DEVELOPER TO THE SATISFACTION OF THE STATE. THE STATE ASSUMES NO MAINTENANCE RESPONSIBILITIES WITHIN THE dedicated street right-of-ways until the streets ha

6. THE SIDEWALK SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, THE PROPERTY OWNERS OR BOTH WITHIN THIS SUBDIVISION. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE FOR THE SIDEWALK.

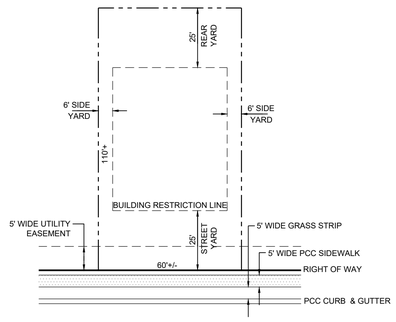
7. A. ALL LOTS SHALL HAVE ACCESS FROM THE INTERNAL SUBDIVISION STREET.
B. DRIVEWAYS WILL NOT BE PERMITTED TO BE PLACED AT CATCH BASIN LOCATIONS.
C. LOTS WILL BE PERMITTED TO HAVE ACCESS POINTS THAT COMPLY WITH THE DEVELOPMENT COORDINATION MANUAL (DCM) SPACING REQUIREMENTS OF CHAPTER 1 AND LIMITATIONS ON NUMBER OF ACCESS POINTS ESTABLISHED IN DCM CHAPTER 7. HORSESHOE DRIVEWAYS AND SECONDARY ENTRANCES REQUIRE ADDITIONAL DELDOT REVIEW AND SEPARATE PERMITTING, RESTRICTIONS AS DESCRIBED IN THE DCM CHAPTER 7 MAY PROHIBIT SOME SECONDARY ENTRANCE REQUESTS FROM BEING GRANTED.

8. TO MINIMIZE RUTTING AND EROSION OF THE ROADSIDE DUE TO ON-STREET PARKING, DRIVEWAY AND BUILDING LAYOUTS MUST BE CONFIGURED TO ALLOW FOR VEHICLES TO BE STORED IN THE DRIVEWAY BEYOND THE RIGHT-OF-WAY, WITHOUT INTERFERING WITH SIDEWALK ACCESS AND CLEARANCE.

9. THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS IN ACCORDANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.

10. A. THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS ON THE DEDICATED SUBDIVISION STREET RIGHT-OF-WAY IN ACCORDANCE WITH SECTION 3.2.4.1 OF THE DEVELOPMENT COORDINATION MANUAL, AND THE REQUIREMENTS OF THE LAND USE AGENCY. RIGHT-OF-WAY MONUMENTS SHALL BE PLACED ALONG THE RIGHT-OF-WAY LINES, AT A MINIMUM ON ONE SIDE OF THE STREET AT EVERY CHANGE IN HORIZONTAL ALIGNMENT TO PROVIDE A PERMANENT REFERENCE FOR THE RE-ESTABLISHING THE CENTERLINE AND RIGHT-OF-WAY LINE.
B. THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MARKERS TO PROVIDE A PERMANENT REFERENCE FOR RE-ESTABLISHING THE RIGHT-OF-WAY AND PROPERTY CORNERS ON LOCAL AND HIGHER ORDER FRONTAGE ROADS. RIGHT-OF-WAY MARKERS SHALL BE SET AND/OR PLACED ALONG THE FRONTAGE ROAD RIGHT-OF-WAY AT PROPERTY CORNERS AND AT EACH CHANGE IN RIGHT-OF-WAY ALIGNMENT IN ACCORDANCE WITH SECTION 3.2.4.2 OF THE DEVELOPMENT COORDINATION MANUAL.

11. ONLY APPLICABLE TO NEW CASTLE COUNTY:
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.



TYPICAL 6,600 SF LOT
SCALE: 1"=30'

DISTRICT AND BULK STANDARDS
LOT AREA: 6,500 SF
LOT WIDTH: 60' (MIN.)
STREET YARD: 25'
SIDE YARD: 6"
REAR YARD: 25"*
BLDG. HT.: 35' MAX.
UNIT MIX: N/A
*WHERE A SIDE ENTRY GARAGE IS PROPOSED AS PART OF A RESIDENTIAL DWELLING THE MINIMUM REQUIRED SIDE YARD SETBACK FOR ONLY THE GARAGE PORTION OF THE DWELLING SHALL BE 30'.
**15' REAR YARD SETBACK FOR CORNER LOTS

CURVE TABLE

Curve #	Radius	Length	Delta	Chord Direction	Chord Length
C1	25.00	39.27	89°59'30"	S79° 34' 38"W	35.35
C2	225.00	353.40	89°59'30"	S79° 34' 38"W	318.17
C3	175.00	212.03	69°25'11"	S00° 07' 42"E	199.30
C4	175.00	39.39	12°53'52"	S41° 17' 14"E	39.31
C5	25.00	37.84	86°43'35"	S04° 22' 23"E	34.33
C6	25.00	42.13	96°33'28"	S87° 16' 09"W	37.32
C7	125.00	20.97	9°36'49"	N39° 38' 42"W	20.95
C8	125.00	151.45	69°25'11"	N00° 07' 42"W	142.36
C9	175.00	274.86	89°59'30"	N79° 34' 38"E	247.47
C10	25.00	39.27	90°00'29"	S10° 25' 22"E	35.36
C11	225.00	29.65	7°33'02"	S59° 12' 08"E	29.63
C12	225.00	54.13	13°47'03"	S69° 52' 10"E	54.00
C13	225.00	54.13	13°47'03"	S83° 39' 14"E	54.00
C14	225.00	54.13	13°47'03"	N82° 33' 43"E	54.00
C15	225.00	79.76	20°18'42"	N65° 30' 51"E	79.35
C16	225.00	54.13	13°47'03"	N48° 27' 58"E	54.00
C17	225.00	27.46	6°59'34"	N38° 04' 40"E	27.44
C18	175.00	49.86	16°19'26"	N26° 25' 10"E	49.69
C19	175.00	52.70	17°15'14"	N09° 37' 51"E	52.50
C20	175.00	52.70	17°15'14"	N07° 37' 23"W	52.50
C21	175.00	52.70	17°15'14"	N24° 52' 37"W	52.50
C22	175.00	4.08	1°20'04"	N34° 10' 16"W	4.08
C23	125.00	112.46	51°32'58"	S09° 03' 49"E	108.71
C24	125.00	38.99	17°52'13"	S25° 38' 46"W	38.83
C25	175.00	118.84	38°54'28"	S54° 02' 07"W	116.57
C26	175.00	97.10	31°47'31"	S89° 23' 06"W	95.86
C27	175.00	58.92	19°17'31"	N65° 04' 22"W	58.65

LINE TABLE

Line #	Direction	Length
L1	N55° 25' 37"W	20.03
L2	N34° 34' 53"E	29.54
L3	S34° 34' 53"W	20.00
L4	N34° 34' 53"E	3.24
L5	N34° 50' 18"W	3.96
L6	S34° 50' 18"E	14.37
L7	S55° 25' 37"E	20.02
L8	S27° 46' 29"E	16.81

EASEMENT LINE TABLE

Line #	Length	Direction
E1	220.82	S10° 36' 48"E
E2	20.00	N79° 41' 20"E
E3	7.20	N10° 36' 46"W
E4	104.40	N61° 29' 45"W
E5	88.30	N86° 26' 04"W
E6	51.67	N65° 24' 24"W
E7	18.24	N24° 35' 36"E
E8	57.96	S65° 24' 24"E
E9	89.01	S86° 26' 04"E
E10	92.69	S61° 29' 45"E
E11	184.82	N10° 38' 36"W
E12	20.53	N10° 05' 11"W
E13	20.00	N79° 54' 49"E
E14	17.10	S10° 05' 11"E
E15	155.19	S55° 25' 16"E
E16	20.01	S35° 03' 55"W
E17	155.02	N55° 25' 07"W
E18	116.32	S74° 59' 31"E
E19	20.02	S12° 37' 04"W
E20	117.15	N74° 59' 31"W
E21	20.00	N15° 00' 29"E
E22	10.15	N55° 25' 31"W
E23	701.24	N34° 50' 29"W
E24	303.05	S34° 49' 51"E
E25	221.86	N55° 11' 26"E

EASEMENT CURVE TABLE

Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
EC1	20.30	175.00	6°38'52"	N70° 09' 55"E	20.29
EC2	8.81	225.00	2°14'40"	N74° 32' 52"E	8.81
EC3	20.23	225.00	5°09'05"	N70° 50' 59"E	20.22

NATURAL RESOURCE PROTECTION TABLE

NATURAL RESOURCE	TOTAL AREA (Acres)	PROTECTION REQUIRED	DISTURBED AREA (Acres)	PROTECTION PROVIDED
FLOODPLAIN	0.05	100%	0.00	100%
WETLANDS	1.01	100%	0.00	100%
RIPARIAN BUFFER	2.98	100%	0.14	96%[1]
FOREST, TIER 1 CNA	0.41*	90.0%	0.00	100%
FOREST, TIER 2	1.92**	60.0%	0.70	64%
FOREST, TIER 3	4.43***	30.0%	2.31	48%

*OVERLAP WITH 0.26 ACRES OF RBA, 0.11 ACRES OF WETLANDS, AND 0.04 ACRES OF FLOODPLAIN.
**OVERLAP WITH 0.54 ACRES OF RBA AND 0.03 ACRES OF WETLANDS.
***OVERLAP WITH 1.14 ACRES OF RBA AND 0.06 ACRES OF WETLANDS.
[1]PERMITTED DISTURBANCE FOR STORMWATER MANAGEMENT FACILITIES (OUTSIDE OF ZONE 1) AND FOR STORMWATER OUTFALL WITHIN ZONE 1 IN ACCORDANCE WITH UDC DIVISION 40.10.300

EASEMENT TABLE

DESCRIPTION OF EASEMENT	IN FAVOR OF	MAINTENANCE RESPONSIBILITY
40' WIDE, AND VARIABLE WIDTH SANITARY SEWER EASEMENT	NEW CASTLE COUNTY	SEWER LINE - NEW CASTLE COUNTY GROUND SURFACE - PROPERTY OWNER AND/OR MAINTENANCE ORGANIZATION AS APPLICABLE
20' WIDE AND VARIABLE WIDTH STORM DRAINAGE EASEMENTS (FOR PIPES THAT CONVEY DRAINAGE FROM DELDOT MAINTAINED RIGHT-OF-WAYS THROUGH PRIVATE OPEN SPACE)	NEW CASTLE COUNTY DELDOT	STORM PIPE - DELDOT GROUND SURFACE - MAINTENANCE ORGANIZATION AS APPLICABLE
20' WIDE AND VARIABLE WIDTH STORM DRAINAGE EASEMENTS (FOR PIPES LOCATED IN PRIVATE OPEN SPACE THAT DO NOT CONVEY DRAINAGE FROM DELDOT MAINTAINED RIGHT-OF-WAYS)	NEW CASTLE COUNTY DELDOT	STORM PIPE - MAINTENANCE ORGANIZATION GROUND SURFACE - MAINTENANCE ORGANIZATION AS APPLICABLE
IRREGULAR SHAPE SWM MAINTENANCE EASEMENT	NEW CASTLE COUNTY DELDOT	MAINTENANCE ORGANIZATION
5' WIDE SIDEWALK AND UTILITY EASEMENT	DELDOT AND UTILITY COMPANIES	PIPES AND UTILITIES - DELDOT AND/OR UTILITY COMPANY AS APPLICABLE GROUND SURFACE - PROPERTY OWNER AND/OR MAINTENANCE ORGANIZATION AS APPLICABLE

NOTES AND DETAILS
RECORD
MAJOR LAND DEVELOPMENT PLAN
FOR
COUNTRY CREEK PHASE 3

SITUATE IN: WHITE CLAY CREEK HUNDRED, NEW CASTLE COUNTY, DELAWARE

date	checked	revisions
05-30-24	YL	PER NCC PLANNING 02-06-2024
01-29-24	YL	PER NCC PLANNING 11-21-2023
10-31-23	YL	PER NCC PLANNING 10-03-2023
07-06-23	YL	PER NCC PLANNING 06-28-2023
05-18-23	YL	PER NCC PLANNING 04-14-2023

Karins and Associates
ENGINEERS • PLANNERS • SURVEYORS
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www.karinsengineering.com
17 POLLY DRUMMOND CENTER * SUITE 201
NEWARK, DELAWARE 19711
PHONE: (302) 369-2900 FAX: (302) 369-2975

OWNER:
COUNTRY CREEK LLC
C/O ALLIED PROPERTIES
PO BOX 7189
WILMINGTON, DE 19803
PHONE: (302) 479-8314

PROPERTY ADDRESS:
CREEKSIDE DRIVE
NEWARK, DE 19702

YOUNSI, L.E.
LICENSE
No. 17637
DELAWARE
PROFESSIONAL ENGINEER
06/20/2024

SURVEY BY:	KARINS
DESIGNED BY:	J.L.
DRAWN BY:	J.L., R.C., F.D.S., M.R.B.
CHECKED BY:	Y.L.

SC

N/F
SUBDIVISION OF
SALEM WOODS

FOUND IRON PIPE

FOUND CONCRETE MONUMENT (MERESTONE)

FOUND IRON PIPE

SITE BENCHMARK
FOUND CONCRETE MONUMENT (MERESTONE)
ELEVATION = 32.79

FOUND CONCRETE MONUMENT

CREEKSIDE DRIVE
(STATE-MAINTAINED SUBDIVISION STREET NCR 13004)
(EX. 60' WIDE R/W - DEDICATED TO PUBLIC USE)

CREEKSIDE COURT
(STATE-MAINTAINED SUBDIVISION STREET NCR 13004)
(EX. 50' WIDE R/W - DEDICATED TO PUBLIC USE)

FIELDSTONE LANE
(STATE-MAINTAINED SUBDIVISION STREET NCR 13003)
(50' WIDE R/W - DEDICATED TO PUBLIC USE)

HUNTING RIDGE ROAD
(STATE-MAINTAINED SUBDIVISION STREET NCR 13006)
(50' WIDE R/W - DEDICATED TO PUBLIC USE)

COUNTRY CREEK CIRCLE
50' WIDE R/W DEDICATED TO PUBLIC USE

SUBDIVISION OF COUNTRY CREEK
M.F.# 7904
ZONE: NCR-1

SUBDIVISION OF COUNTRY CREEK
M.F.# 8984
ZONE: NC6.5

SUBDIVISION OF CHRISTINA HOLLOW
M.F.# 12969
ZONE: NC6.5

N 38° 59' 25" E 295.19'
N 27° 42' 38" E 235.80'
N 24° 34' 53" E 482.90'
S 34° 50' 18" E 1004.29'
S 54° 48' 28" W 701.45'
N 55° 25' 37" W 682.17'
N 82° 38' 43" W 81.06'
S 81° 54' 15" W 87.00'
N 34° 34' 53" E 292.78'

PRIVATE OPEN SPACE #1 (1.0257 AC.)
PRIVATE OPEN SPACE #2 (9.2394 AC.)
PRIVATE OPEN SPACE #2 (9.2394 AC.)

10' WIDE DELDOT PERMANENT EASEMENT
10' WIDE VEOLIA WATER ESMT.
VARIABLE WIDTH VEOLIA WATER ESMT.
20' WIDE DRAINAGE EASEMENT FOR SWALE
40' WIDE SANITARY SEWER AND DRAINAGE EASEMENT (FOR SWALE)
40' WIDE SANITARY SEWER EASEMENT
5' WIDE UTILITY EASEMENT (TYP)
20' WIDE DRAINAGE EASEMENT FOR PIPE
20' WIDE DRAINAGE & ACCESS EASEMENT
40' WIDE SANITARY SEWER EASEMENT
15' WIDE ACCESS EASEMENT
20' WIDE DRAINAGE & ACCESS EASEMENT
40' WIDE NEW CASTLE COUNTY SANITARY SEWER EASEMENT (PER AS-BUILT PLAN 42-279B)

1 0.2048 AC.
2 0.1717 AC.
3 0.1717 AC.
4 0.1717 AC.
5 0.1722 AC.
6 0.1617 AC.
7 0.1515 AC.
8 0.1515 AC.
9 0.1515 AC.
10 0.1515 AC.
11 0.1750 AC.
12 0.1770 AC.
13 0.1770 AC.
14 0.1764 AC.
15 0.1533 AC.
16 0.1515 AC.
17 0.2168 AC.
18 0.1933 AC.
19 0.1515 AC.
20 0.1851 AC.
21 0.1648 AC.
22 0.1515 AC.
23 0.1515 AC.
24 0.1696 AC.
25 0.2176 AC.
26 0.1577 AC.
27 0.1677 AC.
28 0.2136 AC.

SWM AREA
0.338 AC.

C/E COINCIDES WITH LOD LINE. SHOWN OFFSET FOR GRAPHICAL PURPOSE ONLY (TYP.)

NO DISTURBANCE WITHIN 50' OF FOREST TO BE PRESERVED

FOREST TO BE PRESERVED

50' FOREST BUFFER

SET CAPPED REBAR

FOUND CAPPED REBAR (ZEBLEY)

FOUND CAPPED REBAR (ZEBLEY)

FOUND MAG NAIL

FOUND IRON PIPE

FOUND IRON PIPE

FOUND IRON PIPE

FOUND IRON PIPE

FOUND IRON PIPE

FOUND CONCRETE MONUMENT

TOWNHOUSE ADJOINER LIST

WILLIAM E. COFFEY AND CYNTHIA ANN GLYNN
T.P. 809-041.10-179
INST. #20201007067368
M.F.# 7904
ZONE: NCTH

SHI MU CHEN
T.P. 809-041.10-180
INST. #20211150012989
M.F.# 7904
ZONE: NCTH

JENNIFER A. BUCHANAN
T.P. 809-041.10-181
INST. #20180713003357
M.F.# 7904
ZONE: NCTH

RONNIE E. AND HARRIET A. NICHOLS TRUSTEES
T.P. 809-041.10-182
INST. #20020515004597
M.F.# 7904
ZONE: NCTH

RYAN S. MARTIN
T.P. 809-041.10-183
INST. #20110503002753
M.F.# 7904
ZONE: NCTH

MICHAEL A. LAMASTRA
T.P. 809-041.10-184
INST. #20180115000367
M.F.# 7904
ZONE: NCTH

RICARDO MORALESMANTILLA
T.P. 809-041.10-185
INST. #20171005005977
M.F.# 7904
ZONE: NCTH

GORDON R. DENIGHT
T.P. 809-041.10-186
INST. #20170803003686
M.F.# 7904
ZONE: NCTH

JOSEPH W. POLITO
T.P. 809-041.10-187
D.R. #1911-332
M.F.# 7904
ZONE: NCTH

STEWART N. SACORRA
T.P. 809-041.10-188
INST. #20170829000443S4
M.F.# 7904
ZONE: NCTH

WILLIAM L. OWENS
T.P. 809-041.10-189
INST. #20061103004559 1
M.F.# 7904
ZONE: NCTH

GAIL L. MAITZEN
T.P. 809-041.10-190
INST. #20210528093200
M.F.# 7904
ZONE: NCTH

LESLIE BISTLINE
T.P. 809-041.10-191
INST. #20200214003003
M.F.# 7904
ZONE: NCTH

VICTORIA MARIE AMBROSINO
T.P. 809-041.10-192
INST. #20200929093943 4
M.F.# 7904
ZONE: NCTH

N.O.F.
NEW CASTLE COUNTY DEPARTMENT OF LAW
T.P. 809-041.40-020
INST. #20171017005375 2
M.F.# 7904
ZONE: NCTH

N.O.F.
ROBERT D. AND SUSAN P. PATAS
T.P. 809-041.10-116
D.R. #1757-349
M.F.# 8984
ZONE: NC6.5

N.O.F.
LEON W. WILLIAMS AND BARBARA A. SMITH-WILLIAMS
T.P. 809-041.10-117
D.R. #1771-309
M.F.# 8984
ZONE: NC6.5

N.O.F.
CHARLES A. AND ALEXI C. CORNELIUS
T.P. 809-041.10-118
INST. #20160917004134 6
M.F.# 8984
ZONE: NC6.5

N.O.F.
REX A. AND DENISE M. COLE
T.P. 809-041.10-119
D.R. #1809-370
M.F.# 8984
ZONE: NC6.5

N.O.F.
SIGMUND J. TOMCZAK, JR. AND KRISTIN M. HOWARD
T.P. 809-041.10-120
INST. #20090630007295 7
M.F.# 8984
ZONE: NC6.5

N.O.F.
THOMAS CARNEY AND PAULA FORWELL
T.P. 809-041.10-121
D.R. #2511-20
M.F.# 8984
ZONE: NC6.5

N.O.F.
DAVID J. AND AMANDA B. WITULSKI
T.P. 809-041.10-122
INST. #20061005095111
M.F.# 8984
ZONE: NC6.5

N.O.F.
CRAIG AND BONITA BLACKMAN
T.P. 809-041.10-123
INST. #20050502004958
M.F.# 8984
ZONE: NC6.5

N.O.F.
EDWARD C. AND MICHELE L. WAYLAND
T.P. 809-041.10-124
D.R. #1249-167
M.F.# 8984
ZONE: NC6.5

N.O.F.
MABEL EL MAJDI AND FATIMA E. SABRE
T.P. 809-041.10-125
INST. #20201215014445
M.F.# 8984
ZONE: NC6.5

N.O.F.
POSI SUNKARA AND CHANDI PRIYA CHOUDOLA
T.P. 809-041.10-126
INST. #20181220002543
M.F.# 8984
ZONE: NC6.5

N.O.F.
ROBERT L. AND MARSHA E. REED
T.P. 809-041.10-127
D.R. #1389-136
M.F.# 8984
ZONE: NC6.5

N.O.F.
DUNN ASSOC LTD
T.P. 809-041.10-178
D.R. 9604-145
M.F.# 7904
ZONE: NC6.5

N.O.F.
NEW CASTLE COUNTY
T.P. 809-041.10-177
DVI. #2563-284
M.F.# 12969
ZONERMC6.5-

250' WIDE P.R.R. CO. RIGHT-OF-WAY PER M.F.# 1904

RBA ZONE 1

RBA

100 YR

500YR

CNA

LEGEND

PROPOSED		EXISTING
	RIGHT OF WAY	
	LOT LINES	
■	MONUMENT	■
	BUILDING RESTRICTION LINES	
	EASEMENT	
LOD	LIMITS OF DISTURBANCE	
(80)	LOT NUMBER	
	INTEGRAL P.C.C. CURB AND GUTTER TYPE 2	
	SIDEWALK	
	TREES / TREELINE	
RBA	RIPARIAN BUFFER AREA LINE	RBA
100 YR	100 YEAR FLOOD LINE	100 YR
	STREAM CENTERLINE	
CNA	CRITICAL NATURAL AREA	CNA
	WETLANDS	
C/E	CONSERVATION EASEMENT	
FH	FIRE HYDRANT	FH
311	POSTAL ADDRESS	

RECORD
MAJOR LAND DEVELOPMENT PLAN
FOR
COUNTRY CREEK PHASE 3

SITUATE IN: WHITE CLAY CREEK HUNDRED, NEW CASTLE COUNTY, DELAWARE

date	checked	revisions
10-31-23	Y.L.	PER NCC PLANNING 10-03-2023
07-06-23	Y.L.	PER NCC PLANNING 06-28-2023
05-18-23	Y.L.	PER NCC PLANNING 04-14-2023

Karins and Associates
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www.karinsengineering.com
17 POLLY DRUMMOND CENTER * SUITE 201
NEWARK, DELAWARE 19711
PHONE: (302) 369-2900 FAX: (302) 369-2975

YOUNSI, LEE — License No. 17637 — DELAWARE — PROFESSIONAL ENGINEER
06/20/2024

OWNER:
COUNTRY CREEK LLC
C/O ALLIED PROPERTIES
PO BOX 7189
WILMINGTON, DE 19803
PHONE: (302) 479-8314

PROPERTY ADDRESS:
CREEKSIDE DRIVE
NEWARK, DE 19702

SURVEY BY: KARINS	SCALE: 1" = 50' (0, 50', 100')
DESIGNED BY: J.L.	
DRAWN BY: J.L., R.C., F.D.S.	DATE: 2/8/2023 — SHEET: 3 OF 3
CHECKED BY: Y.L.	DRAWING NO.: 2994 - A03

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Matthew S. Meyer
County Executive

Charuni Patibanda
General Manager

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 2022-0216-S
Country Creek – Phase 3
Record Major Land Development Plan

DATE: June 21, 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 Country Creek – Phase 3; White Clay Creek Hundred; East side of Creekside Drive, 550 feet south of Hunting Ridge Road; Major Land Development Plan that proposes to subdivide tax parcel 09-041.10-301 and develop 28 single family detached units; NC6.5 zoning; Council District 11.

Synopsis: Same as title

Prime Sponsor(s): Mr. Carter
Requested by: Department of Land Use
Date of introduction: July 9, 2024

RESOLUTION NO. 24-

PLAN OF MONARCH; ST. GEORGES HUNDRED; SOUTH SIDE OF LOREWOOD GROVE ROAD, EAST AND WEST SIDES OF RATLEDGE ROAD, WEST OF ROUTE 301; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO SUBDIVIDE THE PROPERTY INTO 674 SINGLE FAMILY LOTS; S ZONING; APPLICATION NO. 2020-0644; COUNCIL DISTRICT 6

NOW, THEREFORE, BE IT RESOLVED, by and for the County Council of New Castle County that County Council hereby approves the following major land development plan, Plan of Monarch (Application No. 2020-0644) 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 MONARCH
St. Georges Hundred

Adopted by County Council of
New Castle County on:

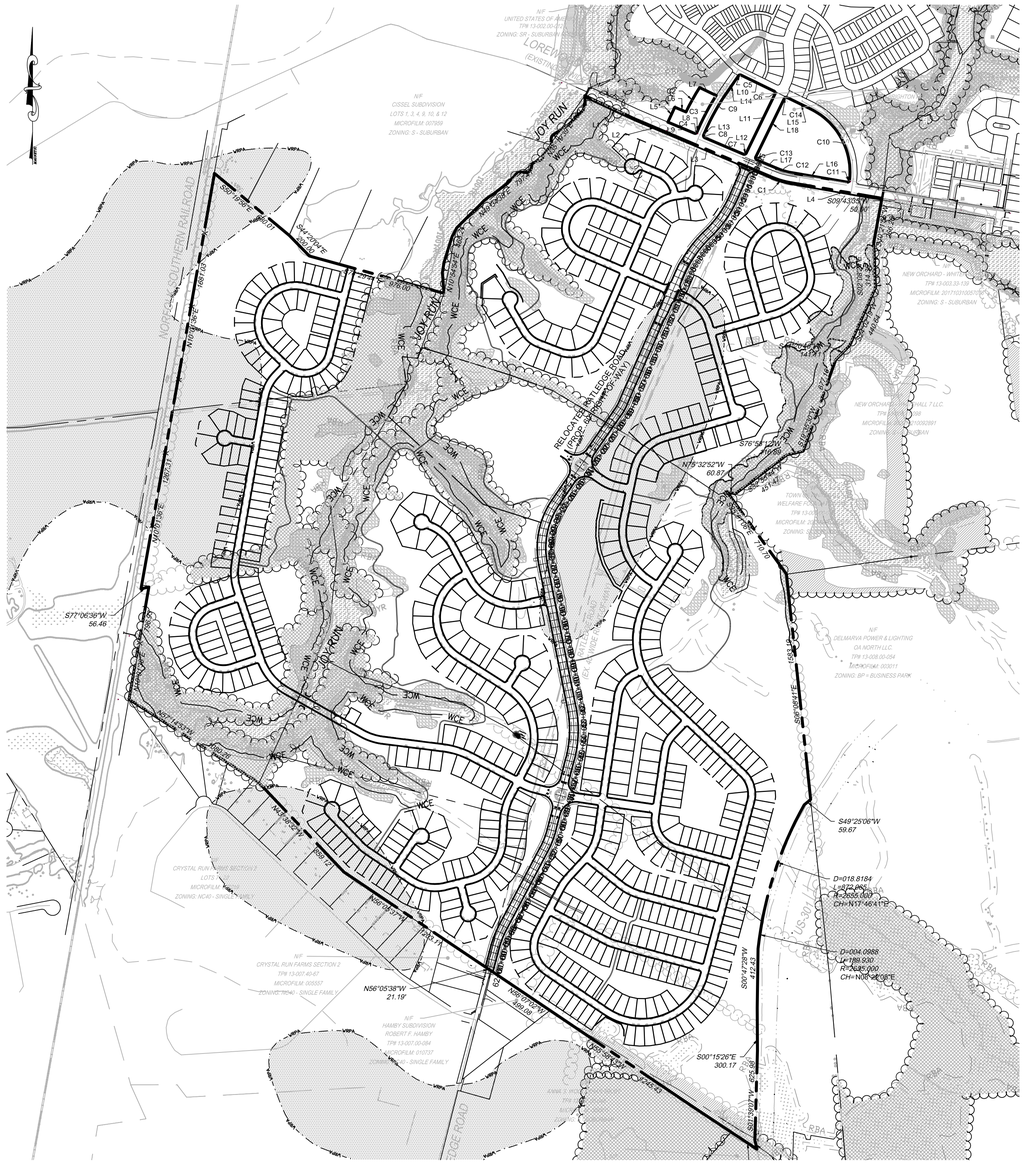
_____
Karen Hartley-Nagle
President of County Council
of New Castle County

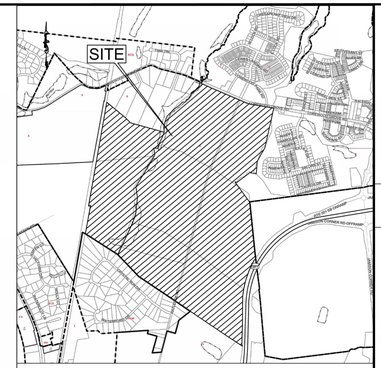
SYNOPSIS: Same as title

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.

RECORD MAJOR SUBDIVISION PLAN
FOR
MONARCH

ST. GEORGE'S HUNDRED - NEW CASTLE COUNTY, DELAWARE
APPLICATION NO. 20200644





LINE TABLE		
NO.	BEARING	DISTANCE
L1	S65°05'41"E	384.81'
L2	S66°58'14"E	222.13'
L3	S66°59'28"E	820.06'
L4	S80°15'42"E	645.59'
L5	S24°49'17"W	114.92'
L6	N66°59'46"W	85.10'
L7	N64°15'24"W	128.91'
L8	S23°00'14"W	14.71'
L9	N66°59'28"W	199.84'
L10	N64°00'06"W	255.61'
L11	S25°59'54"W	459.68'
L12	S66°59'28"E	293.54'
L13	N23°00'14"E	14.71'
L14	S34°42'30"W	149.48'
L15	N64°00'06"W	182.00'
L16	N80°15'42"W	646.86'
L17	S66°59'28"E	144.72'
L18	N25°59'54"E	45.36'

CURVE TABLE			
NO.	LENGTH	RADIUS	CHORD BEARING & LENGTH
C1	136.709'	590.240'	N73°37'35"E 136.40'
C2	194.893'	1728.000'	S29°03'36"W 194.79'
C3	274'-0.60"	1600.000'	S27°54'38"W 273.71'
C4	23.563'	15.000'	S68°00'23"W 21.21'
C5	21.241'	15.000'	N20°29'47"W 21.76'
C6	23.562'	15.000'	S19°00'06"W 21.21'
C7	22.779'	15.000'	S59°30'14"W 20.65'
C8	23.561'	15.000'	N21°59'37"W 21.21'
C9	316.651'	1550.000'	N28°51'21"E 316.10'
C10	605.79'	490.000'	S28°35'13"E 567.94'
C11	24.322'	15.00'	S53°17'11"W 21.74'
C12	120.496'	120.496'	N73°37'35"E 120.23'
C13	24.345'	15.000'	N20°29'47"W 21.76'
C14	23.562'	15.000'	N70°59'54"E 21.21'

SUPERSEDES NOTE:

THIS PLAN SUPERSEDES, IN PART, THE PLAN OF "RECORD SUBDIVISION PLAN TOWN OF WHITEHALL WEST" DATED JULY 2017 AND RECORDED ON 10/27/2017 IN THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, STATE OF DELAWARE, INSTRUMENT NO. 201710270056180

PLAN PURPOSE NOTE:

TO SUBDIVIDE TP# 13-003.00-001, 13-007.00-020, 13-007.00-021, 13-007.00-053, 13-007.00-054, & 13-007.00-090 INTO 674 SINGLE FAMILY DETACHED LOTS AS SHOWN WITH THE ASSOCIATED SITE IMPROVEMENTS.

SHEET INDEX:

R-01	COVER SHEET
R-02	NOTES
R-03	INDEX PLAN
R-04-23	RECORD PLAN
R-24-25	CURVE TABLES

CERTIFICATION OF ACCURACY:

I, Rhiannon K. Sayles, 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.

Rhiannon Sayles #28860 06/10/2024

NAME (LICENSE #) DATE

CERTIFICATION OF OWNERSHIP:

FOR TAX PARCELS 13-003.00-001, 13-007.00-020, & 13-007.00-021

I, Chris Schell HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY WHICH IS SUBJECT OF THIS PLAN AND THAT THE LAND USE ACTION PROPOSED BY THIS PLAN IS MADE AT MY DIRECTION AND THAT I AUTHORIZE THIS PLAN TO BE RECORDED IN ACCORDANCE WITH THE REGULATIONS OF THE NEW CASTLE COUNTY UNIFIED DEVELOPMENT CODE.

06/10/2024

NAME DATE

AUTHORIZED REPRESENTATIVE OF SB NORTH LLC.

CERTIFICATION OF OWNERSHIP:

FOR TAX PARCELS 13-007.00-090, 13-007.00-053, & 13-007.00-054

I, Preston Schell HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY WHICH IS SUBJECT OF THIS PLAN AND THAT THE LAND USE ACTION PROPOSED BY THIS PLAN IS MADE AT MY DIRECTION AND THAT I AUTHORIZE THIS PLAN TO BE RECORDED IN ACCORDANCE WITH THE REGULATIONS OF THE NEW CASTLE COUNTY UNIFIED DEVELOPMENT CODE.

06/10/2024

NAME DATE

AUTHORIZED REPRESENTATIVE OF OA NORTH LLC. & OA JOY RUN LLC.

CERTIFICATION OF APPROVALS:

GENERAL MANAGER FOR DEPARTMENT OF LAND USE OF NEW CASTLE COUNTY — DATE

COUNCIL PRESIDENT FOR COUNTY COUNCIL OF NEW CASTLE COUNTY — DATE

NO.	DATE	REVISION
1	06/07/23	REVISED PER DELDOT COMMENTS
2	08/25/22	REVISED PER DELDOT COMMENTS
3	11/30/22	REVISED PER DELDOT COMMENTS
4	11/21/22	REVISED PER NCCDLU COMMENTS
5	09/07/22	REVISED PER NCCDLU COMMENTS
6	06/01/22	REVISED PER DELDOT EMAIL 06/01/22

OWNER/DEVELOPER:
SB NORTH LLC.
20184 PHILLIPS ST.
REHOBOTH BEACH, DE 19971

OA NORTH LLC.
18849 COASTAL HIGHWAY
REHOBOTH BEACH, DE 19971

OA JOY RUN LLC.
18849 COASTAL HIGHWAY
REHOBOTH BEACH, DE 19971

SCALE - PLAN: 1"=500'

KCI TECHNOLOGIES, INC.
ENGINEERS - PLANNERS - SURVEYORS
1352 MARROWS RD. - SUITE 100 - NEWARK, DELAWARE 19711
PHONE: (302) 731-9176 FAX: (302) 731-7677 Website: www.kci.com

APPLICATION NO. 20200644
RECORD MAJOR SUBDIVISION PLAN
FOR
MONARCH
ST. GEORGES HUNDRED NEW CASTLE DELAWARE

RHIANNON K. SAYLES LICENSE No. 28860 DELAWARE PROFESSIONAL ENGINEER

6/10/24

Drafting:	JLR	Check:	RKS
Design:	JLR	Check:	RKS
SCALE:	1"=500'		
DATE:	06/07/2024		
KCI JOB #:	271904607.SP		
SHEET:	R-01		

PLOTTED: 6/7/2023 8:43 AM
BY: JOSEPH LAUGHLIN
C:\KCI\271904607.SP\CAD\PLOTTING\RECORD_PLAN_R-01_COVER_SHEET.DWG

NOTES:

1. TAX PARCEL NUMBER(S): 13-003.00-001; 13-007.00-020; 13-007.00-021; 13-007.00-053; 13-007.00-054; 13-007.00-090

2. ZONING DISTRICT DESIGNATION: SUBURBAN (S)

3. SITE ADDRESS: 540 RATLEDGE ROAD, MIDDLETOWN DE 19709

4. SOURCE OF TITLE: PARCELS 13-003,00-001; 13-007.00-020; 13-007.00-021: INST. # 20181211-0067890
PARCELS 13-007.00-053; 13-007.00-054: INST. # 20201124-0106489
PARCEL 13-007.00-090: INST. # 20181211-0067894

5. SURVEY DATUM:
LOCAL BENCHMARK: NAIL SET ON CONCRETE CULVERT, ELEVATION 32.34
NUMBER OF EXISTING MONUMENTS: 6
NUMBER OF PROPOSED MONUMENTS: 154

6. SITE GROSS ACREAGE: 546.27 AC.
SITE NET ACREAGE: 539.70 AC.

7. WATER SUPPLIER: ARTESIAN WATER COMPANY
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.

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

PROPOSED SEWER FLOWS: 674 LOTS X 300 GPD = 202,200 GPD
PEAK FLOW = 202,200 GPD X 4 X 1 DAY/1,440 MIN = 561.7 GPM

9. SEPTIC FEASIBILITY
NOT APPLICABLE

10. PROPERTY OWNER: T.P. 13-003.00-001; 13-007.00-020; 13-007.00-021
SB NORTH LLC
20184 PHILLIPS ST
REHOBOTH BEACH, DE 19971

T.P. 13-00.700-090
OA NORTH LLC
18949 COASTAL HIGHWAY
SUITE 301
REHOBOTH BEACH DE 19971

T.P. 13-007.00-053; 13-007.00-054
OA JOY RUN LLC
18949 COASTAL HIGHWAY
SUITE 301
REHOBOTH BEACH DE 19971

11. EXISTING LOTS AND/OR DWELLING UNITS: 0
PROPOSED LOTS AND/OR DWELLING UNITS: 674

12. MAXIMUM BUILDING HEIGHT: 35'

13. LAND DISTURBANCE
THE TOTAL LAND DISTURBANCE PROPOSED BY THIS PLAN IS 337.55 ± ACRES.

14. PARKING RATIONALE
OFF-STREET REQUIRED PARKING (2.25 SPACES/UNIT): 1,517 SPACES
DRIVEWAY SPACES PROVIDED: 1,348 SPACES
GARAGE SPACES PROVIDED: 1,348 SPACES

15. SUBDIVISION / SITE DATA
TOTAL SITE AREA (SOUTH OF LOREWOOD GROVE ROAD): 535.96 ACRES
PARCELS 4, 5, 6 (HAMLET 4): 10.31 ACRES
TOTAL SITE AREA: 546.27 ACRES

EXISTING RATLEDGE RD ROW TO BE VACATED: 5.44 ACRES
RELOCATED RATLEDGE ROAD (80' R/W): 12.01 ACRES
ADDITIONAL RATLEDGE ROAD R/W: 6.57 ACRES
BASE SITE AREA (546.27 AC - 6.57 AC): 539.70 ACRES

OPEN SPACE REQUIRED (50%): 269.85 ACRES
ACTIVE COMMUNITY OPEN SPACE REQUIRED: 6.74 ACRES
OPEN SPACE PROVIDED: 328.78 ACRES
ACTIVE COMMUNITY OPEN SPACE: 16.85 ACRES
COMMUNITY OPEN SPACE: 82.22 ACRES
NATURAL RESOURCE OPEN SPACE: 229.71 ACRES

AREA PROPOSED R/W (EXCLUDING RATLEDGE RD,): 41.69 ACRES
AREA PROPOSED LOTS: 174.90 ACRES

AREA WITHIN RECHARGE WRPA: 64.65 ACRES
DISTURBED AREA PERMITTED WITHIN WRPA 32.33 ACRES (50%)
DISTURBED AREA PROPOSED WITHIN WRPA 31.40 ACRES (48.6%)*
IMPERVIOUS COVERAGE PERMITTED WITHIN WRPA: 12.93 ACRES (20%)
IMPERVIOUS COVERAGE PROPOSED WITHIN WRPA: 10.55 ACRES (16.3%)*
AREA OF OPEN SPACE NOT FORESTED: 33.02 ACRES
REQUIRED REFORESTED AREA (25%): 8.26 ACRES
REFORESTED AREA PROPOSED WITHIN WRPA: 8.26 ACRES (25%)

MAXIMUM NUMBER DWELLING UNITS FOR SITE: 674 DWELLING UNITS
MINIMUM LOT SIZE: 6,500 SF
MINIMUM NUMBER OF LOTS 6,500 SF - 15,000 SF: 204 DWELLING UNITS (30%)

PROPOSED SUBDIVISION
60' X 140' (8,400 SF) DWELLING UNITS: 414 DWELLING UNITS
80' X 140' (11,200 SF) DWELLING UNITS: 260 DWELLING UNITS
CLUBHOUSE: 1 LOT
TOTAL NUMBER OF DWELLINGS: 674 DWELLING UNITS

* RELOCATED RATLEDGE ROAD (R.O.W., PERMANENT EASEMENTS & UTILITY EASEMENTS) NOT COUNTED TOWARDS DISTURBANCE OR IMPERVIOUS COVERAGE.

16. FLOODPLAIN
A PORTION OF THE SITE LIES WITHIN THE 100-YEAR FLOODPLAIN ZONE A. LIMITS OF THE 100-YEAR FLOOD PLAIN WERE TAKEN FROM FLOOD INSURANCE RATE MAPS 10003C0237L & 10003C0240L, BOTH DATED JANUARY 22, 2020. A FLOODPLAIN STUDY TITLED "MONARCH FLOOD STUDY REPORT" DATED SEPTEMBER 14, 2023 WAS PREPARED BY KCI TECHNOLOGIES, A WETLAND DELINEATION TITLED "WETLAND DELINEATION - WHITEHALL VILLAGE PHASES 5 & 6" DATED FEBRUARY 2021 WAS PREPARED BY WATERSHED ECO. A LETTER OF MAP REVISION (LOMR) WAS APPROVED BY FEMA ON AUGUST 11, 2023 (CASE NO. 23-03-0218P), CHANGING THE FLOODPLAIN TO ZONE AE AND ESTABLISHING 100-YEAR FLOOD ELEVATIONS.

THE SITE CONTAINS A NON-DELINEATED FLOODPLAIN ON THE EASTERN BOUNDARY LINE. THE LIMITS OF THIS FLOODPLAIN WERE DOCUMENTED IN A FLOOD STUDY PERFORMED BY VANDEMARK & LYNCH, INC. IN A REPORT DATED SEPTEMBER 2010 AND APPROVED BY NEW CASTLE COUNTY WITH THE RECORDATION OF THE TOWN OF WHITEHALL RECORD MAJOR LAND DEVELOPMENT PLAN, APPLICATION NO.: 2011-0168-S. THE NON-DELINEATED FLOODPLAIN ANALYSIS WAS UPDATED BY BECKER MORGAN GROUP IN A REPORT DATED APRIL 2016.

17. WATER RESOURCE PROTECTION AREA (WRPA)
AS PER THE "WATER RESOURCE PROTECTION AREAS FOR THE CITY OF NEWARK, CITY OF WILMINGTON, NEW CASTLE COUNTY DELAWARE" MAP 3 OF 3, REVISED MARCH 2022, A PORTION OF THE SITE IS LOCATED IN THE RECHARGE WRPA.

18. WETLANDS
THE WETLANDS BOUNDARIES DEPICTED ON THIS PLAN, IN ACCORDANCE WITH THE ARMY CORPS OF ENGINEERS WETLAND DELINEATION MANUAL 1987 TECHNICAL REPORT Y-87-1 (AS AMENDED AND SUPPLEMENTED), WERE TAKEN FROM A WETLAND DELINEATION REPORT BY WATERSHED ECO, LLC, DATED SEPTEMBER 1, 2015. WETLANDS WERE FIELD VERIFIED BY WATERSHED ECO, LLC IN AUGUST 2020.

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

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

21. INTENTIONALLY LEFT BLANK

22. TRAFFIC IMPACT STUDY
TRAFFIC STUDIES WERE COMPLETED FOR THE DEVELOPMENT AND OTHER DEVELOPMENT PROPOSALS AT THE TIME THE SOUTHERN NEW CASTLE COUNTY TRANSPORTATION IMPROVEMENT DISTRICT (SNCC TID) WAS FORMED. DELDOT PERFORMED AREA WIDE TRAFFIC STUDIES FOR THE SNCC TID, AN INDIVIDUAL TRAFFIC IMPACT STUDY IS NOT REQUIRED AND, IN LIEU THEREOF, THE DEVELOPER SHALL CONTRIBUTE THROUGH THE SNCC TID FUND. INSTRUMENT NUMBER 20140930-0043547 & 20210610-0068390.

23. DEBRIS DISPOSAL
NO DEBRIS SHALL BE BURIED ON THE SITE.

24. 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.

25. LANDSCAPE PLAN
A LANDSCAPE PLAN, PREPARED BY DESIGNS ETC. LAST DATED FEBRUARY 9, 2024 OR AS AMENDED AND APPROVED IN WRITING BY THE DEPARTMENT OF LAND USE, IS HEREBY CONSIDERED A PART OF THE RECORD PLAN.

26. 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 FOR ATTACHED DWELLINGS) IN FRONT OF WHICH THEY ARE SHOWN. SIDEWALKS SHALL BE FIVE (5) FEET IN WIDTH AND CONSTRUCTED OF PORTLAND CEMENT CONCRETE.

27. 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 MAY 9, 2024, AND OF RECORD IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, STATE OF DELAWARE, INSTRUMENT NO. 20240510-0029798.

28. 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 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.

29. TOTAL LENGTH OF PUBLIC AND PRIVATE RIGHT-OF-WAYS:
PROPOSED 50' WIDE R.O.W.: 32,900' ±
PROPOSED 60' WIDE R.O.W.: 1,800' ±
PROPOSED RELOCATED RATLEDGE ROAD R.O.W.: 6,100' ±

30. SUBDIVISION STREETS:
A. ALL ENTRANCES SHALL CONFORM TO THE STATE OF DELAWARE DIVISION OF HIGHWAYS STANDARDS 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.
D. THE DEVELOPER AND/OR ITS ASSIGNS SHALL, DURING CONSTRUCTION AND BEFORE THE FIRST LOT IS BUILT ALONG A PROPOSED OR PLANNED INTERCONNECTING STREET, INSTALL A STREET SIGN TO PROVIDE NOTICE TO POTENTIAL PURCHASERS OF PROPERTY ALONG A PROPOSED OR PLANNED INTERCONNECTING STREET THAT SAID INTERCONNECTION IS PLANNED OR PROPOSED, SUCH SIGNS SHALL BE OF A METAL DELDOT REGULATION STREET SIGN AND SHALL BE PLACED AT THE END OF THE STUB STREET IN THE RIGHT-OF-WAY. THE SIGN SHALL INDICATE "STREET CONNECTION TO FUTURE DEVELOPMENT." THE SIGN SHALL ALSO REFERENCE "NEW CASTLE COUNTY DEPARTMENT OF LAND USE" AND THE RESPECTIVE "INSTRUMENT NUMBER" OF THE RECORDED PLAN DEPICTING THE INTERCONNECTION. FOR PROJECTS WHERE THE INTERCONNECTING STREET IS NOT CONSTRUCTED UNTIL FUTURE PHASES, THE DEVELOPER SHALL MOVE THE SIGN AS NECESSARY (TO BE DETERMINED BY THE DEPARTMENT) TO THE END OF THE STUB STREET AS CONSTRUCTION OCCURS. THE SIGN SHALL BE REMOVED ONCE THE INTERCONNECTION IS MADE. PHOTOGRAPHIC PROOF OF INSTALLATION AND A SIGNED AFFIDAVIT MUST BE PROVIDED TO THE DEPARTMENT PRIOR TO ISSUANCE OF THE FIRST BUILDING PERMIT.

31. EXISTING FIRE HYDRANTS: 0
PROPOSED FIRE HYDRANTS: 55

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

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

34. CONSERVATION EASEMENT
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.

35. NONCONFORMITIES: NOT APPLICABLE

36. TOPOGRAPHY
TOPOGRAPHY DEPICTED ON THIS PLAN WAS COMPILED IN JANUARY 1997 BY RAMESH C. BATTA ASSOCIATES, P.A., BY ESTABLISHING A NETWORK OF HORIZONTAL AND VERTICAL CONTROL, AND TOPOGRAPHIC FEATURES AND WERE COMPILED BY AERIAL TECHNIQUES. THE PLAN WAS CONVERTED INTO DELAWARE STATE PLANE (N.A.D. 1983) AND N.A.V.D. 1988 BY VANDEMARK & LYNCH INC. IN JUNE 2007.

TOPOGRAPHY DEPICTED ON THIS PLAN IN THE SOUTHEASTERN QUADRANT OF THE SITE WAS DERIVED FROM AN AERIAL SURVEY PERFORMED BY AXIS GEOSPATIAL IN NOVEMBER 2020. A TOPOGRAPHY SURVEY ALONG EXISTING RATLEDGE ROAD (AT THE LOREWOOD GROVE ROAD INTERSECTION AND AT THE SOUTHERN BOUNDARY OF THE SITE) WAS COMPLETED BY KCI TECHNOLOGIES IN NOVEMBER 2020.

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

38. 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 APRIL 17, 2024 AT INSTRUMENT NO. 20240417-0024064.

39. 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.

40. 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 CONTROL'S DELAWARE SEDIMENT AND STORMWATER REGULATIONS AND THE DELAWARE EROSION AND SEDIMENT CONTROL HANDBOOK.

41. 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 $417,000 , AS 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.

42. DELDOT
ENTRANCE/EXIT FACILITIES SHALL CONFORM TO THE STATE OF DELAWARE DIVISION OF HIGHWAY STANDARDS AND SHALL BE SUBJECT TO DELDOT APPROVAL. THE DEVELOPER IS REQUIRED TO OBTAIN A PERMIT FROM THE DELDOT NORTH DISTRICT PERMIT OFFICE.

43. 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.

44. ADDRESSES
ADDRESSES SHOWN ON THIS PLAN ARE AS ASSIGNED BY NEW CASTLE COUNTY GIS SERVICES.

45. PROVISION FOR TRESPASSING
THE DEVELOPER SHALL BE PERMITTED TO TRESPASS ON ANY LOT FOR A PERIOD OF AT LEAST ONE YEAR AFTER A LOT IS SOLD FOR THE PURPOSES OF COMPLETING OVERALL SITE DRAINAGE AND/OR LANDSCAPING REQUIREMENTS.

46. 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.

47. VOLUNTARY SCHOOL ASSESSMENT
THE OWNERS SHALL PAY ANY VOLUNTARY SCHOOL ASSESSMENT REQUIRED BY TITLE 9, SECTION 2661(C) OF THE DELAWARE CODE, CALCULATED ON A PER UNIT BASIS AT THE TIME OF THE 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 APRIL 24, 2024 AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY ON MAY 3, 2024, INSTRUMENT NO. 20240503-0028122.

48. 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.

49. MAINTENANCE ESCROW:
PURSUANT TO SECTION 40.27.220 OF THE COUNTY CODE, THE DEVELOPER SHALL PLACE FUNDS IN AN INTEREST-BEARING ACCOUNT EQUIVALENT TO THE COST OF MAINTAINING THE PRIVATE OPEN SPACE AND COMMON FACILITIES FOR A TWO (2) YEAR PERIOD. THE AMOUNT SHALL BE $1,196.32 PER LOT/UNIT SHOWN ON THIS PLAN OR SUBSEQUENT PLANS. ($1,196.32 X 674 LOTS/UNITS = $806,319.68)

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

51. SANITARY AND STORM EASEMENTS
UNLESS OTHERWISE DESCRIBED BY METES AND BOUNDS, OR BY MATHEMATICAL REFERENCE TO A PROPERTY LINE, A 40' WIDE PERMANENT EASEMENT, 20' ON EACH SIDE OF THE CENTERLINE OF THE PIPE, SHALL BE CREATED ANYWHERE A SANITARY SEWER LINE IS DESIGNATED FOR PUBLIC USE IN UNPAVED AREAS AND IS OUTSIDE A PUBLIC RIGHT OF WAY. A 20' WIDE PERMANENT EASEMENT, 10' OF EACH SIDE OF THE CENTER LINE OF THE PIPE, SHALL BE CREATED WHERE A SANITARY SEWER LINE IS DESIGNED FOR PUBLIC USE ON A PRIVATELY MAINTAINED PAVED AREAS, SUCH AS PARKING LOTS, PRIVATE STREETS OR DRIVEWAYS. A 20' WIDE PERMANENT EASEMENT, 10' OF EACH SIDE OF THE CENTER LINE OF THE PIPE, SHALL BE CREATED WHERE A STORM SEWER LINE IS DESIGNED FOR PUBLIC USE OUTSIDE OF A PUBLIC RIGHT OF WAY. IF THE CONSTRUCTED HORIZONTAL SEWER MAIN LOCATION DEVIATED BY MORE THAN 25' FROM THE DESIGN LOCATION, THE PROJECT MAY BE SUBJECT TO A RESUBDIVISION PLAN OR PIPE LOCATION AS DETERMINED BY THE DEPARTMENT OF PUBLIC WORKS.

52. STORMWATER MANAGEMENT ACCESS EASEMENT:
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 EACH STORMWATER MANAGEMENT AREA AS IDENTIFIED ON THIS PLAN FOR THE PURPOSE OF INSPECTING, EVALUATING AND MAINTAINING THE STORMWATER MANAGEMENT FACILITIES. THE EASEMENT SHALL EXTEND 15' FROM THE OUTER EDGES OF EACH STORMWATER MANAGEMENT FACILITY. A GENERAL ACCESS EASEMENT IS HEREBY CREATED OVER AND ACROSS EACH PRIVATE OPEN SPACE PARCEL, AS IDENTIFIED ON THIS PLAN, GRANTING NEW CASTLE COUNTY, ITS AGENTS AND ASSIGNS THE RIGHT, PRIVILEGE AND AUTHORITY TO ENTER UPON AND TRAVEL ACROSS THE PARCEL TO ANY STORMWATER MANAGEMENT AREA. THE EASEMENT SHALL BE FOR PEDESTRIAN, VEHICULAR AND EQUIPMENT USE. IF NEW CASTLE COUNTY, ITS AGENTS OR ASSIGNS DETERMINES THAT MAINTENANCE TO A STORMWATER MANAGEMENT FACILITY IS REQUIRED, NEW CASTLE COUNTY SHALL PROVIDE NOTICE TO THE PROPERTY OWNER OR RESPONSIBLE PARTY OF THE REQUIRED MAINTENANCE AND THE TIME FRAME IN WHICH SUCH MAINTENANCE SHALL BE COMPLETED. 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.

53. AS PER SECTION 40.10.163.B OF THE NCC UDC, WITHIN WRPA RECHARGE AREAS, THOSE AREAS OF OPEN SPACE NOT CURRENTLY FORESTED SHALL HAVE A MINIMUM OF 25% OF THEIR AREA REFORESTED.

54. ALL STORM SEWER TO BE MAINTAINED BY THE MAINTENANCE CORPORATION SHALL BE VIDEOTAPED. THE VIDEO SHALL BE REVIEWED BY A PROFESSIONAL ENGINEER. ANY ITEMS CITED IN THE REPORT SHALL BE REPAIRED OR REBUILT BY ACCEPTABLE METHODS TO MEET DELDOT REQUIREMENTS PRIOR TO SUBMISSION TO NCC FOR REVIEW AND ACCEPTANCE PRIOR TO TRANSFER TO THE MAINTENANCE CORPORATION.

55. A GEOTECHNICAL EVALUATION HAS BEEN PERFORMED TO APPROXIMATE THE SEASONAL HIGH WATER TABLE (SHWT) ELEVATION(S) AND NO LOTS REQUIRE FURTHER EVALUATION, AS IT PERTAINS TO THEIR LOWEST PROPOSED FLOOR ELEVATION PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

56. DOCUMENT ANY CONSTRUCTION LIMITATIONS BASED ON THE GEOTECHNICAL EVALUATION OF THE SHWT ELEVATION(S) PRIOR TO BUILDING PERMIT ISSUANCE. ALL STRUCTURES PROPOED WITH LOWEST FLOOR WITHIN 3-FEET OF THE ESTIMATED SHWT SHALL BE WATERPROOFED (UDC §40.22.130). NO LOWEST FLOOR SHALL BE CONSTRUCTED WITHIN 2 FEET OF THE ESTIMATED SHWT (UDC §40.22.220).

57. EACH PIPE SEGMENT SHALL BE AS-BUILT AND FOUND TO BE ACCEPTABLE PRIOR TO BACKFILLING PIPE. THE AS-BUILTS SHALL BE CERTIFIED, SIGNED, SEALED, AND DATED BY A DELAWARE P.E. OR PLS.

58. CCTV OF EACH PIPE SEGMENT SHALL BE TAKEN AND FOUND TO BE ACCEPTABLE PRIOR TO BACKFILLING PIPE.

59. A BUILDING PERMIT IS REQUIRED FOR THE PROPOSED RETAINING WALLS, AND A QUALIFIED THIRD-PARTY PROFESSIONAL ENGINEER IS REQUIRED TO BE RETAINED BY OWNER TO OVERSEE AND CERTIFY THAT THEIR INSTALLATION AND CONSTRUCTION IS CONSISTENT WITH THEIR DESIGN SPECIFICATIONS AND ACCEPTED STANDARDS.

DELDOT RECORD PLAN GENERAL NOTES (REV. 3/21/2019)

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. SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.

4. UPON COMPLETION OF THE CONSTRUCTION OF THE SIDEWALK OR SHARED-USE PATH ACROSS THIS PROJECT'S FRONTAGE AND PHYSICAL CONNECTION TO ADJACENT EXISTING FACILITIES, THE DEVELOPER, THE PROPERTY OWNERS OR BOTH 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. 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 DELAWARE DEPARTMENT OF TRANSPORTATION (DELDOT) FOLLOWING THE ACCEPTANCE OF THE STREETS. DELDOT ASSUMES NO MAINTENANCE RESPONSIBILITIES WITHIN THE DEDICATED STREET RIGHT-OF-WAY UNTIL THE STREETS HAVE BEEN ACCEPTED BY DELDOT.

6. THE SIDEWALK AND SHARED-USE PATH SHALL BE THE RESPONSIBILITY OF THE DEVELOPER. THE PROPERTY OWNERS OR BOTH WITHIN THIS SUBDIVISION. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THE SIDEWALK AND/OR SHARED-USE PATH.

7. A. ALL LOTS SHALL HAVE ACCESS FROM THE INTERNAL SUBDIVISION STREET.

A. DRIVEWAYS WILL NOT BE PERMITTED TO BE PLACED AT CATCH BASIN LOCATIONS.

8. TO MINIMIZE RUTTING AND EROSION OF THE ROADSIDE DUE TO ON-STREET PARKING, DRIVEWAY AND BUILDING LAYOUTS MUST BE CONFIGURED TO ALLOW FOR VEHICLES TO BE STORED IN THE DRIVEWAY BEYOND THE RIGHT-OF-WAY, WITHOUT INTERFERING WITH SIDEWALK ACCESS AND CLEARANCE.

9. THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS IN ACCORDANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.

10. A. THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS ON THE DEDICATED SUBDIVISION STREET RIGHT-OF-WAY IN ACCORDANCE WITH SECTION 3.2.4.1 OF THE DEVELOPMENT COORDINATION MANUAL, AND THE REQUIREMENTS OF THE LAND USE AGENCY. RIGHT-OF-WAY MONUMENTS SHALL BE PLACED ALONG THE RIGHT-OF-WAY LINES, AT A MINIMUM ON ONE SIDE OF THE STREET AT EVERY CHANGE IN HORIZONTAL ALIGNMENT TO PROVI

DATE	REVISION
06/07/23	REVISED PER DELDOT COMMENTS
07/25/23	REVISED PER PLANNING COMMENTS
11/15/22	REVISED PER DELDOT COMMENTS
11/21/22	REVISED PER NCCDLU COMMENTS
03/07/22	REVISED PER NCCDLU COMMENTS
06/01/22	REVISED PER DELDOT EMAIL 06/01/22

OWNER/DEVELOPER:
SB NORTH LLC.
20184 PHILLIPS ST.
REHOBOTH BEACH, DE 19971

OA NORTH LLC.
18945 COASTAL HIGHWAY
REHOBOTH BEACH, DE 19971

KCI TECHNOLOGIES, INC.
ENGINEERS - PLANNERS - SURVEYORS
1352 MARROWS RD. - SUITE 100 - NEWARK, DELAWARE 19711
PHONE: (302) 731-9176 FAX: (302) 731-7897 Website: www.kci.com

SCALE - PLAN: 1"=300'

INDEX PLAN
RECORD MAJOR SUBDIVISION PLAN
FOR
MONARCH
ST. GEORGES HUNDRED NEW CASTLE DELAWARE

RHIANNON SAYLES LICENSE No. 28860 DELAWARE PROFESSIONAL ENGINEER

6/10/24

Drafting:	JLR	Check:	RKS
Design:	JLR	Check:	RKS
SCALE:	1"=300'		
DATE:	06/07/2024		
KCI JOB #:	271904607.SP		
SHEET:	R-03		

NO.	DATE	REVISION
1	06/07/23	REVISED PER DELDOT COMMENTS
2	01/25/23	REVISED PER PLANNING COMMENTS
3	11/16/22	REVISED PER DELDOT COMMENTS
4	11/21/22	REVISED PER NCCDLU COMMENTS
5	09/07/22	REVISED PER NCCDLU COMMENTS
6	06/01/22	REVISED PER DELDOT EMAIL 06/01/22

OWNER/DEVELOPER:
SB NORTH LLC.
20184 PHILLIPS ST.
REHOBOTH BEACH, DE 19971

OA NORTH LLC.
18945 COASTAL HIGHWAY
REHOBOTH BEACH, DE 19971

KCI TECHNOLOGIES, INC.
ENGINEERS - PLANNERS - SURVEYORS
1352 MARROWS RD. - SUITE 100 - NEWARK, DELAWARE 19711
PHONE: (302) 731-9176 FAX: (302) 731-7807 Website: www.kci.com

SCALE - PLAN: 1"=50'

RECORD PLAN
RECORD MAJOR SUBDIVISION PLAN
FOR
MONARCH

ST. GEORGES HUNDRED — NEW CASTLE — DELAWARE

RHIANNON SAYLES LICENSE No. 28860 DELAWARE PROFESSIONAL ENGINEER
6/10/24

Drafting:	JLR	Check:	RKS
Design:	JLR	Check:	RKS
SCALE:	1"=50'		
DATE:	06/07/2024		
KCI JOB #:	271904607.SP		
SHEET:	R-04		

LOREWOOD GROVE ROAD
(EXISTING 70' WIDE RIGHT-OF-WAY)

RATLEDGE ROAD
(EX. 40' WIDE RIGHT-OF-WAY)

RELOCATED RATLEDGE ROAD
+50' WIDE R/W DEDICATED TO PUBLIC USE

CAMBRIDGE CIRCLE
50' WIDE R/W DEDICATED TO PUBLIC USE

N/F
BRIGHTON HAMLET 4
SB NORTH LLC.
ADDITIONAL LANDS OF WHITEHALL VILLAGE 5
TP# 13-003.00-001
MICROFILM: 20181128006450 1
ZONING: S - SUBURBAN

N/F
NEW ORCHARD - WHITEHALL 7 LLC.
TP# 13-008.11-098
MICROFILM: 202010210092891
ZONING: S - SUBURBAN

N/F
NEW ORCHARD - WHITEHALL 3 LLC.
TP# 13-003.33-139
MICROFILM: 201710310087076
ZONING: S - SUBURBAN

N/F
NEW ORCHARD - WHITEHALL 7 LLC.
TP# 13-008.11-098
MICROFILM: 202010210092891
ZONING: S - SUBURBAN

NATURAL RESOURCE OPEN SPACE (POS-27) 20.60 ACRES

COMMUNITY OPEN SPACE (POS-1) 4.65 ACRES

COMMUNITY OPEN SPACE (POS-4) 3.10 ACRES

COMMUNITY OPEN SPACE (POS-5) 0.47 ACRES

NATURAL RESOURCE OPEN SPACE (POS-27) 20.60 ACRES

STORMWATER MANAGEMENT EASEMENT AREA (0.88 AC.)

NATURAL RESOURCE OPEN SPACE (POS-27) 20.60 ACRES

100' SCENIC CORRIDOR BUFFER

A 15-FOOT WIDE PERMANENT EASEMENT IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAT

AN ADDITIONAL 10' WIDTH OF RIGHT-OF-WAY IS HEREBY DEDICATED IN FEE SIMPLE TO THE STATE OF DELAWARE, ACTING BY AND THROUGH THE DELAWARE DEPARTMENT OF TRANSPORTATION

AN ADDITIONAL 60' WIDTH OF RIGHT-OF-WAY IS HEREBY DEDICATED IN FEE SIMPLE TO THE STATE OF DELAWARE, ACTING BY AND THROUGH THE DELAWARE DEPARTMENT OF TRANSPORTATION

60' WIDTH SANITARY SEWER EASEMENT TO BENEFIT NCCDPW

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

A 15' WIDE PERMANENT EASEMENT IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAT

A 15' WIDE PERMANENT UTILITY EASEMENT IS HEREBY ESTABLISHED AS PER THIS PLAT

A 15' WIDE PERMANENT EASEMENT IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAT

EXISTING 15' WIDE UTILITY EASEMENT TO BE REMOVED

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

EXISTING RATLEDGE ROAD RIGHT-OF-WAY TO BE ELIMINATED (TYP.)

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT MAINTENANCE CORPORATION

PROPOSED VARIABLE WIDTH DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT COMMUNITY MAINTENANCE OPEN SPACE CORPORATION (POS-5) 0.47 ACRES

5' WIDE UTILITY EASEMENT (TYP.)

PROPOSED 15' WIDE SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT, SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

(TIE LINE)

MATCHLINE - SEE SHEET R-04

MATCHLINE - SEE SHEET R-08

REVISION	DATE
REVISED PER DELDOT EMAIL 06/01/22	06/01/22
REVISED PER NCCDLU COMMENTS	09/07/22
REVISED PER NCCDLU COMMENTS	11/21/22
REVISED PER PLANNING COMMENTS	01/25/23
REVISED PER DELDOT COMMENTS	06/07/23

OWNER/DEVELOPER:
SB NORTH LLC.
20184 PHILLIPS ST.
REHOBOTH BEACH, DE 19971

OA NORTH LLC.
18945 COASTAL HIGHWAY
REHOBOTH BEACH, DE 19971

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PHONE: (302) 731-9176 FAX: (302) 731-7897 Website: www.kci.com

SCALE - PLAN: 1"=50'

RECORD PLAN
RECORD MAJOR SUBDIVISION PLAN
FOR
MONARCH
ST. GEORGES HUNDRED NEW CASTLE DELAWARE

RHIANNON SAYLES
LICENSE
No. 28860
DELAWARE
PROFESSIONAL ENGINEER

6/10/24

Drafting:	JLR	Check:	RKS
Design:	JLR	Check:	RKS
SCALE:	1"=50'		
DATE:	06/07/2024		
KCI JOB #:	271904607.SP		
SHEET:	R-05		

N/F
DONALD A. & MARY ANN BAUER
TP# 13-002.40-004
MICROFILM: 007959
ZONING: S - SUBURBAN

N/F
KEITH J. LEFEVRE
TP# 13-002.40-006
MICROFILM: 007959
ZONING: S - SUBURBAN

N/F
MICHAEL G. & LORNA HARPER
TP# 13-002.40-007
MICROFILM: 007959
ZONING: S - SUBURBAN

N/F
JOSEPH R. RODEK & AMALIE A. FEATHERS
TP# 13-002.40-012
MICROFILM: 007959
ZONING: S - SUBURBAN

N/F
VIRGIL A. & MARY L. CONNELL
TP# 13-002.40-013
MICROFILM: 007959
ZONING: S - SUBURBAN

S50°19'56"E 680.01

S44°20'04"E 200.00

S74°29'44"E 976.00

NATURAL RESOURCE OPEN SPACE (POS-31) 60.85 ACRES

NATURAL RESOURCE OPEN SPACE (POS-26) 242.63 ACRES

FUTURE INTERCONNECTION SEE NOTE #30D ON SHEET 2

5' WIDE UTILITY EASEMENT (TYP.)

PROPOSED 40' WIDE PERMANENT EASEMENT TO BENEFIT DELDOT

TIPTON CIRCLE
50' WIDE R/W DEDICATED TO PUBLIC USE

MATCHLINE - SEE SHEET R-09

MATCHLINE - SEE SHEET R-07

637 9,689 SF 0.222 AC (SF-60)
638 9,769 SF 0.224 AC (SF-60)
639 8,888 SF 0.204 AC (SF-60)
640 8,400 SF 0.193 AC (SF-60)
641 8,400 SF 0.193 AC (SF-60)
642 8,400 SF 0.193 AC (SF-60)
643 8,400 SF 0.193 AC (SF-60)
644 8,400 SF 0.193 AC (SF-60)
645 8,400 SF 0.193 AC (SF-60)
646 8,400 SF 0.193 AC (SF-60)
647 8,400 SF
635 9,689 SF 0.222 AC (SF-60)

1610 1612 1608 1606 1604 1602 1603 1601 1671 1672 1673 1674 1675 1676 1677 1678 1679 1680 1681 1682 1683 1684 1685 1686 1687 1688 1689 1690 1691 1692 1693 1694 1695 1696 1697 1698 1699 1700 1701 1702 1703 1704 1705 1706 1707 1708 1709 1710

MATCHLINE - SEE SHEET R-04

MATCHLINE - SEE SHEET R-06

MATCHLINE - SEE SHEET R-08

MATCHLINE - SEE SHEET R-10

OXFORD CIRCLE
50' WIDE R/W DEDICATED TO PUBLIC USE

WILLIAM COURT
50' WIDE R/W DEDICATED TO PUBLIC USE

RELOCATED RATLEDGE ROAD
66' WIDE R/W DEDICATED TO PUBLIC USE

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT, SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

STORMWATER MANAGEMENT EASEMENT AREA (0.87 AC.)

PROPOSED 15' WIDE SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

PROPOSED VARIABLE WIDTH DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

5' WIDE UTILITY EASEMENT (TYP.)

PROPOSED 20' WIDE DRAINAGE/EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

STORMWATER MANAGEMENT EASEMENT AREA (1.00 AC.)

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT, SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

PROPOSED VARIABLE HEIGHT RETAINING WALL
NOTE: A BUILDING PERMIT IS REQUIRED FOR THE PROPOSED RETAINING WALL

PROPOSED VARIABLE WIDTH DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

PROPOSED VARIABLE WIDTH DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT MAINTENANCE CORPORATION

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

AN ADDITIONAL 60' WIDTH OF RIGHT-OF-WAY IS HEREBY DEDICATED IN FEE SIMPLE TO THE STATE OF DELAWARE, ACTING BY AND THROUGH THE DELAWARE DEPARTMENT OF TRANSPORTATION

A 15-FOOT WIDE PERMANENT EASEMENT IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAT

NATURAL RESOURCE OPEN SPACE (POS-26) 242.63 ACRES

NATURAL RESOURCE OPEN SPACE (POS-26) 242.63 ACRES

NATURAL RESOURCE OPEN SPACE (POS-26) 242.63 ACRES

EXISTING LOT LINE TO BE REMOVED

REVISION	DATE
REVISED PER DELDOT COMMENTS	06/07/23
REVISED PER PLANNING COMMENTS	07/25/23
REVISED PER DELDOT COMMENTS	09/07/23
REVISED PER NCCDLU COMMENTS	11/21/22
REVISED PER NCCDLU COMMENTS	03/07/22
REVISED PER DELDOT EMAIL 06/01/22	06/01/22

OWNER/DEVELOPER:
SB NORTH I, LLC.
20184 PHILLIPS ST.
REHOBOTH BEACH, DE 19971
OA NORTH I, LLC.
18945 COASTAL HIGHWAY
REHOBOTH BEACH, DE 19971

SCALE - PLAN: 1"=50'

KCI TECHNOLOGIES, INC.
ENGINEERS - PLANNERS - SURVEYORS
1352 MARROWS RD. - SUITE 100 - NEWARK, DELAWARE 19711
PHONE: (302) 731-9176 FAX: (302) 731-7807 Website: www.kci.com

RECORD PLAN
RECORD MAJOR SUBDIVISION PLAN
FOR
MONARCH
ST. GEORGES HUNDRED NEW CASTLE DELAWARE

RHIANNON SAYLES LICENSE No. 28860 DELAWARE PROFESSIONAL ENGINEER
6/10/24

Drafting:	JLR	Check:	RKS
Design:	JLR	Check:	RKS
SCALE:	1"=50'		
DATE:	06/07/2024		
KCI JOB #:	271904607.SP		
SHEET:	R-07		

MATCHLINE - SEE SHEET R-05

MATCHLINE - SEE SHEET R-07

MATCHLINE - SEE SHEET R-11

RELOCATED RATLEDGE ROAD
60' WIDE R/W DEDICATED TO PUBLIC USE

CAMBRIDGE CIRCLE
50' WIDE R/W DEDICATED TO PUBLIC USE

STRATFORD LANE
50' WIDE R/W DEDICATED TO PUBLIC USE

CARNABY STREET
60' WIDE R/W DEDICATED TO PUBLIC USE

RATLEDGE ROAD
(EX. 40' WIDE RIGHT-OF-WAY)

71 12,716 SF 0.292 AC (SF-80)
72 12,777 SF 0.293 AC (SF-80)
73 12,777 SF 0.293 AC (SF-80)
74 15,188 SF 0.349 AC (SF-80)
75 13,829 SF 0.317 AC (SF-80)
95 11,870 SF 0.272 AC (SF-80)
96 11,200 SF 0.257 AC (SF-80)
97 11,200 SF 0.257 AC (SF-80)
98 11,200 SF 0.257 AC (SF-80)
99 11,200 SF 0.257 AC (SF-80)
109 14,765 SF 0.339 AC (SF-80)
110 12,642 SF 0.290 AC (SF-80)
111 11,200 SF 0.257 AC (SF-80)
112 11,200 SF 0.257 AC (SF-80)
113 11,200 SF 0.257 AC (SF-80)
114 11,200 SF 0.257 AC (SF-80)
115 11,200 SF 0.257 AC (SF-80)
116 11,200 SF 0.257 AC (SF-80)
117 13,829 SF 0.317 AC (SF-80)
118 11,200 SF 0.257 AC (SF-80)
119 11,200 SF 0.257 AC (SF-80)
120 12,968 SF 0.298 AC (SF-80)
121 13,921 SF 0.320 AC (SF-80)
122 16,873 SF 0.387 AC (SF-80)
123 16,357 SF 0.376 AC (SF-80)
124 11,200 SF 0.257 AC (SF-80)
125 11,200 SF 0.257 AC (SF-80)
126 11,200 SF 0.257 AC (SF-80)
127 11,200 SF 0.257 AC (SF-80)
128 11,200 SF 0.257 AC (SF-80)
129
133 11,200 SF 0.257 AC (SF-80)
134 11,200 SF 0.257 AC (SF-80)
135 11,200 SF 0.257 AC (SF-80)
136 11,517 SF 0.264 AC (SF-80)
137 12,777 SF 0.293 AC (SF-80)

NATURAL RESOURCE OPEN SPACE (POS-27) 20.60 ACRES

COMMUNITY OPEN SPACE (POS-8) 0.54 ACRES

COMMUNITY OPEN SPACE (POS-28) 7.39 ACRES

COMMUNITY OPEN SPACE (POS-7) 8.17 ACRES

STORMWATER MANAGEMENT EASEMENT AREA (1.94 AC.)

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT MAINTENANCE CORPORATION

PROPOSED 15' WIDE SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT, SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

5' WIDE UTILITY EASEMENT (TYP.)

A 15-FOOT WIDE PERMANENT UTILITY EASEMENT IS HEREBY ESTABLISHED AS PER THIS PLAT

A 15-FOOT WIDE PERMANENT EASEMENT IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAT

EXISTING 15' UTILITY EASEMENT TO BE REMOVED

EXISTING RATLEDGE ROAD RIGHT-OF-WAY TO BE ELIMINATED

PROPOSED VARIABLE HEIGHT RETAINING WALL

NOTE: A BUILDING PERMIT IS REQUIRED FOR THE PROPOSED RETAINING WALL

N/F
NEW ORCHARD - WHITEHALL 7 LLC.
TP# 13-008.11-098
MICROFILM: 202010210092891
ZONING: S - SUBURBAN

N/F
TOWN OF WHITEHALL/
WELFARE FOUNDATION INC.
TP# 13-008.00-053
MICROFILM: 201710310057076
ZONING: S - SUBURBAN

DATE	REVISION
06/07/23	REVISED PER DELDOT COMMENTS
07/25/23	REVISED PER PLANNING COMMENTS
10/16/23	REVISED PER DELDOT COMMENTS
11/21/22	REVISED PER NCCDLU COMMENTS
03/07/22	REVISED PER NCCDLU COMMENTS
06/01/22	REVISED PER DELDOT EMAIL 06/01/22

OWNER/DEVELOPER:
SB NORTH LLC.
20194 PHILLIPS ST.
REHOBOTH BEACH, DE 19971

OA NORTH LLC.
18945 COASTAL HIGHWAY
REHOBOTH BEACH, DE 19971

SCALE - PLAN: 1"=50'

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RECORD PLAN
RECORD MAJOR SUBDIVISION PLAN
FOR
MONARCH
ST. GEORGES HUNDRED NEW CASTLE DELAWARE

RHIANNON SAYLES LICENSE No. 28860 DELAWARE PROFESSIONAL ENGINEER
6/10/24

Drafting:	JLR	Check:	RKS
Design:	JLR	Check:	RKS
SCALE:	1"=50'		
DATE:	06/07/2024		
KCI JOB #:	271904607.SP		
SHEET:	R-08		

MATCHLINE - SEE SHEET R-06

MATCHLINE - SEE SHEET R-13

MATCHLINE - SEE SHEET R-10

TIPTON CIRCLE
50' WIDE R/W DEDICATED TO PUBLIC USE

KING'S CROSSING
50' WIDE R/W DEDICATED TO PUBLIC USE

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT. SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

COMMUNITY OPEN SPACE (POS-24) 1.47 ACRES

COMMUNITY OPEN SPACE (POS-23) 0.24 ACRES

NATURAL RESOURCE OPEN SPACE (POS-31) 60.85 ACRES

NATURAL RESOURCE OPEN SPACE (POS-26) 242.63 ACRES

STORMWATER MANAGEMENT EASEMENT AREA (1.40 AC.)

PROPOSED 15' WIDE UTILITY EASEMENT TO BENEFIT ARTESIAN

5' WIDE UTILITY EASEMENT (TYP.)

EXISTING 15' UTILITY EASEMENT TO BE REMOVED

EXISTING 15' PERMANENT UTILITY EASEMENT TO REMAIN

PROPOSED 15' WIDE SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

EXISTING LOT LINE TO BE EXTINGUISHED

NORFOLK SOUTHERN RAILROAD

OWNER/DEVELOPER:
SB NORTH L.L.C.
20184 PHILLIPS ST.
REHOBOTH BEACH, DE 19971
OA NORTH L.L.C.
18945 COASTAL HIGHWAY
REHOBOTH BEACH, DE 19971

DATE	REVISION
06/01/22	REVISED PER DELDOT EMAIL 06/01/22
09/07/22	REVISED PER NCCDLU COMMENTS
11/21/22	REVISED PER NCCDLU COMMENTS
01/06/23	REVISED PER DELDOT COMMENTS
06/07/23	REVISED PER PLANNING COMMENTS

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SCALE - PLAN: 1"=50'

RECORD PLAN
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FOR
MONARCH
ST. GEORGES HUNDRED NEW CASTLE DELAWARE

SHANNON SAYLES LICENSE No. 28860 DELAWARE PROFESSIONAL ENGINEER
6/10/24

Drafting:	JLR	Check:	RKS
Design:	JLR	Check:	RKS
SCALE:	1"=50'		
DATE:	06/07/2024		
KCI JOB #:	271904607.SP		
SHEET:	R-09		

MATCHLINE - SEE SHEET R-07

MATCHLINE - SEE SHEET R-09

MATCHLINE - SEE SHEET R-11

MATCHLINE - SEE SHEET R-14

EXISTING LOT LINE TO BE REMOVED

EXISTING 15' PERMANENT UTILITY EASEMENT TO REMAIN

RELOCATED RATLEDGE ROAD
86' WIDE R/W DEDICATED TO PUBLIC USE

545
COMMUNITY OPEN SPACE (POS-25)
23.66 ACRES
(ACTIVE = 16.85 ACRES)

COMMUNITY OPEN SPACE (POS-29)
10.41 ACRES

AN ADDITIONAL 60' WIDTH OF RIGHT-OF-WAY IS HEREBY DEDICATED IN FEE SIMPLE TO THE STATE OF DELAWARE, ACTING BY AND THROUGH THE DELAWARE DEPARTMENT OF TRANSPORTATION

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

A 40-FOOT WIDE PERMANENT UTILITY EASEMENT FOR NCCDPW & ARTESIAN IS HEREBY ESTABLISHED AS PER THIS PLAT

A 15-FOOT WIDE PERMANENT EASEMENT IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAT

JOY RUN

438	12,634 SF	0.290 AC	(SF-80)
438	20,337 SF	0.467 AC	(SF-80)
437	13,169 SF	0.302 AC	(SF-80)

DATE	REVISION
06/01/22	REVISED PER DELDOT EMAIL
09/07/22	REVISED PER NCCDLU COMMENTS
11/21/22	REVISED PER NCCDLU COMMENTS
01/25/23	REVISED PER PLANNING COMMENTS
06/07/23	REVISED PER DELDOT COMMENTS

OWNER/DEVELOPER:
SB NORTH LLC.
20184 PHILLIPS ST.
REHOBOTH BEACH, DE 19971

OA NORTH LLC.
18945 COASTAL HIGHWAY
REHOBOTH BEACH, DE 19971

KCI TECHNOLOGIES, INC.
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PHONE: (302) 731-9176 FAX: (302) 731-7897 Website: www.kci.com

SCALE - PLAN: 1"=50'

RECORD PLAN
RECORD MAJOR SUBDIVISION PLAN FOR MONARCH

ST. GEORGES HUNDRED NEW CASTLE DELAWARE

RHIANNON SAYLES LICENSE No. 28860 DELAWARE PROFESSIONAL ENGINEER

6/10/24

Drafting:	JLR	Check:	RKS
Design:	JLR	Check:	RKS
SCALE:	1"=50'		
DATE:	06/07/2024		
KCI JOB #:	271904607.SP		
SHEET:	R-10		

MATCHLINE - SEE SHEET R-08

MATCHLINE - SEE SHEET R-10

MATCHLINE - SEE SHEET R-12

MATCHLINE - SEE SHEET R-15

N/F
TOWN OF WHITEHALL
WELFARE FOUNDATION INC.
TPI# 13-008.00-053
MICROFILM: 20171031057076
ZONING: S - SUBURBAN

WESTMINSTER BOULEVARD
60' WIDE R/W DEDICATED TO PUBLIC USE

CARNABY STREET
50' WIDE R/W DEDICATED TO PUBLIC USE

DOWNING STREET
50' WIDE R/W DEDICATED TO PUBLIC USE

EXISTING 15' WIDE UTILITY EASEMENT TO BE REMOVED

EXISTING RATLEDGE ROAD RIGHT-OF-WAY TO BE ELIMINATED

COMMUNITY OPEN SPACE (POS-28) 7.39 ACRES

COMMUNITY OPEN SPACE (POS-29) 10.41 ACRES

COMMUNITY OPEN SPACE (POS-7) 8.17 ACRES

COMMUNITY OPEN SPACE (POS-7) 8.17 ACRES

NATURAL RESOURCE OPEN SPACE (POS-30) 44.23 ACRES

NATURAL RESOURCE OPEN SPACE (POS-30) 44.23 ACRES

STORMWATER MANAGEMENT EASEMENT AREA (1.09 AC.)

PROPOSED VARIABLE WIDTH DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

PROPOSED VARIABLE HEIGHT RETAINING WALL
NOTE: A BUILDING PERMIT IS REQUIRED FOR THE PROPOSED RETAINING WALL

PROPOSED 15' WIDE SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT MAINTENANCE CORPORATION

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT MAINTENANCE CORPORATION

5' WIDE UTILITY EASEMENT (TYP.)

53' RADIUS

50' R/W

06/07/23	REVISED PER DELDOT COMMENTS
07/25/23	REVISED PER PLANNING COMMENTS
10/27/22	REVISED PER DELDOT COMMENTS
11/21/22	REVISED PER NCCDLU COMMENTS
03/07/22	REVISED PER NCCDLU COMMENTS
06/01/22	REVISED PER DELDOT EMAIL 06/01/22
DATE	REVISION

OWNER/DEVELOPER:
SB NORTH LLC.
20184 PHILLIPS ST.
REHOBOTH BEACH, DE 19971

OA NORTH LLC.
18945 COASTAL HIGHWAY
REHOBOTH BEACH, DE 19971

SCALE - PLAN: 1"=50'

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RECORD PLAN
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FOR
MONARCH
ST. GEORGES HUNDRED NEW CASTLE DELAWARE

RHIANNON SAYLES LICENSE No. 28860 DELAWARE PROFESSIONAL ENGINEER
6/10/24

Drafting:	JLR	Check:	RKS
Design:	JLR	Check:	RKS
SCALE:	1"=50'		
DATE:	06/07/2024		
KCI JOB #:	271904607.SP		
SHEET:	R-11		

MATCHLINE - SEE SHEET R-11

N/F
DELMARVA POWER & LIGHTING
OA NORTH LLC.
TP# 13-008.00-054
MICROFILM: 003011
ZONING: BP = BUSINESS PARK

NATURAL
RESOURCE
OPEN SPACE
(POS-30)
44.23 ACRES

MATCHLINE - SEE SHEET R-16

OWNER/DEVELOPER:
SB NORTH LLC.
20184 PHILLIPS ST.
REHOBOTH BEACH, DE 19971

OA NORTH LLC.
18949 COASTAL HIGHWAY
REHOBOTH BEACH, DE 19971

DATE	REVISION
06/07/23	REVISED PER DELDOT COMMENTS
07/25/23	REVISED PER PLANNING COMMENTS
11/16/22	REVISED PER DELDOT COMMENTS
11/21/22	REVISED PER NCCDLU COMMENTS
03/07/22	REVISED PER NCCDLU COMMENTS
06/01/22	REVISED PER DELDOT EMAIL 06/01/22

50 0 50 100
SCALE - PLAN: 1"=50'

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RECORD PLAN
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FOR
MONARCH
ST. GEORGES HUNDRED NEW CASTLE DELAWARE

RHIANNON S. AYLES
LICENSE
No. 28860
DELAWARE
PROFESSIONAL ENGINEER
6/10/24

Drafting:	JLR	Check:	RKS
Design:	JLR	Check:	RKS
SCALE:	1"=50'		
DATE:	06/07/2024		
KCI JOB #:	271904607.SP		
SHEET:	R-12		

MATCHLINE - SEE SHEET R-09

MATCHLINE - SEE SHEET R-14

MATCHLINE - SEE SHEET R-17

DIANA COURT
50' WIDE R/W DEDICATED TO PUBLIC USE

KING'S CROSSING
50' WIDE R/W DEDICATED TO PUBLIC USE

NORFOLK SOUTHERN RAILROAD

PROPOSED VARIABLE WIDTH DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT MAINTENANCE CORPORATION

PROPOSED 15' WIDE SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

NATURAL RESOURCE OPEN SPACE (POS-26) 242.63 ACRES

COMMUNITY OPEN SPACE (POS-22) 11.00 ACRES

POS-15 4.743 SF 108.881 AC

STORMWATER MANAGEMENT EASEMENT AREA (0.78 AC.)

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT SWM

REVISION	DATE
REVISED PER DELDOT COMMENTS	06/07/23
REVISED PER PLANNING COMMENTS	07/25/23
REVISED PER NCCDLU COMMENTS	11/06/23
REVISED PER NCCDLU COMMENTS	11/21/22
REVISED PER NCCDLU COMMENTS	09/07/22
REVISED PER DELDOT EMAIL 06/01/22	06/01/22

OWNER/DEVELOPER:
SB NORTH LLC.
20194 PHILLIPS ST.
REHOBOTH BEACH, DE 19971

OA NORTH LLC.
18945 COASTAL HIGHWAY
REHOBOTH BEACH, DE 19971

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SCALE - PLAN: 1"=50'

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RHIANNON SAYLES LICENSE No. 28860 DELAWARE PROFESSIONAL ENGINEER

6/10/24

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DATE:	06/07/2024		
KCI JOB #:	271904607.SP		
SHEET:	R-13		

MATCHLINE - SEE SHEET R-10

MATCHLINE - SEE SHEET R-13

MATCHLINE - SEE SHEET R-15

MATCHLINE - SEE SHEET R-18

DUKE COURT
50' WIDE R/W DEDICATED TO PUBLIC USE

MAJESTY LANE
50' WIDE R/W DEDICATED TO PUBLIC USE

RELOCATED RATTLEDEN ROAD
60' WIDE R/W DEDICATED TO PUBLIC USE

AN ADDITIONAL 60' WIDTH OF RIGHT-OF-WAY IS HEREBY DEDICATED IN FEE SIMPLE TO THE STATE OF DELAWARE, ACTING BY AND THROUGH THE DELAWARE DEPARTMENT OF TRANSPORTATION

NATURAL RESOURCE OPEN SPACE (POS-26) 242.63 ACRES

A 15-FOOT WIDE PERMANENT EASEMENT IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAT

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

PROPOSED VARIABLE WIDTH DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

PROPOSED 15' WIDE SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

STORMWATER MANAGEMENT EASEMENT AREA (1.42 AC.)

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT, SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

5' WIDE UTILITY EASEMENT (TYP.)

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT MAINTENANCE CORPORATION

COMMUNITY OPEN SPACE (POS-17) 4.79 ACRES

NATURAL RESOURCE OPEN SPACE (POS-26) 242.63 ACRES

POS-13 4,742,005 SF 108.861 AC

JOY RUN

06/07/23	REVISED PER DELDOT COMMENTS
07/25/23	REVISED PER PLANNING COMMENTS
12/21/22	REVISED PER DELDOT COMMENTS
11/21/22	REVISED PER NCCDLU COMMENTS
09/07/22	REVISED PER NCCDLU COMMENTS
06/01/22	REVISED PER DELDOT EMAIL 06/01/22
DATE	REVISION

OWNER/DEVELOPER:
SB NORTH LLC.
20184 PHILLIPS ST,
REHOBOTH BEACH, DE 19971

OA NORTH LLC.
18945 COASTAL HIGHWAY
REHOBOTH BEACH, DE 19971

SCALE - PLAN: 1"=50'

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RECORD PLAN
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ST. GEORGES HUNDRED NEW CASTLE DELAWARE

RHIANNON SAYLES LICENSE No. 28860 DELAWARE PROFESSIONAL ENGINEER

6/10/24

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SCALE:	1"=50'		
DATE:	06/07/2024		
KCI JOB #:	271904607.SP		
SHEET:	R-14		

MATCHLINE - SEE SHEET R-11

MATCHLINE - SEE SHEET R-14

MATCHLINE - SEE SHEET R-16

MATCHLINE - SEE SHEET R-19

STORM SEWER TO BENEFIT MAINTENANCE CORPORATION

EXISTING RATLEDGE ROAD RIGHT-OF-WAY TO BE ELIMINATED

PROPOSED VARIABLE HEIGHT RETAINING WALL
NOTE: A BUILDING PERMIT IS REQUIRED FOR THE PROPOSED RETAINING WALL

RATLEDGE ROAD
(EX. 60' WIDE RIGHT-OF-WAY)

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT MAINTENANCE CORPORATION

RELOCATED RATLEDGE ROAD
60' WIDE R/W DEDICATED TO PUBLIC USE

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT MAINTENANCE CORPORATION

5' WIDE UTILITY EASEMENT (TYP.)

COMMUNITY OPEN SPACE (POS-9) 3.75 ACRES

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT MAINTENANCE CORPORATION

AN ADDITIONAL 60' WIDTH OF RIGHT-OF-WAY IS HEREBY DEDICATED IN FEE SIMPLE TO THE STATE OF DELAWARE, ACTING BY AND THROUGH THE DELAWARE DEPARTMENT OF TRANSPORTATION

A 15-FOOT WIDE PERMANENT UTILITY EASEMENT FOR NCCDPW & ARTESIAN IS HEREBY ESTABLISHED AS PER THIS PLAT

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

COMMUNITY OPEN SPACE (POS-17) 4.79 ACRES

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT MAINTENANCE CORPORATION

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT MAINTENANCE CORPORATION

A 15-FOOT WIDE PERMANENT EASEMENT IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAT

A 15-FOOT WIDE PERMANENT EASEMENT IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAT

PROPOSED VARIABLE WIDTH DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT MAINTENANCE CORPORATION

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT MAINTENANCE CORPORATION

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT, SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

PROPOSED 15' WIDE SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

PROPOSED VARIABLE WIDTH DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

PROPOSED 15' WIDE SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

PROPOSED VARIABLE WIDTH DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

RESOURCE OPEN SPACE (POS-30) 44.23 ACRES

STORMWATER MANAGEMENT EASEMENT AREA (2.36 AC.)

COMMUNITY OPEN SPACE (POS-8) 2.49 ACRES

COMMUNITY OPEN SPACE (POS-8) 2.49 ACRES

POS-5 3,552,813 SF 81.561 AC

COMMUNITY OPEN SPACE (POS-10) 1.71 ACRES

COMMUNITY OPEN SPACE (POS-11) 3.58 ACRES

DOWNING STREET
50' WIDE R/W DEDICATED TO PUBLIC USE

EARLY COURT
50' WIDE R/W DEDICATED TO PUBLIC USE
50' R/W

MAJESTY LANE
50' WIDE R/W DEDICATED TO PUBLIC USE
50' R/W

BRICK LANE
50' WIDE R/W DEDICATED TO PUBLIC USE
50' R/W

ELIZABETH WAY
50' WIDE R/W DEDICATED TO PUBLIC USE
50' R/W

06/07/23	REVISED PER DELDOT COMMENTS	
01/25/23	REVISED PER PLANNING COMMENTS	
11/21/22	REVISED PER DELDOT COMMENTS	
11/21/22	REVISED PER NCCDLU COMMENTS	
09/07/22	REVISED PER NCCDLU COMMENTS	
06/01/22	REVISED PER DELDOT EMAIL 06/01/22	
DATE	REVISION	

OWNER/DEVELOPER:
SB NORTH LLC.
20184 PHILLIPS ST.
REHOBOTH BEACH, DE 19971

OA NORTH LLC.
18945 COASTAL HIGHWAY
REHOBOTH BEACH, DE 19971

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ENGINEERS - PLANNERS - SURVEYORS
1352 MARROWS RD., SUITE 100 - NEWARK, DELAWARE 19711
PHONE: (302) 731-9176 FAX: (302) 731-7897 Website: www.kci.com

SCALE - PLAN: 1"=50'

RECORD PLAN
RECORD MAJOR SUBDIVISION PLAN FOR MONARCH

ST. GEORGES HUNDRED NEW CASTLE DELAWARE

RHIANNON SAYLES LICENSE No. 28860 DELAWARE PROFESSIONAL ENGINEER

6/10/24

Drafting:	JLR	Check:	RKS
Design:	JLR	Check:	RKS
SCALE:	1"=50'		
DATE:	06/07/2024		
KCI JOB #:	271904607.SP		
SHEET:	R-15		

MATCHLINE - SEE SHEET R-12

NATURAL RESOURCE OPEN SPACE (POS-30) 44.23 ACRES

N/F
DELMARVA POWER & LIGHTING
QA NORTH LLC,
TP# 13-008.00-054
MICROFILM: 003011
ZONING: BP = BUSINESS PARK

POS-5
3,552,811 SF
81.561 AC

MATCHLINE - SEE SHEET R-15

MATCHLINE - SEE SHEET R-20

DOWNING STREET
50' WIDE R/W DEDICATED TO PUBLIC USE

5' WIDE UTILITY EASEMENT (TYP.)

PROPOSED VARIABLE WIDTH DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

PROPOSED 15' WIDE SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

185	8,400 SF 0.193 AC (SF-60)	
186	8,400 SF 0.193 AC (SF-60)	N83°20'37"E 140.00'
187	8,400 SF 0.193 AC (SF-60)	N83°20'37"E 140.00'
188	8,400 SF 0.193 AC (SF-60)	N83°20'37"E 140.00'
189	8,550 SF 0.196 AC (SF-60)	N83°20'37"E 140.00'
190	10,039 SF 0.230 AC (SF-60)	N84°37'07"E 140.00'
191	10,014 SF 0.230 AC (SF-60)	N89°36'56"E 140.00'
192	10,014 SF 0.230 AC (SF-60)	N7°2'21"W 140.00'
193	10,014 SF 0.230 AC (SF-60)	N89°08'12"E 140.00'
194	8,974 SF 0.206 AC (SF-60)	S80°04'45"E 140.00'
195	8,400 SF 0.193 AC (SF-60)	S74°55'29"E 140.00'
222	8,400 SF	S74°55'29"E 140.00'
223	10,616 SF 0.244 AC (SF-60)	S74°55'29"E 140.00'
224	12,568 SF 0.289 AC (SF-60)	N89°51'35"E 140.00'
225	8,400 SF 0.193 AC (SF-60)	S43°25'31"W 140.00'
226	8,400 SF 0.193 AC (SF-60)	S43°25'31"W 140.00'
227	8,400 SF 0.193 AC (SF-60)	S43°25'31"W 140.00'

N31°25'54"W 48.52'
S49°25'06"W 59.60'
S53°53'40"E 38.39'
N17°38'01"W 88.24'
N03°51'45"W 88.24'
N09°57'50"E 60.35'
S74°55'29"E 53.96'
N74°55'29"W 55.48'
N17°38'01"W 44.12'
N03°51'45"W 44.12'
N09°57'50"E 44.12'
S74°55'29"E 53.96'
N74°55'29"W 55.48'
S74°55'29"E 140.00'
S74°55'29"E 140.00'
N89°51'35"E 140.00'
S43°25'31"W 140.00'
S43°25'31"W 140.00'
S43°25'31"W 140.00'
N89°08'12"E 140.00'
S80°04'45"E 140.00'
S74°55'29"E 140.00'
S74°55'29"E 140.00'
N84°37'07"E 140.00'
N83°20'37"E 140.00'
N83°20'37"E 140.00'
N83°20'37"E 140.00'
N89°36'56"E 140.00'
N7°2'21"W 140.00'
N89°08'12"E 140.00'
S80°04'45"E 140.00'
S74°55'29"E 140.00'
S74°55'29"E 140.00'

C396 C395 C394 C393 C392 C391 C481 C480 C479 C478 C477 C476

2055 2057 2059 2061 2063 2065 2067 2069 2071 2073 2075 2054 2056 2058 2060 2062 2064 2066 2068 2070 2072 2074

OWNER/DEVELOPER:
SB NORTH LLC.
20184 PHILLIPS ST.
REHOBOTH BEACH, DE 19971

QA NORTH LLC.
18945 COASTAL HIGHWAY
REHOBOTH BEACH, DE 19971

DATE	REVISION
06/07/23	REVISED PER DELDOT COMMENTS
01/25/23	REVISED PER PLANNING COMMENTS
11/16/22	REVISED PER DELDOT COMMENTS
11/21/22	REVISED PER NCCDLU COMMENTS
09/07/22	REVISED PER NCCDLU COMMENTS
06/01/22	REVISED PER DELDOT EMAIL 06/01/22

KCI TECHNOLOGIES, INC.
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PHONE: (302) 731-9176 FAX: (302) 731-7897 Website: www.kci.com

SCALE - PLAN: 1"=50'

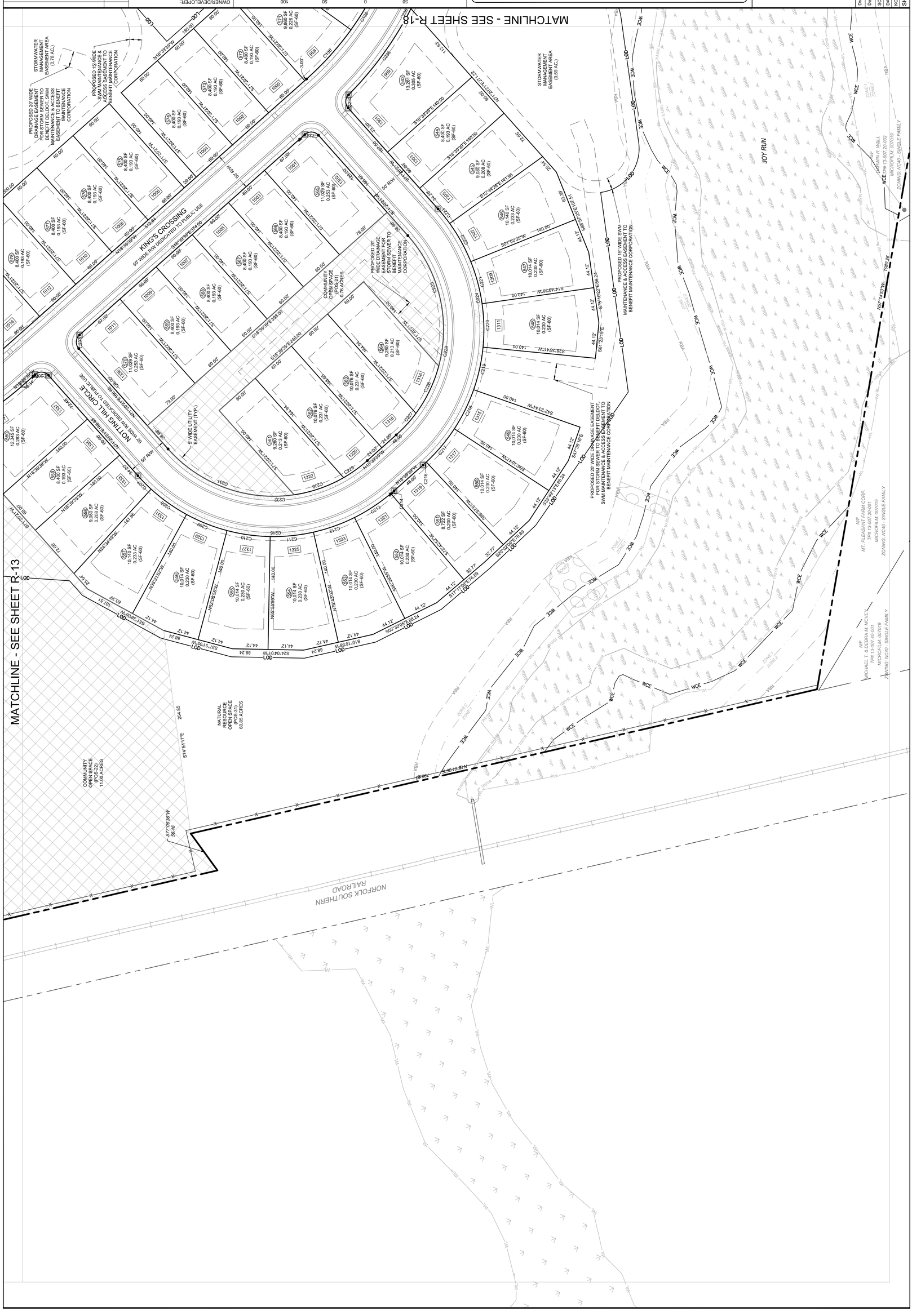
RECORD PLAN
RECORD MAJOR SUBDIVISION PLAN FOR MONARCH

ST. GEORGES HUNDRED NEW CASTLE DELAWARE

SHANNON S. JAYES
LICENSE
No. 28860
DELAWARE
PROFESSIONAL ENGINEER

6/10/24

Drafting:	JLR	Check:	RKS
Design:	JLR	Check:	RKS
SCALE:	1"=50'		
DATE:	06/07/2024		
KCI JOB #:	271904607.SP		
SHEET:	R-16		


MATCHLINE - SEE SHEET R-18
MATCHLINE - SEE SHEET R-13
KINGS CROSSING
50' WIDE R/W DEDICATED TO PUBLIC USE
NOTTING HILL CIRCLE
50' WIDE R/W DEDICATED TO PUBLIC USE
JOY RUN
NORFOLK SOUTHERN RAILROAD
STORMWATER MANAGEMENT AREA EASEMENT (0.78 AC.)
PROPOSED 15' WIDE SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION
PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT; SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION
STORMWATER MANAGEMENT AREA EASEMENT (0.69 AC.)
PROPOSED 19' WIDE SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION
PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT; SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION
COMMUNITY OPEN SPACE (POS-29) 0.76 ACRES
NATURAL RESOURCE OPEN SPACE (POS-31) 60.85 ACRES
COMMUNITY OPEN SPACE (POS-32) 1.1584 ACRES
5' WIDE UTILITY EASEMENT (TYP.)
NF MT. PLEASANT UMC CORP. TPS 13-007.20-001 MICROFILM: 007019 ZONING: NC40 - SINGLE FAMILY
NF MICHAEL T. & DEBRA M. MOYE TPS 13-007.20-002 MICROFILM: 007019 ZONING: NC40 - SINGLE FAMILY
NF CHARLES R. WALL TPS 13-007.20-002 MICROFILM: 007019 ZONING: NC40 - SINGLE FAMILY
RBA
WCE
WCE
WCE

MATCHLINE - SEE SHEET R-14

MATCHLINE - SEE SHEET R-17

MATCHLINE - SEE SHEET R-19

MATCHLINE - SEE SHEET R-21

(POS-26)
242.63 ACRES

PROPOSED 15' WIDE SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

JOY RUN

EXISTING LOT LINE TO BE EXTINGUISHED

N71°42'44"W 249.15'
S71°42'44"E 249.15'

N74°24'44"W 139.43'
S74°24'44"E 139.43'

N62°56'44"W 282.15
S62°56'44"E 282.15

N23°21'19"E 463.27'

N23°21'19"E 240.03'

N63°21'19"E

N26°04'22"W 430.65'
S76°04'22"E 430.65'

N61°54'30"W 321.64'
S61°54'30"E 321.64'

N57°26'13"W 80.00'

N57°24'56"W 79.70'

S32°

N34°36'50"W 94.52'

S46°45'09"W 140.00'

(471)
9,893 SF
0.226 AC
(SF-60)

NATURAL RESOURCE OPEN SPACE (POS-26) 242.63 ACRES

PROPOSED 50' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

N60°34'00"W 448.07

N60°34'00"W 602.14

PROPOSED 15' WIDE SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

PROPOSED 50' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

NATURAL RESOURCE OPEN SPACE (POS-31) 60.85 ACRES

S24°46'20"W 514.38'
N24°46'20"E 514.38'

S24°46'20"W 271.80'
N24°46'20"E 271.80'

EXISTING LOT LINE TO BE EXTINGUISHED

NATURAL RESOURCE OPEN SPACE (POS-31) 60.85 ACRES

N82°27'45"W 588.79

COMMUNITY OPEN SPACE (POS-18) 1.90 ACRES

5' WIDE UTILITY EASEMENT (TYP.)

N60°34'00"W 80.00

S29°26'00"W 95.00

N29°26'00"E 95.00

(942)
14,411 SF
0.331 AC
(SF-60)

N60°34'00"W 74.07

KING'S CROSSING
50' WIDE R/W DEDICATED TO PUBLIC USE

N82°51'09"W 419.19

50' R/W

(504)
14,411 SF
0.331 AC
(SF-60)

(503)
14,667 SF
0.337 AC
(SF-60)

(505)
14,411 SF
0.331 AC
(SF-60)

(502)
12,933 SF
0.297 AC
(SF-60)

N70°25'31"W 169.13

N29°26'09"W 80.42'

N23°38'45"E 140.00'

N60°34'51"E 179.55'

N21°05'16"W 98.24'

N43°38'18"W 60.00'

NATURAL RESOURCE OPEN SPACE (POS-31) 60.85 ACRES

(931)
(467)
11,200 SF
0.257 AC
(SF-80)

(929)
(468)
11,200 SF
0.257 AC
(SF-80)

(927)
(469)
11,200 SF
0.257 AC
(SF-80)

(925)
(470)
11,350 SF
0.261 AC
(SF-80)

(923)
(471)
12,329 SF
0.283 AC
(SF-80)

(921)
1.35'

(917)

N68°06'18"E 140.00'

N17°57'20"E 140.00'

S27°43'37"W 140.00'

75.45'
S67°04'16"E

PROPOSED VARIABLE WIDTH DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT, SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

S82°51'09"E 240.00

PROPOSED 15' WIDE SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

EXISTING LOT LINE TO BE EXTINGUISHED

N75°21'27"W 1827.42'
S75°21'27"E 1827.42'

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT MAINTENANCE CORPORATION

S64°29'40"E 149.12

68.70'

80.42'

(492)
14,077 SF
0.323 AC
(SF-60)

(491)
14,411 SF
0.331 AC
(SF-60)

N15°44'03"W 140.00'

N25°30'20"E 140.00'

N70°44'47"E 140.00'

(493)
13,160 SF
0.302 AC
(SF-60)

(490)
14,411 SF
0.331 AC
(SF-60)

S56°05'24"E 140.00'

11.81'

53' RADIUS

S64°00'54"E 140.00'

S64°00'54"E 140.00'

(494)
8,400 SF
0.193 AC
(SF-60)

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

REVISION	DATE
REVISED PER DELDOT COMMENTS	06/07/23
REVISED PER PLANNING COMMENTS	01/25/23
REVISED PER DELDOT COMMENTS	12/16/22
REVISED PER NCCDLU COMMENTS	11/21/22
REVISED PER NCCDLU COMMENTS	09/07/22
REVISED PER DELDOT EMAIL 06/01/22	06/01/22

OWNER/DEVELOPER:
SB NORTH LLC.
20184 PHILLIPS ST.
REHOBOTH BEACH, DE 19971

OA NORTH LLC.
18945 COASTAL HIGHWAY
REHOBOTH BEACH, DE 19971

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SCALE - PLAN: 1"=50'

RECORD PLAN
RECORD MAJOR SUBDIVISION PLAN
FOR
MONARCH
ST. GEORGES HUNDRED NEW CASTLE DELAWARE

RHIANNON SAYLES
LICENSE
No. 28860
DELAWARE
PROFESSIONAL ENGINEER

6/10/24

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SHEET:	R-18		

MATCHLINE - SEE SHEET R-15

MATCHLINE - SEE SHEET R-18

MATCHLINE - SEE SHEET R-20

MATCHLINE - SEE SHEET R-22

KING'S CROSSING
50' WIDE R/W DEDICATED TO PUBLIC USE

KING'S CROSSING
60' WIDE R/W DEDICATED TO PUBLIC USE

QUEEN'S LANDING
60' WIDE R/W DEDICATED TO PUBLIC USE

QUEEN'S LANDING
60' WIDE R/W DEDICATED TO PUBLIC USE

BRICK LANE
50' WIDE R/W DEDICATED TO PUBLIC USE

ELIZABETH WAY
50' WIDE R/W DEDICATED TO PUBLIC USE

MAJESTY LANE
50' WIDE R/W DEDICATED TO PUBLIC USE

RELOCATED RATLEDGE ROAD
60' WIDE R/W DEDICATED TO PUBLIC USE

SUSSEX LANE
50' WIDE R/W DEDICATED TO PUBLIC USE

RATLEDGE ROAD
(EX. 40' WIDE RIGHT-OF-WAY)

COMMUNITY OPEN SPACE (POS-9) 3.75 ACRES

COMMUNITY OPEN SPACE (POS-10) 1.71 ACRES

COMMUNITY OPEN SPACE (POS-12) 2.24 ACRES

COMMUNITY OPEN SPACE (POS-14) 1.89 ACRES

STORMWATER MANAGEMENT EASEMENT AREA (1.14 AC.)

STORMWATER MANAGEMENT EASEMENT AREA (0.65 AC.)

STORMWATER MANAGEMENT EASEMENT AREA (0.85 AC.)

STORMWATER MANAGEMENT EASEMENT AREA (0.61 AC.)

EXISTING LOT LINE TO BE EXTINGUISHED

PROPOSED VARIABLE WIDTH DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

PROPOSED 15' WIDE SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT, SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT MAINTENANCE CORPORATION

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

PROPOSED 15' WIDE SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT MAINTENANCE CORPORATION

PROPOSED VARIABLE WIDTH DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT, SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT MAINTENANCE CORPORATION

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT MAINTENANCE CORPORATION

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

PROPOSED 15' WIDE SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT MAINTENANCE CORPORATION

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT MAINTENANCE CORPORATION

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT MAINTENANCE CORPORATION

PROPOSED 15' WIDE SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT MAINTENANCE CORPORATION

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

MATCHLINE - SEE SHEET R-16

MATCHLINE - SEE SHEET R-19

MATCHLINE - SEE SHEET R-23

ELIZABETH WAY
50' WIDE R/W DEDICATED TO PUBLIC USE

DOWNING STREET
50' WIDE R/W DEDICATED TO PUBLIC USE

SUSSEX LANE
50' WIDE R/W DEDICATED TO PUBLIC USE

COMMUNITY OPEN SPACE (POS-13) 2.12 ACRES

STORMWATER MANAGEMENT EASEMENT AREA (1.64 AC.)

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT, SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

PROPOSED 15' WIDE SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

5' WIDE UTILITY EASEMENT (TYP.)

PROPOSED 40' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT MAINTENANCE CORPORATION

PROPOSED 50' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT MAINTENANCE CORPORATION

PROPOSED VARIABLE WIDTH DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

PROPOSED VARIABLE WIDTH DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT (303) 12,343 SF 0.283 AC (SF-60)

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT MAINTENANCE CORPORATION

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT MAINTENANCE CORPORATION (302) 11,029 SF 0.253 AC (SF-60)

PROPOSED 40' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT MAINTENANCE CORPORATION

EXISTING LOT LINE TO BE EXTINGUISHED

DELDOT 8194
Ext 2005, R-2955.000

RBA

ZONE 1
ZONE 2

06/07/23	REVISED PER DELDOT COMMENTS
01/25/23	REVISED PER PLANNING COMMENTS
11/16/22	REVISED PER DELDOT COMMENTS
11/21/22	REVISED PER NCCDLU COMMENTS
09/07/22	REVISED PER NCCDLU COMMENTS
06/01/22	REVISED PER DELDOT EMAIL 06/01/22
DATE	REVISION

OWNER/DEVELOPER:
SB NORTH L.L.C.
20184 PHILLIPS ST.
REHOBOTH BEACH, DE 19971

OA NORTH L.L.C.
18948 COASTAL HIGHWAY
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SCALE - PLAN: 1"=50'

RECORD PLAN
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ST. GEORGES HUNDRED NEW CASTLE DELAWARE

RHIANNON SAYLES LICENSE No. 28860 DELAWARE PROFESSIONAL ENGINEER

6/10/24

Drafting:	JLR	Check:	RKS
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KCI JOB #:	271904607.SP		
SHEET:	R-20		

MATCHLINE - SEE SHEET R-18

MATCHLINE - SEE SHEET R-22

MATCHLINE - SEE SHEET R-20

NATURAL RESOURCE OPEN SPACE (POS-31) 60.85 ACRES

BURBERRY COURT
50' WIDE R/W DEDICATED TO PUBLIC USE

MAJESTY LANE
50' WIDE R/W DEDICATED TO PUBLIC USE

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

PROPOSED VARIABLE WIDTH DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

PROPOSED VARIABLE WIDTH DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

5' WIDE UTILITY EASEMENT (TYP.)

53' RADIUS

50' R/W

N/F
THOMAS W. & BARBARA SUE BENNETT TRUST
TP# 13-007.40-080
MICROFILM: 007019
ZONING: NC40 - SINGLE FAMILY

N/F
GREGORY K. & BRITTA CALLAWAY
TP# 13-007.40-079
MICROFILM: 007019
ZONING: NC40 - SINGLE FAMILY

N/F
BART B. & ELVIRA M. NORRIS
TP# 13-007.40-078
MICROFILM: 007019
ZONING: NC40 - SINGLE FAMILY

N/F
RICHARD & DONNA PULAK
TP# 13-007.40-077
MICROFILM: 007019
ZONING: NC40 - SINGLE FAMILY

N/F
THOMAS J. & LOU ANN CLAYBAUGH
TP# 13-007.40-076
MICROFILM: 007019
ZONING: NC40 - SINGLE FAMILY

N/F
DAVID R. & LISA A. SHAKESPEARE
TP# 13-007.40-075
MICROFILM: 007019
ZONING: NC40 - SINGLE FAMILY

N/F
ROBERT A. & JOAN F.W. DINATALE
TP# 13-007.40-074
MICROFILM: 007019
ZONING: NC40 - SINGLE FAMILY

N/F
PATRICK L. & BARBARA A. VITONE
TP# 13-007.40-073
MICROFILM: 007019
ZONING: NC40 - SINGLE FAMILY

N/F
DENNIS & PATRICIA ADVENA
TP# 13-007.40-072
MICROFILM: 007019
ZONING: NC40 - SINGLE FAMILY

N/F
GARY C. & SANDRA G. SYVY
TP# 13-007.40-071
MICROFILM: 007019
ZONING: NC40 - SINGLE FAMILY

N/F
CRYSTAL RUN FARMS SECTION 2
LOTS 7 - 22
MICROFILM: 007019
ZONING: NC40 - SINGLE FAMILY

REVISION	DATE
REVISED PER DELDOT COMMENTS	06/07/23
REVISED PER PLANNING COMMENTS	07/25/23
REVISED PER DELDOT COMMENTS	10/19/23
REVISED PER NCCDLU COMMENTS	11/21/22
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REVISED PER DELDOT EMAIL 06/01/22	06/01/22

OWNER/DEVELOPER:
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REHOBOTH BEACH, DE 19971
OA NORTH L.L.C.
18945 COASTAL HIGHWAY
REHOBOTH BEACH, DE 19971

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SCALE - PLAN: 1"=50'

RECORD PLAN
RECORD MAJOR SUBDIVISION PLAN FOR MONARCH

ST. GEORGES HUNDRED NEW CASTLE DELAWARE

RHIANNON S. KYLES
LICENSE
No. 28860
DELAWARE
PROFESSIONAL ENGINEER
6/10/24

Drafting:	JLR	Check:	RKS
Design:	JLR	Check:	RKS
SCALE:	1"=50'		
DATE:	06/07/2024		
KCI JOB #:	271904607.SP		
SHEET:	R-21		

MATCHLINE - SEE SHEET R-19

MATCHLINE - SEE SHEET R-21

MATCHLINE - SEE SHEET R-23

MAJESTY LANE
50' WIDE R/W DEDICATED TO PUBLIC USE

REGAL COURT
50' WIDE R/W DEDICATED TO PUBLIC USE

RELOCATED RATLEDGE ROAD
60' WIDE R/W DEDICATED TO PUBLIC USE

CHESTER LANE
50' WIDE R/W DEDICATED TO PUBLIC USE

DOWNING STREET
50' WIDE R/W DEDICATED TO PUBLIC USE

RATLEDGE ROAD
(EX. 40' WIDE RIGHT-OF-WAY)

CRYSTAL RUN DRIVE

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

PROPOSED 15' WIDE SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

5' WIDE UTILITY EASEMENT (TYP.)

PROPOSED VARIABLE WIDTH DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT

EXISTING RATLEDGE ROAD RIGHT-OF-WAY TO BE ELIMINATED

53' RADIUS

COMMUNITY OPEN SPACE (POS-19) 4.03 ACRES

COMMUNITY OPEN SPACE (POS-20) 0.54 ACRES

COMMUNITY OPEN SPACE (POS-12) 2.24 ACRES

COMMUNITY OPEN SPACE (POS-15) 2.85 ACRES

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT MAINTENANCE CORPORATION

PROPOSED 15' WIDE SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

PROPOSED 20' WIDE DRAINAGE EASEMENT FOR STORM SEWER TO BENEFIT DELDOT; SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION

A 15-FOOT WIDE PERMANENT EASEMENT IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAT.

AN ADDITIONAL 60' WIDTH OF RIGHT-OF-WAY IS HEREBY DEDICATED IN FEE SIMPLE TO THE STATE OF DELAWARE, ACTING BY AND THROUGH THE DELAWARE DEPARTMENT OF TRANSPORTATION

A 15-FOOT WIDE PERMANENT UTILITY EASEMENT IS HEREBY ESTABLISHED AS PER THIS PLAT

LOD

N/F
DENNIS J. & BERNADETTE E. NARDO
TP# 13-007.40-070
MICROFILM: 007019
ZONING: NC40 - SINGLE FAMILY

N/F
JAMES R. & KAREN B. GOLDEN
TP# 13-007.40-069
MICROFILM: 007019
ZONING: NC40 - SINGLE FAMILY

N/F
ESTHER DILL
TP# 13-007.40-068
MICROFILM: 007019
ZONING: NC40 - SINGLE FAMILY

N/F
JOSEPH P. & PATRICIA A. PELLICCI
TP# 13-007.40-067
MICROFILM: 005557
ZONING: NC40 - SINGLE FAMILY

N/F
HAMBY SUBDIVISION
ROBERT F. HAMBY
TP# 13-007.00-084
MICROFILM: 010737
ZONING: NC40 - SINGLE FAMILY

N/F
ANNA S. WOOLEYHAN TRUST
TP# 13-007.00-046
MICROFILM: 009505
ZONING: S - SUBURBAN

06/07/23	REVISED PER DELDOT COMMENTS
07/25/23	REVISED PER PLANNING COMMENTS
05/15/22	REVISED PER DELDOT COMMENTS
11/21/22	REVISED PER NCCDLU COMMENTS
09/07/22	REVISED PER NCCDLU COMMENTS
06/01/22	REVISED PER DELDOT EMAIL 06/01/22
DATE	REVISION

OWNER/DEVELOPER:
SB NORTH L.L.C.
20184 PHILLIPS ST.
REHOBOTH BEACH, DE 19971
&
OA NORTH L.L.C.
18948 COASTAL HIGHWAY
REHOBOTH BEACH, DE 19971

KCI TECHNOLOGIES, INC.
ENGINEERS - PLANNERS - SURVEYORS
1352 MARROWS RD., SUITE 100 - NEWARK, DELAWARE 19711
PHONE: (302) 731-9176 FAX: (302) 731-7897 Website: www.kci.com

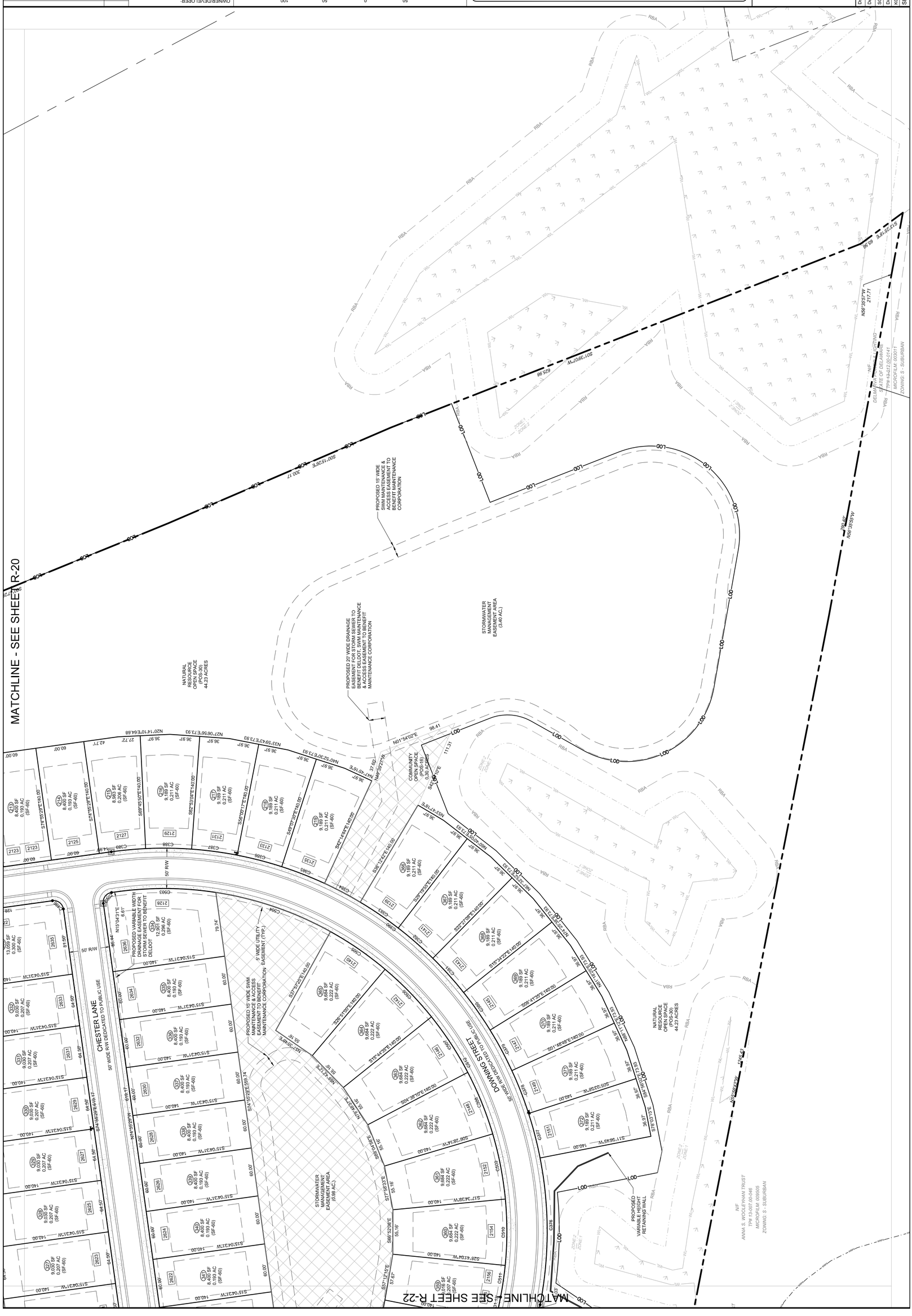
SCALE - PLAN: 1"=50'

RECORD PLAN
RECORD MAJOR SUBDIVISION PLAN
FOR
MONARCH
ST. GEORGES HUNDRED NEW CASTLE DELAWARE

RHIANNON SAYLES LICENSE No. 28860 DELAWARE PROFESSIONAL ENGINEER

6/10/24

Drafting:	JLR	Check:	RKS
Design:	JLR	Check:	RKS
SCALE:	1"=50'		
DATE:	06/07/2024		
KCI JOB #:	271904607.SP		
SHEET:	R-22		


MATCHLINE - SEE SHEET R-20
MATCHLINE - SEE SHEET R-22
CHESTER LANE
50' WIDE R/W DEDICATED TO PUBLIC USE
DOMINGS STREET
50' WIDE R/W DEDICATED TO PUBLIC USE
50' R/W
PROPOSED 15' WIDE SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION
PROPOSED 20' WIDE DRAINAGE EASEMENT TO BE DEDICATED TO BENEFIT DELDOT & SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION
STORMWATER MANAGEMENT EASEMENT AREA (0.40 AC.)
COMMUNITY OPEN SPACE (0.30 ACRES)
NATURAL RESOURCE OPEN SPACE (POS-30) 44.23 ACRES
PROPOSED VARIABLE WIDTH DRAINAGE EASEMENT FOR STORMWATER TO BENEFIT DELDOT
PROPOSED 15' WIDE SWM MAINTENANCE & ACCESS EASEMENT TO BENEFIT MAINTENANCE CORPORATION
6' WIDE UTILITY EASEMENT (TYP.)
STORMWATER MANAGEMENT EASEMENT AREA (0.08 AC.)
PROPOSED VARIABLE HEIGHT RETAINING WALL
N/F
ANNA S. MCCARTHAN TRUST
TAX PARCEL 130-30.00-145
MICROFILM 009505
ZONING: S - SUBURBAN
N/F
DELAWARE STATE OF (DEPT OF TRANSPORTATION)
TAX PARCEL 130-30.00-114
MICROFILM 000911
ZONING: S - SUBURBAN
RECORD PLAN
RECORD MAJOR SUBDIVISION PLAN
FOR
MONARCH
ST. GEORGES HUNDRED NEW CASTLE DELAWARE
KCI TECHNOLOGIES, INC.
ENGINEERS • PLANNERS • SURVEYORS
1352 MARROWS RD. • SUITE 100 • NEWARK, DELAWARE 19711
PHONE: (302) 731-9176 FAX: (302) 731-7807 Website: www.kci.com
SCALE - PLAN: 1"=50'
50 0 50 100
OWNER/DEVELOPER:
SB NORTH LLC.
OA NORTH LLC.
20164 PHILLIPS ST.
REHOBOTH BEACH, DE 19971
18949 COASTAL HIGHWAY
REHOBOTH BEACH, DE 19971
DATE REVISION
06/01/23 REVISED PER DELDOT COMMENTS
01/25/23 REVISED PER PLANNING COMMENTS
09/01/22 REVISED PER NCCDLU COMMENTS
11/21/22 REVISED PER DELDOT COMMENTS
06/01/22 REVISED PER DELDOT EMAIL
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DATE: 06/07/2024
KCI JOB #: 271904607.SP
SHEET: R-23
6/10/24

CURVE DATA					
NO.	Δ	RADIUS	TANGENT	LENGTH	CHORD BEARING & LENGTH
C1	90°16'33"	50.00'	50.24'	78.78'	S21°51'25"E70.88'
C2	22°09'18"	800.00'	156.63'	309.34'	S34°21'30"W 307.42'
C4	90°00'00"	12.00'	12.00'	18.85'	N21°28'48"W 16.97'
C5	9°42'00"	205.00'	17.39'	34.71'	N28°22'11"E34.66'
C6	5°35'55"	205.00'	10.02'	20.03'	N36°01'09"E20.02'
C7	42°50'16"	205.00'	80.42'	153.27'	N60°14'15"E79.88'
C8	58°08'11"	205.00'	113.95'	208.01'	N52°35'17"E199.20'
C9	7°55'25"	25.00'	1.73'	3.46'	N85°37'05"E3.45'
C10	42°12'29"	25.00'	9.65'	18.42'	S69°18'58"E18.00'
C11	50°07'54"	25.00'	11.69'	21.87'	S73°16'40"E21.18'
C12	66°57'07"	53.00'	35.05'	61.93'	S81°41'17"E58.47'
C13	61°42'14"	53.00'	31.66'	57.08'	N33°59'03"E54.36'
C14	46°53'42"	53.00'	22.99'	43.38'	N20°18'55"W 42.18'
C15	59°10'40"	53.00'	30.09'	54.74'	N73°21'06"W 52.34'
C16	45°32'05"	53.00'	22.24'	42.12'	S54°17'32"W 41.02'
C17	280°15'48"	53.00'	-44.27'	259.25'	N08°20'37"W 67.95'
C18	50°07'54"	25.00'	11.69'	21.87'	S56°35'26"W 21.18'
C19	85°19'54"	12.00'	11.06'	17.87'	N55°40'40"W 16.27'
C20	24°44'45"	205.00'	44.97'	88.54'	N25°23'06"W 87.85'
C21	19°43'54"	205.00'	35.65'	70.60'	N47°37'25"W 70.25'
C22	9°30'19"	205.00'	17.04'	34.01'	N62°14'32"W 33.97'
C23	53°58'59"	205.00'	104.41'	193.15'	N40°00'12"W 186.08'
C24	7°36'24"	53.00'	3.52'	7.04'	N70°47'54"W 7.03'
C25	61°42'14"	53.00'	31.66'	57.08'	S74°32'47"W 54.36'
C26	184°18'24"	53.00'	1409.55'	170.49'	S48°27'32"E105.93'
C27	253°37'01"	53.00'	-70.82'	234.60'	S13°48'13"E84.87'
C28	68°04'49"	25.00'	16.89'	29.71'	N73°25'40"E27.99'
C29	5°32'14"	25.00'	1.21'	2.42'	S69°45'48"E2.42'
C30	73°37'02"	25.00'	18.71'	32.12'	N76°11'47"E29.96'
C31	52°34'18"	155.00'	76.56'	142.22'	S40°42'33"E137.28'
C32	88°12'29"	12.00'	11.63'	18.47'	S29°40'51"W 16.70'
C33	20°21'24"	255.00'	45.78'	90.60'	S63°36'23"W 90.12'
C34	5°03'44"	255.00'	11.27'	22.53'	S50°53'49"W 22.52'
C35	24°50'45"	255.00'	56.17'	110.58'	S35°56'34"W 109.71'
C36	50°15'54"	255.00'	119.63'	223.71'	S48°39'08"W 216.60'
C37	90°00'00"	12.00'	12.00'	18.85'	S68°31'12"W 16.97'
C38	6°36'57"	205.00'	11.85'	23.67'	N69°47'17"W 23.66'
C39	18°10'27"	205.00'	32.79'	65.03'	N82°10'59"W 64.75'
C40	18°28'59"	205.00'	33.36'	66.13'	S79°29'19"W 65.84'
C41	18°58'48"	205.00'	34.27'	67.91'	S60°45'25"W 67.60'
C42	19°36'22"	205.00'	35.42'	70.15'	S41°27'50"W 69.81'
C43	8°08'28"	205.00'	14.59'	29.13'	S27°35'26"W 29.10'
C44	90°00'00"	205.00'	205.00'	322.01'	S68°31'12"W 289.91'
C45	10°32'30"	205.00'	18.91'	37.72'	S18°14'56"W 37.66'
C46	12°02'13"	205.00'	21.61'	43.07'	S06°57'35"W 42.99'
C47	20°01'51"	205.00'	36.20'	71.67'	S09°04'27"E71.30'
C48	20°01'51"	205.00'	36.20'	71.67'	S29°06'18"E71.30'
C49	20°01'51"	205.00'	36.20'	71.67'	S49°08'09"E71.30'
C50	7°19'44"	205.00'	13.13'	26.22'	S62°48'57"E26.20'

CURVE DATA					
NO.	Δ	RADIUS	TANGENT	LENGTH	CHORD BEARING & LENGTH
C51	90°00'00"	205.00'	205.00'	322.01'	S21°28'48"E289.91'
C52	10°55'10"	155.00'	14.81'	29.54'	S61°01'13"E29.50'
C53	79°04'50"	155.00'	127.96'	213.93'	S16°01'13"E197.35'
C54	90°00'00"	155.00'	155.00'	243.47'	S21°28'48"E219.20'
C55	79°04'50"	155.00'	127.96'	213.93'	S63°03'36"W 197.35'
C56	10°55'10"	155.00'	14.81'	29.54'	N71°56'24"W 29.50'
C57	90°00'00"	155.00'	155.00'	243.47'	S68°31'12"W 219.20'
C58	90°00'00"	12.00'	12.00'	18.85'	N21°28'48"W 16.97'
C59	90°00'00"	12.00'	12.00'	18.85'	N68°31'12"E16.97'
C60	90°00'00"	12.00'	12.00'	18.85'	S21°28'48"E16.97'
C61	54°37'35"	175.00'	90.38'	166.85'	S50°49'59"W 160.60'
C62	32°54'39"	175.00'	51.69'	100.52'	N85°23'54"W 99.14'
C63	87°32'14"	175.00'	167.63'	267.37'	S67°17'18"W 242.11'
C64	38°20'56"	175.00'	60.85'	117.13'	N49°46'07"W 114.96'
C65	0°07'09"	175.00'	0.18'	0.36'	N30°32'05"W 0.36'
C66	38°28'04"	175.00'	61.06'	117.49'	N49°42'33"W 115.30'
C67	73°37'02"	25.00'	18.71'	32.12'	N06°20'01"E29.96'
C68	166°56'57"	53.00'	463.35'	154.43'	N40°19'57"W 105.31'
C69	54°17'58"	53.00'	27.18'	50.23'	S29°02'36"W 48.37'
C70	32°22'08"	53.00'	15.38'	29.94'	S14°17'27"E29.55'
C71	253°37'03"	53.00'	-70.82'	234.60'	N83°40'00"W 84.87'
C72	6°26'25"	225.00'	12.66'	25.29'	S33°41'43"E25.28'
C73	18°24'50"	225.00'	36.47'	72.31'	S46°07'21"E72.00'
C74	13°36'49"	225.00'	26.86'	53.46'	S62°08'10"E53.34'
C75	38°28'04"	225.00'	78.50'	151.06'	S49°42'33"E148.24'
C76	4°55'49"	225.00'	9.69'	19.36'	S71°24'29"E19.36'
C77	18°24'50"	225.00'	36.47'	72.31'	S83°04'49"E72.00'
C78	18°24'50"	225.00'	36.47'	72.31'	N78°30'22"E72.00'
C79	18°24'50"	225.00'	36.47'	72.31'	N60°05'32"E72.00'
C80	18°24'50"	225.00'	36.47'	72.31'	N41°40'42"E72.00'
C81	8°57'06"	225.00'	17.61'	35.15'	N27°59'45"E35.12'
C82	87°32'14"	225.00'	215.53'	343.76'	N67°17'18"E311.29'
C83	90°00'00"	12.00'	12.00'	18.85'	N68°31'12"E16.97'
C84	90°00'00"	40.00'	40.00'	62.83'	S21°28'48"E56.57'
C85	11°09'28"	340.00'	33.21'	66.21'	S29°05'55"W 66.11'
C86	90°00'00"	95.00'	95.00'	149.23'	S79°40'39"W 134.35'
C87	90°00'00"	95.00'	95.00'	149.23'	S10°19'21"E134.35'
C88	28°40'18"	600.00'	153.34'	300.25'	S03°02'55"W 297.12'
C89	90°00'00"	25.00'	25.00'	39.27'	S33°42'46"W 35.36'
C90	17°28'59"	325.00'	49.97'	99.17'	S87°27'16"W 98.79'
C91	21°57'40"	325.00'	63.06'	124.57'	N72°49'24"W 123.81'
C92	21°57'40"	325.00'	63.06'	124.57'	N50°51'44"W 123.81'
C93	11°27'18"	325.00'	32.60'	64.98'	N34°09'15"W 64.87'
C94	72°51'37"	325.00'	239.87'	413.29'	N64°51'25"W 386.00'
C95	1°33'27"	325.00'	4.42'	8.83'	N29°12'20"W 8.83'
C96	13°07'29"	325.00'	37.39'	74.45'	N36°32'48"W 74.29'
C97	13°07'29"	325.00'	37.39'	74.45'	N49°40'17"W 74.29'
C98	9°49'52"	325.00'	27.95'	55.77'	N61°08'58"W 55.70'
C99	37°38'18"	325.00'	110.76'	213.50'	N47°14'45"W 209.68'
C100	3°55'38"	25.00'	0.86'	1.71'	N64°06'05"W 1.71'

CURVE DATA					
NO.	Δ	RADIUS	TANGENT	LENGTH	CHORD BEARING & LENGTH
C101	46°12'16"	25.00'	10.66'	20.16'	N39°02'08"W 19.62'
C102	46°12'16"	25.00'	10.66'	20.16'	N39°02'08"W 19.62'
C103	62°52'12"	53.00'	32.40'	58.16'	N47°22'06"W 55.28'
C104	62°46'13"	53.00'	32.33'	58.06'	S69°48'42"W 55.20'
C105	62°46'15"	53.00'	32.33'	58.06'	S07°02'28"W 55.20'
C106	54°17'58"	53.00'	27.18'	50.23'	S51°29'39"E48.37'
C107	37°33'10"	53.00'	18.02'	34.74'	N82°34'47"E34.12'
C108	50°07'54"	25.00'	11.69'	21.87'	N88°52'09"E21.18'
C109	12°50'27"	275.00'	30.95'	61.63'	S59°38'41"E61.50'
C110	24°47'51"	275.00'	60.46'	119.02'	S40°49'32"E118.09'
C111	37°38'18"	275.00'	93.72'	180.65'	S47°14'45"E177.42'
C112	90°00'00"	12.00'	12.00'	18.85'	S16°34'24"W 16.97'
C113	11°05'08"	350.00'	33.97'	67.72'	S56°01'49"W 67.61'
C114	12°14'47"	350.00'	37.55'	74.81'	S44°21'52"W 74.67'
C115	12°14'47"	350.00'	37.55'	74.81'	S32°07'05"W 74.67'
C116	12°14'47"	350.00'	37.55'	74.81'	S19°52'18"W 74.67'
C117	12°14'47"	350.00'	37.55'	74.81'	S07°37'31"W 74.67'
C118	12°14'47"	350.00'	37.55'	74.81'	S04°37'16"E74.67'
C119	12°14'47"	350.00'	37.55'	74.81'	S16°52'03"E74.67'
C120	12°14'47"	350.00'	37.55'	74.81'	S29°06'50"E74.67'
C121	12°14'47"	350.00'	37.55'	74.81'	S41°21'37"E74.67'
C122	9°56'40"	350.00'	30.45'	60.75'	S52°27'21"E60.67'
C123	119°00'04"	350.00'	594.20'	726.94'	S02°04'21"W 603.14'
C124	17°41'59"	375.00'	58.39'	115.84'	S47°52'58"E115.38'
C125	17°41'59"	375.00'	58.39'	115.84'	S30°10'59"E115.38'
C126	49°03'36"	375.00'	171.13'	321.10'	S03°11'49"W 311.38'
C127	85°09'18"	375.00'	344.56'	557.34'	S14°51'02"E507.44'
C128	90°00'00"	12.00'	12.00'	18.85'	S72°43'37"W 16.97'
C129	6°56'12"	625.00'	37.88'	75.67'	N65°44'30"W 75.62'
C130	7°02'34"	625.00'	38.46'	76.83'	N72°43'53"W 76.78'
C131	6°35'58"	625.00'	36.03'	71.99'	N79°33'10"W 71.95'
C132	20°34'45"	625.00'	113.46'	224.49'	N72°33'46"W 223.28'
C133	22°17'09"	375.00'	73.86'	145.86'	N71°42'34"W 144.94'
C134	29°19'00"	375.00'	98.09'	191.88'	N45°54'30"W 189.79'
C135	12°35'21"	375.00'	41.36'	82.40'	N24°57'19"W 82.23'
C136	41°54'21"	375.00'	143.60'	274.27'	N39°36'49"W 268.20'
C137	12°28'37"	355.00'	38.81'	77.31'	N12°25'20"W 77.15'
C138	14°49'11"	355.00'	46.17'	91.82'	N01°13'34"E91.57'
C139	1°23'40"	355.00'	4.32'	8.64'	N09°19'59"E8.64'
C140	27°17'48"	355.00'	86.20'	169.13'	N05°00'45"W 167.53'
C141	0°10'38"	275.00'	0.43'	0.85'	N10°07'08"E0.85'
C142	19°37'13"	275.00'	47.55'	94.17'	N20°01'04"E93.71'
C143	13°56'54"	275.00'	33.64'	66.95'	N36°48'07"E66.78'
C144	33°44'45"	275.00'	83.41'	161.97'	N26°54'12"E159.64'
C145	83°26'21"	12.00'	10.70'	17.48'	N85°29'45"E15.97'
C146	16°24'21"	205.00'	29.55'	58.70'	S60°59'15"E58.50'
C147	15°14'23"	205.00'	27.43'	54.53'	S76°48'38"E54.37'
C148	14°56'48"	205.00'	26.89'	53.48'	N88°05'47"E53.33'
C149	5°35'23"	205.00'	10.01'	20.00'	N77°49'41"E19.99'
C150	14°56'48"	205.00'	26.89'	53.48'	N67°33'35"E53.33'

CURVE DATA					
NO.	Δ	RADIUS	TANGENT	LENGTH	CHORD BEARING & LENGTH
C151	14°56'48"	205.00'	26.89'	53.48'	N52°36'47"E53.33'
C152	14°56'48"	205.00'	26.89'	53.48'	N37°39'59"E53.33'
C153	14°56'48"	205.00'	26.89'	53.48'	N22°43'10"E53.33'
C154	0°56'41"	205.00'	1.69'	3.38'	N14°46'26"E3.38'
C155	112°54'49"	205.00'	309.22'	404.00'	N70°45'30"E341.72'
C156	90°00'00"	12.00'	12.00'	18.85'	N59°18'06"E16.97'
C157	4°18'09"	285.00'	10.71'	21.40'	S77°50'59"E21.40'
C158	11°06'25"	285.00'	27.71'	55.25'	S85°33'16"E55.16'
C159	11°06'25"	285.00'	27.71'	55.25'	N83°20'19"E55.16'
C160	11°06'25"	285.00'	27.71'	55.25'	N72°13'54"E55.16'
C161	11°06'25"	285.00'	27.71'	55.25'	N61°07'30"E55.16'
C162	11°06'25"	285.00'	27.71'	55.25'	N50°01'05"E55.16'
C163	11°06'25"	285.00'	27.71'	55.25'	N38°54'40"E55.16'
C164	11°06'25"	285.00'	27.71'	55.25'	N27°48'15"E55.16'
C165	11°06'25"	285.00'	27.71'	55.25'	N16°41'50"E55.16'
C166	11°06'25"	285.00'	27.71'	55.25'	N05°35'26"E55.16'
C167	11°06'25"	285.00'	27.71'	55.25'	N05°30'59"W 55.16'
C168	11°06'25"	285.00'	27.71'	55.25'	N16°37'24"W 55.16'
C169	11°06'25"	285.00'	27.71'	55.25'	N27°43'49"W 55.16'
C170	11°06'25"	285.00'	27.71'	55.25'	N38°50'14"W 55.16'
C171	1°49'59"	285.00'	4.56'	9.12'	N45°18'26"W 9.12'
C172	150°31'31"	285.00'	1083.48'	748.74'	N29°02'20"E551.25'
C173	90°00'00"	12.00'	12.00'	18.85'	N01°13'25"W 16.97'
C174	10°23'33"	155.00'	14.10'	28.11'	S51°25'12"E28.08'
C175	72°57'00"	155.00'	114.59'	197.35'	N86°54'32"E184.29'
C176	36°07'56"	155.00'	50.56'	97.75'	N32°22'04"E96.14'
C177	119°28'29"	155.00'	265.65'	323.21'	N74°02'20"E267.75'
C178	90°00'00"	12.00'	12.00'	18.85'	N30°41'54"W 16.97'
C179	9°16'20"	235.00'	19.06'	38.03'	N80°20'04"W 37.99'
C180	28°57'18"	235.00'	60.68'	118.76'	S80°33'07"W 117.50'
C181	28°57'18"	235.00'	60.68'	118.76'	S51°35'49"W 117.50'
C182	28°57'18"	235.00'	60.68'	118.76'	S22°38'31"W 117.50'
C183	28°57'18"	235.00'	60.68'	118.76'	S06°18'47"E117.50'
C184	25°25'59"	235.00'	53.03'	104.31'	S33°30'26"E103.46'
C185	150°31'31"	235.00'	893.39'	617.38'	S29°02'20"W 454.54'
C186	11°52'59"	325.00'	33.82'	67.40'	N37°50'05"E67.28'
C187	8°38'40"	325.00'	24.56'	49.03'	N27°34'16"E48.99'
C188	9°49'33"	325.00'	27.94'	55.73'	N18°20'10"E55.67'
C189	3°23'34"	325.00'	9.63'	19.25'	N11°43'36"E19.24'
C190	33°44'45"	325.00'	98.57'	191.42'	N26°54'12"E188.66'
C191	90°00'00"	12.00'	12.00'	18.85'	N55°01'49"E16.97'
C192	50°07'54"	25.00'	11.69'	21.87'	S54°54'14"E21.18'
C193	49°39'08"	53.00'	24.52'	45.93'	S54°39'51"E44.51'
C194	45°14'23"	53.00'	22.08'	41.85'	N77°53'24"E40.77'
C195	45°14'23"	53.00'	22.08'	41.85'	N32°39'01"E40.77'
C196	45°14'23"	53.00'	22.08'	41.85'	N12°35'22"W 40.77'
C197	45°14'23"	53.00'	22.08'	41.85'	N57°49'45"W 40.77'
C198	49°39'08"	53.00'	24.52'	45.93'	S74°43'29"W 44.51'
C199	280°15'48"	53.00'	-44.27'	259.25'	N10°01'49"E67.95'
C200	50°07'54"	25.00'	11.69'	21.87'	S74°57'52"W 21.18'

CURVE DATA					
NO.	Δ	RADIUS	TANGENT	LENGTH	CHORD BEARING & LENGTH
C201	90°00'00"	12.00'	12.00'	18.85'	N34°58'11"W 16.97'
C202	5°59'13"	405.00'	21.18'	42.32'	N07°02'13"E42.30'
C203	6°59'39"	405.00'	24.75'	49.44'	N00°32'47"E49.41'
C204	15°42'36"	405.00'	55.87'	111.05'	N10°48'21"W 110.70'
C205	28°41'28"	405.00'	103.58'	202.81'	N04°18'55"W 200.69'
C206	90°00'00"	12.00'	12.00'	18.85'	N26°20'21"E16.97'
C207	5°55'10"	225.00'	11.63'	23.25'	N68°22'46"E23.24'
C208	13°47'03"	225.00'	27.20'	54.13'	N58°31'39"E54.00'
C209	13°47'03"	225.00'	27.20'	54.13'	N44°44'36"E54.00'
C210	13°47'03"	225.00'	27.20'	54.13'	N30°57'33"E54.00'
C211	13°47'03"	225.00'	27.20'	54.13'	N17°10'30"E54.00'
C212	13°47'03"	225.00'	27.20'	54.13'	N03°23'27"E54.00'
C213	13°47'03"	225.00'	27.20'	54.13'	N10°23'36"W 54.00'
C214	1°22'31"	225.00'	2.70'	5.40'	N17°58'23"W 5.40'
C215	90°00'00"	225.00'	225.00'	353.43'	N26°20'21"E318.20'
C216	1°22'31"	225.00'	2.70'	5.40'	N19°20'54"W 5.40'
C217	13°47'03"	225.00'	27.20'	54.13'	N26°55'41"W 54.00'
C218	13°47'03"	225.00'	27.20'	54.13'	N40°42'44"W 54.00'
C219	13°47'03"	225.00'	27.20'	54.13'	N54°29'47"W 54.00'
C220	13°47'03"	225.00'	27.20'	54.13'	N68°16'50"W 54.00'
C221	13°47'03"	225.00'	27.20'	54.13'	N82°03'54"W 54.00'
C222	13°47'03"	225.00'	27.20'	54.13'	S84°09'03"W 54.00'
C223	5°55'10"	225.00'	11.63'	23.25'	S74°17'56"W 23.24'
C224	90°00'00"	225.00'	225.00'	353.43'	N63°39'39"W 318.20'
C225	56°43'51"	175.00'	94.49'	173.27'	N80°17'43"W 166.28'
C226	21°23'52"	175.00'	33.06'	65.36'	N41°13'51"W 64.98'
C227	11°52'17"	175.00'	18.19'	36.26'	N24°35'47"W 36.19'
C228	90°00'00"	175.00'	175.00'	274.89'	N63°39'39"W 247.49'
C229	11°52'17"	175.00'	18.19'	36.26'	N12°43'30"W 36.19'
C230	21°23'52"	175.00'	33.06'	65.36'	N03°54'34"E64.98'
C231	56°43'51"	175.00'	94.49'	173.27'	N42°58'26"E166.28'
C232	90°00'00"	175.00'	175.00'	274.89'	N26°20'21"E247.49'
C233	90°00'00"	12.00'	12.00'	18.85'	S63°39'39"E16.97'
C234	90°00'00"	12.00'	12.00'	18.85'	S26°20'21"W 16.97'
C235	86°29'51"	12.00'	11.29'	18.12'	N65°24'43"W 16.44'
C236	17°50'35"	425.00'	66.72'	132.35'	N31°05'06"W 131.82'
C237	20°33'37"	425.00'	77.08'	152.51'	N50°17'12"W 151.69'
C238	38°24'12"	425.00'	148.01'	284.86'	N41°21'54"W 279.56'
C239	22°17'09"	425.00'	83.71'	165.31'	N71°42'34"W 164.27'
C240	0°52'06"	575.00'	4.36'	8.72'	N82°25'06"W 8.72'
C241	9°56'22"	575.00'	50.00'	99.75'	N77°00'51"W 99.62'
C242	9°46'17"	575.00'	49.15'	98.06'	N67°09'32"W 97.94'
C243	20°34'45"	575.00'	104.39'	206.53'	N72°33'46"W 205.42'
C244	90°00'00"	12.00'	12.00'	18.85'	N17°16'23"W 16.97'
C245	10°28'38"	425.00'	38.97'	77.72'	N22°29'17"E77.61'
C246	7°38'22"	425.00'	28.38'	56.67'	N13°25'47"E56.62'
C247	6°11'21"	425.00'	22.98'	45.91'	N06°30'56"E45.89'
C248	24°18'22"	425.00'	91.52'	180.29'	N15°34'26"E178.94'
C249	15°07'19"	275.00'	36.50'	72.58'	N10°58'54"E72.37'
C250	4°10'07"	275.00'	10.01'	20.01'	N20°37'37"E20.00'

CURVE DATA					
NO.	Δ	RADIUS	TANGENT	LENGTH	CHORD BEARING & LENGTH
C251	23°23'54"	275.00'	56.95'	112.30'	N34°24'37"E111.53'
C252	21°08'45"	275.00'	51.33'	101.49'	N56°40'57"E100.92'
C253	8°33'08"	275.00'	20.56'	41.05'	N71°31'53"E41.01'
C254	72°23'12"	275.00'	201.22'	347.43'	N39°36'51"E324.78'
C255	43°00'29"	275.00'	108.35'	206.42'	S82°41'18"E201.61'
C256	5°05'40"	275.00'	12.23'	24.45'	S58°38'14"E24.44'
C257	48°06'09"	275.00'	122.73'	230.88'	S80°08'28"E224.15'
C258	90°00'00"	12.00'	12.00'	18.85'	S11°05'24"E16.97'
C259	12°31'09"	25.00'	2.74'	5.46'	S40°10'10"W 5.45'
C260	61°05'54"	25.00'	14.76'	26.66'	S76°58'42"W 25.41'
C261	73°37'02"	25.00'	18.71'	32.12'	S70°43'07"W 29.96'
C262	59°22'20"	53.00'	30.21'	54.92'	S77°50'28"W 52.50'
C263	22°10'13"	53.00'	10.38'	20.51'	S37°04'12"W 20.38'
C264	45°14'23"	53.00'	22.08'	41.85'	S03°21'54"W 40.77'
C265	45°14'23"	53.00'	22.08'	41.85'	S41°52'29"E40.77'
C266	45°14'23"	53.00'	22.08'	41.85'	S87°06'52"E40.77'
C267	36°21'21"	53.00'	17.40'	33.63'	N52°05'16"E33.07'
C268	253°37'02"	53.00'	-70.82'	234.60'	S19°16'53"E84.87'
C269	90°00'00"	12.00'	12.00'	18.85'	N78°54'36"E16.97'
C270	5°03'08"	275.00'	12.13'	24.25'	S53°33'50"E24.24'
C271	7°23'57"	275.00'	17.78'	35.51'	S47°20'18"E35.49'
C272	12°27'05"	275.00'	30.00'	59.76'	S49°51'51"E59.64'
C273	73°37'02"	25.00'	18.71'	32.12'	S06°49'48"E29.96'
C274	55°09'52"	53.00'	27.69'	51.03'	S02°23'48"W 49.08'
C275	45°14'23"	53.00'	22.08'	41.85'	S47°48'20"E40.77'
C276	45°14'23"	53.00'	22.08'	41.85'	N86°57'17"E40.77'
C277	45°14'23"	53.00'	22.08'	41.85'	N41°42'54"E40.77'
C278	45°14'23"	53.00'	22.08'	41.85'	N03°31'29"E 40.77'
C279	17°29'38"	53.00'	8.15'	16.18'	N34°53'30"W 16.12'
C280	253°37'02"	53.00'	-70.82'	234.60'	N83°10'12"E84.87'
C281	3°03'34"	325.00'	8.68'	17.35'	N45°10'06"W 17.35'
C282	9°23'31"	325.00'	26.70'	53.27'	N51°23'39"W 53.21'
C283	12°27'05"	325.00'	35.45'	70.63'	N49°51'51"W 70.49'
C284	9°08'35"	325.00'	25.99'	51.86'	N60°39'41"W 51.81'
C285	9°50'03"	325.00'	27.96'	55.78'	N70°09'01"W 55.71'
C286	9°50'03"	325.00'	27.96'	55.78'	N79°59'04"W 55.71'
C287	8°49'24"	325.00'	25.07'	50.05'	N89°18'47"W 50.00'
C288	10°28'03"	325.00'	29.77'	59.38'	S81°02'29"W 59.29'
C289	48°06'09"	325.00'	145.05'	272.85'	N80°08'28"W 264.91'
C290	90°00'00"	12.00'	12.00'	18.85'	N59°11'33"W 16.97'
C291	50°07'54"	25.00'	11.69'	21.87'	N10°52'24"E21.18'
C292	49°39'08"	53.00'	24.52'	45.93'	N11°06'47"E44.51'
C293	45°14'23"	53.00'	22.08'	41.85'	N36°19'58"W 40.77'
C294	45°14'23"	53.00'	22.08'	41.85'	N81°34'21"W 40.77'
C295	45°14'23"	53.00'	22.08'	41.85'	S53°11'16"W 40.77'
C296	45°14'23"	53.00'	22.08'	41.85'	S07°56'52"W 40.77'
C297	49°39'08"	53.00'	24.52'	45.93'	S39°29'53"E44.51'
C298	280°15'48"	53.00'	-44.27'	259.25'	S75°48'27"W 67.95'
C299	50°07'54"	25.00'	11.69'	21.87'	S39°15'30"E21.18'
C300	90°00'00"	12.00'	12.00'	18.85'	S30°48'27"W 16.97'

REVISION	DATE
REVISED PER DELDOT COMMENTS	06/07/23
REVISED PER PLANNING COMMENTS	07/25/23
REVISED PER DELDOT COMMENTS	10/27/23
REVISED PER NCCDLU COMMENTS	11/21/22
REVISED PER NCCDLU COMMENTS	03/07/22
REVISED PER DELDOT EMAIL 06/01/22	06/01/22

OWNER/DEVELOPER:
SB NORTH LLC.
20184 PHILLIPS ST.
REHOBOTH BEACH, DE 19971

OA NORTH LLC.
18945 COASTAL HIGHWAY
REHOBOTH BEACH, DE 19971

KCI TECHNOLOGIES, INC.
ENGINEERS - PLANNERS - SURVEYORS
1352 MARROWS RD., SUITE 100 - NEWARK, DELAWARE 19711
PHONE: (302) 731-9176 FAX: (302) 731-7897 Website: www.kci.com

SCALE - PLAN: NTS

CURVE TABLES
RECORD MAJOR SUBDIVISION PLAN
FOR
MONARCH
ST. GEORGES HUNDRED NEW CASTLE DELAWARE

RHIANNON SAYLES LICENSE No. 28860 DELAWARE PROFESSIONAL ENGINEER

6/10/24

Drafting:	JLR	Check:	RKS
Design:	JLR	Check:	RKS
SCALE:	NTS		
DATE:	06/07/2024		
KCI JOB #:	271904607.SP		
SHEET:	R-24		

CURVE DATA					
NO.	Δ	RADIUS	TANGENT	LENGTH	CHORD BEARING & LENGTH
C301	16°06'39"	325.00'	46.00'	91.39'	S67°45'08"W 91.08'
C302	7°56'00"	325.00'	22.54'	45.00'	S55°43'48"W 44.96'
C303	9°49'20"	325.00'	27.93'	55.71'	S46°51'09"W 55.65'
C304	9°49'20"	325.00'	27.93'	55.71'	S37°01'49"W 55.65'
C305	9°49'20"	325.00'	27.93'	55.71'	S27°12'29"W 55.65'
C306	3°16'27"	325.00'	9.29'	18.57'	S20°39'36"W 18.57'
C307	9°49'20"	325.00'	27.93'	55.71'	S14°06'43"W 55.65'
C308	5°46'48"	325.00'	16.41'	32.79'	S06°18'39"W 32.77'
C309	72°23'12"	325.00'	237.81'	410.60'	S39°36'51"W 383.83'
C310	11°47'53"	375.00'	38.75'	77.22'	S09°19'12"W 77.08'
C311	12°30'28"	375.00'	41.10'	81.86'	S21°28'22"W 81.70'
C312	24°18'22"	375.00'	80.76'	159.08'	S15°34'26"W 157.89'
C313	89°44'27"	12.00'	11.95'	18.80'	S72°35'50"W 16.93'
C314	90°19'12"	12.00'	12.07'	18.92'	S17°26'00"E17.02'
C315	2°16'44"	425.00'	8.45'	16.90'	S26°35'15"W 16.90'
C316	10°11'09"	425.00'	37.88'	75.56'	S20°21'18"W 75.46'
C317	10°11'09"	425.00'	37.88'	75.56'	S10°10'09"W 75.46'
C318	10°11'09"	425.00'	37.88'	75.56'	S02°42'47"E75.46'
C319	10°11'09"	425.00'	37.88'	75.56'	S12°53'56"E75.46'
C320	10°11'09"	425.00'	37.88'	75.56'	S23°05'05"E75.46'
C321	4°43'17"	425.00'	17.52'	35.02'	S30°32'18"E35.01'
C322	20°56'29"	425.00'	78.54'	155.34'	S43°22'11"E154.47'
C323	81°34'02"	425.00'	366.64'	605.04'	S13°03'24"E555.22'
C324	86°24'45"	12.00'	11.27'	18.10'	S10°38'03"E16.43'
C325	50°07'54"	25.00'	11.69'	21.87'	S57°38'16"W 21.18'
C326	48°02'40"	53.00'	23.62'	44.44'	S58°40'53"W 43.15'
C327	62°22'23"	53.00'	32.08'	57.70'	S03°28'22"W 54.89'
C328	59°25'43"	53.00'	30.25'	54.97'	S57°25'41"E52.54'
C329	62°22'23"	53.00'	32.08'	57.70'	N61°40'16"E54.89'
C330	48°02'40"	53.00'	23.62'	44.44'	N06°27'45"E43.15'
C331	280°15'48"	53.00'	-44.27'	259.25'	S57°25'41"E67.95'
C332	50°07'54"	25.00'	11.69'	21.87'	N07°30'22"E21.18'
C333	90°00'00"	12.00'	12.00'	18.85'	N77°34'19"E16.97'
C334	0°14'06"	300.00'	0.62'	1.23'	S57°18'38"E1.23'
C335	24°58'26"	300.00'	66.44'	130.76'	S44°42'22"E129.73'
C336	24°58'26"	300.00'	66.44'	130.76'	S19°43'56"E129.73'
C337	24°58'26"	300.00'	66.44'	130.76'	S05°14'30"W 129.73'
C338	24°58'26"	300.00'	66.44'	130.76'	S30°12'55"W 129.73'
C339	18°52'16"	300.00'	49.86'	98.81'	S52°08'16"W 98.36'
C340	119°00'04"	300.00'	509.31'	623.09'	S02°04'21"W 516.98'
C341	90°00'00"	12.00'	12.00'	18.85'	N73°25'36"W 16.97'
C342	18°31'40"	375.00'	61.17'	121.26'	N37°41'26"W 120.74'
C343	10°18'00"	375.00'	33.80'	67.41'	N52°06'16"W 67.32'
C344	11°28'42"	375.00'	37.69'	75.13'	N62°59'37"W 75.00'
C345	11°28'42"	375.00'	37.69'	75.13'	N74°28'19"W 75.00'
C346	11°28'42"	375.00'	37.69'	75.13'	N85°57'01"W 75.00'
C347	9°35'52"	375.00'	31.48'	62.82'	S83°30'42"W 62.74'
C348	72°51'37"	375.00'	276.78'	476.87'	N64°51'25"W 445.38'
C349	90°00'00"	25.00'	25.00'	39.27'	N56°17'14"W 35.36'
C350	25°56'00"	770.00'	177.30'	348.52'	N01°40'46"E345.55'

CURVE DATA					
NO.	Δ	RADIUS	TANGENT	LENGTH	CHORD BEARING & LENGTH
C351	90°00'00"	89.00'	89.00'	139.80'	N59°38'46"E125.87'
C352	90°00'00"	89.00'	89.00'	139.80'	N30°21'14"W 125.87'
C353	13°07'10"	570.00'	65.54'	130.52'	N21°12'21"E130.23'
C354	13°07'10"	630.00'	72.44'	144.26'	N21°12'21"E143.94'
C355	13°07'10"	570.00'	65.54'	130.52'	N21°12'21"E130.23'
C356	13°07'10"	630.00'	72.44'	144.26'	N21°12'21"E143.94'
C357	83°38'40"	114.00'	102.01'	166.43'	N56°28'06"E152.04'
C358	90°00'00"	12.00'	12.00'	18.85'	S36°42'34"E16.97'
C359	6°54'59"	375.00'	22.66'	45.27'	S11°44'55"W 45.24'
C360	13°24'11"	375.00'	44.06'	87.72'	S21°54'30"W 87.52'
C361	13°24'11"	375.00'	44.06'	87.72'	S35°18'41"W 87.52'
C362	0°45'10"	375.00'	2.46'	4.93'	S42°23'21"W 4.93'
C363	34°28'30"	375.00'	116.35'	225.64'	S25°31'41"W 222.25'
C364	3°05'56"	425.00'	11.50'	22.99'	S41°12'58"W 22.98'
C365	7°37'41"	425.00'	28.33'	56.58'	S35°51'10"W 56.54'
C366	4°16'23"	425.00'	15.86'	31.70'	S29°54'08"W 31.69'
C367	15°00'00"	425.00'	55.95'	111.26'	S35°15'56"W 110.95'
C368	5°36'04"	235.00'	11.50'	22.97'	S24°57'54"W 22.96'
C369	13°15'06"	235.00'	27.30'	54.35'	S15°32'20"W 54.23'
C370	13°15'06"	235.00'	27.30'	54.35'	S02°17'14"W 54.23'
C371	13°15'06"	235.00'	27.30'	54.35'	S10°57'52"E54.23'
C372	13°15'06"	235.00'	27.30'	54.35'	S24°12'58"E54.23'
C373	13°15'06"	235.00'	27.30'	54.35'	S37°28'04"E54.23'
C374	11°52'53"	235.00'	24.45'	48.73'	S50°02'03"E48.64'
C375	83°44'26"	235.00'	210.63'	343.46'	S14°06'17"E313.70'
C376	22°04'45"	475.00'	92.67'	183.04'	S67°00'52"E181.91'
C377	6°52'47"	475.00'	28.55'	57.03'	S81°29'38"E57.00'
C378	6°52'47"	475.00'	28.55'	57.03'	S88°22'25"E57.00'
C379	6°52'47"	475.00'	28.55'	57.03'	N84°44'48"E57.00'
C380	6°52'47"	475.00'	28.55'	57.03'	N77°52'02"E57.00'
C381	6°52'47"	475.00'	28.55'	57.03'	N70°59'15"E57.00'
C382	6°52'47"	475.00'	28.55'	57.03'	N64°06'28"E57.00'
C383	6°52'47"	475.00'	28.55'	57.03'	N57°13'42"E57.00'
C384	6°02'02"	475.00'	25.03'	50.02'	N50°46'17"E50.00'
C385	6°52'47"	475.00'	28.55'	57.03'	N44°18'53"E57.00'
C386	6°52'47"	475.00'	28.55'	57.03'	N37°26'06"E57.00'
C387	6°52'47"	475.00'	28.55'	57.03'	N30°33'20"E57.00'
C388	6°52'47"	475.00'	28.55'	57.03'	N23°40'33"E57.00'
C389	5°09'39"	475.00'	21.41'	42.78'	N17°39'20"E42.77'
C390	108°57'00"	475.00'	665.31'	903.23'	N69°33'01"E773.17'
C391	5°09'16"	225.00'	10.13'	20.24'	N12°29'53"E20.23'
C392	13°47'03"	225.00'	27.20'	54.13'	N03°01'44"E54.00'
C393	13°47'03"	225.00'	27.20'	54.13'	N10°45'20"W 54.00'
C394	13°47'03"	225.00'	27.20'	54.13'	N24°32'23"W 54.00'
C395	13°47'03"	225.00'	27.20'	54.13'	N38°19'26"W 54.00'
C396	1°21'32"	225.00'	2.67'	5.34'	N45°53'43"W 5.34'
C397	61°39'00"	225.00'	134.26'	242.10'	N15°44'59"W 230.59'
C398	5°43'13"	505.00'	25.23'	50.42'	N43°42'53"W 50.40'
C399	8°49'24"	505.00'	38.96'	77.77'	N36°26'34"W 77.69'
C400	14°54'23"	505.00'	66.06'	131.38'	N24°34'40"W 131.01'

CURVE DATA					
NO.	Δ	RADIUS	TANGENT	LENGTH	CHORD BEARING & LENGTH
C401	8°47'51"	505.00'	38.85'	77.54'	N12°43'34"W 77.46'
C402	8°47'51"	505.00'	38.85'	77.54'	N03°55'43"W 77.46'
C403	8°47'51"	505.00'	38.85'	77.54'	N04°52'08"E77.46'
C404	8°47'51"	505.00'	38.85'	77.54'	N13°39'58"E77.46'
C405	8°47'51"	505.00'	38.85'	77.54'	N22°27'49"E77.46'
C406	6°30'45"	505.00'	28.73'	57.40'	N30°07'07"E57.37'
C407	79°56'59"	505.00'	423.37'	704.67'	N06°36'00"W 648.88'
C408	42°04'30"	53.00'	20.38'	38.92'	N12°20'15"E38.05'
C409	42°04'30"	53.00'	20.38'	38.92'	N29°44'15"W 38.05'
C410	21°37'16"	53.00'	10.12'	20.00'	N61°35'08"W 19.88'
C411	42°04'32"	53.00'	20.38'	38.92'	S86°33'58"W 38.05'
C412	42°04'32"	53.00'	20.38'	38.92'	S44°29'25"W 38.05'
C413	63°41'42"	53.00'	32.92'	58.92'	S08°23'42"E55.93'
C414	253°37'02"	53.00'	-70.82'	234.60'	S86°33'59"W 84.87'
C415	73°37'02"	25.00'	18.71'	32.12'	S03°26'01"E29.96'
C416	90°00'00"	12.00'	12.00'	18.85'	S78°22'30"W 16.97'
C417	11°18'29"	383.00'	37.92'	75.59'	N50°58'16"W 75.47'
C418	17°10'03"	383.00'	57.81'	114.76'	N36°44'00"W 114.33'
C419	17°10'03"	383.00'	57.81'	114.76'	N19°33'58"W 114.33'
C420	17°10'03"	383.00'	57.81'	114.76'	N02°23'55"W 114.33'
C421	5°41'50"	383.00'	19.06'	38.08'	N09°02'01"E38.07'
C422	68°30'26"	383.00'	260.81'	457.94'	N22°22'17"W 431.15'
C423	0°07'35"	433.00'	0.48'	0.95'	N11°49'08"E0.95'
C424	10°00'50"	433.00'	37.94'	75.68'	N06°44'56"E75.58'
C425	10°01'15"	433.00'	37.96'	75.73'	N03°16'06"W 75.63'
C426	10°01'15"	433.00'	37.96'	75.73'	N13°17'21"W 75.63'
C427	10°01'15"	433.00'	37.96'	75.73'	N23°18'36"W 75.63'
C428	8°55'27"	433.00'	33.79'	67.44'	N32°46'57"W 67.37'
C429	6°53'05"	433.00'	26.05'	52.03'	N40°41'13"W 52.00'
C430	12°29'45"	433.00'	47.40'	94.43'	N50°22'38"W 94.25'
C431	68°30'26"	433.00'	294.86'	517.73'	N22°22'17"W 487.43'
C432	90°00'00"	12.00'	12.00'	18.85'	N11°37'30"W 16.97'
C433	1°41'00"	555.00'	8.15'	16.30'	N32°32'00"E16.30'
C434	7°54'33"	555.00'	38.37'	76.61'	N27°44'14"E76.55'
C435	7°54'33"	555.00'	38.37'	76.61'	N19°49'41"E76.55'
C436	7°54'33"	555.00'	38.37'	76.61'	N11°55'08"E76.55'
C437	7°54'33"	555.00'	38.37'	76.61'	N04°00'35"E76.55'
C438	6°26'44"	555.00'	31.25'	62.44'	N03°10'04"W 62.40'
C439	13°33'14"	555.00'	65.95'	131.29'	N13°10'03"W 130.98'
C440	53°19'09"	555.00'	278.65'	516.48'	N06°42'55"E498.05'
C441	86°15'30"	12.00'	11.24'	18.07'	N23°11'06"E16.41'
C442	13°48'03"	225.00'	27.23'	54.20'	N59°24'49"E54.07'
C443	18°24'50"	225.00'	36.47'	72.31'	N43°18'23"E72.00'
C444	18°24'50"	225.00'	36.47'	72.31'	N24°53'33"E72.00'
C445	7°23'42"	225.00'	14.54'	29.04'	N11°59'17"E29.02'
C446	58°01'25"	225.00'	124.78'	227.86'	N37°18'08"E218.25'
C447	90°00'00"	12.00'	12.00'	18.85'	N53°17'26"E16.97'
C448	90°00'00"	12.00'	12.00'	18.85'	N36°42'34"W 16.97'
C449	22°50'46"	175.00'	35.36'	69.78'	N19°42'49"E69.32'
C450	35°10'39"	175.00'	55.48'	107.44'	N48°43'31"E105.76'

CURVE DATA					
NO.	Δ	RADIUS	TANGENT	LENGTH	CHORD BEARING & LENGTH
C451	58°01'25"	175.00'	97.05'	177.22'	N37°18'08"E169.75'
C452	86°15'30"	12.00'	11.24'	18.07'	S70°33'24"E16.41'
C453	8°31'14"	555.00'	41.34'	82.54'	S31°41'16"E82.46'
C454	7°54'33"	555.00'	38.37'	76.61'	S39°54'09"E76.55'
C455	2°43'04"	555.00'	13.17'	26.33'	S45°12'58"E26.32'
C456	19°08'51"	555.00'	93.61'	185.47'	S37°00'04"E184.61'
C457	90°00'00"	12.00'	12.00'	18.85'	S01°34'29"E16.97'
C458	4°39'40"	225.00'	9.16'	18.30'	S41°05'41"W 18.30'
C459	12°58'15"	225.00'	25.58'	50.94'	S32°16'43"W 50.83'
C460	17°30'09"	225.00'	34.64'	68.73'	S17°02'31"W 68.47'
C461	35°08'05"	225.00'	71.23'	137.97'	S25°51'28"W 135.82'
C462	90°00'00"	12.00'	12.00'	18.85'	S53°17'26"W 16.97'
C463	90°00'00"	12.00'	12.00'	18.85'	N36°42'34"W 16.97'
C464	3°49'26"	225.00'	7.51'	15.02'	N06°22'43"E15.01'
C465	13°47'03"	225.00'	27.20'	54.13'	N02°25'32"W 54.00'
C466	13°47'03"	225.00'	27.20'	54.13'	N16°12'35"W 54.00'
C467	13°47'03"	225.00'	27.20'	54.13'	N29°59'38"W 54.00'
C468	13°47'03"	225.00'	27.20'	54.13'	N43°46'41"W 54.00'
C469	13°47'03"	225.00'	27.20'	54.13'	N57°33'45"W 54.00'
C470	10°28'13"	225.00'	20.62'	41.12'	N69°41'23"W 41.06'
C471	83°12'55"	225.00'	199.82'	326.79'	N33°19'02"W 298.81'
C472	90°00'00"	12.00'	12.00'	18.85'	N29°55'29"W 16.97'
C473	90°00'00"	12.00'	12.00'	18.85'	N60°04'31"E16.97'
C474	45°32'08"	175.00'	73.45'	139.08'	S52°09'25"E135.45'
C475	37°40'47"	175.00'	59.71'	115.09'	S10°32'58"E113.02'
C476	83°12'55"	175.00'	155.41'	254.17'	S33°19'02"E232.41'
C477	29°08'15"	175.00'	45.48'	89.00'	S22°51'33"W 88.04'
C478	5°59'50"	175.00'	9.17'	18.32'	S40°25'36"W 18.31'
C479	35°08'05"	175.00'	55.40'	107.31'	S25°51'28"W 105.64'
C480	90°00'00"	12.00'	12.00'	18.85'	S88°25'31"W 16.97'
C481	40°36'03"	175.00'	64.74'	124.01'	N26°16'28"W 121.43'
C482	21°02'58"	175.00'	32.51'	64.29'	N04°33'02"E63.93'
C483	61°39'00"	175.00'	104.42'	188.30'	N15°44'59"W 179.35'
C484	90°00'00"	12.00'	12.00'	18.85'	N60°04'31"E16.97'
C485	9°56'30"	375.00'	32.62'	65.07'	S69°57'14"E64.99'
C486	13°37'51"	375.00'	44.82'	89.21'	S58°10'03"E89.00'
C487	23°34'22"	375.00'	78.25'	154.28'	S63°08'18"E153.20'
C488	85°08'35"	12.00'	11.02'	17.83'	S08°46'50"E16.24'
C489	85°52'56"	12.00'	11.17'	17.99'	S85°42'24"E16.35'
C490	6°52'51"	425.00'	25.55'	51.04'	N54°47'33"W 51.01'
C491	7°38'42"	425.00'	28.40'	56.71'	N62°03'20"W 56.67'
C492	7°38'42"	425.00'	28.40'	56.71'	N69°42'02"W 56.67'
C493	1°24'06"	425.00'	5.20'	10.40'	N74°13'26"W 10.40'
C494	23°34'22"	425.00'	88.68'	174.85'	N63°08'18"W 173.62'
C495	90°00'00"	12.00'	12.00'	18.85'	N29°55'29"W 16.97'
C496	90°00'00"	12.00'	12.00'	18.85'	N60°04'31"E16.97'
C497	8°41'17"	275.00'	20.89'	41.70'	S70°34'51"E41.66'
C498	90°00'00"	12.00'	12.00'	18.85'	S17°14'04"E16.97'
C499	15°00'00"	375.00'	49.37'	98.17'	S35°15'56"W 97.89'
C500	90°00'00"	12.00'	12.00'	18.85'	S72°45'56"W 16.97'

CURVE DATA					
NO.	Δ	RADIUS	TANGENT	LENGTH	CHORD BEARING & LENGTH
C501	8°53'11"	325.00'	25.25'	50.41'	S70°28'54"E50.36'
C502	90°00'00"	12.00'	12.00'	18.85'	N29°55'29"W 16.97'
C503	16°35'46"	425.00'	61.99'	123.10'	N23°22'24"E122.67'
C504	20°22'19"	425.00'	76.36'	151.11'	N41°51'26"E150.32'
C505	11°06'25"	425.00'	41.32'	82.39'	N57°35'48"E82.26'
C506	11°06'25"	425.00'	41.32'	82.39'	N68°42'12"E82.26'
C507	11°06'25"	425.00'	41.32'	82.39'	N79°48'37"E82.26'
C508	11°06'25"	425.00'	41.32'	82.39'	S89°04'58"E82.26'
C509	11°06'25"	425.00'	41.32'	82.39'	S77°58'33"E82.26'
C510	11°06'25"	425.00'	41.32'	82.39'	S66°52'08"E82.26'
C511	5°20'26"	425.00'	19.82'	39.62'	S58°38'43"E39.60'
C512	108°57'00"	425.00'	595.28'	808.15'	N69°33'01"E691.78'
C513	64°53'37"	185.00'	117.62'	209.53'	S23°31'41"E198.51'
C514	18°50'49"	185.00'	30.70'	60.85'	S18°20'32"W 60.58'
C515	83°44'26"	185.00'	165.82'	270.39'	S14°06'17"E246.96'
C516	96°21'20"	69.00'	77.11'	116.04'	S33°31'54"E102.84'
C517	25°56'00"	830.00'	191.11'	375.68'	S01°40'46"W 372.48'
C518	45°57'53"	540.00'	229.02'	433.21'	S11°41'43"W 421.68'
C519	90°00'00"	89.00'	89.00'	139.80'	S79°40'39"W 125.87'
C520	22°47'44"	330.00'	66.53'	131.29'	N66°43'13"W 130.43'
C521	90°00'00"	12.00'	12.00'	18.85'	N33°07'04"W 16.97'
C522	90°00'00"	12.00'	12.00'	18.85'	S56°52'56"W 16.97'
C523	22°47'44"	270.00'	54.43'	107.42'	N66°43'13"W 106.71'
C524	90°00'00"	89.00'	89.00'	139.80'	N10°19'21"W 125.87'
C525	11°09'28"	400.00'	39.07'	77.90'	N29°05'55"E77.77'
C526	4°32'01"	270.00'	10.69'	21.36'	S64°12'48"E21.36'
C528	25°23'39"	275.00'	61.96'	121.88'	S40°53'51"E120.89'
C529	12°07'58"	275.00'	29.23'	58.23'	S22°08'02"E58.12'
C530	37°31'37"	275.00'	93.42'	180.12'	S34°49'52"E176.91'
C531	90°00'00"	12.00'	12.00'	18.85'	S28°55'57"W 16.97'
C532	2°52'05"	325.00'	8.14'	16.27'	S72°29'54"W 16.27'
C533	13°07'29"	325.00'	37.39'	74.45'	S64°30'07"W 74.29'
C534	13°07'29"	325.00'	37.39'	74.45'	S51°22'37"W 74.29'
C535	13°07'29"	325.00'	37.39'	74.45'	S38°15'08"W 74.29'
C536	13°07'29"	325.00'	37.39'	74.45'	S25°07'39"W 74.29'
C537	6°40'58"	325.00'	18.98'	37.91'	S15°13'25"W 37.89'
C538	62°03'01"	325.00'	195.47'	351.97'	S42°54'26"W 335.02'
C539	10°00'33"	275.00'	24.08'	48.04'	N16°53'12"E47.98'
C540	29°33'29"	275.00'	72.55'	141.87'	N36°40'13"E140.30'
C541	22°29'00"	275.00'	54.66'	107.91'	N62°41'27"E107.22'
C542	62°03'01"	275.00'	165.40'	297.82'	N42°54'26"E283.48'
C543	41°19'11"	53.00'	19.98'	38.22'	N53°16'22"E37.40'
C544	58°42'28"	53.00'	29.81'	54.31'	N03°15'32"E51.96'
C545	23°26'28"	53.00'	11.00'	21.68'	N37°48'56"W 21.53'
C546	37°50'15"	53.00'	18.17'	35.00'	N68°27'17"W 34.37'
C547	161°18'22"	53.00'	322.00'	149.21'	N06°43'14"W 104.59'
C548	71°18'22"	25.00'	17.93'	31.11'	N51°43'14"W 29.14'
C549	90°00'00"	12.00'	12.00'	18.85'	N28°55'57"E16.97'
C550	5°35'20"	425.00'	20.75'	41.46'	N71°08'17"E41.44'

CURVE DATA					
NO.	Δ	RADIUS	TANGENT	LENGTH	CHORD BEARING & LENGTH
C551	10°11'58"	425.00'	37.93'	75.66'	N63°14'38"E75.56'
C552	5°30'37"	425.00'	20.45'	40.87'	N55°23'20"E40.86'
C553	21°17'55"	425.00'	79.92'	157.99'	N63°16'59"E157.08'
C554	12°30'48"	225.00'	24.67'	49.14'	N46°22'38"E49.04'
C555	18°10'49"	225.00'	36.00'	71.39'	N31°01'49"E71.10'
C556	26°16'12"	225.00'	52.50'	103.16'	N08°48'19"E102.26'
C557	11°44'15"	225.00'	23.13'	46.09'	N10°11'55"W 46.01'
C558	68°42'05"	225.00'	153.78'	269.79'	N18°16'59"E253.92'
C559	3°49'17"	205.00'	6.84'	13.67'	N17°58'41"W 13.67'
C560	11°10'47"	205.00'	20.06'	40.00'	N25°28'43"W 39.94'
C561	20°50'58"	205.00'	37.72'	74.60'	N41°29'35"W 74.19'
C562	20°01'51"	205.00'	36.20'	71.67'	N61°56'00"W 71.30'
C563	20°01'51"	205.00'	36.20'	71.67'	N81°57'51"W 71.30'
C564	20°01'51"	205.00'	36.20'	71.67'	S78°00'18"W 71.30'
C565	15°06'19"	205.00'	27.18'	54.05'	S60°26'14"W 53.89'
C566	111°02'53"	205.00'	298.54'	397.32'	N71°35'29"W 337.99'
C567	3°46'15"	275.00'	9.05'	18.10'	S50°59'57"W 18.10'
C568	15°19'28"	275.00'	37.00'	73.55'	S41°27'05"W 73.33'
C569	15°19'28"	275.00'	37.00'	73.55'	S26°07'37"W 73.33'
C570	15°19'28"	275.00'	37.00'	73.55'	S10°48'08"W 73.33'
C571	15°19'28"	275.00'	37.00'	73.55'	S04°31'20"E73.33'
C572	3°52'59"	275.00'	9.32'	18.64'	S14°07'34"E18.63'
C573	68°57'07"	275.00'	188.83'	330.95'	S18°24'31"W 311.33'
C574	90°00'00"	12.00'	12.00'	18.85'	S28°55'57"W 16.97'
C575	90°00'00"	12.00'	12.00'	18.85'	S61°04'03"E16.97'
C576	21°17'55"	375.00'	70.51'	139.40'	N63°16'59"E138.60'
C577	90°00'00"	12.00'	12.00'	18.85'	S53°17'26"W 16.97'
C578	12°15'27"	175.00'	18.79'	37.44'	N46°30'19"E37.37'
C579	56°26'38"	175.00'	93.92'	172.40'	N12°09'16"E165.51'
C580	68°42'05"	175.00'	119.60'	209.84'	N18°16'59"E197.49'
C581	21°33'13"	155.00'	29.50'	58.31'	N26°50'40"W 57.96'
C582	72°05'37"	155.00'	112.81'	195.03'	N73°40'04"W 182.42'
C583	17°24'03"	155.00'	23.72'	47.07'	S61°35'06"W 46.89'
C584	111°02'53"	155.00'	225.73'	300.41'	N71°35'29"W 255.55'
C585	35°52'57"	225.00'	72.85'	140.91'	S34°56'36"W 138.62'
C586	33°04'10"	225.00'	66.80'	129.86'	S00°28'02"W 128.07'
C587	68°57'07"	225.00'	154.50'	270.77'	S18°24'31"W 254.73'
C588	90°00'00"	12.00'	12.00'	18.85'	N61°04'03"W 16.97'
C589	11°25'44"	325.00'	32.52'	64.83'	N21°46'55"W 64.72'
C590	13°07'29"	325.00'	37.39'	74.45'	N34°03'32"W 74.29'
C591	13°07'29"	325.00'	37.39'	74.45'	N47°11'02"W 74.29'
C592	38°55'54"	325.00'	114.87'	220.83'	N35°32'00"W 216.61'
C593	4°32'01"	330.00'	13.06'	26.11'	N64°12'48"W 26.10'
C594	90°00'00"	50.00'	50.00'	78.54'	N21°28'48"W 70.71'
C597	90°00'00"	12.00'	12.00'	18.85'	S28°55'57"W 16.97'
C600	280°15'48"	53.00'	-44.27'	259.25'	S23°56'06"W 67.95'

CURVE DATA					
NO.	Δ	RADIUS	TANGENT	LENGTH	CHORD BEARING & LENGTH
C577	90°00'00"	12.00'	12.00'	18.85'	S53°17'26"W 16.97'
C601	8°41'17"	275.00'	20.89'	41.70'	S70°34'51"E41.66'
C602	4°00'08"	275.00'	9.61'	19.21'	S64°14'08"E19.21'
C603	3°48'14"	325.00'	10.79'	21.58'	N64°08'11"W 21.57'
C604	8°53'11"	325.00'	25.25'	50.41'	N70°28'54"W 50.36'
C605	12°45'38"	370.00'	41.37'	82.40'	S68°58'25"E82.23'
C606	12°49'17"	430.00'	48.31'	96.22'	N68°56'35"W 96.02'
C607	7°49'01"	425.00'	29.04'	57.98'	S12°11'56"W 57.94'
C608	8°17'00"	425.00'	30.77'	61.44'	S20°14'57"W 61.39'
C609	9°24'01"	425.00'	34.94'	69.73'	S29°05'27"W 69.65'
C610	25°30'01"	425.00'	96.17'	189.15'	S21°02'27"W 187.60'
C611	2°41'47"	425.00'	10.00'	20.00'	S03°43'41"W 20.00'

NO.	DATE	REVISION
06/07/23		REVISED PER DELDOT COMMENTS
01/25/23		REVISED PER PLANNING COMMENTS
11/21/22		REVISED PER DELDOT COMMENTS
11/21/22		REVISED PER NCCDLI COMMENTS
09/07/22		REVISED PER NCCDLI COMMENTS
06/01/22		REVISED PER DELDOT EMAIL 06/01/22

OWNER/DEVELOPER:
SB NORTH LLC.
20184 PHILLIPS ST.
REHOBOTH BEACH, DE 19971
&
OA NORTH LLC.
18945 COASTAL HIGHWAY
REHOBOTH BEACH, DE 19971

KCI TECHNOLOGIES, INC.
ENGINEERS - PLANNERS - SURVEYORS
1352 MARROWS RD., SUITE 100 - NEWARK, DELAWARE 19711
PHONE: (302) 731-9176 FAX: (302) 731-7897 Website: www.kci.com

0 SCALE - PLAN: NTS

CURVE TABLES
RECORD MAJOR SUBDIVISION PLAN
FOR
MONARCH
ST. GEORGES HUNDRED NEW CASTLE DELAWARE

RHIANNON SAYLES LICENSE No. 28860 DELAWARE PROFESSIONAL ENGINEER
6/10/24

Drafting:	JLR	Check:	RKS
Design:	JLR	Check:	RKS
SCALE:	NTS		
DATE:	06/07/2024		
KCI JOB #:	271904607.SP		
SHEET:	R-25		

MEMORANDUM

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

From: Charuni Patibanda

Re: Application No. 2020-0644
Monarch
Record Major Land Development Plan

Date: June 21, 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 Monarch; St. Georges Hundred; South side of Lorewood Grove Road, east and west sides of Ratledge Road, west of Route 301; Major Land Development Plan that proposes to subdivide the property into 674 single family lots; S zoning; Council District 6

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: July 9, 2024

RESOLUTION NO. 24-

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; 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.

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 21-084 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 40.27.240 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 RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, STATE OF DELAWARE, INSTRUMENT NO.: 20041119012540 5 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 RECORDED 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 SYTEMS, 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, PROVILEGE AND AUTHORITY TO ENTER UPON AND TRAVEL ACROSS THE PROPERTY TO EACH STORMWATERE 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.**

13. POSTAL ADDRESS 2787 PULASKI HIGHWAY NEWARK, DE 19702 IS BEING REMOVED AND ADDRESS OF 2805 PULASKI HIGHWAY NEWARK, DE 19702 IS BEING ADDED.

14. WATER RESOURCE PROTECTION: THIS PARCEL IS NOT LOCATED IN A WATER RESOURCE PROTECTION AREA, ACCORDING TO WRPA MAP 2 OF 3, DATED MARCH 2022.

15. PER THE STATE INVENTORY OF NATURAL AREAS, THIS SITE IS NOT LOCATED WITHIN A CRITICAL NATURAL AREA.

16. NO DEBRIS SHALL BE BURIED ON THE SITE.

17. 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 RECORDED OF DEEDS IN AND FOR NEW CASTLE COUNTY ON 1/31/24, AT INS NO: 202401310006677.

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. Shrubbery, plantings, signs and/or other visual barriers that could obstruct the sight distance of a driver preparing to enter the roadway are prohibited within the defined departure sight triangle area established on this plan. If the established departure sight triangle area is outside the right-of-way or projects onto an adjacent property owner's land, a sight easement should be established and recorded with all affected property owners to maintain the required sight distance.
4. Upon completion of the construction of the sidewalk or shared-use path across this project's frontage and physical connection to adjacent existing facilities, the Developer, the property owners or both 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-87-1) AND WETLANDS ARE FOUND TO EXIST AS SHOWN ON THE PLAN AND IN ACCORDANCE WITH WETLANDS REPORT BY WATERSHED ECO DATED DECEMBER 2020.**

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
4. SOURCE OF TITLE: INS NO: 202106220072343
5. DATUM: HORZ. DATUM: NAD 83 DE STATE PLANE// VERTICAL DATUM: NAVD 88
BENCHMARK: IP FOUND EL: 81.57 (SEE PLAN)

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**:	0.13+/- Ac (1%)	2.05+/- Ac (16%)
PAVING/GRAVEL:	4.85+/- Ac (38%)	3.90+/- Ac (30%)
SIDEWALK:	0.00+/- Ac (6%)	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%)
LIMIT OF DISTURBANCE:		9.02+/- Ac

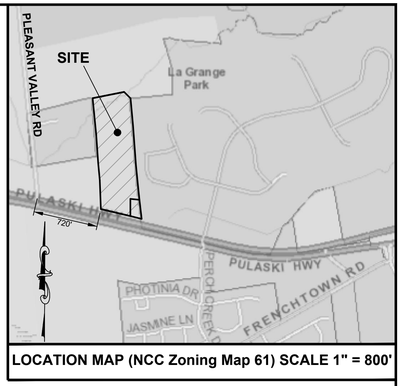
* PER PREVIOUS RECORD PLAN

** ALL EXISTING BUILDINGS WERE APPROVED BY PREVIOUS RECORD PLAN (INS NO: 20041119012540S. ALL PROPOSED BUILDING (LABELED A THROUGH H ON THE PLAN) ARE PROPOSED BY THIS PLAN. (SEE USE BREAKDOWN BELOW)

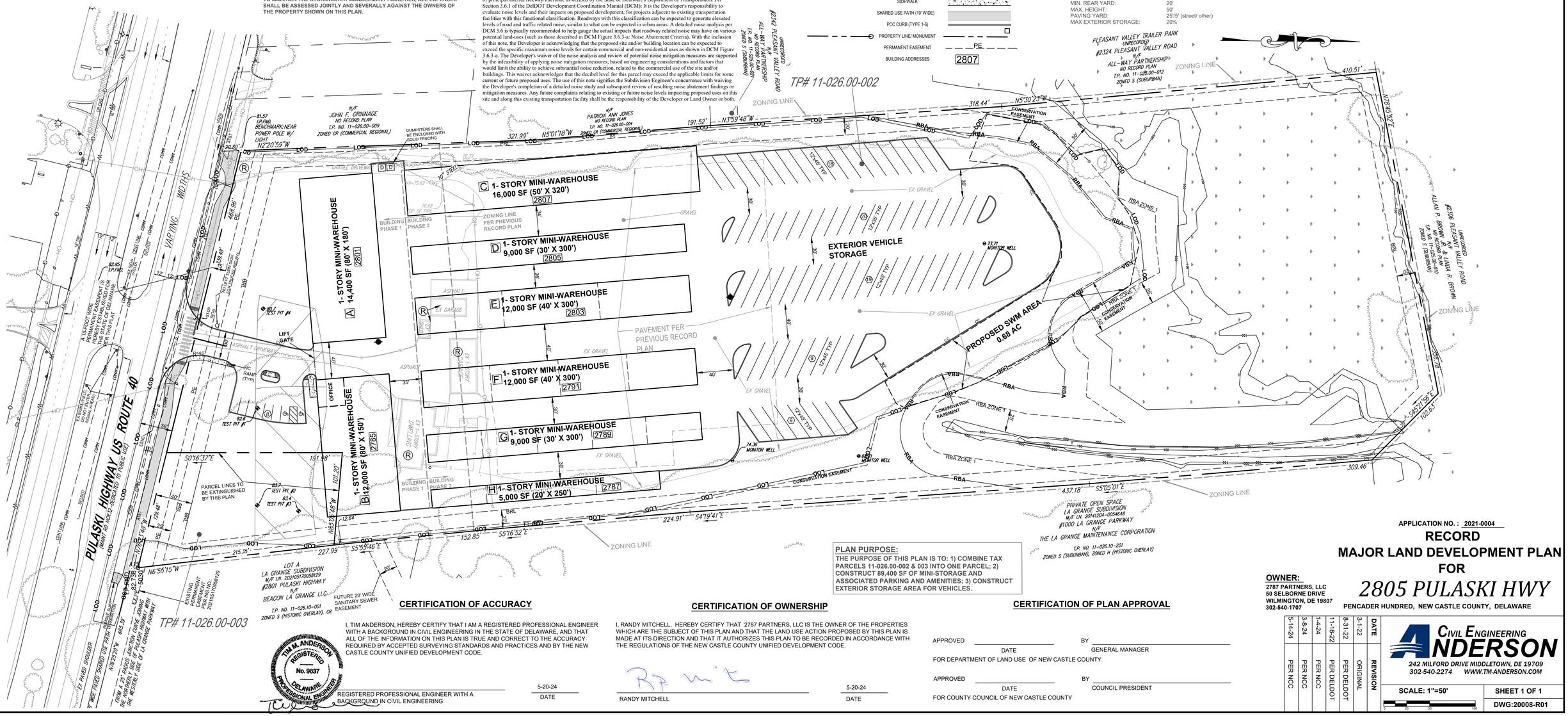
EXISTING		PROPOSED	
RESIDENTIAL DWELLING:	2,900 SF	MINI-STORAGE:	89,400 SF
GARAGES/ SHED:	2,876 SF		
TOTAL:	5,776 SF		

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%



LOCATION MAP (NCC Zoning Map 61) SCALE 1" = 800'


LEGEND
EXISTING
PROPOSED
LIMIT OF DISTURBANCE
LOD
WETLANDS
100 YR FLOODPLAIN/ 500 YR FLOOD AREA
RIPARIAN BUFFER AREA
MATURE FOREST
SUITABLE SEPTIC AREA
FIRE HYDRANT
GAS
UTILITY POLE
OVERHEAD ELECTRIC
UG COMM LINE
EX FEATURE (TO BE REMOVED)
SIDEWALK
SHARED USE PATH (10' WIDE)
PCC CURB (TYPE 1-6)
PROPERTY LINE/ MONUMENT
PERMANENT EASEMENT
PE
BUILDING ADDRESSES
2807
TP# 11-026.00-002
TP# 11-026.00-003
PULASKI HIGHWAY US ROUTE 40
(MAIN) RD ROUTE 2(DELAWARE RTE 2)
#2342 PULASKI HIGHWAY (UNRECORDED)
ALL WAY PARTNERSHIP
NO RECORD PLAN
T.P. NO. 11-026.00-009
ZONED CR (COMMERCIAL REGIONAL)
N/F
JOHN F. GRINNAGE
NO RECORD PLAN
T.P. NO. 11-026.00-009
ZONED CR (COMMERCIAL REGIONAL)
N/F
PATRICIA ANN JONES
NO RECORD PLAN
T.P. NO. 11-026.00-004
ZONED CR (COMMERCIAL REGIONAL)
DUMPSTERS SHALL BE ENCLOSED WITH SOLID FENCING
81.57 I.P.FND. BENCHMARK: NEAR POWER POLE W/ LIGHT.
N22°20'59"W
321.99'
N5°01'18"W
191.52'
N3°59'48"W
318.44'
N5°30'23"W
1- STORY MINI-WAREHOUSE
16,000 SF (50' X 320')
2807
1- STORY MINI-WAREHOUSE
14,400 SF (80' X 180')
2801
1- STORY MINI-WAREHOUSE
9,000 SF (30' X 300')
2805
1- STORY MINI-WAREHOUSE
12,000 SF (40' X 300')
2803
1- STORY MINI-WAREHOUSE
12,000 SF (40' X 300')
2791
1- STORY MINI-WAREHOUSE
9,000 SF (30' X 300')
2789
1- STORY MINI-WAREHOUSE
12,000 SF (80' X 150')
2785
1- STORY MINI-WAREHOUSE
5,000 SF (20' X 250')
2787
BUILDING PHASE 1
BUILDING PHASE 2
ZONING LINE PER PREVIOUS RECORD PLAN
PAVEMENT PER PREVIOUS RECORD PLAN
EXTERIOR VEHICLE STORAGE
PROPOSED SWM AREA 0.68 AC
CONSERVATION EASEMENT
RBA
RBA ZONE 1
LOD
EX GRAVEL
ASPHALT
GRAVEL DRIVE
ASPHALT DRIVEWAY
LIFT GATE
OFFICE
HC RAMP (TYP)
TEST PIT #1
TEST PIT #2
TEST PIT #3
TEST PIT #4
PARCEL LINES TO BE EXTINGUISHED BY THIS PLAN
LOT A
LA GRANGE SUBDIVISION
M/F I.N. 20210517D058129
#2801 PULASKI HIGHWAY
N/F
BEACON LA GRANGE LLC.
T.P. NO. 11-026.10-001
ZONED S (HISTORIC OVERLAY), CR
EXISTING 15' PERMANENT ACCESS EASEMENT PER I.N. 20210517D058129
FUTURE 20' WIDE SANITARY SEWER EASEMENT
PLEASANT VALLEY TRAILER PARK
UNRECORDED
#2324 PLEASANT VALLEY ROAD
N/F
ALL-WAY PARTNERSHIP
NO RECORD PLAN
T.P. NO. 11-026.00-012
ZONED S (SUBURBAN)
#2306 PLEASANT VALLEY ROAD
(UNRECORDED)
ALLAN P. BROWN JR. & LINDA R. BROWN
N/F
NO RECORD PLAN
T.P. NO. 11-026.00-010
ZONED S (SUBURBAN)
PRIVATE OPEN SPACE
LA GRANGE SUBDIVISION
M/F I.N. 20141204-0054648
#1000 LA GRANGE PARKWAY
N/F
THE LA GRANGE MAINTENANCE CORPORATION
T.P. NO. 11-026.10-201
ZONED S (SUBURBAN), ZONED H (HISTORIC OVERLAY)
ZONING LINE
410.51'
N13°45'57"E
309.46'
S45°21'56"E
102.63'
437.18'
S5°05'01"E
224.91'
S4°19'41"E
152.85'
S5°16'52"E
227.99'
S5°59'46"E
215.35'
N6°55'15"W
191.38'
S0°16'37"E
101.20'
N85°16'46"W
12.64'
469.86'
S6°16'46"W
129.48'
N6°25'30"W
683.19'
ELEV. 82.30
FROM A 25' RADIUS JUNCTION CURB, ALONG THE WESTERLY SIDE PULASKI HIGHWAY WITH THE WESTERLY SIDE OF LA GRANGE PARKWAY
15' WIDE PAVED SHARED USE PATH (PEDESTRIAN)
EX. PAVED SHOULDER
15' WIDTH VARYING
EX. ELEVATED SIGN (NOT TO SCALE)
EX. ELEVATED SIGN (NOT TO SCALE)
EX. UTILITY POLE
EX. GUY WIRE
EX. GUY WIRE
EX. UTILITY POLE
EX. UTILITY POLE
EX. UTILITY POL

Matthew S. Meyer
County Executive

Charuni Patibanda
General Manager

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

Prime Sponsor(s): Ms. Durham, Mr. Carter
Mr. Toole
Co-sponsor(s): Mr. Cartier, Mr. Smiley
Date of introduction: January 23, 2024

ORDINANCE NO. 24-008

TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 40 ("UNIFIED DEVELOPMENT CODE"), ARTICLE 14 ("IMPACT FEES") REGARDING ADJUSTMENTS TO IMPACT FEES

WHEREAS, New Castle County imposes impact fees to pay for a portion of additional public services needed as the result of new development for which the County would bear the additional or increased costs; and

WHEREAS, impact fees, when accurately maintained, can be an effective tool for ensuring adequate infrastructure to accommodate growth where and when it is anticipated; and

WHEREAS, the impact fees raise funds to pay for services such as parks, libraries, EMS, and law enforcement; and

WHEREAS, impact fees for the above services and others have not been adjusted for more than 20 years (since 1999), meanwhile there have been significant increases in the costs of construction during this timeframe; and

WHEREAS, County Council has determined that the provisions of this Ordinance substantially advance and are reasonably and rationally related to legitimate government interests, including, but not limited to, promoting the public health, safety, welfare, and quality of life of the present and future inhabitants of New Castle County.

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

Section 1. *New Castle County Code* Chapter 40 ("Unified Development Code"), Article 14 ("Impact Fees"), Section 40.14.230 is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below.

Sec. 40.14.230. - Other necessary adjustments.

All costs in the impact fee calculations are given in current dollars with no assumed inflation rate over time. Necessary cost adjustments will be made as part of the periodic evaluation and corresponding update of impact fees which shall occur at least once every 5 years, with the next adjustment being effectuated no later than January 1, 2025.

Impact fees ~~will~~ are to be adjusted for inflation in construction costs as reflected in the Engineering News Record (ENR) index and upon approval by New Castle County Council. Any impact fee based in part upon land cost also shall be reviewed and adjusted at least once every five years ~~periodically~~ by the Departments of Land Use and Finance and adjusted to account for any significant change in the cost of land upon approval of County Council.

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

Adopted by County Council of
New Castle County on:

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

Approved on:

_____
Matthew Meyer
County Executive
of New Castle County

SYNOPSIS: This Ordinance amends *New Castle County Code*, Section 40.14.230 to provide for review and necessary adjustments to impact fees at least every 5 years.

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

DEPARTMENT OF LAND USE
RECOMMENDATION REPORT

Ordinance No. 24-008
Application No. 2024-0062-T
Impact Fees

May 21, 2024

Sponsor: Councilwoman Dee Durham (District 2), Councilman David Carter (Council District 6)

Description: To amend New Castle County Code, Section 40.14.230 to provide for review and necessary adjustments to impact fees at least every five years.

EXECUTIVE SUMMARY

Ordinance 24-008 (Application 2024-0062-T) proposes changes to Section 40.14.230 of the New Castle County Code to require the County's impact fees be regularly adjusted every five years in order to account for inflation in construction costs which are reflected in the Engineering News Record (ENR) index. The proposed ordinance follows the completion of a *2023 Development Impact Fee Study* that was undertaken by the County and completed in June of 2023. As currently written, the adjustment of impact fees would be required to occur by January 1, 2025.

The Department of Land Use concurs that the County's impact fees should be evaluated regularly and acknowledges the bearing the collection of impact fees has on the County's infrastructure. Based on the recommendations from the *2023 Development Impact Fee Study*, the Department believes a comprehensive look at Article 14 ("Impact Fees") and Section 40.14.110 ("Impact Fee Methodology") in consultation with the Department of Finance to ensure that specific changes to the impact fee structure are based on a rational nexus and do not result in arbitrary increases.

The Department of Land Use recommends **DENIAL** of Ordinance 24-008 (Application 2024-0062-T) as written to allow for further evaluation and implementation of an updated impact fee methodology and structure.

DESCRIPTION

Ordinance 24-008 proposes revisions to Section 40.14.203 of the New Castle County Code to require the County's impact fees be regularly adjusted every five years in order to account for inflation and construction costs reflected in the Engineering News Record (ENR) index, with the first adjustment beginning by January 1, 2025.

BACKGROUND

The collection of impact fees in New Castle County began with the adoption of the Unified Development Code in 1997. Since the adoption of the UDC, the County has consistently considered changes and updates to the structure / methodology of impact fees to account for development and changing economies.

1998 New Castle County Impact Fee Study

Between 1997 and June of 1998, New Castle County conducted an impact fee study with Tischler & Associates. The study recommended both a methodology and fee structure for new development in the county that the legal standards established by the U.S. Supreme Court in *Nollan v. California Coastal Commission* (483 U.S. 825,1987)[1] and *Dolan v. City of Tigard* (512 U.S. 687, 1994).[2] For an impact fee to be legal it must meet two standards; (1) there must be a "*rationale nexus*"[3] between the imposition of the fee and the achievement of a legitimate public purpose, and (2) the amount of the fee must be "*roughly proportionate*"[4] to the impact of the proposed development.

The report recommended three specific methodologies to determine impact fees; (1) plan based, (2) incremental expansion, and (3) buy-in approach. The plan-based approach was proposed for libraries, because they have specific capital improvement plans. The incremental expansion method was recommended for parks, public facilities and equipment, EMS, fire/rescue and law enforcement, and are derived by comparing the current level of service (LOS) to what is projected to be needed to expand or provide additional facilities, to accommodate new development.[5] The buy-in approach was recommended for parks under the rationale that new development is paying for its share of the useful life and remaining capacity of existing facilities.

Ordinance 97-172 Unified Development Code

On December 31, 1997, New Castle County adopted the Unified Development Code (UDC) (Ordinance 97-172). Among the many changes brought by the UDC was the enaction of the first impact fee structure in Article 14. Since the Impact Fee Study (1998), was still in production, the updated UDC only included specific fees related to providing sewer service to the Southern Service Area. Fees for this were based on the *Wastewater Needs Evaluation and Plan for Southern New Castle County (1992) and Southern New Castle County Land Use Study (1996)* as well as the *1996 New Castle County Comprehensive Development Plan*.

Ordinance 98-130 Impact Fees on New Development

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[1]Nollan v. California Coastal Commission 483 U.S. 825 (1987): https://supreme.justia.com/cases/federal/us/483/825/

[2] Dolan v. City of Tigard 512 U.S. 687, (1994): https://supreme.justia.com/cases/federal/us/512/374/

[3] Established by Nollan v. California Coastal Commission 483 U.S. 825 (1987)

[4] Established by Dolan v. City of Tigard 512 U.S. 687 (1994)

[5] The County cannot use the funds for maintenance or replacement of existing facilities.

With the Impact fee study complete in June of 1998, Ordinance 98-130 was adopted on January 12, 1999. Ordinance 98-130 revised the UDC to include the methodology and fee structure in the 1998 study. Services that received impact fees included:

- Libraries
- Fire
- Emergency Medical Services (EMS)
- Police
- Parks & Special Facilities
- Sewers
- County Facilities
- Schools

Most of the fee values and services receiving impact fees have remained largely consistent since the adoption of Ordinance 98-130

Ordinance 99-042 Impact Fees and Schools

Ordinance 99-042 was adopted on June 22, 1999, removing the impact fees related to school capacity, in favor of relying on certification by the school district that adequate capacity exists in the school district to support development.

Ordinance 06-042

Ordinance 06-042 was adopted on July 25, 2006, shifting the method for recovering sewer service expansion from an impact fee to a capital recovery fee.

2006 Fire Impact Fee Study and Ordinance 06-047

New Castle County conducted an update to the 1998 Impact Fee Study with TischlerBise (formerly Tischler & Associates) to revise fees collected, to support expanded fire services that were needed to accommodate the increased development trends. The study was commenced in 2005 and was completed on January 26, 2006. The recommended changes from the study were adopted on August 22, 2006.

2009 Impact Fee Study and the Great Recession

New Castle County initiated a comprehensive update to the 1998 Impact Fee Study with TischlerBise to update fees collected and to support expanded fire services needed to accommodate the increased development trends in 2009. A draft of the study was completed on December 28, 2009. The study was never finalized and recommendations from the draft study were not pursued due in part to concerns related to the Great Recession and the effect increasing fees would have on the housing market.

2023 Development Impact Fee Study

Following the New Castle County Audit Report (May 2020), which recommended the County consider reviewing current impact fee amounts, the Rossi Group and Century Engineering were contracted to look at best practices. The *2023 Development Impact Fee Study* proposed that the County consider specific changes to the impact fee structure based on best practices by the American Planning Association, neighboring jurisdictions, and nation-wide trends. Based on this analysis, the study includes six key recommendations:

1. Utilization of the Delaware State Strategies Map to assess a surcharge impact fee to cover additional costs associated with developments in Levels 3 and 4.

2. Expansion of the uses included in the Impact Fee Table (Table 40.15.210)[6].

3. Incentivizing low-income housing through the potential exemption or reduction of impact fees for Moderately Price Dwelling Units (MPDU's).

4. Graduated fee increases based on the ENR CCI, whether it be annual indexing adjustments or phased increases over time.

5. Creation of an impact fee for open space.

6. Consideration of impact fees for certain redevelopment proposals that may require additional services.

The *2023 Development Impact Fee Study* recommendations were obtained via an online survey presented at a public workshop held on December 13, 2022. Some recommendations were more favored than others and were considered as part of the final report.

While there were several recommendations in the memorandums that made up the report, it is important to note that the report did not evaluate the necessary data to assure that changes in fees were "roughly proportionate" to the impact from the development:

> … *Thorough documentation of the current practices along with best practices and case studies will allow the County and its residents to determine needs and opportunities to refine impact fees to align with the County's long-range plans and achieve a sustainable source of revenue*.[7]

It is for this reason that the report recommends additional research be conducted. Ensuring that any proposed change in fees meets the legal tests established by the U.S. Supreme Court is an essential next step in the process to determine appropriate impact fees. Additionally, it is important for the County to evaluate how an increase would be consistent with the methodologies set by County Code.

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[6] Impact Fee Table

[7] 2023 Development Impact Fee Study, Memo 1, Page 5 of 5

PLUS REVIEW

The PLUS Report dated March 27, 2024, contains comments from State agencies. The Office of State Planning and Coordination (OSPC) commended the County for proposing to review impact fees every five years to ensure they align with development costs. There were no additional comments from other State agencies.

PLANNING BOARD PUBLIC HEARING – *May 7, 2024*

Councilman Carter presented Ordinance 24-008 at the May 7, 2024, joint New Castle County Department of Land Use and Planning Board Public Hearing. During his presentation, he discussed the history of impact fees in New Castle County as well as the scope and intent of the ordinance.

Chairwoman Peterson asked Councilman Carter if there was a definition for "significant change." Councilman Carter stated that he will need to confer with Counsel to Council. Mr. Snowden voiced concerns regarding the time that fees have remained constant and asked if the intent was to increase fees all at once. Councilman Carter stated that while the ordinance does not directly address this, he believes that County Council would be most comfortable with an incremental increase. He further remarked that he would prefer to not use the tax stabilization fund for capital projects such as the Boyd's Corner EMS station. Mr. Cantrell referenced the requirement that impact fees be adjusted for inflation, and asked if the intent was that the fees would be adjusted annually. Councilman Carter stated that the fees would be required to be adjusted every five years, however it could occur more frequently if something drastic happened. Mr. Cantrell asked about the mechanism for adjusting the fees after an event such as the COVID 19 pandemic. Councilman Carter stated that in such a circumstance he would hope that any shortfall would be funded by the tax stabilization fund.

Antoni Sekowski, Assistant Land Use Manager for the Department of Land Use made a brief presentation expressing the Department's concerns with Ordinance 24-008. He discussed the background of the *2023 Development Impact Fee Study*, as well as key recommendations of the report. He stated that while the Department concurs that updating impact fees every five years is warranted, Ordinance 24-008 is as drafted, premature because the Department has not had adequate time to evaluate how to best implement recommendations from the study. Specific concerns are that the study does not determine which fees should be modified, what new fees should be included, and the impacts on affordable housing. He further discussed specific concerns regarding recommendations in the study and the additional research (as noted in the study) needed to best address their implementation. He reiterated the Department's support for increasing fees at regular intervals, however voiced concern that a flat increase in fees may have unintended consequences and may not have a rationale nexus between the fee and improvement.

Chairwoman Peterson asked if the Department knew if Kent and Sussex Counties had a similar fee structure. Mr. Sekowski stated that from his understanding their structure was significantly more limited. Ms. Drake expressed concern about the potential time that it would take to conduct the recommended research, considering the amount of time since the

last increase in impact fees. Mr. Sekowski discussed the Department's current efforts to address recommendations of the study, including having an expert evaluate Area Median Income requirements for affordable housing. He also discussed proposed changes in Ordinance 24-054 on how impact fees would be addressed in redevelopment.

Charuni Patibanda, General Manager for the Department of Land Use, remarked that the Department is not looking to hold up the process in pursuit of perfection, but wants to make sure that affordable housing in New Castle County is not adversely impacted. She acknowledged Councilman Carter's comments but stressed the importance of a balanced approach in order to minimize impacts to affordable housing.

Councilwoman Durham stated that the American Planning Association calls for a review of impact fees every two years, and that she had requested an ordinance from the Department to increase fees consistent with the recommendations of the study. She further remarked that the Open Space Advisory Board supports the ordinance and that the Chair of the Board intends to submit a letter of support. Councilwoman Durham indicated that there are a number of ways that fees could be phased in, and in what is to be included and that affordable housing could be exempted. She stated that it is disingenuous for the Department to state that they need to study, since they have a study.

Public Comment

During the public comment period three residents spoke in favor of the ordinance: (1) Dale Swain, (representing the Facebook group RADAR), (2) RJ Miles (CCOBH), and (3) Robin Glaiser (Delaware Nature Society). Mr. Swain expressed support for the ordinance, and concern that the fees had not been adjusted in twenty-five years. He also stated that a lot of the concerns that Land Use has addressed could be added to the bill. Mr. Miles expressed support for the ordinance, stating the importance of having proposed development equitably contribute to the infrastructure demands that will be created. He mentioned traffic impacts from the Incyte development as an example. Ms. Glaiser voiced support for the ordinance specifically with respect to the acquisition and preservation of open space land.

Rebuttal

Councilman Carter committed to work as closely as possible with the Department of Land Use but has no intention of slowing down. He remarked that he does not feel that the increase in impact fees will significantly affect affordable housing since they can be spread out over a thirty-year mortgage.

Written Public Comment

The Department received letters of support for Ordinance 24-008 from the following agencies / individuals, which are enclosed with this report.

Delaware Nature Society (Mark Nardone)
Kristina Brandis (Middletown resident)
Joshua Fischer (MOT resident)
Amanda Fischer (MOT resident)
Andy Olenderski (Middletown resident)

ANALYSIS

As noted in the purpose statement of Article 14 (Impact Fees), the intent behind the collection of impact fees is to addresses facilities and services that New Castle County provides, which are impacted by population growth and new development. Article 14 (Impact Fees) of the UDC includes a detailed methodology, determination of the cost of service, and Impact Fee Table that provide detailed instruction to the County regarding the collection of impact fees and the subsequent administration of funds. Understanding the changes and expected growth trends in New Castle County, the County acknowledged the need for updates to the fee structure through the most recently completed impact study.

Following the completion of the *2023 Development Impact Fee Study*, Ordinance 24-008 was introduced by its sponsors in the spirit of the study. Ordinance 24-008 proposes to require impact fees be updated once every five years, with a deadline for the first date being January 1, 2025. Based on best practices and the recommendations of the *2023 Development Impact Fee Study*, the Department agrees that the five-year time period is an appropriate update cycle. The requirement that the next adjustment be conducted by January 1, 2025, does not provide the County sufficient time to perform the research recommended by the study to implement recommendations in a manner consistent with legal requirements for impact fees. The Department of Land Use prefers to take a comprehensive look at Article 14 and make changes that would not be arbitrary, noting that changes to the impact fees will have a significant impact on the County.

2023 Development Impact Fee Study Recommendation	Department Comment
Utilizing State Strategies Map *Implementation of a surcharge for development in Investment Levels 3 and 4.*	Additional research needed and coordination with the OSPC
Expanding the list of uses in the Impact Fee Table	Need to understand the actual costs vs. forecasted increases for existing impact fees to ensure there is a rational nexus
	The Department would like to more narrowly define the list of uses and assess their impacts.
	Additional research needed
Strategic incentives for low-income housing.	Consideration of a sliding scale relative to home prices and Area Median Income (AMI)
	Department is currently working with an expert to determine appropriate AMI levels with respect to MPDU locations, results will be shared with DHSA and Community Services.
	Additional research & outreach needed.
Graduated Fee increase	Additional study is needed to assess a phased approach for increasing fees over a period of multiple years.
Creation of an Open Space Impact Fee	Article 14 already has a Parks and Special Facilities impact fee
	Recommend further consultation with the Open Space Advisory Committee should a fee be proposed / adopted.
	Public feedback during the *2023 Development Impact Fee Study* indicated that this should be included within existing categories
Change / Use of Redevelopment Impact Fees	Concern about disincentivizing redevelopment of underutilized properties. The Comprehensive Plan encourages the redevelopment of underutilized sites.

As directed by the US Supreme Court in *Nollan v. California Coastal Commission* (483 U.S. 825,1987)[8] and *Dolan v. City of Tigard* (512 U.S. 687, 1994),[9] when government enacts an exaction (such as the collection of impact fees), it is essential that it provides both a "rational nexus" as well as fees that are "roughly proportionate" to the impact created by the development. The *2023 Development Impact Fee Study* provided recommendations for further analysis into areas where additional impact fees might be appropriate, as well as potential ways to avoid longer periods between updates. It did not perform the analysis at the depth required to ensure that proposed changes would meet the *Nollan v. California Coastal Commission* and *Dolan v. City of Tigard.*

Impact fees must be based on an accurate inventory of existing capital inventory and what increase in capital is needed to support future development needs. Because impact fees must be specifically based on the impact that new development creates, the fees cannot be used for replacement capital, only for new/additional improvements. Any proposed increase needs to be based on a thorough understanding of capital needs for existing residents, as well as on formally approved population, household and job projections adopted by the Delaware Population Consortium. The 1998, 2006 (Fire Impact Fees), and 2009 studies were completed with a thorough knowledge of both existing capital and projected needs. The *2023 Development Impact Fee Study* provides valuable and important recommendations for consideration, but as the study stated, requires additional research.

Specifically, one area that needs additional evaluation is the tying of future increases in impact fees to the Construction Cost Index. While this may be an adequate measure for approximating capital costs associated with *construction*, it would fail to address important capital expenses that are not associated with construction. For example, while there are construction related capital expenses for the volunteer fire services, the vast majority of requests for reimbursement that the Department receives are for new, non-replacement equipment such as computers, fire hoses, fire trucks, radios, and other non-construction related expenses. Because there is no nexus between the cost of non-construction capital expenses and construction costs, relying on the Construction Cost Index for future increases in impact fees would be ill-suited to account for non-construction related needs. Another point of concern, regarding the Construction Cost Index approach is that it relies on population and households continuing to increase. According to the Delaware Population Consortium's demographic trends and projections, households and overall population in New Castle County will likely peak in the next decade and a half. After that, both will likely decline.

The Department concurs with the sponsors that impact fees do need to be updated every five-years. However, the Department disagrees with the requirement that fees be adjusted by January 1, 2025, as research has not yet been completed that would assure that any increase

[8]Nollan v. California Coastal Commission 483 U.S. 825 (1987): https://supreme.justia.com/cases/federal/us/483/825/

[9] Dolan v. City of Tigard 512 U.S. 687, (1994): https://supreme.justia.com/cases/federal/us/512/374/

would be "roughly proportionate" to impacts from new development. Impact fees are not and cannot be punitive measures to have new development pay for services for existing communities. Impact fees can *only* be used to pay for the expansion of services and capital development to accommodate the proposed new development. The Department is committed to completing a study to evaluate impact fees based on the methodology established in the UDC in accordance with the recommendations made in the *2023 Development Impact Fee Study.*

Standards of Review

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

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

   N/A

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

   Goal 17 of the Comprehensive Plan calls on the County to conduct a study of impact fees and other economic cost-benefit analysis to ensure sustainability of community infrastructure and services over time, with a commitment to commence the study by 2022. Furthermore, Strategy 17.4.2 calls for the County to ensure emergency and police services, capacity and funding are available as population grows by re-evaluating impact fees to ensure that monies levied from new development adequately address the impact of increased demand for fire, police and EMS expansion and service.

   The *2023 Development Impact Fee Study* is the first step in meeting the goals and strategies of the Comprehensive Plan, not the end result. Additional research needs to be conducted, as recommended by the study, to responsibly and legally determine appropriate changes to the impact fees collected associated with new development.

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

   N/A

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

   N/A

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

   N/A

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

N/A

G. Consideration of specific problems found in this Chapter.

Ordinance 24-008 seeks to address the eighteen-year time lapse since the last update to the impact fees collected by the County. The Ordinance requires that fees be adjusted over regular, five-year periods, while further requiring that fees be adjusted by January 1, 2025. The Department agrees with setting a required interval for updating fees but disagrees with the requirement that fees be adjusted by January 1, 2025, as the recommended research has not been conducted that would assure that any increase would be "roughly proportionate" to impact from development.

DEPARTMENT OF LAND USE RECOMMENDATION

Based on the analysis above and the Standards included in **Section 40.31.420** ***of the New Castle County Code****, t*he Department of Land Use recommends **DENIAL** of Ordinance 24-008 (Application 2024-0062-T) as written to allow for further evaluation and implementation of an updated impact fee methodology and structure.

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. The Planning Board voted on a motion by Mr. Snowden and seconded by Ms. Gray, to recommend **DENIAL** of Ordinance No. 24-008 (Application 2024-0062-T) based on the recommendation and rationale made 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:

Elizabeth Hatch, Planner for the Department of Land Use read the Department of Land Use recommendation into the record. Charuni Patibanda, General Manager for the Department of Land Use, commented that the Department recognizes the need for an update to the impact fee provisions to the UDC, and that it doesn't oppose the intent of the ordinance, however the research necessary to ensure that the increase in impact fees meet legal requirements. She further committed to further work on updating impact fees, while acknowledging the importance of addressing affordable housing and other initiatives currently underway.

Robert Snowden remarked that the difficulty is the 2025 deadline to update the impact fees, and asked if putting it off a year make the ordinance work. Ms. Patibanda, stated that the additional year would help, but the that the scope of the ordinance was too limited to address other concerns identified by the Department. She further expressed the importance of an update to the impact fee provision appropriately taking into consideration the impacts to affordable housing. Karen Peterson remarked about the challenges in setting an implementation date within the first year of a new administration. Neil Cantrell, asked the Department to further explain the potential impacts of increasing impact fees on affordable housing. Ms. Patibanda explained that since impact fees are assessed per housing unit at a set rate, regardless of the sales price for the home (there is no sliding scale). She further stated that the cost gets passed on to the purchaser. Mr. Cantrell asked if the Department sees the increased cost being passed on to the purchaser dollar for dollar. Ms. Patibanda stated that depending on the market sometimes fees are passed on dollar for dollar, sometimes at a higher rate, and at other times the fee is just absorbed into the cost of the house. Mr. Cantrell, asked if updating fees would result in doubling the fees. Ms. Patibanda stated that in some instances, if the 18 year gap was immediately closed it would result in doubling the fees or more. Antoni Sekowski, Assistant Land Use Manager for the Department of Land Use, explained that the Rossi Group report estimated that t increase would be closer to 75%. Mr. Cantrell inquired about ways to mitigate the potential adverse impacts of the ordinance being adopted as written. Ms. Patibanda remarked that the ordinance does not provide for the ability, to address the Department's concerns, and that any effort should be more comprehensive in nature. Mr. Cantrell then asked about the time that it would take to complete a more comprehensive effort. Ms. Patibanda remarked about the complexity of the process and the difficulty in providing an accurate time frame. Matthew Rogers, Planner for the Department of Land Use explained the three different methods for evaluating impact fees within the UDC. He further explained the importance of having accurate and update inventory for Fire, EMS and other services, since impact fees can only legally be used on capital expansions to support new development, and that the funds cannot be allocated to the replacement of existing inventory. Mr. Rogers further explained that the TischlerBise studies that were the basis to establish the impact fee provisions in the UDC had substantially greater depth and detail to ensure that the fees met the legal standards than the Rossi Group report. He further expressed the importance providing the detail and research that TischlerBise conducted in previous studies. Mr. Cantrell asked when the Rossi Group study was submitted to the Department. Mr. Rogers stated the Department received the report in June of 2023. Mr. Cantrell remarked that it isn't possible to complete a holistic effort by January of 2025. Mr. Rogers agreed and expanded on some of the challenges to the recommendations in the reports, specifically using the construction index, where much of the funded capital improvements are not related to construction at all (fire hoses, computers and tablets). Ms. Patibanda, remarked that while completing a comprehensive study within 6 months is not possible that the Department will begin the effort. Leah Gray asked if there was a way to exempt to some extent affordable housing from impact fees. Ms. Patibanda stated that creating a balance between affordable housing and impact fees would be part of the needed research, noting that 55 and older communities have exemptions. She further remarked about the importance that changes to impacts stand up

to legal challenge. Ruth Visvardis asked if the intent is to exempt affordable housing from the increase in fees or impact fees as a whole. Ms. Patibanda stated that the level of exemption had not been determined. Ms. Patibanda then discussed the potential moral hazard abating fees, thereby potentially reducing services in areas where affordable housing is constructed. She further remarked about the fact that impact fees are refunded is not used within a specific time period. Mr. Rogers expanded on this by discussing the streamlined approach to administering fire impact fees that the Department developed. Mr. Rogers also discussed how some impact fees are permitted in the UDC to defrayed to fund the preservation of a historic resource on a site. Mary Jacobson, Attorney for the Planning Board, inquired if there was a budgetary need to conduct the impact fee study. Ms. Patibanda and Mr. Sekowski explained that the study was a recommendation made by an audit to the Finance Department, not from a specific budgetary need. Ms. Jacobson remarked that at times working on administrating impact fees, that there is at times a surplus, making an automatic increase questionable. Ms. Jacobson also questioned if the increases in the report were based on a need analysis. Mr. Sekowski confirmed that there was no need based analysis performed, noting that the current fee structure is need based. Ms. Jacobson stressed the importance of a rational nexus for increasing fees. Mr. Cantrell inquired about the degree that services south of the C&D Canal would be impacted if fees are not increased. Ms. Patibanda stated that services will be provided and explained that impact fees are a small portion of the funding to bring services to an area. Mr. Snowden, remarked that there is a lot of work to evaluate and implement an increase in impact fees, while acknowledging that there is a desire for immediacy. He asked if it was possible to implement an arbitrary 35% increase in impact fees until an adequate study was complete was a possibility. Ms. Patibanda, stated that such an increase would conflict with the legal standards established in *Nollan v. California Coastal Commission* and *Dolan v. City of Tigard*. Ms. Gray inquired about funding sources outside of impact fees for fire services. Ms. Patibanda said she'd reach out to the Department of Finance for additional information. Ms. Jacobson discussed the fact that fire companies receive funding from the State, and that there is an ongoing study to reevaluate their funding levels. Ms. Peterson, further expanded on the level of funding that fire companies receive from the State. Mr. Snowden asked about the potential risk for legal challenge should the ordinance pass, and impact fees be increased uniformly. Ms. Patibanda stated that there is a potential risk that could come to fruition from a developer at the time of pulling a building permit.

STATUTORY GUIDELINES

In the phraseology of 9 Delaware Code, Section 2603(a), the Department finds that this text amendment **would not** promote the convenience, order, and welfare of the present and future inhabitants of this state.

06/11/24		06/11/24	
Charuni Patibanda	date	Karen Peterson	date
General Manager		Chair	
Department of Land Use		Planning Board	

NEW CASTLE COUNTY, DE

DEVELOPMENT IMPACT FEE STUDY FINAL REPORT

June 13, 2023

I. Executive Summary

Delaware Code Title 29, Chapter 91, Section 9124 gives county governments the authority to charge impact fees for services for which the County will bear increased costs associated with development. The County must strike a balance between keeping the fees low while also providing a source of revenue for capital improvements.

New Castle County impact fees are addressed in Article 14 of the New Castle County Unified Development Code (UDC). In particular, § 40.14.010 outlines the services for which the County may require new development to provide impact fees, § 40.14.210 outlines the impact fee amounts by service and different development categories, and § 40.14.260 states how impact fee funds should be administered.

New Castle County UDC § 40.14 states "All costs in the impact fee calculations are given in current dollars with no assumed inflation rate over time. Necessary cost adjustments will be made as part of the periodic evaluation and update of impact fees. Impact fees will be adjusted for inflation in construction costs as reflected in the Engineering News Record (ENR) index and upon approval by County Council …" However, New Castle County received an audit in May 2020 which found that the only impact fees adjusted since 1999 have been the fire & rescue impact fees. County Council adopted legislation in August 2006 raising these fees based upon another study performed by TischlerBise earlier in 2006. "Thus, the impact fees for Parks, Libraries, County Facilities, EMS, and Law Enforcement have not been adjusted for over 20 years – while, undoubtedly, there have been increases in the costs of construction over that timeframe."

Rossi Group was contracted by New Castle County to assist in conducting a development impact fee study and updating current regulations. Over the course of several months, Rossi Group worked with the County and its residents to review the current fee schedule and determine the needs and opportunities to apply best/recommended practices to achieve sustainable, just, and fair public finance in line with the County's long-range plans (e.g., Comprehensive Development Plan, Southern New Castle County Master Plan). This included obtaining feedback during a public workshop and an online survey.

A series of memos were developed to document the process. A summary of each memo is provided below, and memos are attached to this summary:

Memo #1: Summary of Current Practices

Memo #1 provides a summary of the May 2020 audit and presents recommendations to be included in the study of development impact fees as proposed in the County's Draft Comprehensive Plan updates, currently underway. Recommendations include:

- Study and consider different funding strategies, such as impact fees, for the preservation and acquisition of county owned open space and easements. This was further reinforced by New Castle County Council passing Resolution No. 21-160 that "urges the Administration to include the creation of an impact fee to fund preservation in its 2021 Impact Fee Report and to otherwise pursue a permanent funding mechanism for preservation if the preservation impact fee is not legally or otherwise feasible."
- Study/adjust impact fees and conduct economic cost-benefit analysis of other policies associated with financing infrastructure and service, to address issues such as ongoing parks and open space maintenance needs that cut across multiple departments.
- In alignment with recommendations from the Housing Advisory Board evaluate possible adjustments to Impact Fees, such as an exemption/waiver for developers of low to very low-income housing in exchange for covenants that run with the land to continue affordability for 30 years and accept all sources of income for rental unit developments. Importantly, the study will need to weigh the benefit of expected impacts from this type of policy change relative to the loss of fees.

- Consider establishing sliding scale for moderately priced dwelling unit (MPDU) requirements, which should factor access to transit and nonmotorized transportation modes.
- Ensure emergency and police services capacity and funding is available as population grows by re-evaluating impact fee to ensure the monies levied from new development adequately address the impact of increased demand for fire, EMS and police expansion and service.
- Consider adjustments to impact fees based on housing unit size as opposed to a flat per unit basis to incentivize smaller, more affordable units.

This memo further details New Castle County's current regulations (Castle County UDC Chapter 40, Article 14 (40.14)) and summarizes FY 2021 impact fee account balances with total revenues and expenditures.

Memo #2: Summary of Best Practices

Memo #2 presents best practices as recommended by the American Planning Association as well as case studies for current practices by regional communities in support for New Castle County's Impact Fee Study. The case studies include jurisdictions from Delaware, New Jersey, Pennsylvania, Maryland, and Florida. This memo also provided a summary impact fees or exemptions to be considered during the impact fee study: 1) green infrastructure; 2) land preservation/agriculture land preservation; 3) affordable housing; and 4) administration and reassessments.

Take aways from analysis of the best practices included:

- Local examples: New Castle County's impact fee program compares most favorably with the more comprehensive and modern impact fee programs found in Anne Arundel County, Maryland and Seminole County, Florida.
- Indexing benchmark: Construction Cost Index (CCI) from the Engineering News-Record (ENR) is the recommended benchmark comparison for impact fee increases with annual reviews.
- Annual increases: The easiest and most straightforward method to address fee increases is to adopt the annual increase in code using the CCI. Mandating annual increases by code eliminates political influences on the fees. A limit of 4 or 5% per year could be adopted so that in periods of high inflation, fee increases are somewhat mitigated.
- Needs based assessments: Periodic reviews should assess needs for each area of impact based on the County's capital improvement plan for each geographic area. As growth levels change for each area, the fees could be adjusted based on needs.
- Impact fee credits: Many jurisdictions allow for credits if the applicant builds facilities or donates real estate for the construction of facilities.
- Affordable housing provisions: Most jurisdictions provide for a reduction or elimination of impact fees for affordable housing initiatives. A wide of alternatives are possible but factors such as replacing the reduced revenue, income levels, number of units eligible, reducing/waiving only some portions of the impact fees should be considered.
- Fee rates are often tied to a proposed use.
- Sustainability of impact fees to keep taxes low: Impact fees will continue to provide the County with dedicated revenue below the canal for the foreseeable future to help fund projects. Revenue for the area above the canal for parks and libraries is fairly limited.
- Open space: An open space impact fee seems reasonable in the update of the code to help fund land acquisition and preservation.

Memo #3: Special Topics Reviewed

Memo #3 builds on the data collected in the prior memos to present recommendations for New Castle County to consider in their assessment of current regulations and the development of any subsequent updates. These initial recommendations include: 1) an assessment of the ability to apply a sliding scale to the impact fees based on the *Delaware Strategies for State Policies and Spending* (2020) and taking into account the five established investment levels; 2) expanding the list of uses in the Impact Fee Table; 3) developing strategies for incentivizing low-income housing; 4) implementing graduated impact fee increases; 5) creating an Open Space fee; and 6) revision of use/redevelopment charges.

Memo #4: Final Recommendations

A public workshop was held December 12, 2022 to present the findings of Memos 1 through 3 and solicit feedback from interested stakeholders. Attendees could view the presentation virtually or in-person. Approximately 25 individuals attended in person and 45 attendees signed in online.

Data from the workshop was used finalize recommendations to prioritize proposed changes to the existing code. The following final recommendations will be presented to New Castle County Council's Finance Committee for further consideration:

1. **Utilizing Delaware's State Strategies:** New Castle County to implement a surcharge to cover the additional costs associated with development in Levels 3 and 4; New Castle County will work with OSPC and conduct additional research to determine the actual cost of providing services to these areas and will modify proposed percentages accordingly.
2. **Expanding the List of Uses in the Impact Fee Table:** New Castle County to add new categories to the impact fee table (Multi-use Residential, Institutional Uses, Commercial Lodging, Restaurants).
3. **Strategies for Incentivizing Low-Income Housing:** New Castle County should establish a sliding scale system based on the home price relative to the AMI.
    - >120% of AMI => 75%
    - 100 – 120% => 50%
    - 80 – 100% => 25%
    - <80% => No fee assessed
4. **Graduated Fee Increases/ENR Recommendations:** New Castle County should consider increasing their current Impact Fees in a phased approach of 10% per year for 3 years, then annually adjust the fee for ENR CCI.
5. **Open Space Fee Creation:** New Castle County should further explore the option of an additional impact fee category to fund Open Space. This would align with the County's goal for dedicated Open Space funding.
6. **Change of Use/Redevelopment Charges:** New Castle County will continue to work with developers to determine if the waiver on impact fees is a deciding factor in redevelopment and/or brownfield development. New Castle County should also consult with the Public Works Department and Emergency Services to determine actual costs of increased services from redevelopment cases.

MEMO #1: SUMMARY OF CURRENT PRACTICES

Rossi

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Diversity. Passion. Synergy.

Date: August 2, 2022
To: Antoni Sekowski, Acting Assistant Land Use Manager, New Castle County
From: Savannah Edwards, AICP Candidate; Associate Planner; Rossi Group
CC: Marc Coté, PE, AICP; Director of Planning and Engineering; Rossi Group

Re: New Castle County Impact Fee Study
Memo #1 – Summary of Current Practices

New Castle County received an Audit Report dated May 20, 2020. The results informed the need for further study of New Castle County Unified Development Code (UDC) Chapter 40, Article 14 (40.14); which indicates, "All costs in the impact fee calculations are given in current dollars with no assumed inflation rate over time. Necessary cost adjustments will be made as part of the periodic evaluation and update of impact fees. Impact fees will be adjusted for inflation in construction costs as reflected in the Engineering News Record (ENR) index and upon approval by County Council …" Since 1999, however, the only impact fees which have been adjusted have been the fire & rescue impact fees. County Council adopted legislation in August 2006 raising these fees based upon another study performed by TischlerBise earlier in 2006. Thus, the impact fees for Parks, Libraries, County Facilities, EMS, and Law Enforcement have not been adjusted for over 20 years – while, undoubtedly, there have been increases in the costs of construction over that timeframe."

Rossi Group is supporting New Castle County's study of its development impact fee to assess and update current regulations. In support for New Castle County's development impact fee study, the following memo presents New Castle County's current regulations, fee amounts and processes. Concurrently, the County is completing its 10-year comprehensive development plan updates. Based on review of the Draft Comprehensive Plan the following recommendations should be considered as part of this study:

- Study and consider different funding strategies, such as impact fees, for the preservation and acquisition of county owned open space and easements. This was further reinforced by New Castle County Council passing Resolution No. 21-160 that "urges the Administration to include the creation of an impact fee to fund preservation in its 2021 Impact Fee Report and to otherwise pursue a permanent funding mechanism for preservation if the preservation impact fee is not legally or otherwise feasible."

- Study/adjust impact fees and conduct economic cost-benefit analysis of other policies associated with financing infrastructure and service, to address issues such as ongoing parks and open space maintenance needs that cut across multiple departments.

- In alignment with recommendations from the Housing Advisory Board evaluate possible adjustments to Impact Fees, such as an exemption/waiver for developers of low to very low-income housing in exchange for covenants that run with the land to continue affordability for 30 years and accept all sources of income for rental unit developments. Importantly, the study will need to weigh the benefit of expected impacts from this type of policy change relative to the loss of fees.

    - Consider establishing sliding scale for moderately priced dwelling unit (MPDU) requirements, which should factor access to transit and nonmotorized transportation modes.

- Ensure emergency and police services capacity and funding is available as population grows by re-evaluating impact fee to ensure the monies levied from new development adequately address the impact of increased

demand for fire, EMS and police expansion and service.

- Consider adjustments to impact fees based on housing unit size as opposed to a flat per unit basis to incentivize smaller, more affordable units.

I. SUMMARY OF NEW CASTLE COUNTY UDC CHAPTER 40, ARTICLE 14 (40.14)

Delaware Code Title 29, Chapter 91, Section 9124 gives the County Government the authority to charge impact fees for services for which the County will bear increased costs of development. Pursuant to State Code, New Castle County adopted UDC 40.14 in 1997. The code defines impact fees as one (1) time payments on new use development to ensure that the development contributes adequate funds to enable the County to provide necessary services and facilities in a timely manner and at established levels of service. New Castle County currently requires that new residential use development provide impact fees for libraries, fire and rescue, emergency medical services, law enforcement, parks and special facilities, and county facilities. All other uses shall pay impact fees for fire and rescue, law enforcement, emergency medical services (EMS), and county facilities.

With the adoption of 40.14 the County determined impact fees that would be proportionate and reasonable related to the capital facility service demands of a new development. Impact fees for libraries were determined using a plan-based methodology, a method best suited for public facilities that have specific capital improvement plans. Impact fees for parks, public facilities and equipment, EMS, fire/rescue, and law enforcement are derived mainly from the incremental expansion method which would allow the use impact fee revenue to expand or provide additional facilities, as needed to accommodate new development. Parks impact fees also used the buy-in approach to calculate fees, where new development would pay for its share of the useful life and remaining capacity of existing facilities.

The impact fees also considered and established potential credits for new developments. The first, a future revenue credit avoids double payment for capital facilities through both one (1) time impact fees and ongoing revenues that may fund system improvements. The second type of credit is a site-specific credit for system improvements that have been included in the impact fee calculations. Project improvements normally required as part of the development approval process are not eligible for credits against impact fees. When building or expanding a nonresidential building, the first 1,000 square feet are exempt from the assessment of impact fees. For all impact fees, the Department shall waive the applicant's responsibility to pay said fees for redevelopment or Brownfields. As a condition of such waiver, the Department may require that an alternative funding source be identified to pay the applicable impact fee.

The Code defined impact fees in current (last amended, 2006) dollars with no assumed inflation rate over time. The Code indicated that cost adjustments would be made as part of a periodic evaluation. Impact fees would be adjusted for inflation in construction costs as reflected in the Engineering News Record (ENR) index and upon approval by New Castle County Council. Any impact fee based in part upon land cost shall be reviewed periodically by the Departments of Land Use and Finance and adjusted to account for any significant change in the cost of land upon approval of County Council. Though the Code was amended several times following its initial adoption, New Castle County has not updated its code or related fees since 2006. Current impact fees, as detailed in Table 40.14.210 are presented in **Table 1**. For comparison, **Table 1** also presents impact fee amounts if they had been reviewed and adjusted in accordance with the ENR Index as recommended in the Code as well as impact fee amounts adjusted in accordance with the Consumer Price Index (CPI).

Table 1: Impact Fees (Dollars)

Service	Parks & Special Facilities			Libraries			County Facilities			EMS			Fire and Rescue			Law Enforcement			Total		
	Code[1]	ENR Index[2]	CPI Index[3]	Code[1]	ENR Index[2]	CPI Index[3]	Code[1]	ENR Index[2]	CPI Index[3]	Code[1]	ENR Index[2]	CPI Index[3]	Code[1]	ENR Index[2]	CPI Index[3]	Code[1]	ENR Index[2]	CPI Index[3]	Code[1]	ENR Index[2]	CPI Index[3]
RESIDENTIAL Per Housing Unit																					
Single-family detached	$328	$574	$492	$138	$242	$207	$112	$196	$168	$7	$12.25	$10.50	$510	$893	$765	$62	$109	$93	$1157	$2,025	$1,736
Single-family attached	$304	$532	$456	$129	$226	$194	$105	$184	$158	$6	$10.50	$9.00	$442	$774	$663	$58	$102	$87	$1044	$1,827	$1,566
All other housing[4]	$225	$394	$338	$95	$166	$143	$77	$135	$116	$5	$8.75	$7.50	$317	$555	$476	$43	$75	$65	$762	$1,334	$1,143
NONRESIDENTIAL Per 1,000 Square Feet of Floor Area[5]																					
Commercial/shopping center (less than 60,000 sf. GFA)	NA	NA	NA	NA	NA	NA	$127	$222	$191	$8	$14.00	$12.00	$210	$368	$315	$42	$74	$63	$387	$677	$581
Commercial/shopping center (60,000 sf. to 200,000 sf. GFA)	NA	NA	NA	NA	NA	NA	$95	$166	$143	$6	$10.50	$9.00	$163	$285	$245	$33	$58	$50	$297	$520	$446
Commercial/shopping center (greater than 200,000 sf. GFA)	NA	NA	NA	NA	NA	NA	$76	$133	$114	$5	$8.75	$7.50	$147	$257	$221	$28	$49	$42	$256	$448	$384
Office/institutional (less than 10,000 sf. GFA)	NA	NA	NA	NA	NA	NA	$176	$308	$264	$11	$19.25	$16.50	$112	$196	$168	$24	$42	$36	$323	$565	$485
Office/institutional (10,000 sf. to 50,000 sf. GFA	NA	NA	NA	NA	NA	NA	$150	$263	$225	$10	$17.50	$15.00	$287	$502	$431	$16	$28	$24	$463	$810	$695
Office/institutional (greater than 50,000 sf. GFA	NA	NA	NA	NA	NA	NA	$142	$249	$213	$9	$15.75	$13.50	$272	$476	$408	$14	$25	$21	$437	$765	$656
Business Park	NA	NA	NA	NA	NA	NA	$120	$210	$180	$8	$14.00	$12.00	$232	$406	$348	$14	$25	$21	$374	$655	$561
Light industrial	NA	NA	NA	NA	NA	NA	$88	$154	$132	$5	$8.75	$7.50	$170	$298	$255	$7	$12.25	$10.50	$270	$473	$405
Warehousing	NA	NA	NA	NA	NA	NA	$47	$82	$71	$3	$5.25	$4.50	$94	$165	$141	$4	$7.00	$6.00	$148	$259	$222
Manufacturing	NA	NA	NA	NA	NA	NA	$70	$123	$105	$4	$7.00	$6.00	$131	$229	$197	$3	$5.25	$4.50	$208	$312	$364

1. Impact Fees according to current Code 40.14 (last amended 2006).
2. Impact Fee if adjusted in accordance with ENR Index.
3. Impact Fee if adjusted in accordance with CPI Index.
4. Due to similar square footage, small single-family units and single-wide mobile homes will be included under the "All other housing" designation.
5. When building or expanding a nonresidential building, the first 1,000 square feet are exempt from the assessment of impact fees. For all impact fees, the Department shall waive the applicant's responsibility to pay said fees for redevelopment or Brownfields. As a condition of such waiver, the Department may require that an alternative funding source be identified to pay the applicable impact fee.

Section 40.14.260 outlined the administration of impact fees. Each fee is deposited into separate interest-bearing trust funds for each impact fee types. With exceptions, outlined per the Code, impact fees collected from new development north of the C&D Canal shall only be used for services and facilities located or provided north of the canal. Impact fees collected from new development south of the C&D Canal shall only be used for services and facilities located and provided south of the C&D Canal. Within each area, the impact fees shall only be used to adequately benefit the development which is the source of the fee. Exceptions include impact fees assessed for fire/rescue and county facilities. Impact fees within a specific fire and rescue district shall only be used to adequately benefit the development which is the source of the fee regardless of whether the fee was collected north or south of the C&D Canal. Because County facilities benefit new development on a Countywide basis, County facility impact fees can be used anywhere in the County regardless of whether the fee was collected north or south of the C&D Canal.

Fees collected during any fiscal year must be expended or encumbered by contract within the ten (10) fiscal years

immediately following for parks and special facilities, libraries, county facilities, and fire/rescue or five (5) years for EMS or law enforcement impact fees. If fees are not expended or encumbered by contract, the owner of the address for which an impact fee had been paid is entitled to a refund and will be notified by the General Manager. Any person so entitled shall have six (6) months from the date of the notice within which to apply to the Department of Finance for a refund of the fees paid.

II. IMPACT FEES TO DATE

Impact Fee Account Balances for Fiscal Year 2021 are presented in **Table 2** along with total revenue and expenditures.

Table 2: Impact Fee Account Balances - FY 2021

Parks - North C & D		**Parks - South C & D**	
Balance 6/30/2021	**$ 35,418.26**	**Balance 6/30/2021**	**$ 473,309.23**
Revenue	$ 123,782.16	Revenue	$ 245,523.77
Expenditures	$ (100,936.64)	Expenditures	$ (328.00)
Balance 6/30/2022	**$ 58,263.78**	**Balance 6/30/2022**	**$ 718,505.00**
Libraries - North C & D		**Libraries - South C & D**	
Balance 6/30/2021	**$ 16,951.54**	**Balance 6/30/2021**	**$ 204,778.06**
Revenue	$ 52,349.83	Revenue	$ 103,334.27
Expenditures	$ (40,267.00)	Expenditures	$ (138.00)
Balance 6/30/2022	**$ 29,034.37**	**Balance 6/30/2022**	**$ 307,974.33**
EMS - North C & D		**EMS - South C & D**	
Balance 6/30/2021	**$ 1,798.36**	**Balance 6/30/2021**	**$ 9,442.31**
Revenue	$ 16,550.54	Revenue	$ 6,701.16
Expenditures	$ (5,023.70)	Expenditures	$ (7.00)
Balance 6/30/2022	**$ 13,325.20**	**Balance 6/30/2022**	**$ 16,136.47**
Law Enforcement - North C & D		**Law Enforcement - South C & D**	
Balance 6/30/2021	**$ 14,443.02**	**Balance 6/30/2021**	**$ 128,293.26**
Revenue	$ 48,672.85	Revenue	$ 48,998.98
Expenditures	$ (30,176.20)	Expenditures	$ (5,062.00)
Balance 6/30/2022	**$ 32,939.67**	**Balance 6/30/2022**	**$ 172,230.24**
Fire Service		**County Facilities**	
Balance 6/30/2021	**$ 360,298.10**	**Balance 6/30/2021**	**$ 56,683.39**
Revenue	$ 1,048,360.68	Revenue	$ 384,988.45
Expenditures	$ (694,583.68)	Expenditures	$ (220,498.93)
Balance 6/30/2022	**$ 714,075.10**	**Balance 6/30/2022**	**$ 221,172.91**

Note: Expenditures in accounts in blue were less than 50% of the total revenue.

Expenditures in accounts in blue were less than 50% of the total revenue. This may indicate that the County is saving funds towards a large capital improvement. Per code, impact fees must be expended within ten or five fiscal years from the year in which they are collected. It is unknown to Rossi Group if the County has a tracking system to confirm that

funds are being expended within the required timeframe. The balances in Law Enforcement - South C & D and EMS – South C & D have multiple years of revenue as an end of year balance, 3.5x and 2.4x respectively.

III. NEXT STEPS

In support of New Castle County's study of its development impact fees to assess and update current regulations Rossi Group will document in a second memo a summary of best practices and case studies. Thorough documentation of the current practices along with best practices and case studies will allow the County and its residents to determine needs and opportunities to refine impact fees to align with the County's long-range plans and achieve a sustainable source of revenue.

MEMO #2: SUMMARY OF BEST PRACTICES

Rossi

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Diversity. Passion. Synergy.

Date: August 17, 2022
To: Antoni Sekowski, Acting Assistant Land Use Manager, New Castle County
From: Savannah Edwards, AICP; Associate Planner; Rossi Group
CC: Marc Coté, PE, AICP; Director of Planning and Engineering; Rossi Group

Re: New Castle County Impact Fee Study
Memo #2 – Summary of Best Practices

Rossi Group conducted a review of best practices in support of New Castle County's study of its development impact fees to assess and update current regulations. In support for New Castle County's Impact Fee Study, the following memo presents best practices as recommended by planning professionals as well as case studies for current practices by regional communities.

III. BEST PRACTICES AS RECOMMENDED BY THE AMERICAN PLANNING ASSOCIATION

The American Planning Association (APA) has developed several policy guides to help jurisdictions across America develop their own policies and regulations. In 1997, the APA updated its policy guide on Impact Fees after conducting a review of local practices. The following overarching standards are recommended to all jurisdictions when formulating or reassessing their own impact fee policies:

> "The imposition of a fee must be rationally linked (the "rational nexus") to an impact created by a particular development and the demonstrated need for related capital improvements pursuant to a capital improvement plan and program.
>
> Some benefit must accrue to the development as a result of the payment of a fee.
>
> The amount of the fee must be a proportionate fair share of the costs of the improvements made necessary by the development and must not exceed the cost of the improvements.
>
> A fee cannot be imposed to address existing deficiencies except where they are exacerbated by new development.
>
> Funds received under such a program must be segregated from the general fund and used solely for the purposes for which the fee is established.
>
> The fees collected must be encumbered or expended within a reasonable timeframe to ensure that needed improvements are implemented.
>
> The fee assessed cannot exceed the cost of the improvements, and credits must be given for outside funding sources (such as federal and state grants, developer-initiated improvements for impacts related to new development, etc.) and local tax payments which fund capital improvements, for example.
>
> The fee cannot be used to cover normal operation and maintenance or personnel costs, but must be used for capital improvements, or under some linkage programs, affordable housing, job training, childcare, etc.
>
> The fee established for specific capital improvements should be reviewed at least every two years to

determine whether an adjustment is required, and similarly the capital improvement plan and budget should be reviewed at least every 5 to 8 years.

Provisions must be included in the ordinance to permit refunds for projects that are not constructed, since no impact will have manifested.

Impact fee payments are typically required to be made as a condition of approval of the development, either at the time the building or occupancy is issued."

II. CASE STUDIES

A. Jurisdictions

1. Sussex County, Delaware

Sussex County, DE does not assess impact fees on properties. Funds for parks and special facilities, libraries, county facilities, EMS, Fire and Rescue, and Law Enforcement are collected via property taxes and allocated through the General Fund.

As required by § 115-25B(3) and F(3), the Council reviews fees for a density bonus (Cluster Fees) on an annual basis and revises such fees as it deems necessary. For the town centers and developing areas around Greenwood, Bridgeville, Seaford, Blades, Laurel, and Delmar, fees of $15,000 per unit in excess of two dwelling units per acre are assessed. For the town centers and developing areas around Milford, Milton, Ellendale, Georgetown, Millsboro, Dagsboro, Frankford and Selbyville, fees of $15,000 per unit in excess of two dwelling units per acre are assessed. For the Coastal Area, fees of $20,000 per unit in excess of two dwelling units per acre are assessed.

Fees collected from these density bonuses are allocated to the Sussex County Land Trust (SCLT) in a pool with other funding mechanisms to preserve Open Space throughout the County. The Sussex County Land Trust (SCLT) was formed in December 2001 as a nonprofit conservation organization dedicated to protecting natural, cultural, agricultural and recreational resources through land preservation, stewardship and education for today and tomorrow. The Sussex County Council holds two seats on the SCLT Board, forming a unique public-private partnership between Sussex County Council and the SCLT. Over its 17-year history, SCLT has partnered with the Council, the state and non-profit conservation agencies on 18 different projects and has raised over $4 million in private funds to leverage the protection of 5,784 acres of land.

2. Kent County, Delaware

Kent County, DE also does not assess impact fees on properties. Instead, Kent County passed an Adequate Public Facilities Ordinance (APFO). The provisions of the APFO are to ensure that essential public facilities (including roads, schools, emergency medical services, and water supply are distribution systems) needed to support new development meet or exceed the level of service standards established by the County at the time that a development is approved. This occurs in four ways:

- (1) The public facilities and/or related services needed to support, and off-set, the impacts of new development already exist; or
- (2) The public facilities and/or related services needed to support, and off-set, the impacts of new development are constructed in conjunction with new development; or
- (3) The new development is phased, so that the public facilities and related services deemed necessary by Kent County are available concurrently with the new development; or

- (4) The public facilities and/or services needed to support, and off-set, the impacts of new development are planned and funded for construction within two years of final plan approval.

EMS Impact Fee:
Kent County Code Article XVII 'Supplementary Regulations', §187-90 Adequate Public Facilities:

To offset the increased cost of providing emergency medical services (EMS) to an expanding County population, County Code states, an EMS impact fee shall be assessed. The level of service standard for emergency medical services is based upon aggregate average call volume to the Kent County Emergency Dispatch Center. On average, 0.07 dispatch calls per person are received by the Kent County Department of Public Safety each year. Based on the dispatch call factor of 0.07 calls per person per year, the number of calls generated by proposed residential development is determined by projecting the total population of the proposed residential development at build-out. The average number of persons per household is determined by the most recent population statistics published by the United States Census Bureau for Kent County.

The Kent County Department of Public Safety calculates the total impact fee per dwelling unit for each new residential development proposal based upon the projected number of annual dispatch calls for the proposed development multiplied by the per-capita EMS costs per the most recent reporting year. The impact fee for the proposed development is apportioned equally to each proposed dwelling unit and is paid to Kent County on a per-dwelling-unit basis prior to the issuance of a building permit.

The EMS impact fee, as stated in the code, is automatically adjusted on January 1 of each year based upon the average per-capita EMS costs derived from the most recent reporting year as determined by the Department of Public Safety. All EMS impact fee funds collected are deposited into a separate interest-earning reserve account for the purpose of funding upgrades and/or expansion of County EMS services and/or County EMS infrastructure within Kent County. Currently the Impact fee for EMS is $66.77 payable at time of building permit that charge goes toward EMS infrastructure.

Kent County also implements an APFO School Fee based on construction cost, school district, and type of home (single family homes have a 0.6 multiplier, while Multi-Family and Manufactured Homes have a 0.2 multiplier.) Construction cost and Local Share are updated April/May timeframe each year.

The Emergency Services Assistance Fund is separate from the EMS impact fee that is collected to help support local volunteer fire companies.

Kent County Code Emergency Services Assistant Fund §37-1:

"All applications for building permits shall be subject to a surcharge of 1/4 of 1% of the proposed construction valuation as determined by the Department of Planning Services for the purpose of establishing a fund to provide financial assistance to Kent County Volunteer Fire Companies and Kent County Volunteer Ambulance and Emergency Medical Service providers that are members of the Kent County Volunteer Firemen's Association. Existing structures destroyed or demolished will not be assessed a surcharge for the reconstruction, provided that the replacement structure has the same or less square footage and occurs within 24 months of the demolition. If the square footage is greater than the original structure, the surcharge shall be assessed based upon the value of the additional square footage."

3. Salem County, New Jersey

Salem County, NJ assesses fees on new development permit approvals; however, these are administrative fees and not impact fees. As a result, a detailed summary was determined to be irrelevant to this memo.

4. Various Pennsylvania Counties

At the request of New Castle County, Rossi researched impact fees in various counties and municipalities in Pennsylvania. Impact fees are not assessed at the County level within the State. Various municipalities assess a tax for services such as streetlights, fire hydrants, transportation, etc.

5. Anne Arundel County, Maryland

Anne Arundel County, MD Code outlines impact fees (§ 17-11 Subtitle 2) for new development to accommodate service impacts on public schools, transportation, and public safety facilities. Impact fees are required to be paid for new developments and any improvements or changes of use to real property based on the net increase in service impacts. Exemptions from impact fees include facilities for assisted living programs, hospice facilities, hospitals, nursing homes, a fire station on property owned by a volunteer fire fighting company, facilities owned by or leased to Anne Arundel Community College, and residential dwelling units that the sale or rental of the units is restricted to persons with a household income not exceeding 120 percent of the area median income. The code states that each year the impact fees will be adjusted by the percent change rounded to the nearest dollar from the most recent 20-City Annual National Average Construction Cost Index from the Engineering News-Record (ENR).

Annually, the boundaries of the school impact fee districts and transportation impact districts are reviewed and amendments to the boundaries may be proposed. Every three years, the development impact fee schedule is reviewed to consider new data and changes in costs, revenues, student generation rates, trip generation rates, trip lengths and other factors. The County Executive may propose amendments to the schedule which are submitted to the Planning Advisory Board for review and public hearing.

Credits for impact fees can be provided to developers from the County or County Board of Education. Transportation impact fee credits are allowed for transportation improvements that provide transportation capacity above the requirements for road facilities. Credit for construction and conveyance of land will be deemed paid when construction is finished. School impact fee credits are provided for capital improvements to increase school capacity.

Mixed use unit fees are computed by calculating the space committed to the various land use types on the schedule. If the development includes fractional units, the fee shall be computed to the appropriate fraction. If the Planning and Zoning Officer determines there is not a comparable land use type for the development in the impact fee schedule, or that the development may have higher impacts than assumed for its land use, an independent impact analysis will be done. This will assess a school fee, transportation fee, and public safety fee separately. As used in the fee schedules in **Table 1**, "square feet" refers to the finished area for residential development, and to floor area for non-residential development.

Table 1: Anne Arundel County Impact Fees

Development Type	Roads	Schools	Public Safety	Total
Residential (By Square Foot)				
Under 500 Feet	$1,954	$2,954	$132	$5,040
500 - 999 Feet	$3,205	$5,435	$214	$8,854
1,000 - 1,499 Feet	$4,161	$7,453	$279	$11,893
1,500- 1,999 Feet	$4,828	$8,780	$323	$13,931
2,000 - 2,499 Feet	$5,328	$9,772	$355	$15,455
2,500 - 2,999 Feet	$5,715	$10,565	$382	$16,662
3,000 - 3,499 Feet	$6,009	$11,224	$402	$17,635
3,500 - 3,999 Feet	$6,286	$11,789	$421	$18,496
4,000 - 4,499 Feet	$6,536	$12,284	$438	$19,258

4,500 - 4,999 Feet	$6,759	$12,722	$452	$19,933
5,000 - 5,499 Feet	$6,952	$13,118	$464	$20,534
5,500 - 5,999 Feet	$7,113	$13,476	$476	$21,065
6,000 Feet and Over	$7,197	$13,644	$481	$21,322
Non-residential				
Amusement, recreation, and place of assembly per required parking space	$1,375	$0	$54	$1,429
Hotel/Motel room	$6,621	$0	$169	$6,790
Industrial per 1,000 Sq Ft	$5,712	$0	$211	$5,923
Mini-warehouse per 1000 Sq Ft	$941	$0	$47	$988
For profit hospital per bed	$7,451	$0	$223	$7,674
For profit nursing home per bed	$1,658	$0	$182	$1,840
Marinas per berth	$1,739	$0	$62	$1,801
Office per 1,000 sq. ft.				
Under 100,000 sq. ft.	$9,236	$0	$504	$9,740
100,000 - 199,999 sq. ft.	$7,999	$0	$450	$8,449
200,000 sq. ft. and over	$7,122	$0	$413	$7,535
Mercantile per 1,000 sq. ft.	$9,623	$0	$1,284	$10,907

Source: https://www.aacounty.org/departments/inspections-and-permits/fees/utility-and-impact-fees/

6. Seminole County, FL

Seminole County, Florida is located in central Florida, as of the 2020 Census it has a population of 470,856. Seminole County collects impact fees for mobility, education, fire and rescue, libraries, and water and wastewater connection.

Seminole County recently evaluated its Impact Fee Rate Schedules for Water and Wastewater connection fees, Library impact fees, and Fire impact fees. This update included coordination between County staff including Environmental Services, Leisure Services and Public Safety/Fire. The library, fire and rescue, and mobility impact fees are reviewed every four years or as directed by the Board since the update.

In June 2021, Seminole County commissioners unanimously agreed to new impact fees — in some cases increases to fees were more than seven times the existing rate.— The increases were needed to help pay for new roads, trails, library materials and fire stations as the county expects more than 100,000 new residents over the next two decades. Seminole's impact fees for roads, libraries and fire and rescue services had not been raised since the mid-1990s. School impact fees were not under review after being raised by Seminole commissioners in January 2018 **Table 2**. Commissioners also agreed to lower impact fees for residential developments that include affordable and workforce housing. The following impact fees were updated in June 2021, shown in **Table 3**. Note, a mobility fee is another name for a road impact fee. Mobility/road impact fee programs set a one-time charge assessed only against those projects creating additional impacts to the transportation system by way of new development or expanding existing development.

Table 2: Seminole County Education Impact Fees

Education System Impact Fees	Fee Rate per Dwelling Unit
Residential:	
Single Family	$9,000
Condominium, Townhomes & Duplex	$5,000
Apartments (Multi-Family) < 850 sq. ft.	$4,900
Apartments (Multi-Family) 851 to 1,000 sq. ft.	$7,100

Apartments (Multi-Family) > 1,000 sq. ft.	$8,700
Mobile Home	$4,700

Source: https://www.seminolecountyfl.gov/departments-services/development-services/fees-calculators/building-permit-impact-fees/county-impact-fees.stml

Table 3: Seminole County Impact Fees

Development Type	Impact Unit	Library	Fire Rescue	Mobility		
Residential:				**Rural**	**Suburb**	**Core**
Single Family - Affordable Housing	DU	$198	$249	$3,656	$1,357	$906
Single Family (<1,500 sq. ft)	DU	$351	$440	$5,923	$2,198	$1,467
Single Family (1,500 to 2,499 sq. ft.)	DU	$395	$497	$7,312	$2,714	$1,811
Single Family (=>2,500 sq. ft.)	DU	$443	$557	$9,798	$3,636	$2,427
Multi-Family - Affordable Housing	DU	$148	$183	n/a	$916	$576
Multi-Family (1-2 Floor)	DU	$269	$332	n/a	$1,665	$1,048
Multi-Family (3+ Floor)	DU	$269	$332	n/a	$1,237	$779
Transient, Assisted, Group:						
Mobile Home	DU	$280	$318	$2,456	$875	$537
Congregate Care Facility	DU		$436	$2,518	$906	$570
Hotel	Room		$397	$4,446	$1,644	$1,086
Motel	Room		$342	$1,699	$618	$399
Nursing Home	1,000 sf		$836			
Nursing Home	bed			$593	$299	$210
Recreational:						
Marina	Boat berth		$42	$1,180	$617	$480
Golf Course	Hole		$273	$10,557	$5,491	$4,019
Movie Theater	Screen		$1,688			
Racquet/Tennis Club	Court		$416			
Health/Fitness Club	1,000 sf		$784	$8,100	$4,180	$2,975
Institutional:						
Elementary School (private)	Student		$26	$451	$229	$165
Middle/Junior High School (private)	Student		$29	$451	$229	$165
High School (private)	Student		$29	$451	$229	$165
University/Jr College (7,500 or fewer students)(private)	Student		$33	$451	$229	$165
University/Jr College (more than 7,500 students)(private)	Student		$26	$451	$229	$165
Church (non-sanctuary space for mobility fee)	1,000 sf		$120	$1,757	$893	$652
Day Care Center	1,000 sf		$264			
Day Care Center (Child or Adult)	Student			$405	$209	$131
Medical:						
Hospital	1,000 sf		$420	$4,048	$2,082	$1,713
Office:						
Office	1,000 sf		$290	$3,614	$1,840	$1,470
Medical Office (10,000 sq ft or less)	1,000 sf		$390	$13,431	$6,859	$5,614
Medical Office (greater than 10,000 sf)	1,000 sf		$560	$13,431	$6,859	$5,614
Retail:						

Retail (less than 20,000 sq ft)	1,000 sf			$5,417	$2,777	$1,737
Retail (greater than or equal to 20,000 sq ft)	1,000 sf			$7,369	$3,819	$2,523
Convenience Retail	1,000 sf			$24,008	$12,297	$7,686
Discount Superstore, Free-Standing	1,000 sf		$534	Calculated based on size (see above)		
Retail/Shopping Center	1,000 sf		$491	Calculated based on size (see above)		
New/Used Auto Sales	1,000 sf		$511	Calculated based on size (see above)		
Supermarket	1,000 sf		$784	$9,168	$4,707	$3,023
Pharmacy/Drug Store with & without Drive-Thru	1,000 sf		$602	Calculated based on size (see above)		
Furniture Store	1,000 sf		$104	Calculated based on size (see above)		
Services:						
Bank with Walk-In	1,000 sf		$335	$7,226	$3,655	$2,483
Bank with Drive-Thru	1,000 sf		$485	$7,226	$3,655	$2,483
Quality Restaurant	1,000 sf		$1,874	$19,548	$10,079	$6,817
High-Turnover (Sit-Down) Restaurant	1,000 sf		$1,812	$19,548	$10,079	$6,817
Fast Food Restaurant with Drive-Thru	1,000 sf		$3,156	$17,783	$9,031	$5,261
Coffee/Donut Shop	1,000 sf			$9,142	$4,643	$2,705
Automobile Care Center	1,000 sf		$543	$4,415	$2,227	$1,603
Gas Station with Convenience Market (less than 2,000 sq ft)	Fuel pos.		$475	$12,605	$6,326	$4,223
Gas Station with Convenience Market (2,000-2,999 sq ft)	Fuel pos.		$579	$12,605	$6,326	$4,223
Gas Station with Convenience Market (3,000+ sq ft)	Fuel pos.		$657	$12,605	$6,326	$4,223
Industrial:						
General Light Industrial	1,000 sf		$163	$2,027	$1,024	$761
Manufacturing	1,000 sf		$150	$2,027	$1,024	$761
Passive Warehouse (storage)	1,000 sf		$36	$793	$401	$298
Active Warehouse (parcel hub/fulfillment center)	1,000 sf		$36	$3,634	$1,837	$1,365
Mini-Warehouse	1,000 sf		$13	$451	$233	$166
Utility	1,000 sf		$342			

Additional details on these impact fees can be found at https://www.seminolecountyfl.gov/departments-services/development-services/fees-calculators/building-permit-impact-fees/county-impact-fees.stml

B. Special Topics for Consideration

1. Green Infrastructure

A report from the EPA suggests that impact fees can be an advantageous mechanism for funding green infrastructure projects because the fees collected are linked directly to the services provided, which avoids competing with other programs and needs that might be covered by general funds. However, they also point out that impact fees can be an unreliable source when development slows down. (EPA, 2014, Getting to Green: Paying for Green Infrastructure) https://www.epa.gov/sites/default/files/2015-02/documents/gi_financing_options_12-2014_4.pdf

City of Newark

The City of Newark has established a Stormwater Utility Fee that is based on impervious area on a property (**Table 4**). This captures the impact of each individual property on the stormwater system. This also provides a dedicated funding source for stormwater management that is fair in cost recovery. The City offers fee reduction opportunities to users that implement stormwater management practices that go above and beyond local ordinance requirements. They also offer stormwater grants to residential customers for rain barrels, design service support, and stormwater project cost sharing. The Stormwater User fee for each individual property will be based on the Equivalent Stormwater Unit (ESU). One ESU is equivalent to 1,620 sq. ft. of impervious area. This represents the median impervious area of all single-family residential parcels in the city. Unlike a single time impact fee, the City of Newark assesses their Stormwater Utility Fee on a monthly basis, included as a line item in City water and sewer bills.

Table 4: City of Newark Stormwater Utility Charge Estimator

Tier	Impervious Area (sq ft)	ESU* Factor	Monthly Fee**
1	0 to 1,289	0.60	$2.12
2	1,290 to 1,950	1.00	$3.54
3	1,951 to 2,610	1.30	$4.61
4	2,611 or more	1.80	$6.37

Source: https://newarkde.gov/877/Stormwater-Utility#:~:text=The%20current%20rate%2C%20based%20on,the%20City%20is%20%243.54%2FESU.
**Equivalent Stormwater Unit*
*** Monthly fee as of January 1, 2019*

Non-Residential parcels are assigned stormwater run-off factor based on use as shown in **Table 5**. Then their fee is calculated by multiplying the stormwater runoff factor by the parcel's total area.

Table 5: City of Newark Non-Residential Stormwater Runoff Factors

Stormwater Class	Description	Runoff Factor
COM	Commercial	0.95
GOV	Government	0.95
IND	Industrial	0.90
INS	Institutional	0.90
MFA	Multi-family Apartments	0.75
PAR	Parks and Cemeteries	0.25
PAV	Paved Surfaces	0.95
PKG	Parking	0.95
REC	Recreational Areas/Playgrounds	0.35
UTI	Utilities	0.90
VAC	Vacant	0.30

Source: https://newarkde.gov/DocumentCenter/View/9452/SW-Utility-First-Reading---Non-Residential-FAQ?bidId=

Non-residential users have an opportunity to reduce their monthly stormwater fee by up to 25% through two types of credits. Quality credit is based on the capture and infiltration of runoff. If the technical criteria is met, a maximum 15% reduction in the stormwater fee is possible. The Quantity Credit is for reductions in peak stormwater discharge rates. If the technical criteria is met, a maximum 10% reduction in the stormwater fee is possible. Credit applications can be submitted through an online application that calls for as-built drawings by a certified engineer, site map or plan, drainage area information, pre-development and post-development calculations, routing calculations, a maintenance

plan and schedule, and $150 application fee.

2. Land Preservation/Agricultural Land Preservation

Preserving open space is important for a variety of reasons and collecting impact fees allows a community to mitigate the effects of development on open space by investing in acquiring or improving existing open space.

City of Chicago

The City of Chicago, IL operates an Open Space Impact Fee program that allocates fees applied to new residential developments to pay for land acquisition and park improvements in each of Chicago's 77 community areas. Fees range from $313 to $1,253 depending on the size of the dwelling units (**Table 6**). These fees were determined by a formula that factors in the open space need due to the size of the new development, the open space cost of $12 per square foot, and the thirty percent developers share of the cost. Units that count as affordable housing are charged a flat nominal fee. Credits are provided for certain projects that include open space on site. Expenditures require City Council approval and are allocated within the community where the funds were generated. The funds are not used for ongoing maintenance or for playground replacement. Fees are processed through an Open Space Impact Fee worksheet that requires approval from the Department of Buildings or DPD staff.

Table 6: City of Chicago Open Space Impact Fee

Dwelling Unit Size	Fee per Unit
Up to 799 sf	$313.00
800 to 1,599 sf	$626.00
1,600 sf to 2,999 sf	$940.00
3,000 sf and up	$1,253.00
Affordable Housing	$100.00

Source: https://www.chicago.gov/city/en/depts/dcd/supp_info/open

Martin County, FL

In 2016, Martin County, FL established a Conservation/Open Space impact fee that is assessed on residential properties, hotels/motels and RV parks. The total amount of fees for those properties are included in **Table 7.**

Table 7: Martin County Conservation Impact Fees

Development Type	Conservation/Open Space
Residential:	
800 SF & under	$540
801 to 1,100	$579
1,101 to 2,300	$661
2,301 & over	$755
Non-Residential	
Hotel/ Motel Room	$654
RV Park per Lot	$491

Source: https://www.martin.fl.us/resources/impact-fee-schedule-pdf

American Farmland Trust

"Spurred by post-war sprawl that consumed farmland at an alarming rate, and recognizing that farmers and environmentalists seldom recognized their overlapping interests, American Farmland Trust (AFT) was founded to put agriculture on a different track. AFT pioneered use of various land conservation tools, previously used to preserve wilderness or create parks, to now protect working farmland; and AFT brought together two divergent communities—farmers and environmentalists—to catalyze transformational public policy that has dramatically reduced soil erosion

and improved water quality and soil health. This in turn has laid the groundwork for farming to play its most important environmental role yet, helping combat climate change" (https://farmland.org/).

Agricultural easements are a well-established tool that enable landowners to protect their property in perpetuity. Easements are flexible instruments that are designed to align with the landowner's individual conservation goals. Agricultural easements limit non-agricultural development on valuable farmland while allowing the continued productive agricultural use of the land. Impact fees, grants, and donations, like in the case of the Sussex County Land Trust, can be used to pool funds together to outright purchase property or establish easements on agricultural land.

The Delaware Nature Conservancy
The Nature Conservancy has worked with the University of Delaware's Water Resources Center and other partners to develop the Brandywine-Christina Revolving Water Fund (the "Water Fund"). This work is part of the Delaware River Watershed initiative. A water fund is a finance and governance mechanism to invest in conservation practices designed to secure freshwater resources, both in terms of water quality and quantity. The Brandywine-Christina watershed is comprised of the Brandywine, Red Clay and White Clay Creeks, and the Christina River. Collectively the watershed provides over 100 million gallons of drinking water per day to over half a million people in Delaware and Pennsylvania. However, the majority of the creeks and streams are now unsafe for drinking due to legacy pollutants, nutrient and sediment overloads, and urban runoff. The Water Fund increases the pace, scale and efficiency of water-quality conservation in the Brandywine-Christina watershed (https://www.nature.org/en-us/about-us/where-we-work/united-states/delaware/stories-in-delaware/brandywine-christina-revolving-water-fund/).

This conservation financing mechanism is the first of its kind in the Country. Unlike a typical impact fee that would need to expend funds on an annual basis, a program structure like this would allow the County flexibility. This would allow for conservation planning, or the acquisition of Open Space, tied directly to County-wide benefits as they arise.

The Delaware Nature Conservancy should be consulted as a partner when implementing any open-space master plan, to help identify the most ecologically beneficial properties. (https://www.nature.org/en-us/about-us/where-we-work/united-states/delaware/).

3. Affordable Housing

In areas with high fees and/or a large number of special assessment districts, the cumulative cost can erode the financial viability of affordable housing projects. Local jurisdictions can encourage the development of new affordable housing by reducing or waiving these fees for qualifying projects. Although fees are waived, developers still receive the services supported by the fee and/or must secure the associated permits or approvals. This incentive is likely to have the greatest impact in jurisdictions with a robust level of construction activity, or where new development is anticipated) and where impact and permitting fees are relatively high.

There are a variety of ways that cities can make fee waivers and reductions available to developers of qualifying projects. Typically, developers need to submit an application for the waiver or reduction to the planning or housing and community development department, along with documentation proving their intention to comply with eligibility requirements. Once the application has been approved for a qualifying project, the benefit is provided.

In some cities, such as Portland, OR, a specified set of fees may be waived by city staff, while waivers of larger fees must be approved by the City Council. Instead of providing as-of-right waivers, it is also possible for local jurisdictions to consider waivers on a case-by-case basis. However, this approach may be administratively burdensome for the jurisdiction, and makes the development process and associated costs less transparent and predictable for

developers, who need a clear picture of development costs to develop an accurate project budget.

Rather than reducing or waiving fees, some local jurisdictions allow payment on a deferred basis. The short-term construction loans available at the start of the development process carry relatively high interest rates compared with longer-term permanent financing. Deferred fee payments allow developers to make payments after securing long-term, lower-cost financing, while the jurisdiction still collects the expected revenue and avoids budget shortfalls in other areas. Regulations will need to specify when payment of deferred fees is required (e.g., when permanent financing is secured, when a certificate of occupancy is issued, etc.), as well as any penalties associated with failure to deliver the affordable units within the promised timeframe.

Cities, towns and counties should establish clear criteria for eligibility for fee reductions or waivers. Program guidelines should specify the income level(s) that must be served to qualify for this incentive, as well as any minimum threshold(s) for the share of units in the development that must meet affordability requirements. Guidelines should also specify whether there are any requirements for how long the units must remain affordable.

Cities, towns and counties will also need to specify whether fee waivers or reductions are available in all geographic areas within the jurisdiction or only in specified zones.

Revenue from impact fees and other fees assessed during the permitting process is used to address community needs—including infrastructure expansion, administrative functions associated with the fee, or other projects that are planned or underway. Waivers or reductions in fee revenue could undermine the ability to cover these costs if other revenue sources are not readily available. Cities, towns and counties that wish to offer fee waivers or reductions should consider careful monitoring of the program, especially in early years of operation, to ensure there are no unintended negative effects on other programs or the city's ability to meet growing demand son public services.

The SMART housing program in Austin, TX provides a variety of incentives for private developers who create and preserve housing for low- and moderate households and for persons with disabilities. Projects that set aside units as affordable to homeowners and renters earning no more than 80 percent of the median family income (120 percent for owner-occupied units located in certain areas) are eligible for full or partial waivers of 29 separate fees. Fee reductions range from 25 percent for developments where 10 percent of units meet affordability requirements to 100 percent for developments where 40 percent of units meet affordability requirements.

In Anne Arundel County affordable housing is exempt from impact fees. Residential dwelling units, provided that the sale or rental of the units is restricted to persons with a household income not exceeding 120 percent of the area median income, adjusted by household size, or units that were constructed under a program that requires homebuyers to participate in the initial construction or rehabilitation of the units they are also exempt from impact fees. The residential dwelling unit must be constructed by or under a program sponsored by an entity exempt from taxation at least three years prior.

4. Administration and Reassessments

Federal Highway Administration suggests that impact fees be reviewed and updated at least every three to five years, as most jurisdictions require with some updating every year.

As detailed in APA's summary of Best Practices, it is recommended that fees should be reviewed at least every two years to determine whether an adjustment is required, and similarly the capital improvement plan and budget should be reviewed at least every 5 to 8 years.

IV. TAKE AWAYS

1. Local examples – a review of nearby local jurisdictions did not yield a useful comparison to New Castle County's Impact Fees Schedule. More comprehensive and modern impact fee programs were found in Anne Arundel County, Maryland and Seminole County, Florida. These two counties outlined the impact fees in a clear straightforward process. In many jurisdictions, funds for parks and special facilities, libraries, county facilities, EMS, fire and rescue, and law enforcement are collected via property taxes. New Castle County's impact fee compares favorably with other jurisdictions in terms of comprehensiveness and best practices

2. Indexing Benchmark – it is recommended that Construction Cost Index(CCI) from the Engineering News-Record (ENR), as outlined in current code, continue to be the benchmark comparison for impact fee increases with annual reviews.

3. Annual increases – in APA's summary of Best Practices, it is recommended that fees should be reviewed at least every two years to determine whether an adjustment is required. It is recommended that a more formal review of increases occur in a timely manner. The easiest and most straightforward method to address fee increases is to adopt the annual increase in code using the CCI. Increases in fees are always a sensitive subject politically and no one wants to vote in favor of increasing fees every year at a County Council meeting. Mandating the annual increases by code eliminates political influences on the fees. Transportation Improvement District fees are reviewed and new rates are set every February 1st. A cap could also be instituted as part of the code so that fees do not increase by more than X% per year based on what Council approves in the code. A limit of 4 or 5% per year could be adopted so that in periods of high inflation, fee increases are somewhat mitigated.

4. Needs Based Assessments – in addition to the fees being reviewed annually, periodic reviews should include needs for each area of impact based on the County's capital improvement plan for each geographic area. As the level of growth changes for each area, the fees could change based on the needs as planned by the County for each area to provide services in each area of impact.

5. Impact Fee Credits – many jurisdictions allow for credits if the applicant builds facilities or donates real estate for the construction of facilities. Providing credits allows for greater flexibility in working with larger developments. Providing a parcel for a new library would be a credit to offset the library portion of the impact fee.

6. Affordable housing provisions – most jurisdictions provide for a reduction or elimination of impact fees for affordable housing initiatives. A wide range of alternatives are possible but factors such as replacing the reduced revenue, income levels, number of units eligible, reducing/waiving only some portions of the impact fees will have to be thoroughly discussed. Other incentives such as density bonuses help provide incentives for developers to provide affordability but further stress the areas of impact.

7. Fee rate is tied to the proposed use – jurisdictions have different rates based on the type of residential and non-residential uses. Seminole County has the most comprehensive list of uses to determine different rates.

8. Sustainability of impact fees carrying the load to keep taxes low – growth is projected to be much higher in the area below the canal. Impact fees will continue to provide the County with dedicated revenue below the canal for the foreseeable future to help fund projects. Revenue for the area above the canal for parks and libraries is fairly limited.

9. Open Space – many jurisdictions have provisions for requiring open space and also have impact fees related to open space that are fairly significant in relation to the total fee. An open space impact fee seems reasonable in the update of the code to help fund land acquisition and preservation.

MEMO #3:

SPECIAL TOPICS REVIEWED

Rossi

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Diversity. Passion. Synergy.

Date: November 2, 2022
To: Antoni Sekowski, Acting Assistant Land Use Manager, New Castle County
From: Savannah Edwards, AICP; Associate Planner; Rossi Group
CC: Marc Coté, PE, AICP; Director of Planning and Engineering; Rossi Group

Re: New Castle County Impact Fee Study
Memo #3 – Special Topics Reviewed

After presenting Memos #1 and #2 regarding current practices and best practices in support of New Castle County (NCC)'s study of development impact fees. Rossi Group prepared the following memo presenting recommendations for NCC to consider in their assessment of current regulations and the development of any updates to those.

I. UTILIZING DELAWARE'S STATE STRATEGIES

A. Background

The project team was asked to assess the ability to apply a sliding scale to the impact fees based on the *Delaware Strategies for State Spending and Policy* (2020). In 1999, the State of Delaware created a framework that guides decision makers on the most desirable pattern of land use within the state, the major circulation patterns, and the general locations of major public and private works and facilities. These Strategies identify the State's goals and policies for land use, infrastructure investment, and other priorities as developed by the Cabinet Committee on State Planning Issues. Associated with these Strategies is a map depicting the Investment Levels described in the document. The maps are based on data collected from a variety of state and local agencies. Both the document and associated maps are a culmination of extensive coordination with local governments, citizens, and state agencies to determine what areas are most prepared for growth and where the state can make the most cost-effective investments in roads, schools, and other public facilities and services.

These Strategies acknowledge the fact that is it more expensive to provide necessary services the further you get away from the core developed areas. The goals of the program are:

- Goal 1: Direct investment and future development to existing communities, urban concentrations, and growth areas.
- Goal 2: Protect farmlands and critical natural resource areas.
- Goal 3: Improve housing quality, variety, and affordability for all income levels.
- Goal 4: Ensure objective measurement of long-term community effects of land-use policies and infrastructure investments.
- Goal 5: Streamline regulatory processes and provide flexible incentives and disincentives to encourage development in desired areas.
- Goal 6: Encourage redevelopment and improve the livability of existing communities and urban areas and guide new employment into underused commercial and industrial sites.
- Goal 7: Provide high-quality employment opportunities for citizens with various skill levels to retain and attract a diverse economic base.
- Goal 8: Protect the state's water supplies, open spaces, farmlands, and communities by encouraging revitalization of existing water and wastewater systems and the construction of new systems.
- Goal 9: Promote mobility for people and goods through a balanced system of transportation options.
- Goal 10: Improve access to educational opportunities, health care, and human services for all Delawareans.

- Goal 11: Coordinate public policy planning and decisions among the state, counties, and municipalities.

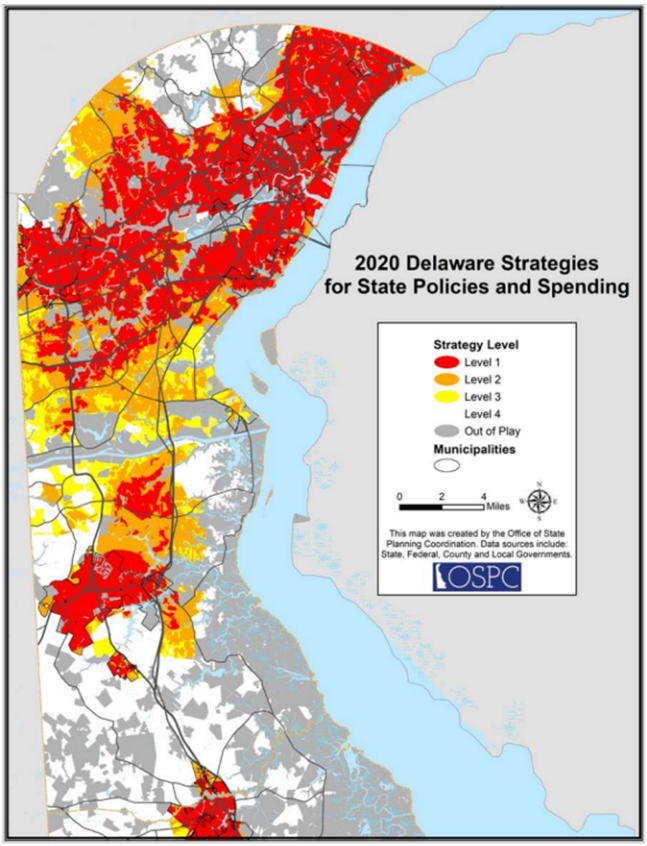
There are five investment levels including levels 1, 2, 3, 4, and Out-of-Play areas, as described below and mapped in **Figure 22**.

Investment Level 1 Areas are often municipalities, towns, or urban/urbanizing places in counties. Density is generally higher than in the surrounding areas. There are a variety of transportation opportunities available. Buildings may have mixed uses, such as a business on the first floor and apartments above. As the State Strategies describes, "these areas would be a prime location for designating "pre-permitted areas" to help steer development where the local government and citizens are most prepared to accept it."

Investment Level 2 areas can be composed of less developed areas within municipalities, rapidly growing areas in the counties that have or will have public water and wastewater services and utilities, areas that are generally adjacent to or near Investment Level 1 Areas. "Like the Level 1 Areas, Level 2 Areas would be a prime location for designating "pre-permitted areas"" (2020 Delaware Strategies for State Policies and Spending.)

Investment Level 3 Areas generally fall into two categories. The first category covers lands that are in the long-term growth plans of counties or municipalities where development is not necessary to accommodate expected population growth during this five-year planning period (or longer). In these instances, development in Investment Level 3 may be least appropriate for new growth and development in the near term. The second category includes lands that are adjacent to or intermingled with fast-growing areas within counties or municipalities that are otherwise categorized as Investment Levels 1 or 2. "Due to the limits of finite financial resources, state infrastructure spending on "hard" or "grey" infrastructure such as roads, sewer, water, and public facilities will generally be directed to Investment Level 1 and 2 Areas during this planning period. The State will consider investing in these types of infrastructure in Investment Level 3 Areas once the Investment Level 1 and 2 Areas are substantially built out, or when the infrastructure or facilities are logical extensions of existing systems and deemed appropriate to serve a particular area" (2020 Delaware Strategies for State Policies and Spending.)

Figure 1: 2020 Delaware Strategy Level Areas

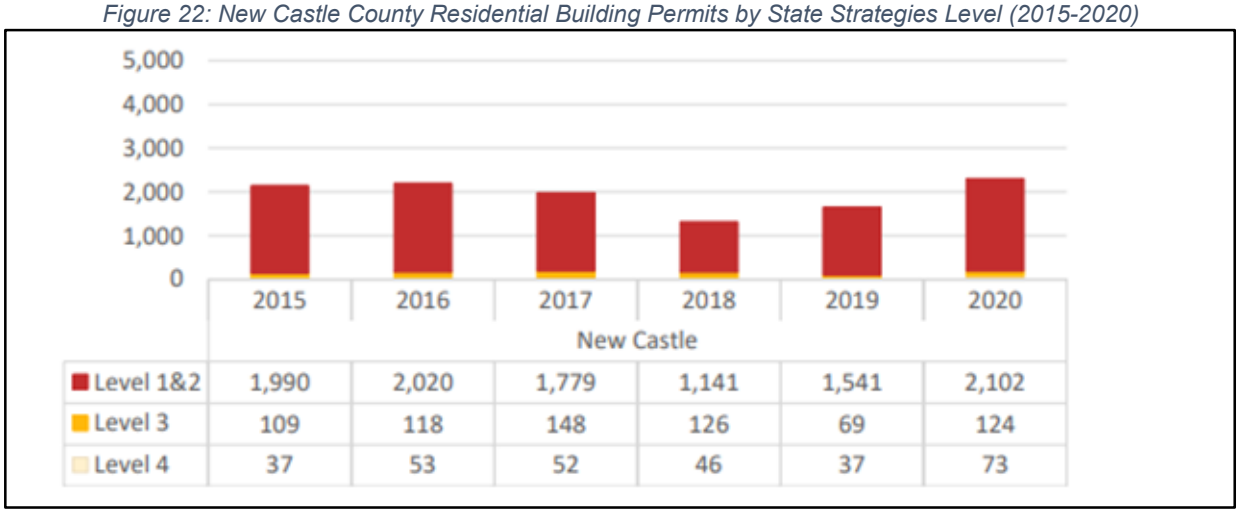


Investment Level 4 Areas are rural in nature and are where the bulk of the state's open space/natural areas and agricultural industry is located. These areas contain agribusiness activities, farm complexes, and small settlements.

Out of Play Areas are lands which are not available for private development, include publicly owned lands, private conservation lands, lands for which serious legal and/or environmental constraints on development are identified, and lands in some form of permanent open-space protection (such agricultural preservation easements and conservation easements).

The 2021 annual report to the governor from the Office of State Planning Coordination included the number of building permits issues in each investment level (**Figure 22**).

Figure 22: New Castle County Residential Building Permits by State Strategies Level (2015-2020)



	2015	2016	2017	2018	2019	2020
	New Castle					
Level 1&2	1,990	2,020	1,779	1,141	1,541	2,102
Level 3	109	118	148	126	69	124
Level 4	37	53	52	46	37	73

Source: Cabinet Committee on State Planning Issues, 2021 Report on State Planning Issues

B. Analysis

The building permit data trends show that the majority of building permits are issued in Levels 1 and 2. In 2020, only 8.5% of the building permits were issued in Levels 3 and 4. This trend has been consistent over the last six years. Based on the work of the Office of State Planning Coordination a nexus could be drawn between the cost of providing services in levels 3 and 4 and the cost of providing those same services in levels 1 and 2 and therefore it would be reasonable to assess a surcharged impact fee to cover those additional costs. Based on the current mapping any surcharge on impact fees within Levels 3 and 4 would mostly affect properties south of the canal.

If NCC were to utilize the State Strategies maps to assess impact fees that would be commensurate with the cost of capital investments needed to supply the services funded through those impact fees, they could either provide discounts or surcharges on impact fees. It should be noted that this is not intended to infer any incentive/disincentive for development in any specific area but to establish a nexus to the additional costs of services provided in Levels 3 and 4.

There are several ways to incorporate either discounts or surcharges based on what level the project is in according to the State Strategies mapping. Consideration needs to be given to the overall level of funding needed to support the capital investments associated with each impact fee. If discounts are provided for development in Levels 1 and 2, which is over 90% of the development, the overall revenue collected from those developments would be reduced. Any reduction in revenue would need to be assessed to ensure that the services associated with the impact fees would not be impacted.

Another way to create discounts or surcharges associated with what level a project is in according to the State Strategies mapping is to establish a baseline Level and create discounts for development above that level and surcharges for development in the lower investment levels. If there is a concern with the loss of revenue associated with discounts, then this option could just assess the surcharge above the base impact fee rates for development in areas where is it more costly to provide the services. This would account for the additional costs needed to supply services to areas outside of Levels 1 and 2.

C. Recommendations

The overall study effort is to reassess the impact fees to better correlate the fees collected with the capital costs needed to supply the services. Based on this goal the team is recommending to assess a surcharge to cover the additional costs associated with development in Levels 3 and 4. Should NCC want to cover the additional costs of providing services outside of the growth area a surcharge could be placed on any development within Level 3 and 4 areas. The initial recommendation for consideration with be a 20% surcharge for level 3 and a 40% surcharge for level 4. More research will be needed to assess the actual increase in costs for providing the service to better justify the surcharge percentage.

II. EXPANDING THE LIST OF USES IN THE IMPACT FEE TABLE

A. Background

New Castle County asked the project team to consider possible updates to the uses listed within the impact fee table. We compared NCC's permitted uses and considered the case studies included in Memo #2. The following categories are currently captured:

- Residential (per housing unit)
  - Single-family detached
  - Single-family attached
  - All other housing (small single-family units and single-wide mobile homes will be included under the "All other housing" designation)
- Nonresidential (per 1,000 SF of floor area)
  - Commercial/shopping center (less than 60,000 SF)
  - Commercial/shopping center (60,000 – 200,000SF)
  - Commercial/shopping center (greater than 200,000 SF)
  - Office/Institutional (less than 10,000 SF)
  - Office/Institutional (less than 10,000 SF)
  - Office/Institutional (less than 10,000 SF)
  - Business Park
  - Light Industrial
  - Warehousing
  - Manufacturing

Rossi Group compared NCC's current permitted uses (UDC §40.03.110) and impact fees (UDC §40.14.210) to see how closely the categories in each aligned (**Table 1**). Uses highlighted in yellow should be considered for amendments or additions. to the current Impact Fee Table and Schedule. Explanations for each of the categories are listed below.

Table 1: Permitted Use Table and Impact Fee Table Compared

Land Use	Impact Fee Category
Agricultural	
Agriculture (includes uses pursuant to Delaware Law)	N/A
Clearing	
Farmstead	

Land Use	Impact Fee Category
Farm market	
Commercial stables	
Residential	
Single-family, detached	Single-family detached
Open space subdivision, option 1	
Open space subdivision, option 2	
Single-family, attached	Single-family attached
Open space planned	
Apartments	
Apartment conversions	
Commercial apartments	
Hamlet	
Village	
Group home	
Manufactured home park	All other housing*
Small single-family	All other housing*
Home Uses	
Day care, family/large family	
Home occupation	
Home business	
Cottage industry	
Institutional	
Assembly and worship	
Schools	
Colleges	
Institutional, regional	Office/institutional (less than 10,000 sf. GFA)
Institutional, neighborhood	Office/institutional (10,000 sf. to 50,000 sf. GFA
Institutional, residential (Type I)	Office/institutional (greater than 50,000 sf. GFA
Institutional, residential (Type II)	
Protective care	
Public service	

Land Use	Impact Fee Category
Hospitals	
Commercial	
Adaptive reuse, historic building	
Adult uses	
Agricultural support and other rural services	
Bed and breakfast	
Commercial lodging	
Commercial retail and service	
Corporate guest house	
Craft alcohol production establishment	
Drive-in facility	
Heavy retail and service	
Light automobile service	
Mixed use	
Restaurants	
Office	Office/institutional (less than 10,000 sf. GFA)
	Office/institutional (10,000 sf. to 50,000 sf. GFA
	Office/institutional (greater than 50,000 sf. GFA
Shopping center	Commercial/shopping center (less than 60,000 sf. GFA)
	Commercial/shopping center (60,000 sf. to 200,000 sf. GFA)
	Commercial/shopping center (greater than 200,000 sf. GFA)
Vehicular sales, rental and service	
Recreation and Amusement	
Campground	
Recreation, high intensity	
Recreation, low intensity	
Resort	
Industrial Uses	
Compost operations	
Extraction	

Land Use	Impact Fee Category
Heavy industry	Manufacturing Light industrial
Light industry	
Recycling or storage	
Utilities, maintenance facilities	
Utility, minor	
Utility, major	
Solar energy system, large-scale	
Other Uses	
Airports	N/A
Commercial communications towers	
Community recycling bins	
Exterior lighting for outdoor recreational uses	
Park and ride facility	
Parking structures	
Note: Uses highlighted in yellow should be considered for amendments or additions.	Warehousing Business park

B. Case Studies and Recommendations

After conducting a comparison of the two tables (permitted uses UDC §40.03.110 and impact fee UDC §40.14.210) there are several uses not explicitly being charged an impact fee. Within the residential impact fee category: apartments may currently be included with "all other housing" however the definition is unclear. Group homes and congregate care facilities are also not listed under the residential impact fee category. These should be charged separately on a dwelling unit basis.

Currently institutional uses are being grouped together with offices to assess impact fees. Some jurisdictions charge impact fees to schools and places of assembly as institutional uses. UDC §40.05.050 enumerates that public facilities needed to support development (including hospitals) shall be exempt from Article 14 (impact fees.) However, NCC may want to reconsider capturing impact fees from private hospitals or facilities, such as assisted care facilities. Seminole County, Florida charges impact fees on private institutional uses, New Castle County could consider a similar tactic. Moreover, a nexus can be drawn between extra need for services for some institutional uses like hospital and assisted care facilities.

Within the commercial land use category, many individual uses are assessed impact fees as office/institutional and commercial/shopping center uses. However, bed and breakfasts/commercial lodging are not assessed impacts fees and should be charged on a room basis. Transient occupancy taxes are collected on visitors to these establishments; however, these dollars do not go towards capital improvement in NCC. Restaurants are also assessed impacts fees

as retail use; however, their high-turnover rate may warrant a separate category from retail uses. Some jurisdictions break down restaurants further based on whether it is drive-thru establishment or sit-down restaurant. For example, Seminole County, Florida (referenced in Memo #2) charges $1,874 for Fire & Rescue fees to 'Quality Restaurants', $1,812 to 'High-Turnover (Sit-Down) Restaurants', and $3,156 to 'Fast Food Restaurants with Drive-Thru.'

Within the recreation and amusement land use category, no uses are charged impact fees. NCC should consider assessing campgrounds and resorts impact fees. Campgrounds have evolved over recent years to include extra uses such as restaurants, bath houses, stores, and recreational facilities that have a larger impact on land and draw more users. Some individuals also stay long-term at campgrounds and/or resorts, again drawing on NCC's services.

Most industrial uses are adequately being captured by the current categories. The impact fee categories of 'warehousing' and 'business park' did not align directly with any uses listed on the permitted use table. The business park district allows office, manufacturing, light industrial, warehousing, and uses that support them. Each of these individual uses (office, manufacturing, light industrial, and warehousing) are assessed impact fee separately; therefore, New Castle County may consider omitting 'business park' from the impact fee table and charging based on the mix of individual uses instead.

III. STRATEGIES FOR INCENTIVIZING LOW-INCOME HOUSING

A. Background

https://www.newcastlede.gov/1505/Moderately-Priced-Dwelling-Units

Moderately Price Dwelling Units (MPDUs) are required for all residential rezonings or variance applications with density increases proposing twenty-five (25) or more dwelling units except for mixed-use developments. The program also offers a density bonus for major residential subdivisions not requiring a rezoning if a portion of the dwelling units are designated as moderately priced. Currently there are no Impact Fee reductions or exemptions for development of MPDUs. A control period is the timeframe during with a MPDU is subject to resale price controls and owner occupancy requirements. The control period is for NCC's MPDUs program is 10 years and begins on the date of sale for new or resale MPHU's. NCC is interested in methods to further incentivize providing MPDUs (https://www.newcastlede.gov/1505/Moderately-Priced-Dwelling-Units).

B. Case Studies and Recommendations

As detailed in Memo 2, B.3. Affordable Housing, in areas with high fees and/or a large number of special assessment districts, the cumulative cost can erode the financial viability of affordable housing projects. Local jurisdictions can encourage the development of new affordable housing through methods including:

- Flat fee
- Fee reductions
- Fee waivers based on number of units
- Complete fee exemption

Although fees are waived or reduced, developers still receive the services supported by the fee and must secure the associated permits or approvals. This incentive is likely to have the greatest impact in jurisdictions with a robust level of construction activity, or where new development is anticipated) and where impact and permitting fees are relatively high.

Memo 2 presents case studies where fee waivers and reductions are available to developers of qualifying projects. For example, Anne Arundel County, Maryland exempts Affordable Housing Units from all impact fees; however, the

residential dwelling unit must be constructed by or under a program sponsored by an entity exempt from taxation at least three years prior. Seminole County, Florida (see Memo 2, Table 3) specifies a discounted fee across the board for Affordable Housing Units. Affordable Single-family dwellings are discounted at a rate of approximately 44% to 73%, while Affordable Multi-Family Units are discounted between 24% to 45%, depending on fee type.

NCC currently provides a density bonus for major residential subdivisions not requiring a rezoning if a portion of the dwelling units are designated as moderately priced. However, providing an impact fee reduction or exemption would further reduce the cumulative cost for providing affordable housing within NCC. This could be full exemption to all impact fees applied to MPDUs. It may also be reasonable to view each impact fees assessed and determine on a fee-by-fee basis if MPDUs should be exempt from a specific fee. All fees may also be reduced by a specified percentage or amount or each impact fee may be evaluated to determine if the specified fee should be reduced by a specified percentage or amount.

IV. GRADUATED FEE INCREASES/ENR RECOMMENDATIONS

A. Background

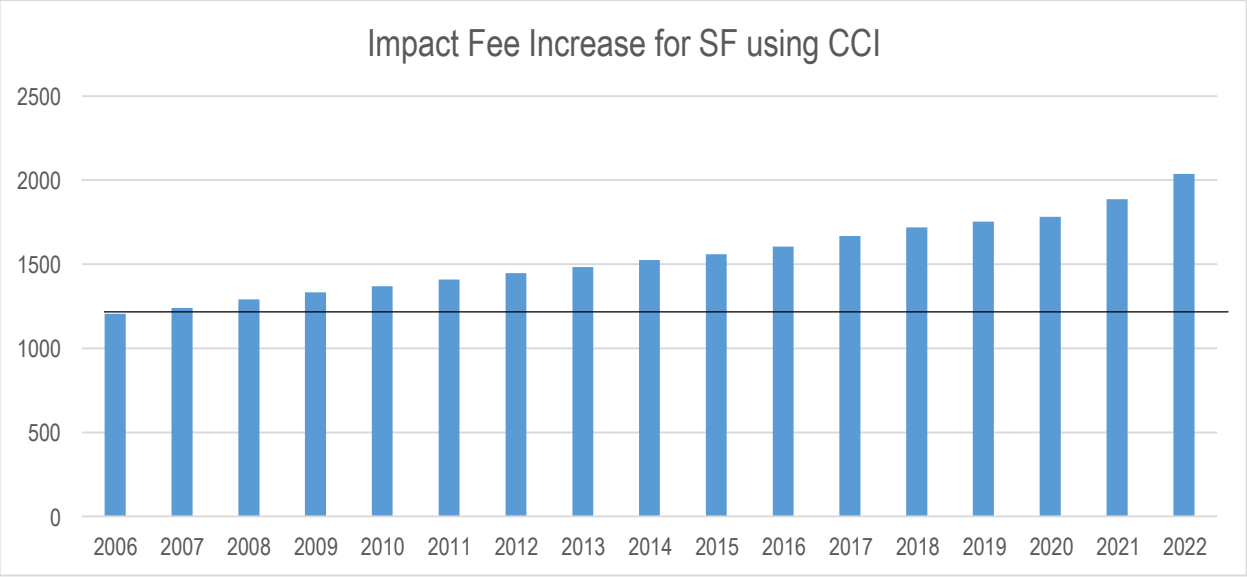
Since 1999, the only impact fees which have been adjusted have been the fire & rescue impact fees. County Council adopted legislation in August 2006 raising these fees based upon a 2006 study performed by TischlerBise. The impact fees for parks, libraries, county facilities, EMS, and law enforcement have not been adjusted for 23 years.

The UDC allows for impact fee cost adjustments as part of a periodic evaluation and update to adjust for inflation in construction costs as reflected in the Engineering News Record (ENR) Construction Cost Index (CCI). Adjustments would be subject to approval by NCC Council.

The cumulative increase for fees using the ENR CCI from 2006 to 2022 is 75%. As another base of comparison, the cumulative Consumer Price Index (CPI) increase from 2006 -2022 is 50%.

Figure 33 illustrates the increase to the impact fee for a single-family detached unit from the 2006 fee of $1,157to $2,036 in 2022, if adjusted according to ENR CCI calculations. See chart below.

Figure 33:Projected Single-Family Impact Fee Increases using ENR CCI



B. Recommendations

Recommendations for adjusting the fee to make up the difference in holding the impact fees unadjusted for the last 16-23 years can be accomplished in many different scenarios based on NCC's goals and policies that are being considered. Currently the general budget is carrying the load to make up for inflation and the erosion of purchasing power of the impact fees as established in 2006. That means that existing residents of NCC are paying for and subsidizing the costs of the new infrastructure intended to be paid for with impact fees. If NCC's goal is to restore the impact fee revenues to the originally intended levels of providing revenue for infrastructure projects, gradual increases in fees while providing a provision for annual indexing would allow NCC to slowly increase fees.

Scenarios could range from:

- No increases in fees
- No increases in fees, annual indexing adjustments
- Phased in approach of 5% increases over a period of 2-5 years to slowly make up for the last 16 years, then annual indexing adjustments
- Phased in approach of 10% increases over a period of 2-5 years to slowly make up for the last 16 years, then annual indexing adjustments
- 50% increase to match the CPI cumulative total, then annual indexing adjustments
- 75% increase to match the ENR CCI cumulative total, then annual indexing adjustments

Regardless of the decision to raise fees to account for the last 16 years of no increases, it is recommended that yearly adjustments to the fees be done, as periodic evaluations are required by code, so that the fees are adjusted annually based on the ENR CCI. Most jurisdictions that have indexing do so annually to avoid having to revisit the fees every few years and keep increases in fees in small increments. This sets up an expectation that the impact fee will increase yearly to keep pace with inflation and provide for more infrastructure to be funded and constructed using the impact fees collected by new development. It is a straightforward method that is easy to communicate to the public and easier to implement. If NCC wants to establish an increase every two years, that can be accomplished by Council approving the changes every two years instead of annually. It is recommended that the adjustment be done using the cumulative CCI for the two years. The data to calculate the ENR CCI comes out in January and the new fee can be adopted by Council in the spring with an effective date of July 1 each year.

V. Open Space Fee Creation

NCC Council adopted a resolution to spend $7.5 million dollars over 3 years, which is $2.5 million/year to ensure consistent funding for the preservation of Open Space and Agricultural land. In our research of best practices, the City of Chicago used a formula of new development carrying 30% of the cost for open space preservation.

The City of Chicago Open Space fees range from $313-1,253/unit based on the type of development. Affordable housing units are only charged $100/unit.

Marin County in Florida Open Space fees range from $540-755 based on size of the unit. A land value of $12/sf is used for the cost of Open Space land acquisition.

Using the same formula to help provide a dedicated source of funding to provide 30% of the $2.5 million Open Space preservation goal requires revenue from impact fees to be $750k/year.

One policy decision that will need to be more broadly discussed is redevelopment. Redevelopment could be exempt

from the Open Space impact fee.

In New Castle County, there is an average of 2000 residential building permits/year and 4 million sf/year of non-residential development, as demonstrated in **Figure 22**.

A. Implementation

The NCC Council can then determine whether to create an open space fee, and what level of funding support for the Open Space Preservation Fund, any potential UDC changes that would be required, and an implementation schedule.

VI. CHANGE OF USE/REDEVELOPMENT CHARGES

A. Background

As part of our review on impact fees the team was asked to assess the redevelopment and brownfield development waiver that currently exists in the UDC.

As an incentive for redevelopment and brownfield development the current code provides a waiver provision for all impact fees. The current definition of redevelopment contained in the UDC is:

> *A process used to identify previously developed land that is now vacant, abandoned, or underutilized real property where older structures if they exist are rehabilitated or replaced.*

The waiver for impact fees for redevelopment and brownfield development is one of several incentives that NCC uses to promote the reuse of existing properties that are currently underutilized. This waiver seems appropriate for redevelopment or brownfield development where the previous use and the proposed use are similar and there would be no necessary increase in the capital costs needed to supply the services funded under the impact fee, however based on the broad definition of redevelopment, there are redevelopment projects that will increase the overall need for capital investments for those services that are funded through impact fees.

The team looked at several other justifications to determine how they applied impact fees to redevelopment or repurposing of land and the common theme for redevelopment was to try to capture the difference between the current use the proposed use and apply a prorated portion of the impact fee. The following case studies outline how each jurisdiction applies impact fees.

B. Case Studies

1. Palm Beach County (PBC, http://www.pbcgov.com/uldc/Article13.htm#_Toc24701204)

- With PBC's intent that new development bear a proportionate share of the cost of capital expenditures necessary to provide park, fire-rescue, library, law enforcement, public building, schools, and road capital facilities in PBC, impact fees were established representative of a fair and equitable allocation of costs, past and future payments from new development. This included credits for in-kind contributions, and municipal provision of like facilities under certain circumstances. Funds collected from impact fees shall not be used to replace existing capital facilities or to fund existing deficiencies, but only to provide for new capital facilities which are necessitated by new development.
- Any existing land use that is expanded, replaced, or changed shall be required to pay impact fees based on the new or additional impact as a result of the expansion, replacement, or change of use. The feepayer may be eligible for credit for the existing land use pursuant to Art. 13.A.11.A.1.

2. Johnstown, CO (-
https://library.municode.com/co/johnstown/codes/municipal_code?nodeId=CH17SU_ARTXIIIMFE_S17-228POFADEFE)

- Johnstown defines land development as issuance of a building permit or a connection permit for the construction, reconstruction, redevelopment or conversion of a use of land or any structural alteration, relocation or enlargement which results in an increase in the number of "service units" required, or, the extension of a use or a new use of land which results in an increase in the number of service units.
- No impact fee shall be imposed on land development for which a building permit has been issued prior to the effective date of the impact fee, except in the event of a change of use.
- Waivers are granted for the following conditions. There is a nexus between the proposed redevelopment and the increase in the need for capital improvements associated with the impact fees.
    - No impact fee shall be imposed on any new residential development which does not add a new dwelling unit (service unit).
    - No impact fee shall be imposed on any new nonresidential development which does not add square footage, unless the new nonresidential development increases the demand for capital improvements (service units) for which impact fees are being imposed.
    - Other uses. No impact fee shall be imposed on a use, development, project, structure, building, fence, sign or other activity, whether or not a building permit is required, which does not result in an increase in the demand for capital improvements (service units).

3. City of Federal Way (traffic impact fee program) - https://www.cityoffederalway.com/sites/default/files/Documents/Department/PW/Traffic/Resources/FW%20GUIDE%20TO%20TRAFFIC%20IMPACT%20FEES_Jan2018.pdf City of Federal Way, WA (traffic impact fee program) - (https://www.cityoffederalway.com/sites/default/files/Documents/Department/PW/Traffic/Resources/FW%20GUIDE%20TO%20TRAFFIC%20IMPACT%20FEES_Jan2018.pdf)

- For a change in use of an existing building or dwelling unit, including any alteration, expansion, replacement, or new accessory building that generates new trips, the impact fee will be assessed based on the difference between the new uses and the prior use. If no impact fee was required for the prior use, the impact fee for the new use shall be reduced by an amount equal to the current impact fee rate for the prior use.

4. Alachua County - https://growth-management.alachuacounty.us/formsdocs/impactfees/if_admin_manual.pdfAlachua County, FL (- https://growth-management.alachuacounty.us/formsdocs/impactfees/if_admin_manual.pdf)

- For change of use projects the impact fee is prorated based on the change of use
- Should the change of use, redevelopment, or modification result in a net decrease in the impact, no refunds or credits for impact fees previously paid shall be made.
- If the change of land use does not require the issuance of a building permit, zoning or development order approval, then there shall be no requirement to pay an impact fee.

5. Mount Vernon, WA - https://mountvernonwa.gov/DocumentCenter/View/9624/Impact-Fees--2022?bidId=Mount Vernon, WA - (https://mountvernonwa.gov/DocumentCenter/View/9624/Impact-Fees--2022?bidId=)

- Not all impact fees are assessed on redevelopment. Only those that have a nexus to the capital cost associated with the service provided

- Transportation & Fire Impact Fees apply to all new non-residential buildings, and additions to existing buildings. Transportation impact fees are also calculated for a change of use on an existing non-residential building. The number of average trips per peak p.m. hours are calculated by a traffic engineer which the city has contracted with to review all commercial projects for trip generation.

The case study jurisdictions all assess some type of impact fee for additions and redevelopment of existing buildings and structures. The jurisdiction makes the connection between assessing the impact fee and the need for the capital improvements funded by that impact fee. How this is applied varies across jurisdictions, however there is a theme of comparing the original use to the new use being considered for the project.

NCC's existing code provides many incentives for redevelopment and brownfields on non-residential uses and sites. This includes processing the plan as a minor subdivision and allowing for additional gross floor area. In some cases, this redevelopment or brownfield development may repurpose a use that was exempt from or had a minimal impact fees to a use that would have a much higher demand on the services funded under the impact fees. It would be appropriate that this type of redevelopment or brownfield development pay additional impact fees.

C. Recommendations

Should NCC determine that the current impact fee waiver for redevelopment and brownfield development is a critical decision factor for developers considering the reuse and repurpose of existing properties then it would be logical to maintain the existing waiver structure. The additional burden of increased capital costs associated with the redevelopment and brownfield development would continue to be borne by the general fund.

Should NCC determine that eliminating the waiver on impact fees for redevelopment and brownfield development would not discourage developers considering the reuse and repurpose of existing properties then it would be appropriate to assess the nexus between the impact fee and the need for that service based on the proposed development. The following is a recommended framework for how NCC might assess impact fees for redevelopment and brownfield development

- Assess a prorated impact fee for the actual change of use of the property based on the difference between the historical use and the proposed use.
- The new open space impact fee would be waived since this type of development supports infill and reuse of existing properties therefore maintaining existing open space.
- Brownfields would still be exempted

VII. NEXT STEPS

The project team will continue to work with NCC to better document the past and current relationship between impact fees and NCC capital costs.

NCC is planning a public workshop for December 2022 to present the findings of memos 1 through 3 and solicit feedback from interested stakeholders. Stakeholder and NCC feedback will be considered as the project team finalizes recommendations to prioritize proposed changes to the existing code in Memo 4. The final report (including memos 1 through 4) will be presented to NCC Council's Finance Committee for further consideration.

MEMO #4:
FINAL RECOMMENDATIONS

Rossi

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Diversity. Passion. Synergy.

Date: June 13, 2023
To: Antoni Sekowski, Acting Assistant Land Use Manager, New Castle County
From: Savannah Edwards, AICP; Associate Planner; Rossi Group
Heather Coons, Senior Planner; Rossi Group
CC: Marc Coté, PE, AICP; Director of Planning and Engineering; Rossi Group

Re: New Castle County Impact Fee Study
Memo #4 – Recommendations

Memos #1 and #2 summarized the current and best practices in support of New Castle County's (NCC) study of development impact fees. Memo #3 provided a series of initial recommendations, including 1) an assessment of the ability to apply a sliding scale to the impact fees based on the *Delaware Strategies for State Policies and Spending* (2020) and taking into account the five established investment levels; 2) expanding the list of uses in the Impact Fee Table; 3) developing strategies for incentivizing low-income housing; 4) implementing graduated impact fee increases; 5) creating an Open Space fee; and 6) revision of use/redevelopment charges. The analysis process resulted in the presentation of recommendations for NCC to consider in their assessment of current regulations and the development of associated updates to those regulations. A public workshop was held December 12, 2022 to present the findings of Memos 1 through 3 and solicit feedback from interested stakeholders. The following information details feedback received from the public workshop and uses this data to finalize recommendations to prioritize proposed changes to the existing code.

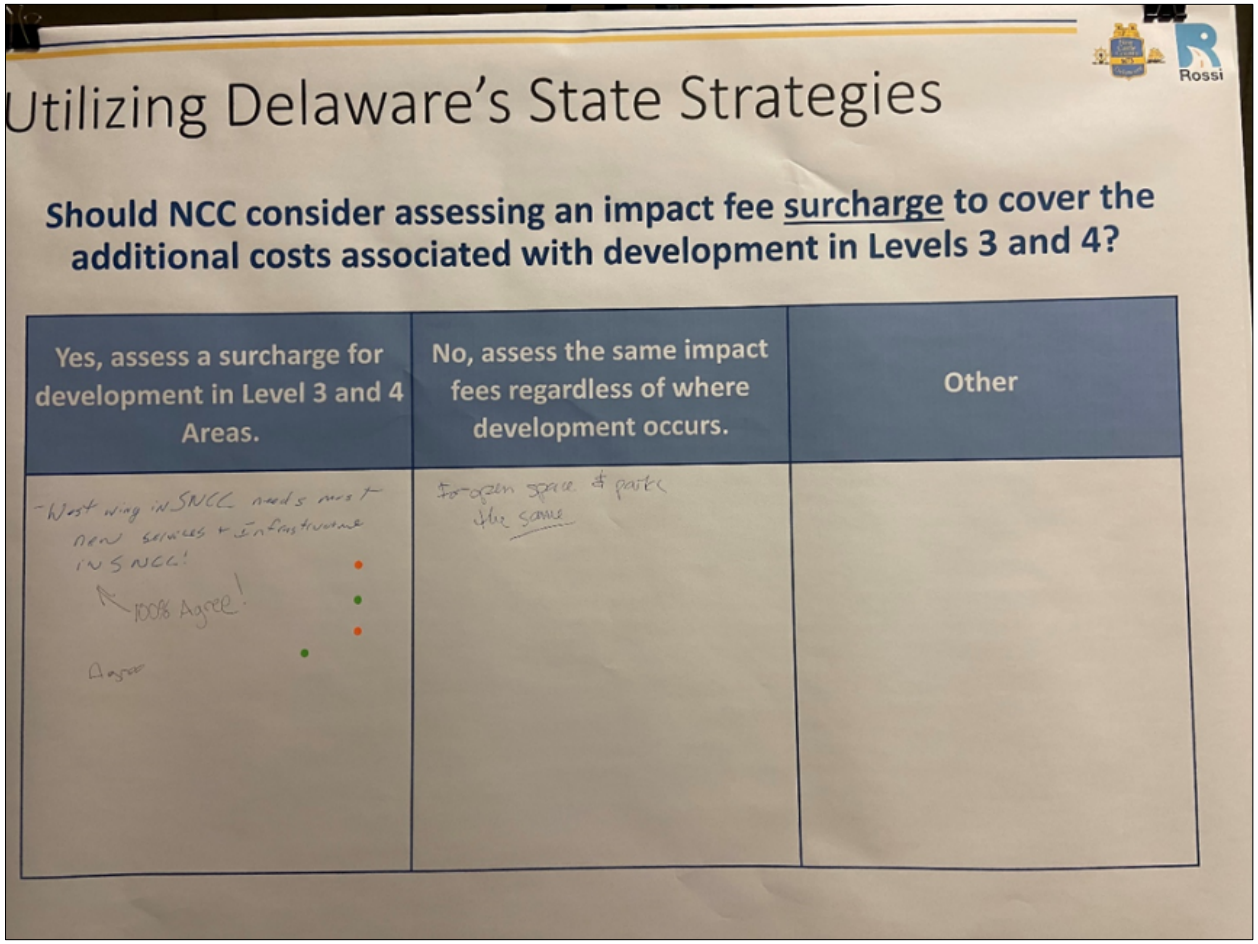
I. NEW CASTLE COUNTY PUBLIC WORKSHOP SUMMARY

The project team held a hybrid public workshop with New Castle County on December 12, 2022. Attendees could view the presentation virtually or in-person. Approximately 25 individuals attended in person and 45 attendees signed in online. Comments and questions brought up at the workshop include:

- Why do the fire companies have to submit inventory every year and show need in excess of 1988 inventory?
- Are businesses that have an addition installed currently not charged an impact fee? For example, the Tri-State Mall?
- Lower income housing traditionally has a great need for the types of services funded by impact fees.
- A representative from the Middletown Fire & Rescue company expressed a need for less administrative burden to secure funds.
- Redevelopment for conversion of houses to more units should be charged an impact fee.
- Where do transient occupancy fees go?
- What is the criteria for the Office of State Planning Coordination's Strategy Level classifications?

A. Interactive Workshop Feedback

The in-person session was followed with an hour-long interactive workshop where the project team fielded questions and answers and solicited feedback on proposed recommendations. The following feedback was received via the interactive activities (clarification on handwritten comments made on the display boards is provided in the bullets below each photo):



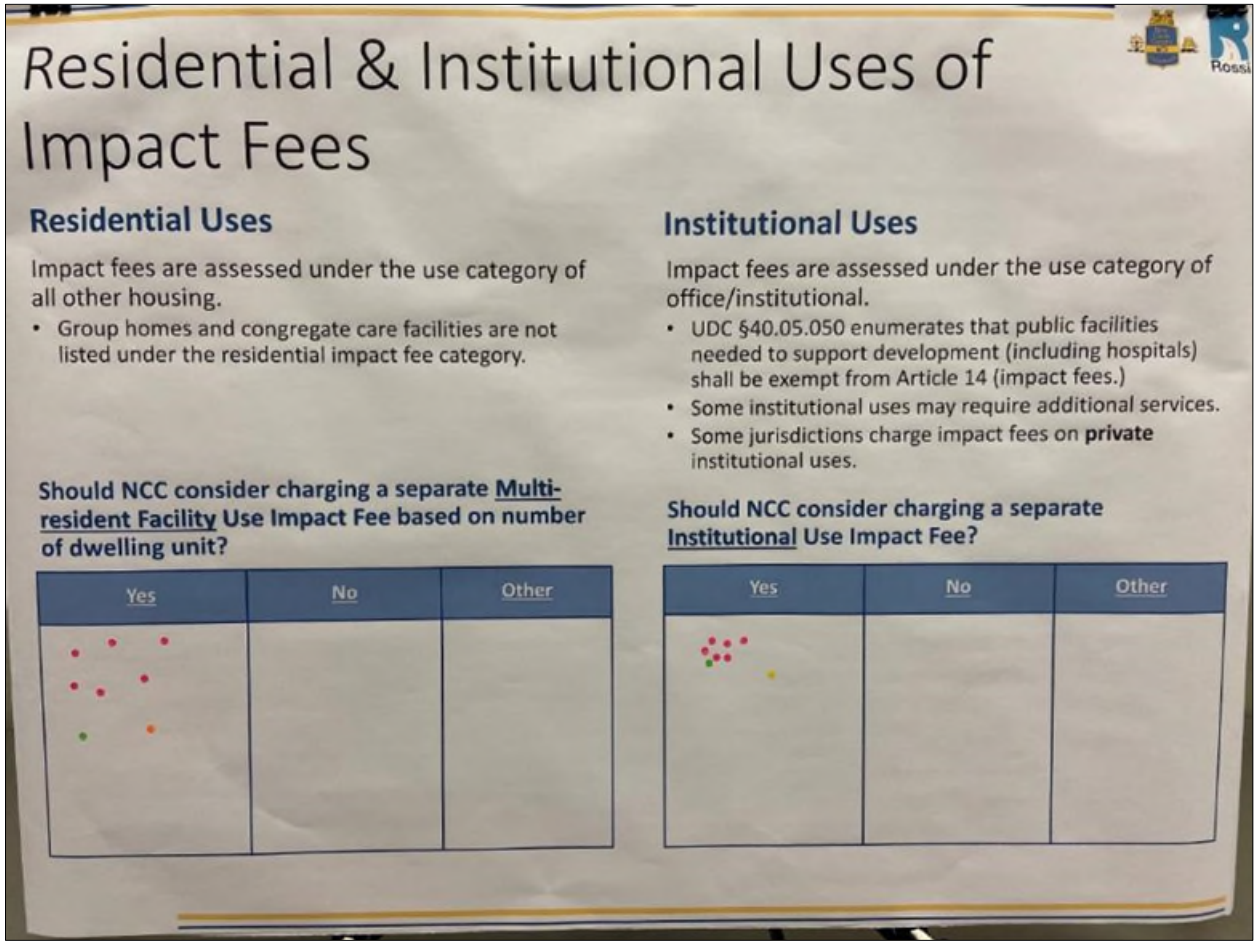
Handwritten comments:

Yes, assess a surcharge for development in Level 3 and 4 Areas.

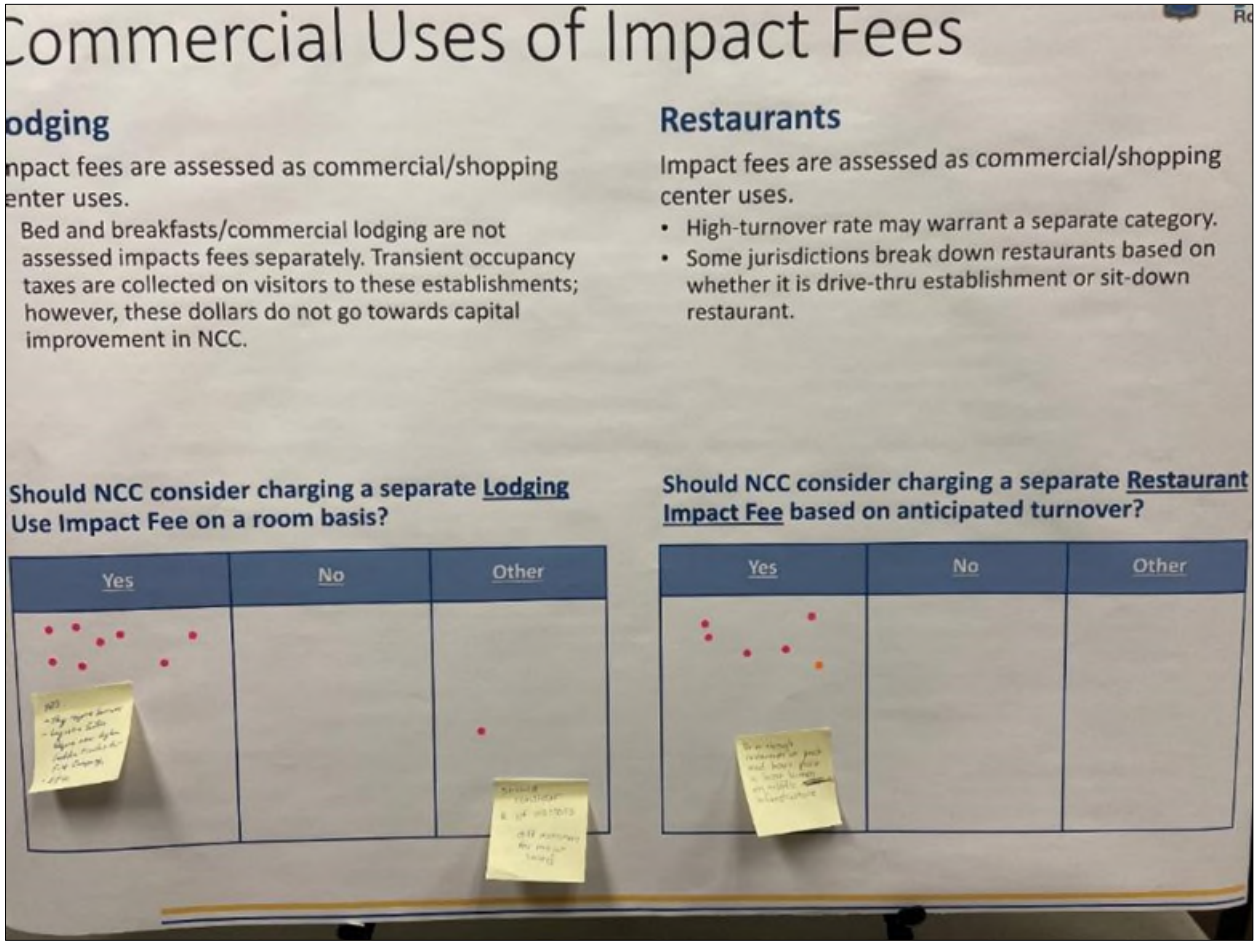
- West wind in SNCC needs most new services & infrastructure in SNCC.
- 100% agree.
- Agree.

No, assess the same impact fee regardless of where development occurs.

- For open space & park the same.



No handwritten comments received.



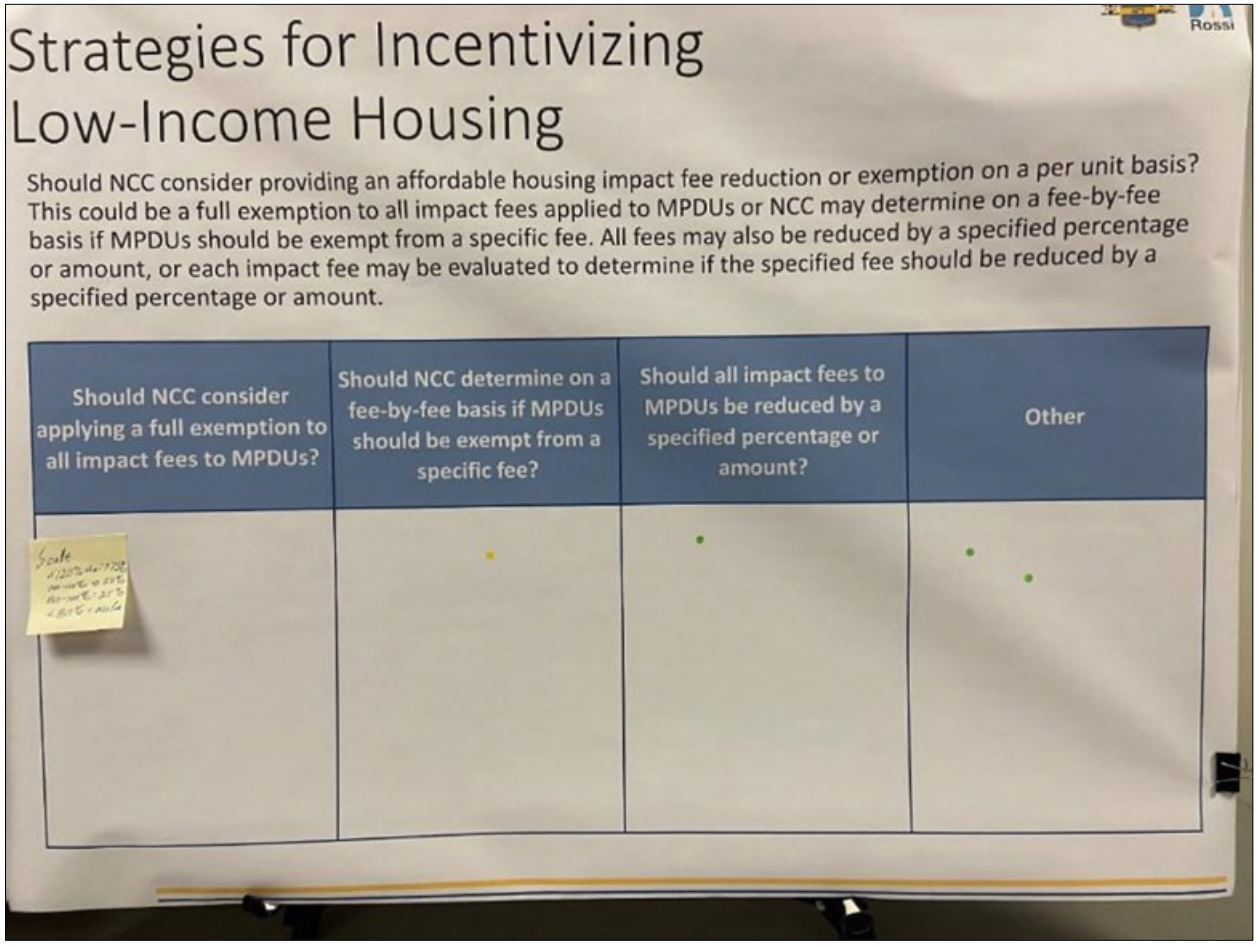
Handwritten comments:

*Should NCC consider charging a separate **Lodging** Use Impact Fee on a room basis?*

- Yes
  - They require services.
  - Logistic centers.
    - Require new higher ladder trucks for fire company.
  - Etc.
- Other
  - Should consider # of visitors.
    - Diff assessment for major hotels.

*Should NCC consider charging a separate **Restaurant Impact Fee** based on anticipated turnover?*

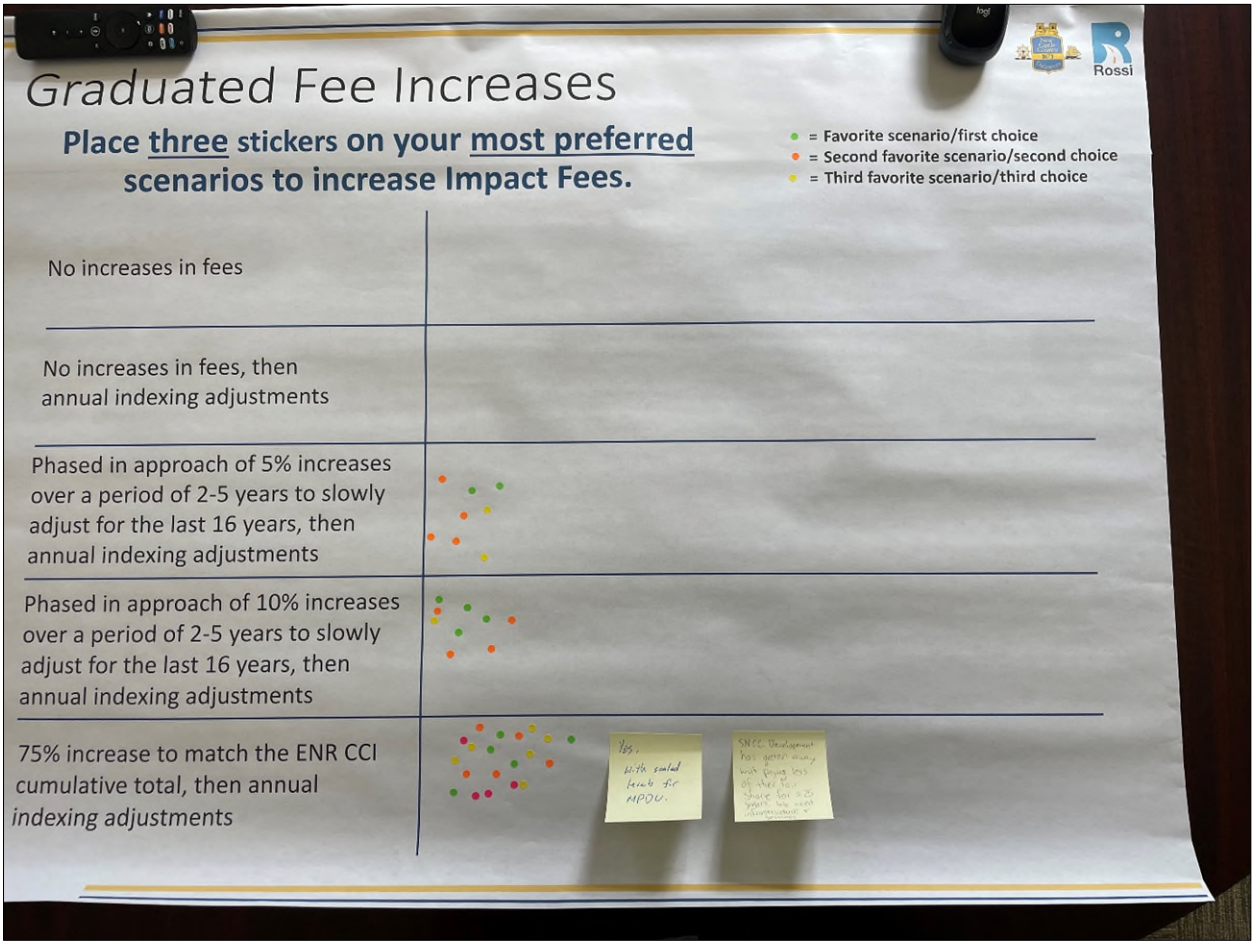
- Yes
  - Drive through restaurants at peak meal hours place a large burden on traffic infrastructure.



Handwritten comments:

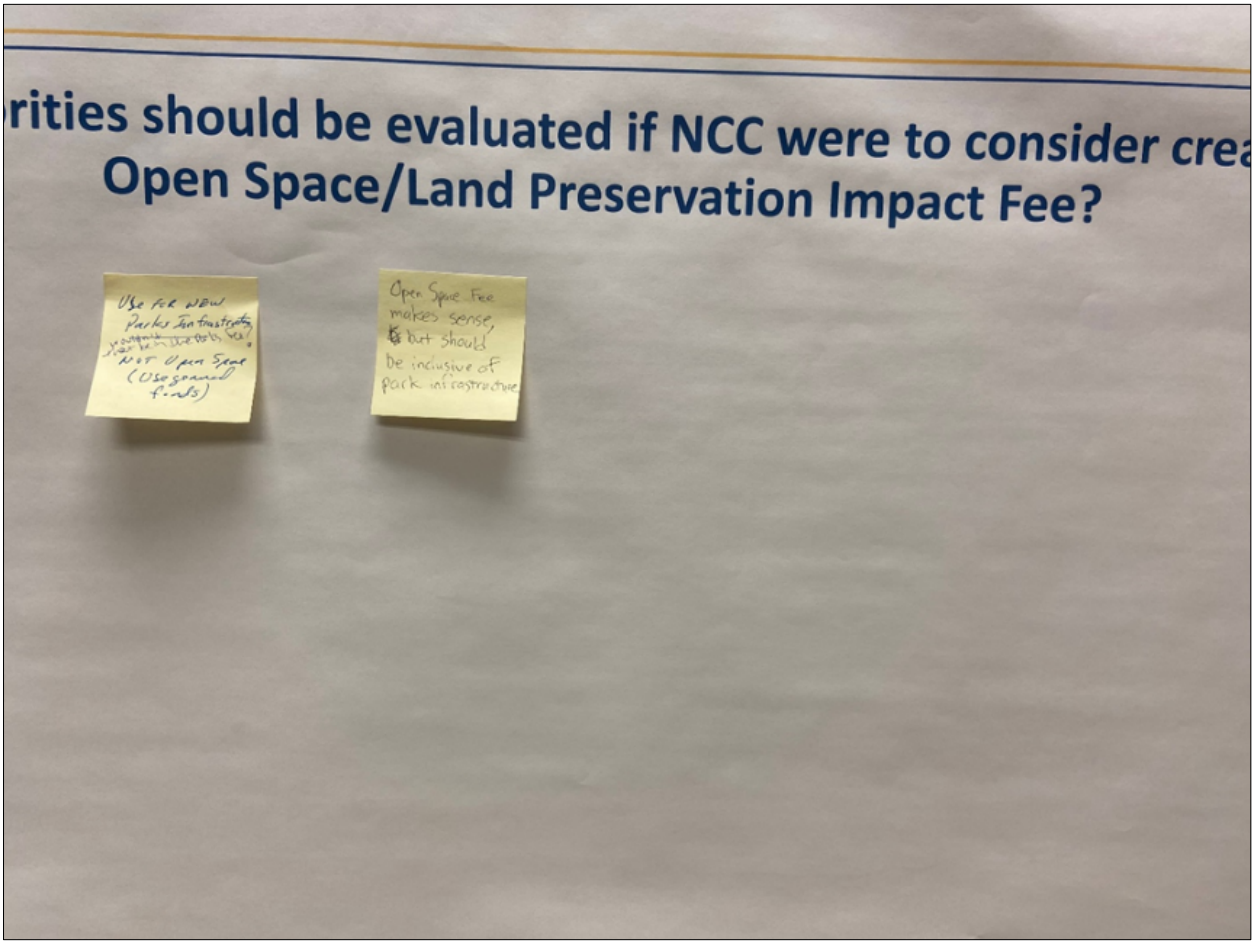
Should NCC consider applying a full exemption to all impact fees to MPDUs?

- Scale
  - <120% AMI => 75%
  - 100-120% => 50%
  - 80-100% => 25%
  - <80% => No fee



Handwritten comments:

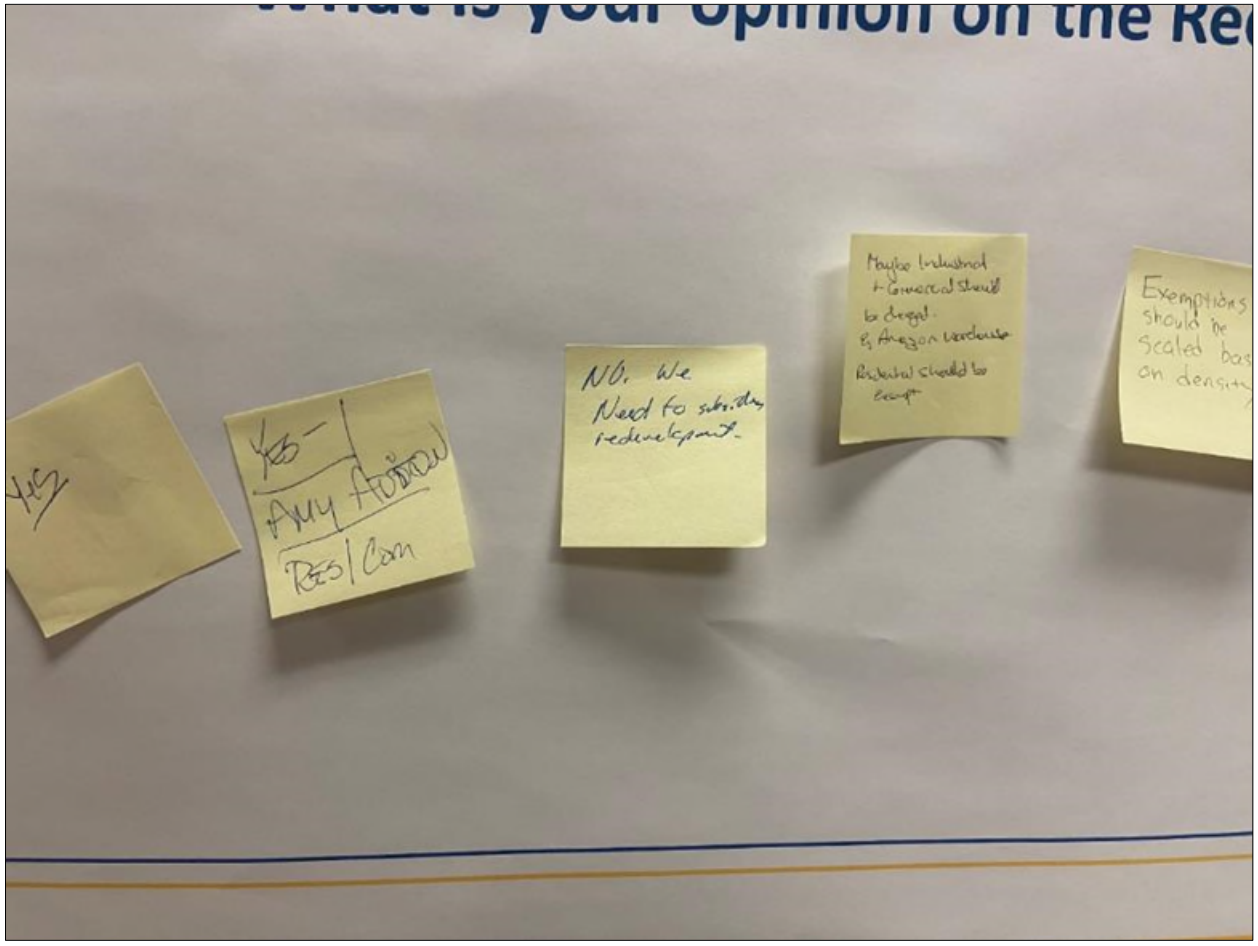
- Yes, with scaled levels for MPDU.
- SNCC Development has gotten away with paying less of their fair share for ~25 years. We need infrastructure and services.



Handwritten comments:

What priorities should be evaluated if NCC were to consider creating an Open Space/Land Preservation Impact Fee?

- Use for new Parks Infrastructure.
    - Not open space (use general funds).
- Open Space Fee makes sense, but should be inclusive of park infrastructure.



Handwritten comments:

What is your opinion on the Redevelopment Impact Fee?

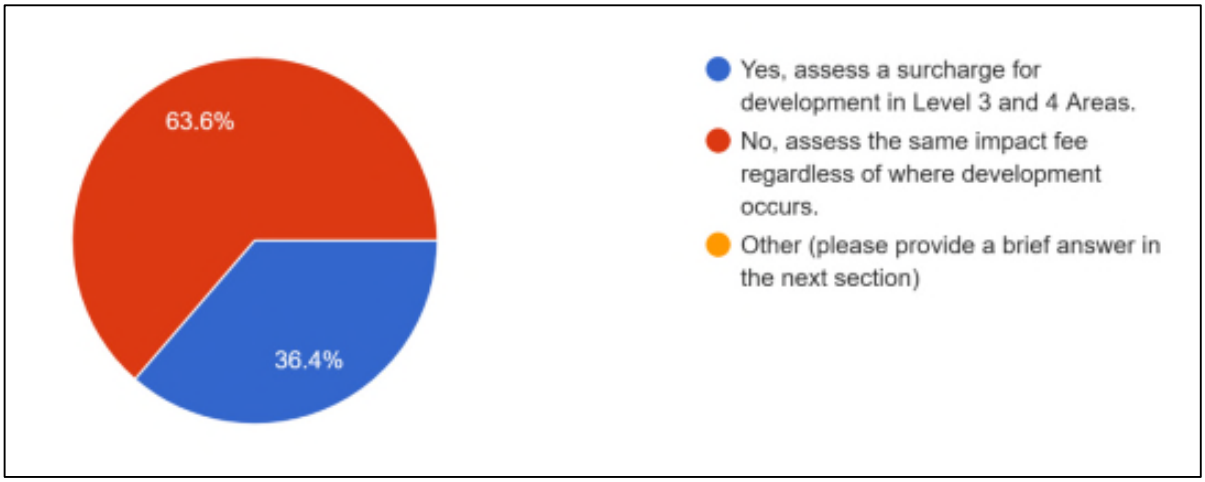
- Yes.
- Yes – any addition Res/Com.
- No, we need to subsidize redevelopment.
- Maybe Industrial and Commercial should be merged.
    - E.g., Amazon warehouse.
- Residential should be exempt.
- Exemptions should be scaled based on density.

B. Online Survey Feedback

Online attendees were invited to share their feedback via a Google Form survey that was emailed out the morning of December 13, 2022, to anyone who had registered for the public workshop. Participants were asked to complete the survey by December 30, 2022. Participants were also prompted to review the December 12 presentation before responding, if they had not attended the live event. Eleven (11) individuals completed the survey.

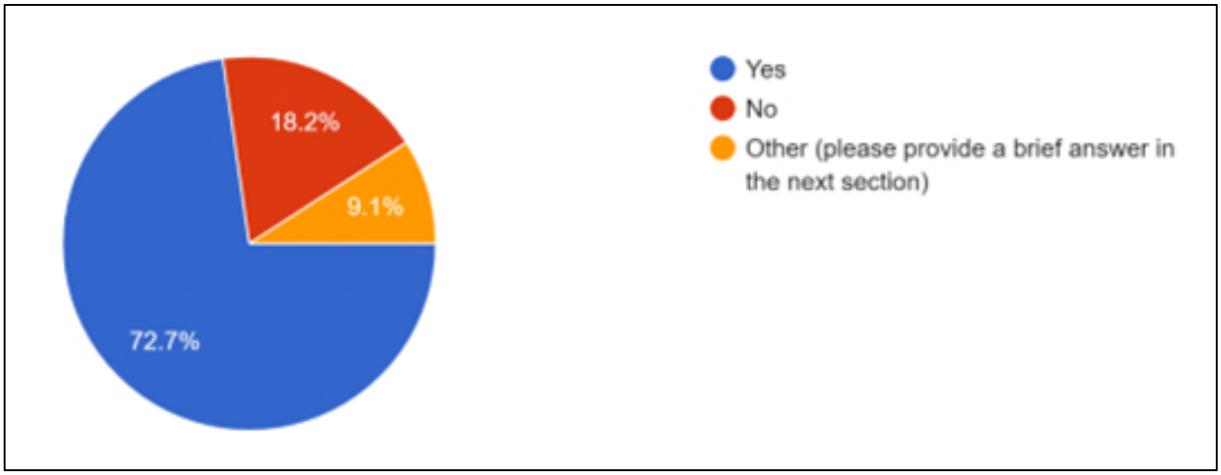
The online survey posed eleven (11) questions for respondents to consider. The first eight (8) questions allowed for a 'Yes," "No," or "Other" response. If "Other" was chosen, respondents were provided the option to provide a short answer. The remaining three (3) questions had a more open-ended format. The following is a summary of the responses:

1. Should NCC consider assessing an impact fee surcharge to cover the additional costs associated with development in Levels 3 and 4?



"Other" responses: N/A

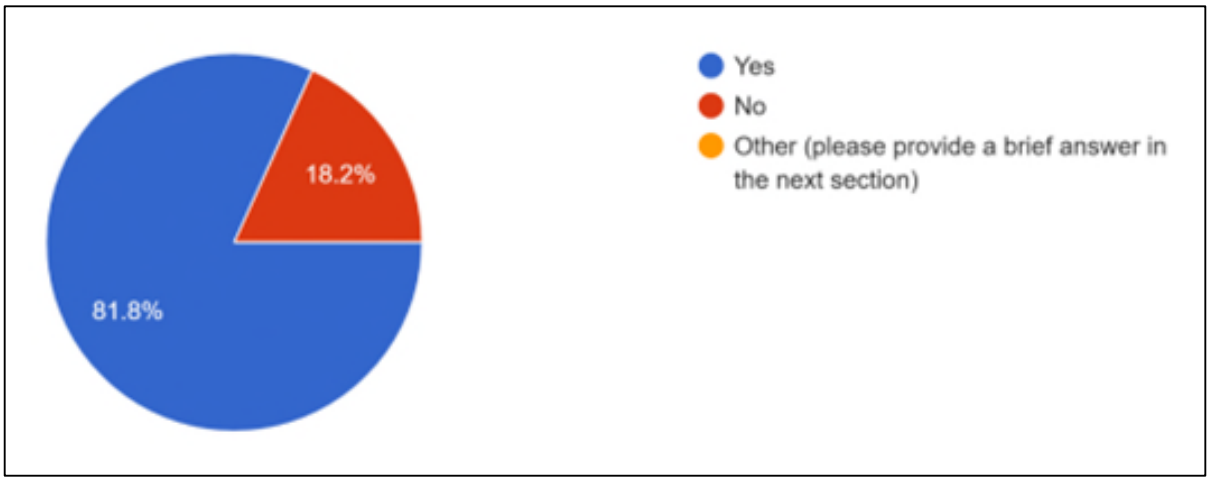
2. Should NCC consider charging a separate Multi-family Resident Facility Use Impact Fee based on number of dwelling units?



"Other" responses:

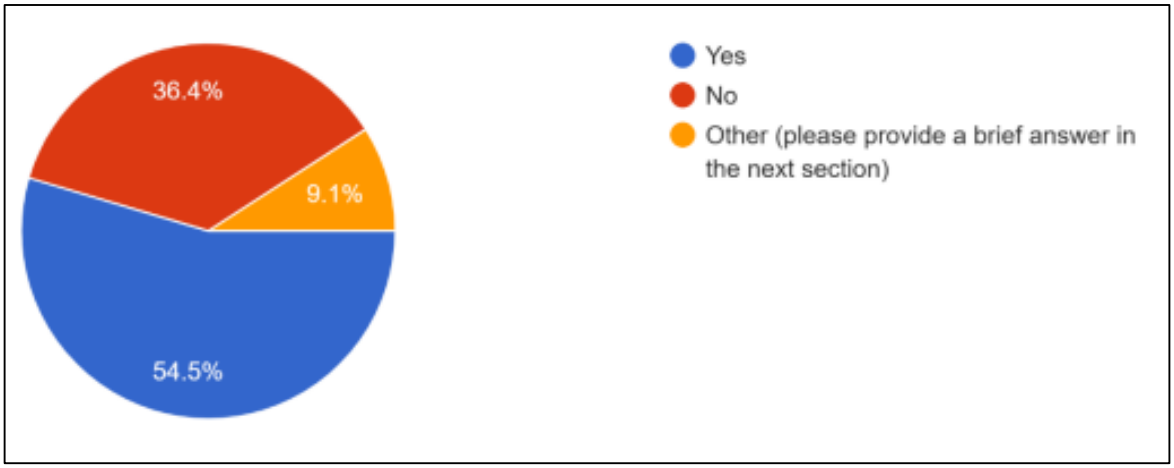
- Thought that is what is.

3. Should NCC consider charging a separate Institutional Use Impact Fee?



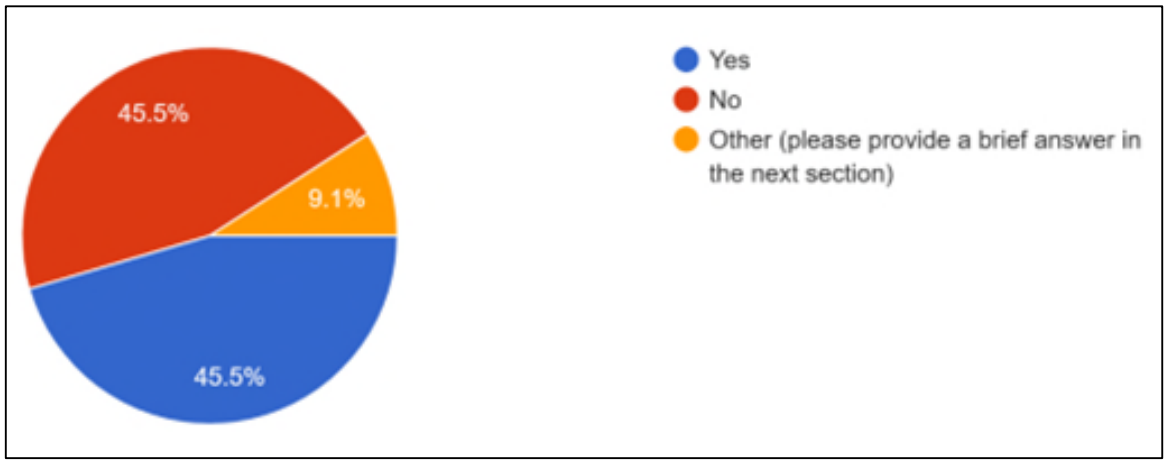
"Other" responses: N/A

4. Should NCC consider charging a separate Lodging Use Impact Fee?



"Other" responses: N/A

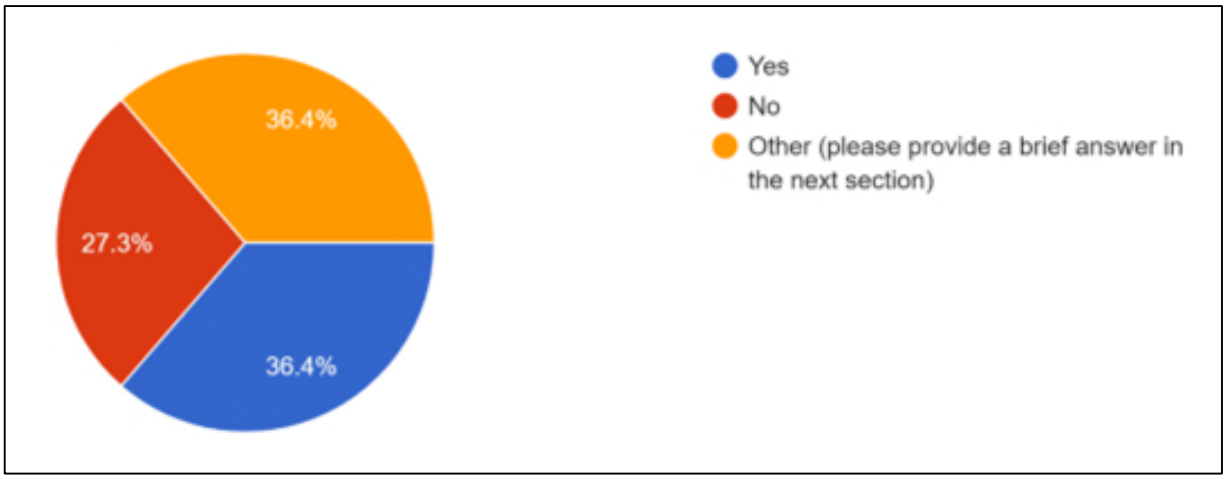
5. Should NCC consider charging a separate Restaurant Impact Fee based on anticipated customer turnover?



"Other" responses:

- No, one of the items in the presentation was the impact of trips from a restaurant, this is already handled with the DelDOT requirements.

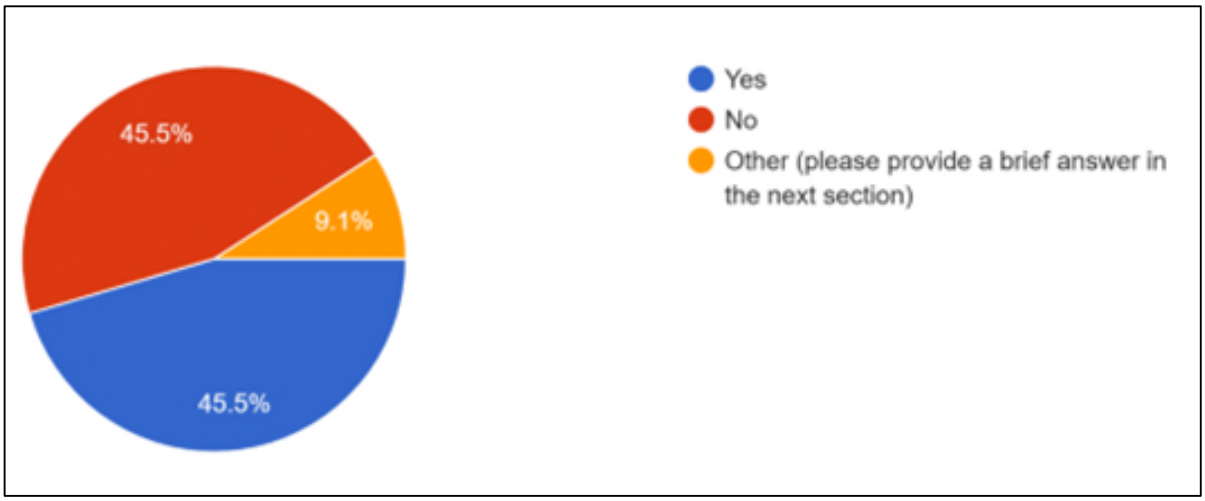
6. Should NCC consider applying a full exemption to all impact fees to Moderately Priced Dwelling Units (MPDUs)?



"Other" responses:

- Potential for a reduced amount, but not a full reduction.
- Only for truly affordable housing.
- We need to implement a scaled system of discounting based on affordability. Something like 100-120 percent of AMI at 80% fee, 80-100 percent AMI at 50 percent, and below 80 percent AMI pays no impact fee.
- Only if MPDUs have residential fire sprinklers installed.

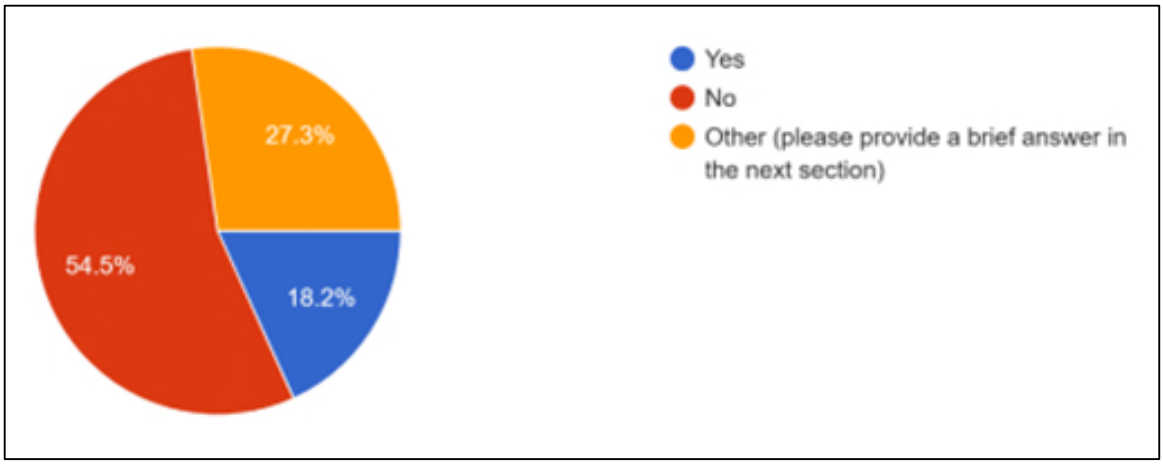
7. Should NCC determine on a fee-by-fee basis if MPDUs should be exempt from a specific fee?



"Other" responses:

- Potential for a reduced amount, but not a full reduction.

8. Should all impact fees to MPDUs be reduced by a specified percentage or amount?



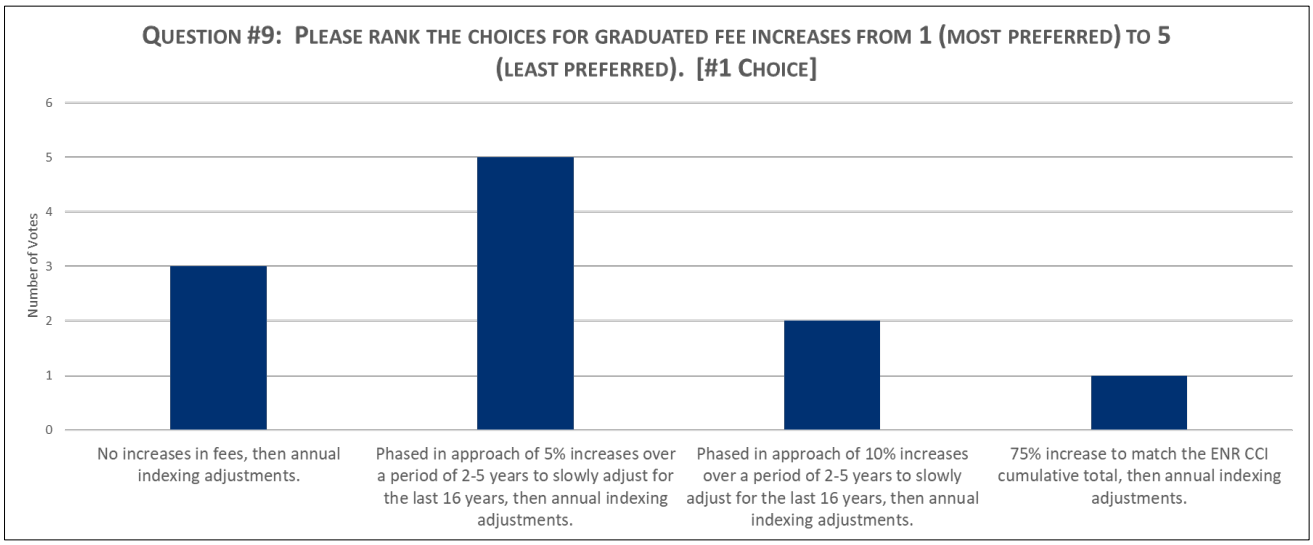
"Other" responses:

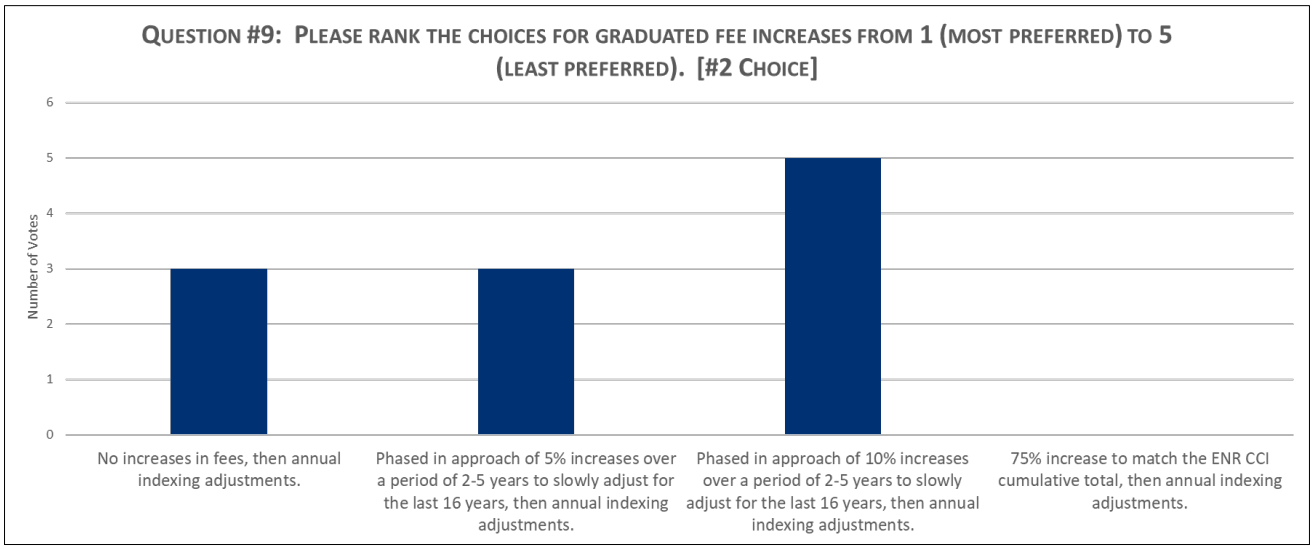
- Potential for a reduced amount, but not a full reduction.
- Impact fees to MPDUs should not apply, or should be exempt.
- If you truly want to make progress waiver the fees entirely.

9. Please rank the choices for graduated fee increases from 1 (most preferred) to 5 (least preferred.)

    a. No increases in fees.
    b. No increases in fees, then annual indexing adjustments.
    c. Phased in approach of 5% increases over a period of 2-5 years to slowly adjust for the last 16 years, then annual indexing adjustments.
    d. Phased in approach of 10% increases over a period of 2-5 years to slowly adjust for the last 16 years, then annual indexing adjustments.
    e. 75% increase to match the ENR CCI cumulative total, then annual indexing adjustments.

    The top ranked option was "C - phased in approach of 5% increases over a period of 2-5 years to slowly adjust for the last 16 years, then annual indexing adjustments" with five individuals choosing this as their top option. "D - Phased in approach of 10% increases over a period of 2-5 years to slowly adjust for the last 16 years, then annual indexing adjustments" was the second most popular option, with five individuals ranking this as their second choice.





10. Considering a proposed new fee, what priorities should be evaluated if NCC were to consider creating an Open Space/Land Preservation Impact Fee?

    Long answer responses to this question varied, there did not seem to be a clear consensus via the online survey. Some selected verbatim responses included:

    - Provide land banking opportunities on projects that provide more than 50% open space and increase the base density permitted within each residential zone.
    - This should not be done. These funds should be put toward park improvement and enhancement. Anyone who has a house put pressure on open space, so all should pay for open space through general property tax funds.
    - no new fee for open land / preservation
    - As development costs continue to surge, this is yet another example of death by a thousand cuts. The priority should be placed on maintaining and improving affordability with housing throughout New Castle County. This fee will be passed down to the consumer.

11. What is your opinion on the Redevelopment Impact Fee?

    Long answer responses to this question were also mixed with some respondents in favor and others opposed. Verbatim responses included (spelling has been corrected):

    - No, we should be encouraging redevelopment as infrastructure is already in place.
    - There should be an exemption for all fees, other than sewer and traffic.
    - Uncertain at this point.
    - I do not think this should be implemented, a NCC should be incentivizing redevelopment. We need to revitalize existing developed areas that have declined as a much higher priority than continuing the development of green fields.
    - If impact fees were collected initially, the redevelopment impact fee should be waived.
    - all additional redevelopments should be assessed an impact fee if any structure is added to
    - Due to the increased number of new developments, To avoid increasing property taxes to maintain and improve Delaware's infrastructure the impact fee is necessary.
    - Counter productive.
    - If the redevelopment causes a change to commercial/Office/Business park/ all residential, a few should be charged for Law Enforcement, Fire & Rescue, and EMS due to eventual increased demand for these services.
    - In favor. If a brownfield is being redeveloped, then reduce the impact fee. If developing farmland, then apply the full fee.
    - Go for it!

II. RECOMMENDATION DISCUSSION

As previously mentioned, Memo #3 presented draft recommendations for NCC to consider in their assessment of current regulations and the development of associated updates to those regulations. The following reiterates those suggestions and takes into consideration feedback received from the public workshop to provide final recommendations.

A. Utilizing Delaware's State Strategies

The overall study effort is to reassess the impact fees to better correlate the fees collected with the capital costs needed to supply the services. Based on this goal the team is recommending assessing a surcharge to cover the additional costs associated with development in Levels 3 and 4. The initial recommendation for consideration would be a 20% surcharge for Level 3 and a 40% surcharge for Level 4. As previously noted, prior to adoption, additional research would be needed to assess the actual increase in costs for providing the service to better justify the surcharge percentage.

The feedback received regarding the assessment of a surcharge for development in Levels 3 and 4 was generally positive; however, there were still responses to assess the same impact fee regardless of where development occurs. This feedback indicates the importance of clearly showing the nexus between increased service delivery costs in Levels 3 and 4 and any possible surcharge.

The Cabinet Committee on State Planning Issues (CCSPI), as part of the 2022 Annual Report on State Planning Issues has established a recommendation to develop new methods for calculating the long-term costs of providing state services for land-use actions that are inconsistent with State Strategies. The CCSPI agreed that this is a priority for 2023 but the effort has not begun to date. The County should coordinate with OSPC and the assigned agencies to utilize their findings in determining an appropriate surcharge in levels 3 and 4.

Final recommendation: NCC to implement a surcharge to cover the additional costs associated with development in Levels 3 and 4; NCC will work with OSPC and conduct additional research to determine the actual cost of providing services to these areas and will modify proposed percentages accordingly.

B. Expanding the List of Uses in the Impact Fee Table

As identified in Memo #3, analysis of the permitted uses (UDC §40.03.110) and impact fee (UDC §40.14.210) tables identified several uses not explicitly being charged an impact fee. The team recommended adding impact fees to multi-unit residential facilities (including group homes and congregate care facilities); private hospitals or facilities (e.g., assisted care facilities); commercial lodging/bed and breakfast establishments, restaurants (based on turnover); and campgrounds/resorts. A recommendation to further breakout "business park" use to better assess the various uses (light/heavy manufacturing, office space, etc.) separately. After discussion with the County about possible confusion, the project team chose not to pursue feedback on any business park changes.

The feedback received from the public workshop and online survey revealed generally positive responses to expanding the list of uses in the impact fee table. Respondents were more favorable towards NCC charging separate Multi-family Resident Facility and Institutional Use Impact fees compared to assessing separate fees for Lodging or Restaurant Uses; however, the overall outcome was positive.

Final Recommendation: NCC to add the following new categories to the impact fee table:

- Multi-use Residential (Apartments, Commercial Apartments, Apartment Conversions) (per unit)
- Institutional Uses (private)
- Commercial Lodging (per room)
- Restaurants
    - The County should consider whether multiple restaurant categories should be broken out to differentiate between fast-food restaurants and sit-down restaurants. Then analysis should be conducted to determine the appropriate fee level that should not be based on the number of cars

visiting the facility since this is not a transportation/mobility impact fee, but instead the number of EMS visits and impact on capital infrastructure.

C. Strategies for Incentivizing Low-Income Housing

As detailed in Memo 2, B.3. Affordable Housing, in areas with high fees and/or a large number of special assessment districts, the cumulative cost can erode the financial viability of affordable housing projects. Local jurisdictions can encourage the development of new affordable housing through methods including:

- Flat fee
- Fee reductions
- Fee waivers based on number of units
- Complete fee exemption

NCC currently provides a density bonus for major residential subdivisions not requiring a rezoning if a portion of the dwelling units are designated as moderately priced. However, providing an impact fee reduction or exemption would further reduce the cumulative cost for providing affordable housing within NCC. This could be full exemption to all impact fees applied to Moderately Price Dwelling Units (MPDUs). It may also be reasonable to view each impact fee assessed and determine on a fee-by-fee basis if MPDUs should be reduced or exempt from a specific fee. All fees may also be reduced by a specified percentage or amount, or each impact fee may be evaluated to determine if the specified fee should be reduced by a specified percentage or amount. Although fees are reduced or exempt for developers, future homeowners still receive the services supported by the fee and must secure the associated permits or approvals.

Public workshop participants and survey respondents had a general consensus of not reducing impact fees by a specific percentage or amount. Responses regarding a full exemption and reducing on a fee-by-fee basis were mixed; some were in favor of reducing the amount, but not a full exemption where others supported a complete exemption. There were two suggestions of using a sliding scale system based on affordability. This concept would use the Area Median Income (AMI) to determine the impact fee imposed on MPDUs. Comments across the board indicated that affordable housing is a concern for NCC residents.

Final recommendation: NCC should establish a sliding scale system based on the home price relative to the AMI.

- >120% of AMI => 75%
- 100 – 120% => 50%
- 80 – 100% => 25%
- <80% => No fee assessed

D. Graduated Fee Increases/ENR Recommendations

Recommendations for adjusting the fee to make up for lost buying power due to no fee adjustments for the last 16-23 years can be accomplished in many different scenarios based on NCC's goals and policies that are being considered. Currently the general budget is carrying the load to make up for inflation and the erosion of purchasing power of the impact fees as established in 2006. That means that existing residents of NCC are paying for and subsidizing the costs of the new infrastructure intended to be paid for with impact fees. If NCC's goal is to restore the impact fee revenues to the originally intended levels of providing revenue for infrastructure projects, gradual increases in fees while providing a provision for annual indexing would allow NCC to slowly increase fees.

Scenarios could range from:

- No increases in fees
- No increases in fees, annual indexing adjustments
- Phased in approach of 5% increases over a period of 2-5 years to slowly make up for the last 16 years, then annual indexing adjustments
- Phased in approach of 10% increases over a period of 2-5 years to slowly make up for the last 16 years, then annual indexing adjustments
- 50% increase to match the CPI cumulative total, then annual indexing adjustments
- 75% increase to match the ENR CCI cumulative total, then annual indexing adjustments

Regardless of the decision to raise fees to account for the last 16 years of no increases, it is recommended that yearly adjustments to the fees be done, as periodic evaluations are required by code, so that the fees are adjusted annually based on the ENR CCI. Most jurisdictions that have indexing do so annually to avoid having to revisit the fees every few years and keep increases in fees in small increments. This sets up an expectation that the impact fee will increase yearly to keep pace with inflation and provide for infrastructure to be consistently funded and constructed using the impact fees collected by new development. It is a straightforward method that is easy to communicate to the public and easier to implement. If NCC wants to establish an increase every two years, that can be accomplished by Council approving the changes every two years instead of annually. It is recommended that the adjustment be done using the cumulative CCI for the two years. The data to calculate the ENR CCI comes out in January and the new fee can be adopted by Council in the spring with an effective date of July 1 each year.

Feedback from the public workshop resulted in the majority of participants in favor of increasing fees with annual indexing adjustments; however, responses on how to approach the fee increases were evenly distributed between he phased approach of 5% over 2-5 years, phased approach of 10% over 2-5 years, and a 75% increase to match the ENR CCI cumulative.

Final recommendation: NCC should consider increasing their current Impact Fees in a phased approach of 10% per year for 3 years, then annually adjust the fee for ENR CCI.

E. Open Space Fee Creation

NCC Council adopted a resolution to spend $7.5 million dollars over 3 years, which is $2.5 million/year to ensure consistent funding for the preservation of Open Space and Agricultural land. In our research of best practices, the City of Chicago used a formula of new development carrying 30% of the cost for open space preservation.

The City of Chicago Open Space fees range from $313-1,253/unit based on the type of development. Affordable housing units are only charged $100/unit.

Marin County in Florida Open Space fees range from $540-755 based on size of the unit. A land value of $12/sf is used for the cost of Open Space land acquisition.

Using the same formula to help provide a dedicated source of funding to provide 30% of the $2.5 million Open Space preservation goal requires revenue from impact fees to be $750k/year.

The NCC Council can then determine whether to create an open space fee, and what level of funding support for the Open Space Preservation Fund, any potential UDC changes that would be required, and an implementation schedule.

Comments received on the evaluation of priorities regarding an Open Space Fee did not provide a clear consensus Some workshop participants and survey respondents stated the Open Space Fee should be included in the Parks Fee or included in parks infrastructure for improvements. Others were against the concept all together.

Final recommendation: NCC should further explore the option of an additional impact fee category to fund Open Space. This would align with the County's goal for dedicated Open Space funding.

F. Change of Use/Redevelopment Charges

Should NCC determine that the current impact fee waiver for redevelopment and brownfield development is a critical decision factor for developers considering the reuse and repurpose of existing properties, then it would be logical to maintain the existing waiver structure. The additional burden of increased capital costs associated with the redevelopment and brownfield development would continue to be borne by the general fund.

Should NCC determine that eliminating the waiver on impact fees for redevelopment and brownfield development would not discourage developers considering the reuse and repurpose of existing properties, then it would be appropriate to assess the nexus between the impact fee and the need for that service based on the proposed development. The following is a recommended framework for how NCC might assess impact fees for redevelopment and brownfield development:

- Assess a prorated impact fee for the actual change of use of the property based on the difference between the historical use and the proposed use.
- Brownfields would still be exempted.

Feedback received from the public workshop on the implementation of a Redevelopment Fee were also mixed with some respondents in favor and others opposed.

Final recommendation: NCC will continue to work with developers to determine if the waiver on impact fees is a deciding factor in redevelopment and/or brownfield development. NCC should also consult with the Public Works Department and Emergency Services to determine actual costs of increased services from redevelopment cases.

III. NEXT STEPS

The final report (including memos 1 through 4) will be presented to NCC Council's Finance Committee for further consideration.



DEVELOPMENT IMPACT FEE STUDY

FINAL RECOMMENDATIONS

June 13, 2023

New Castle County Government

Rossi

CENTURY ENGINEERING
A Kleinfelder Company

Presenters



Marc Coté, PE, AICP



Drew Boyce, PE

Agenda

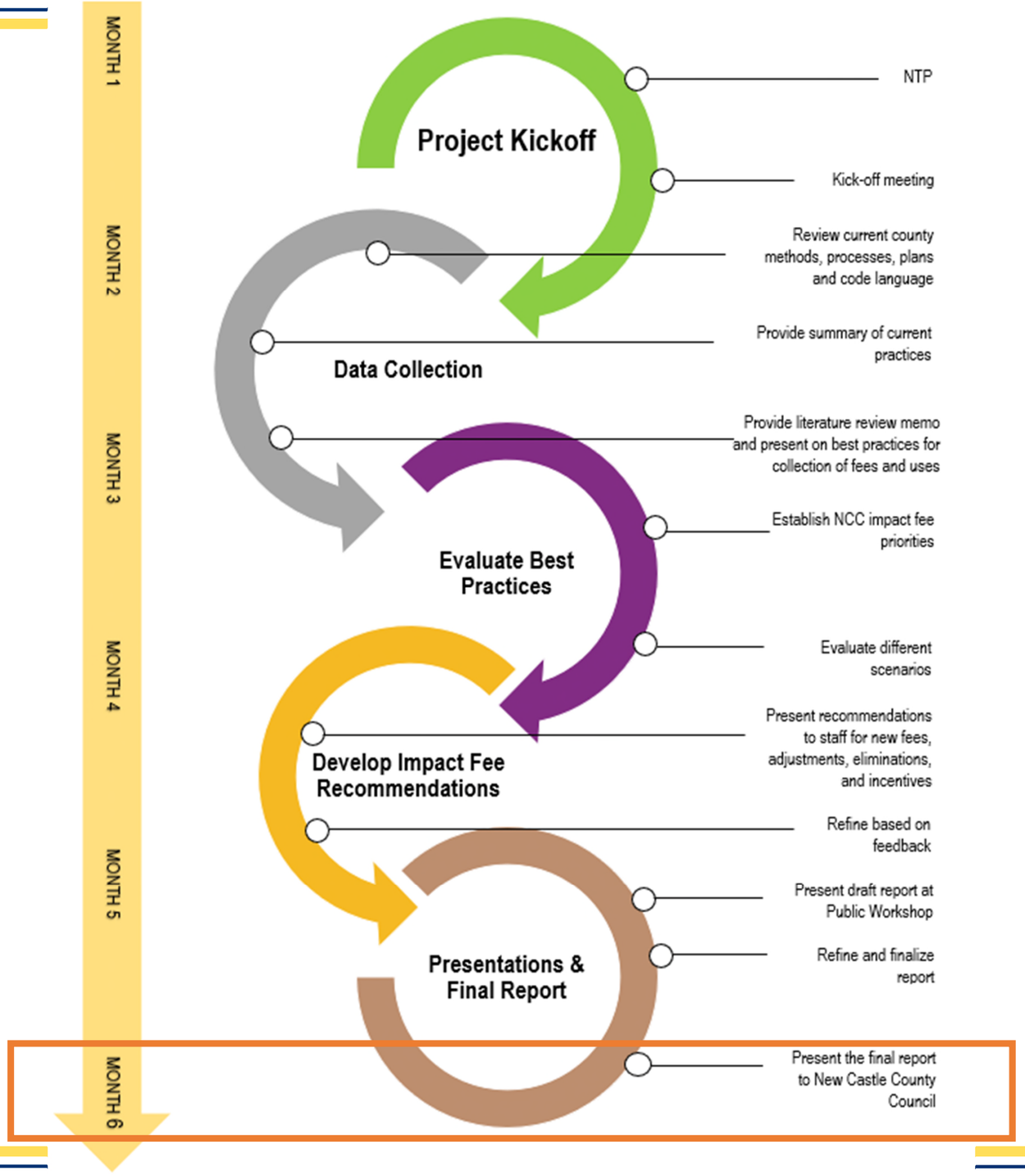
- Project Overview
  - Scope
  - Timeline
- Methodology
  - Existing Practices
  - Best Practices
- Public Feedback
- Final Recommendations

Project Overview

Project Scope

- NCC Audit Report from May 2020 recommended reviewing current fee amounts.
- Review includes recommendations that will:
  - Balance keeping the fees low while also providing a source of revenue for capital improvements.
- Identify fee updates to ensure they are proportionate and related to the County's infrastructure and service needs.
- Include practices to achieve sustainable, just, and fair public finance in line with the County's long-range plans.
- Assess the need for additional impact fees and/or an updated methodology.

Project Timeline



Existing Practices

New Castle County Impact Fees

- Impact Fees were adopted by New Castle County in 1999.
- Finance new or expanded infrastructure and service needs for development.
- Unified Development Code (UDC) Chapter 40, Article 14 (40.14)

  "Cost adjustments will be made as part of the periodic evaluation and update of impact fees. Impact fees will be **adjusted for inflation in construction costs as reflected in the Engineering News Record (ENR) index and upon approval by County Council** …"
- The only impact fees adjusted since 1999 have been Fire & Rescue.

NCC Impact Fee Table

Service	Parks & Special Facilities	Libraries	County Facilities	EMS	Fire and Rescue	Law Enforcement	Total
Residential Per Housing Unit							
Single-family detached	$328	$138	$112	$7	$510	$62	$1,157
Single-family attached	$304	$129	$105	$6	$442	$58	$1,044
All other housing†	$225	$95	$77	$5	$317	$43	$762
Nonresidential Per 1,000 Square Feet‡							
Commercial/shopping center (less than 60,000 sf. GFA)	na.	na.	$127	$8	$210	$42	$387
Commercial/shopping center (60,000 sf. to 200,000 sf. GFA)	na.	na.	$95	$6	$163	$33	$297
Commercial/shopping center (greater than 200,000 sf. GFA)	na.	na.	$76	$5	$147	$28	$256
Office/institutional (less than 10,000 sf. GFA)	na.	na.	$176	$11	$112	$24	$323
Office/institutional (10,000 sf. to 50,000 sf. GFA	na.	na.	$150	$10	$287	$16	$463
Office/institutional (greater than 50,000 sf. GFA)	na.	na.	$142	$9	$272	$14	$437
Business park	na.	na.	$120	$8	$232	$14	$374
Light industrial	na.	na.	$88	$5	$170	$7	$270
Warehousing	na.	na.	$47	$3	$94.	$4	$148
Manufacturing	na.	na.	$70	$4	$131	$3	$208

† Due to similar square footage, small single-family units and single-wide mobile homes will be included under the "All other housing" designation.

‡ When building or expanding a nonresidential building, the first 1,000 square feet are exempt from the assessment of impact fees. For all impact fees except sewer impact fees required by this Article, the Department shall waive the applicant's responsibility to pay said fees for redevelopment or Brownfields. As a condition of such waiver, the Department may require that an alternative funding source be identified to pay the applicable impact fee.

Best Practices

APA Recommendations

- An Impact Fee must be rationally linked to the impact created.
- Some benefit must accrue to the development as a result of the payment of a fee.
- The amount of the fee must be a proportionate fair share of the costs of the improvements made necessary.
- A fee cannot be imposed to address existing deficiencies except where they are exacerbated by new development.
- Funds received under such a program must be segregated from the general fund and used solely for the purposes for which the fee is established.
- The fees collected must be encumbered or expended within a reasonable timeframe to ensure that needed improvements are implemented.

APA Recommendations (continued)

- The fee assessed cannot exceed the cost of the improvements, and credits must be given for outside funding sources.
- The fee cannot be used to cover normal operation and maintenance or personnel costs, but must be used for capital improvements, or under some linkage programs, affordable housing, job training, childcare, etc.
- The **fee established for specific capital improvements should be reviewed at least every two years** to determine whether an adjustment is required, and similarly the capital improvement plan and budget should be reviewed at least every 5 to 8 years.
- Provisions must be included in the ordinance to permit refunds for projects that are not constructed, since no impact will have manifested.
- Impact fee payments are typically required to be made as a condition of approval of the development, either at the time the building or occupancy is issued.

Neighboring Jurisdictions

- Sussex County, Delaware
  - Funds for parks and special facilities, libraries, county facilities, EMS, Fire and Rescue, and Law Enforcement are collected via property taxes.
  - Impact Fees are assessed to fund the preservation of Open Space.
- Kent County, Delaware
  - Uses an Adequate Public Facilities Ordinance (APFO) to fund public facility improvements (roads, schools, EMS, water supply and distribution).
- Salem County, New Jersey
  - No impact fees.
- Various Pennsylvania Counties
  - No impact fees.
  - Improvements funded through special taxes.
- Anne Arundel County, Maryland
  - Impact fees assessed to fund public schools, transportation, and public safety facilities.

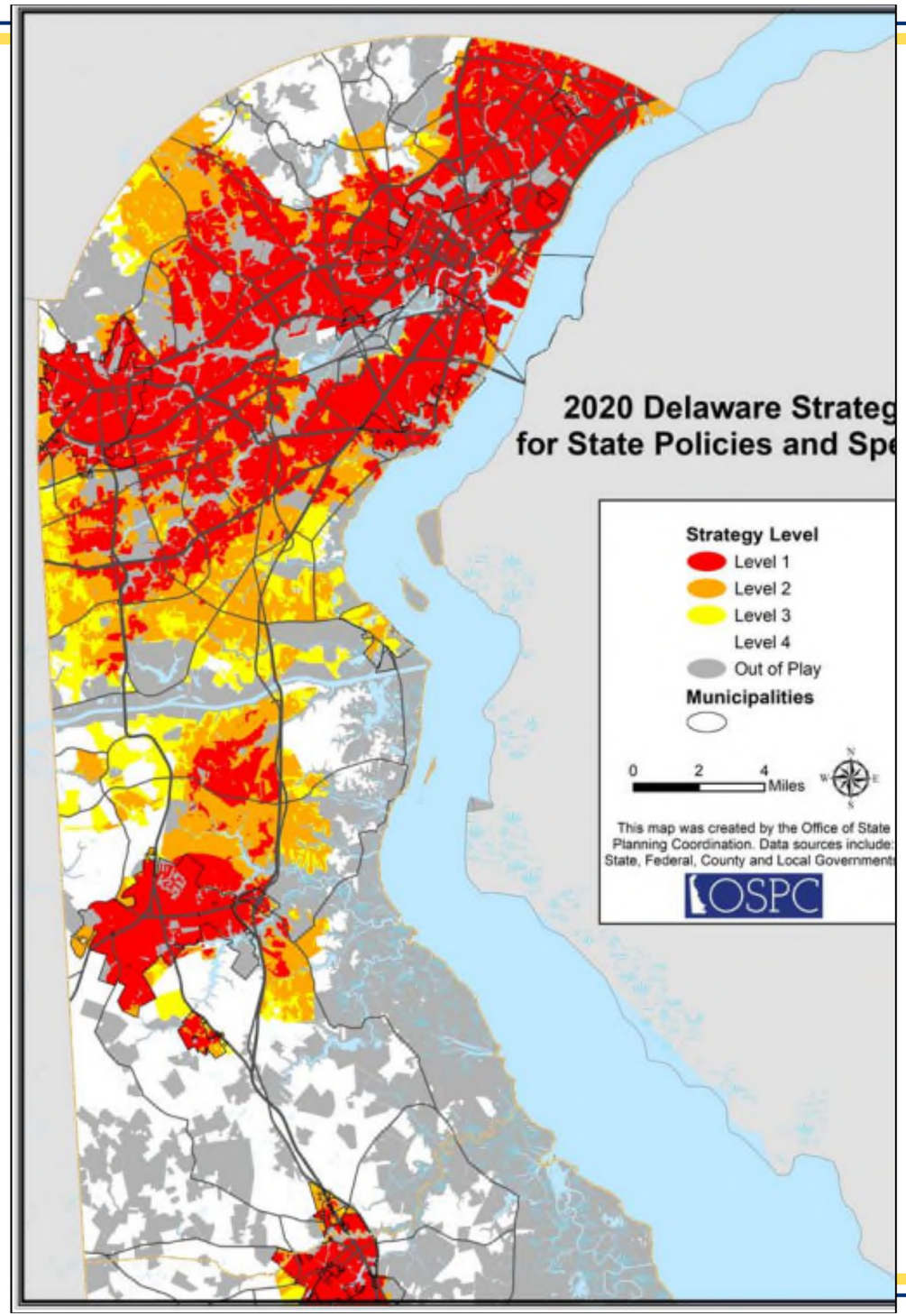
Nation-wide Scan and Special Topics

- Seminole County, Florida
- Green Infrastructure
  - City of Newark, DE
- Open Space Preservation Impact Fee
  - City of Chicago, Illinois
  - Martin County, Florida
  - Delaware Nature Conservancy
- Affordable Housing Considerations
  - Portland, Oregon
  - Austin, Texas

Recommendations

Recommendations for Consideration

1. Utilizing Delaware's State Strategies
2. Expanding the List of Uses in the Impact Fee Table
3. Strategies for Incentivizing Low-Income Housing
4. Graduated Fee Increases/ENR Recommendations
5. Open Space Impact Fee Creation
6. Redevelopment Charges



Utilizing Delaware's State Strategies

- State Strategies is a framework that guides decision makers on the most desirable pattern of land use within the state
- It is more expensive to provide necessary services the further you get from core developed areas
- Five investment levels:
  - Levels 1-4 and 'Out of Play'

- **Should NCC consider assessing a surcharge impact fee to cover the additional costs associated with development in Levels 3 and 4?**

Recommendation 1 - Feedback

- The feedback received regarding the assessment of a surcharge for development in Levels 3 and 4 was generally positive; however, there were still responses to assess the same impact fee regardless of where development occurs. This feedback indicates the importance of clearly showing the nexus between increased service delivery costs in Levels 3 and 4 and any possible surcharge.

Expanding the list of Uses in the Impact Fee Table

Current uses being assessed:

Residential (per housing unit)	Nonresidential (per 1,000 SF of floor area)
• Single-family detached • Single-family attached • All other housing (small single-family units and single-wide mobile homes will be included under the "All other housing" designation)	• Commercial/shopping center (less than 60,000 SF) • Commercial/shopping center (60,000 – 200,000SF) • Commercial/shopping center (greater than 200,000 SF) • Office/Institutional (less than 10,000 SF) • Office/Institutional (less than 10,000 SF) • Office/Institutional (less than 10,000 SF) • Business Park • Light Industrial • Warehousing • Manufacturing

Recommendations for Consideration

- **Should NCC consider charging a separate:**
  - **Multi-resident Facility Use Impact Fee based on number of dwelling units?**
- **Institutional Use Impact Fee?**
- **Lodging Use Impact Fee on a room basis?**
- **Restaurant Impact Fee based on anticipated turnover?**

Recommendation 2 - Feedback

- The feedback received from the public workshop and online survey revealed generally positive responses to expanding the list of uses in the impact fee table. Respondents were more favorable towards NCC charging separate Multi-family Resident Facility and Institutional Use Impact fees compared to assessing separate fees for Lodging or Restaurant Uses; however, the overall outcome was positive.

Strategies for Incentivizing Low-Income Housing

- Moderately Price Dwelling Units (MPDUs) are required for all residential rezonings or variance applications with density increases except for mixed-use developments.
- Currently there are no Impact Fee reductions or exemptions for development of MPDUs.
- NCC provides a density bonus for major residential subdivisions not requiring a rezoning if a portion of the dwelling units are MPDUs.
- Local jurisdictions can prioritize the development of new affordable housing by offering to reduce or waive impact fees for MPDUs.
- Developers still receive the services supported by the fee and must secure the associated permits or approvals.
- Providing an impact fee reduction or exemption would reduce the cumulative cost for providing affordable housing within NCC.

- **Should NCC consider applying a full exemption to all impact fees to MPDUs?**

- **Should NCC review each impact fee to determine in a fee-by-fee basis if MPDUs should be exempt from a specific fee?**

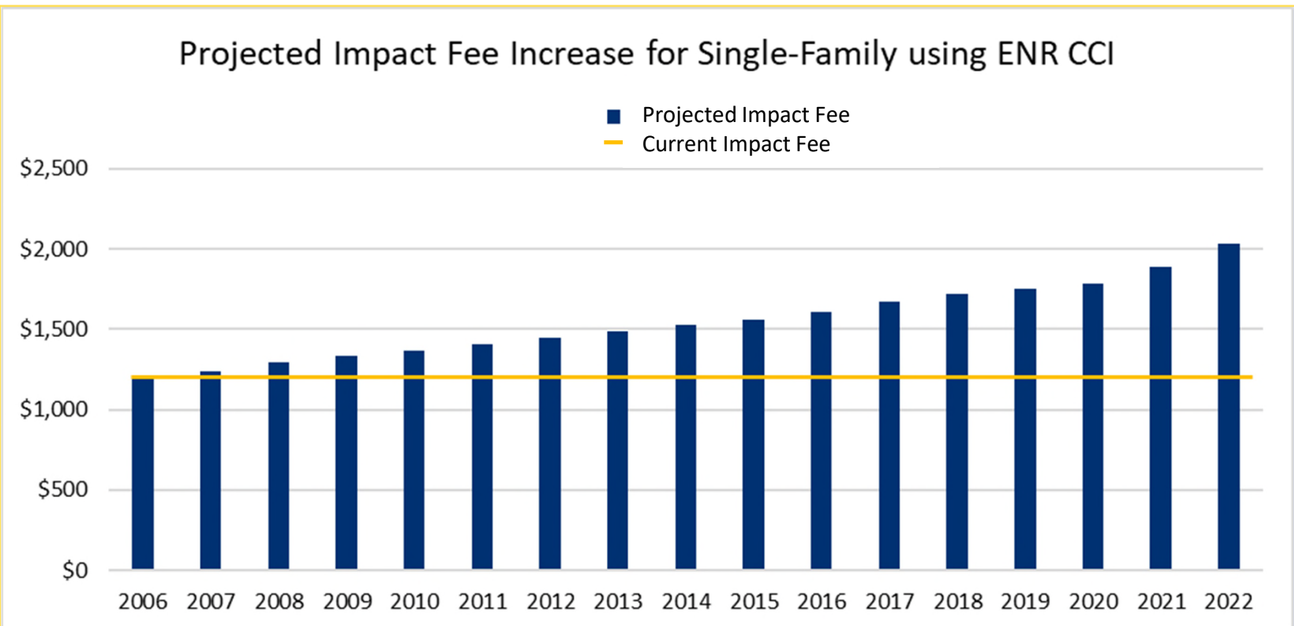
- **Should all impact fees to MPDUs be reduced by a specified percentage amount?**

Recommendation 3 - Feedback

- Public workshop participants and survey respondents had a general consensus of not reducing impact fees by a specific percentage or amount. Responses regarding a full exemption and reducing on a fee-by-fee basis were mixed; some were in favor of reducing the amount, but not a full exemption where others supported a complete exemption. There were two suggestions of using a scale-based system based on affordability. This concept would use the Area Median Income (AMI) to determine the impact fee posed on MPDUs. Comments across the board indicated that affordable housing is a concern for NCC residents, though.

Graduated Fee Increases/ENR Recommendations

- If fees increased using the ENR CCI from 2006 to 2022, increase would be 75%.
- The chart (below) illustrates the increase to the impact fee for a single-family detached unit from the 2006 cost of $1,157 to $2,036 in 2022, if adjusted according to ENR CCI calculations.

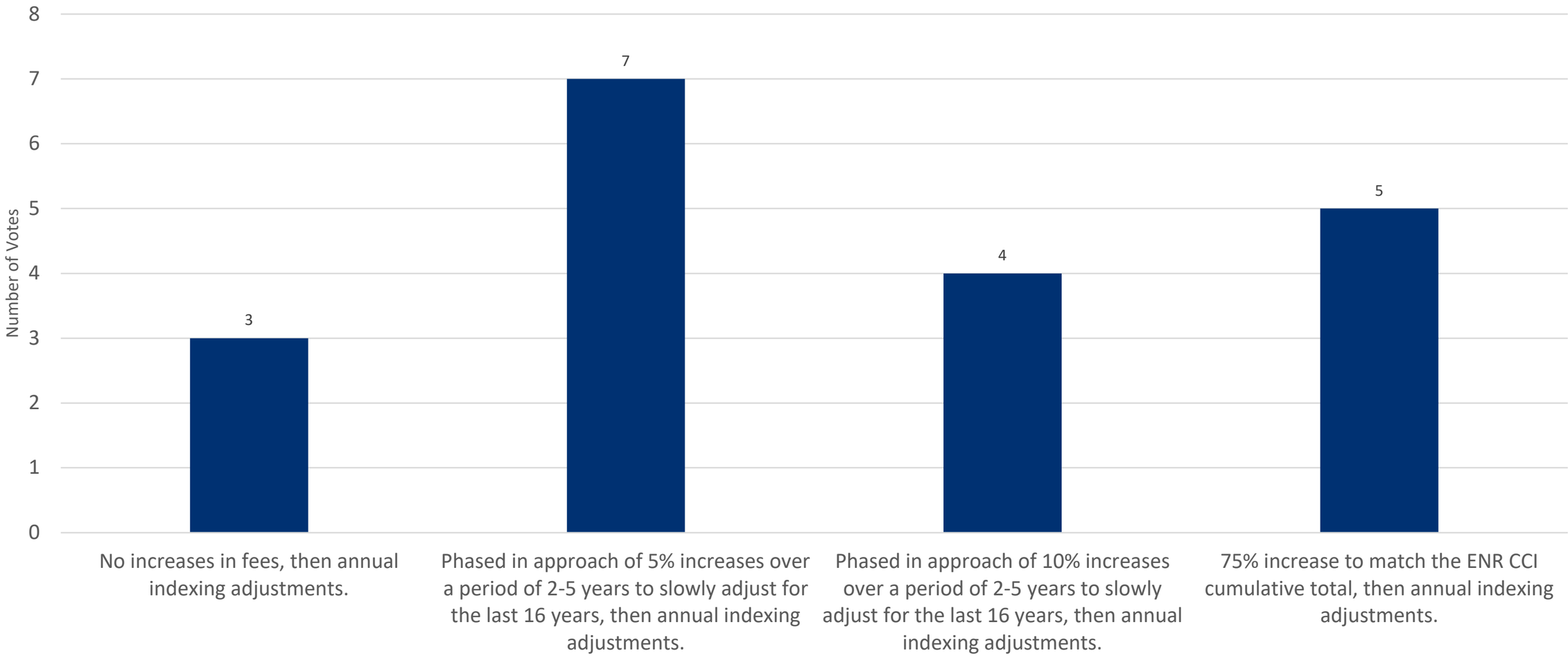


- **Should NCC consider:**
  - **No increases in fees**
  - **No increases in fees, then annual indexing adjustments**
  - **Phased in approach of 5% increases over a period of 2-5 years, then annual indexing adjustments**
  - **Phased in approach of 10% increases over a period of 2-5 years, then annual indexing adjustments**
  - **75% increase to match the ENR CCI cumulative total, then annual indexing adjustments**

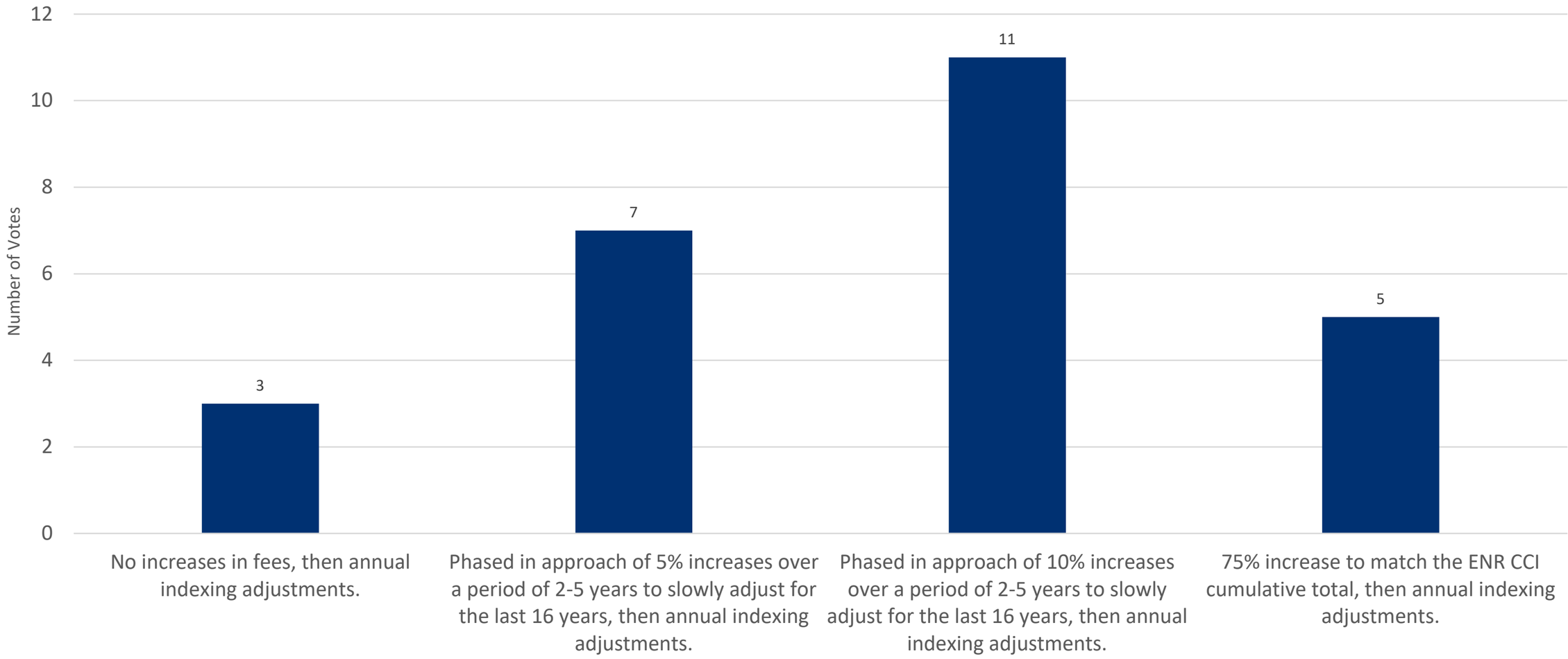
Recommendation 4 - Feedback

- Feedback from the public workshop resulted in the majority of participants in favor of increasing fees with annual indexing adjustments; however, responses on how to approach the fee increases were evenly distributed between the phased approach of 5% over 2-5 years, phased approach of 10% over 2-5 years, and a 75% increase to match the ENR CCI cumulative.

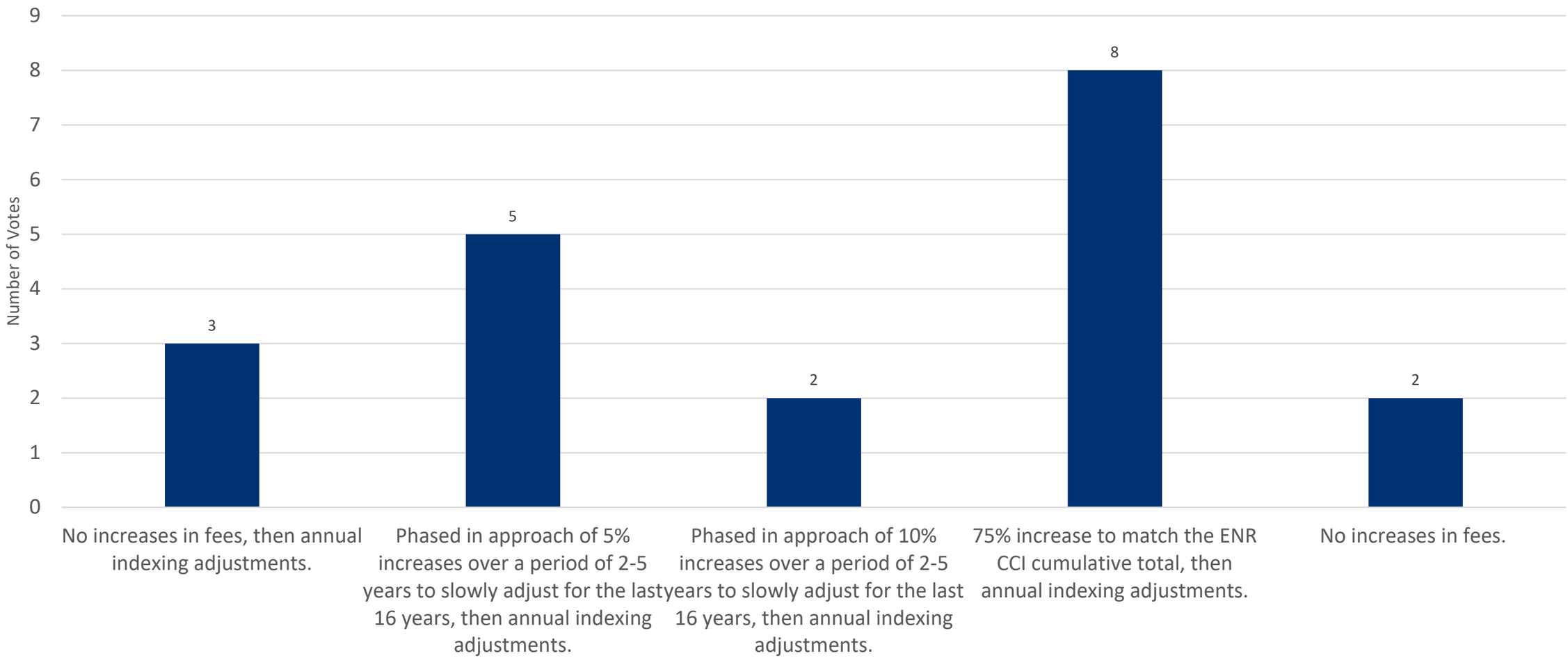
Question #9: Please rank the choices for graduated fee increases from 1 (most preferred) to 5 (least preferred). [#1 Choice]



Question #9: Please rank the choices for graduated fee increases from 1 (most preferred) to 5 (least preferred). [#2 Choice]



Question #9: Please rank the choices for graduated fee increases from 1 (most preferred) to 5 (least preferred). [#3 Choice]



Open Space Fee Creation

- In Fall 2022, NCC Council adopted a resolution to spend $7.5 million over 3 years
  - FY 22 budget has $1.5 million for Agriculture Land Preservation and $1 million for Open Space Preservation
- In NCC, there is an average of 2,000 residential building permits/year and 4 million sf/year of non-residential development
- Assessing Open Space/Land Preservation Impact Fees could provide $750,000 per year
  - 30% of each fiscal year’s funding goal

Proposed Open Space Impact Fee

- **What priorities should be evaluated if NCC were to consider creating an Open Space/Land Preservation Impact Fee?**

RESIDENTIAL Per Housing Unit	Enact
Single-family detached	$ 377
Single-family attached	$ 350
All other housing*	$ 255
NONRESIDENTIAL Per 1,000 Square Feet of Floor Area**	
Commercial/shopping center (less than 60,000 sf. GFA)	$ 62
Commercial/shopping center (60,000 sf. to 200,000 sf. GFA)	$ 48
Commercial/shopping center (greater than 200,000 sf. GFA)	$ 41
Office/institutional (less than 10,000 sf. GFA)	$ 52
Office/institutional (10,000 sf. to 50,000 sf. GFA	$ 74
Office/institutional (greater than 50,000 sf. GFA	$ 70
Business park	$ 60
Light industrial	$ 43
Warehousing	$ 24
Manufacturing	$ 33

Recommendation 5 - Feedback

- Comments received on the evaluation of priorities regarding an Open Space Fee did not provide a clear consensus Some workshop participants and survey respondents stated the Open Space Fee should be included in the Parks Fee or included in parks infrastructure for improvements. Others were against the concept all together.

Redevelopment

- NCC's existing code provides many incentives for redevelopment and brownfields on non-residential uses and sites.
- Including processing plans as minor subdivisions and allowing for additional gross floor area.
    - Redevelopment or brownfield development may repurpose a use that was exempt from or assessed minimal impact fees to a use that would have a much higher demand on services
- A waiver would be appropriate for redevelopment or brownfield development there would be no necessary increase in the capital costs needed to supply services
- Some redevelopment projects will increase the need for capital investments and services that are funded through impact fees.

Redevelopment (continued)

- Should NCC considering a Redevelopment Impact Fee where:
  - Assess a prorated impact fee based on the difference between the historical use and the proposed use.
  - If adopted, the new open space impact fee would be waived since this type of development supports infill and reuse of existing properties
  - Brownfields would be exempted

- **What is your opinion on the Redevelopment Impact Fee, as proposed?**

Recommendation 6 - Feedback

- Feedback received from the public workshop on the implementation of a Redevelopment Fee were also mixed with some respondents in favor and others opposed.

Final Recommendations

For Consideration by NCC Council

1. Implement a surcharge to cover the additional costs associated with development in Levels 3 and 4; NCC will conduct additional research to determine the actual cost of providing services to these areas and will modify proposed percentages accordingly.
2. Add the following new categories to the impact fee table:
   - Multi-use Residential (Apartments, Commercial Apartments, Apartment Conversions)
   - Institutional Uses (private)
   - Commercial Lodging
   - Restaurants
     - The County should consider whether multiple restaurant categories should be broken out to differentiate between fast-food restaurants and sit-down restaurants. Then analysis should be conducted to determine the appropriate fee level that should not be based on the number of cars visiting the facility since this is not a transportation/mobility impact fee, but instead the number of EMS visits and impact on capital infrastructure.

For Consideration by NCC Council

3. Establish a scale-based system based on the home price relative to the AMI.
    - >120% of AMI => 75%
    - 100 – 120% => 50%
    - 80 – 100% => 25%
    - <80% => No fee assessed
4. Consider increasing current Impact Fees in a phased approach of 10% per year for 3 years, then annually adjust the fee for ENR CCI.
5. Further explore the option of an additional impact fee category to fund Open Space as this would align with the County's goal for dedicated Open Space funding.
6. Continue to work with developers to determine if the waiver on impact fees is a deciding factor in redevelopment and/or brownfield development. NCC should also consult with the Public Works Department and Emergency Services to determine actual losses to do upzoning redevelopment cases.