



NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

November 26, 2024
6:30 PM

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

AGENDA

A. Call to Order

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

B. Approval of Minutes

C. Announcements

D. Introduction of Ordinances

°24-173: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 14 ("FINANCE AND TAXATION"), ARTICLE 6 ("EXEMPTION FROM REAL PROPERTY TAXATION"), SECTIONS 14.06.302 ("QUALIFICATIONS FOR AND AMOUNT OF ELDERLY EXEMPTION"), 14.06.303 ("QUALIFICATIONS FOR AND AMOUNT OF DISABILITY EXEMPTION"), 14.06.901 ("LANDFILL EXEMPTION"), AND 14.06.1103 ("FILING FREQUENCY"); AND CHAPTER 38 ("UTILITIES"), ARTICLE 2 ("SEWERS AND SEWAGE DISPOSAL"), SECTION 38.02.505 ("ESTIMATED EDU CHARGES AND MEASUREMENT OF WATER FOR CONSUMPTION CHARGES") REGARDING EXEMPTIONS

Prime Sponsor(s): Mr. Smiley

°24-174: AMEND THE GRANTS BUDGET: APPROPRIATE \$147,509.12 IN ACTUAL PROGRAM INCOME AND \$150,000.00 IN ANTICIPATED PROGRAM INCOME TO THE SUMMER RECREATION CAMPS GRANT

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

°24-175: AMEND THE GRANTS BUDGET: APPROPRIATE ANTICIPATED FEDERAL FUNDS OF \$18,917,337 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO THE SECTION 8 HOUSING CHOICE VOUCHERS – 2025 GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING

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

°24-176: AMEND THE GRANTS BUDGET: APPROPRIATE ANTICIPATED ADDITIONAL FEDERAL FUNDS OF \$615,000.00 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO THE EMERGENCY HOUSING CHOICE VOUCHERS GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING

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

°24-177: TO AMEND THE PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 35-HOUR WORKWEEK EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607 AND TO ADOPT NEW AND AMEND CLASS SPECIFICATIONS FOR LAND USE RELATED POSITIONS

Prime Sponsor(s): Ms. Williams-Johns

°24-178 TO PROVIDE FOR THE INSTALLATION OF ARLINGTON STREET LIGHTS WITH LIGHT EMITTING DIODE (LED) BULBS (70 WATT EQUIVALENT) AND 8' POLE IN THE FOULKSTONE SUBDIVISION LOCATED IN THE BRANDYWINE HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS

Prime Sponsor(s): Ms. Durham

E. Reports from Select and Special Committees

F. Consent Calendar

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

G. Presentations

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

I. Consideration of Ordinances

°24-043: COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 11 REGARDING THE FOLLOWING TAX PARCELS: PENCADER HUNDRED: 11-014.00-044 (904 OLD BALTIMORE PIKE, DAYETT MILLS INC), 11-014.00-045 (2029 SUNSET LAKE RD), 11-018.00-012 (0 EGGERTS LN), 11-018.00-060 (0 OLD COOCHS BRIDGE RD, GLASGOW COMMONS), 11-018.00-061 (2001 OLD COOCHS BRIDGE RD, GLASGOW COMMONS), 11-018.00-062 (0 DUSK RUN RD, GLASGOW COMMONS), 11-022.00-014 (2199 PULASKI HWY, GLASGOW REGIONAL PARK), 11-022.00-016 (0 DUSK RUN RD, GLASGOW COMMONS), 11-032.00-001 (210 BENJAMIN BLVD), 11-032.00-259 (209 BENJAMIN BLVD); WHITE CLAY CREEK HUNDRED: 09-029.00-003 (39 E REGAL BLVD), 09-029.00-015 (0 CHAPMAN RD)

Prime Sponsor(s): Mr. Tackett

J. Time Sensitive Congratulatory/Honorary Resolutions

K. Introduction/Consideration of Emergency Ordinances

L. Public Comment/Other

M. Motion to Adjourn

AGENDA POSTED: November 19, 2024

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

**Under Title 29, Section 10006A of *Delaware Code*, New Castle County Council is holding this meeting as a

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

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

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

ORDINANCE NO. 24-173

TO AMEND NEW CASTLE COUNTY CODE CHAPTER 14 ("FINANCE AND TAXATION"), ARTICLE 6 ("EXEMPTION FROM REAL PROPERTY TAXATION"), SECTIONS 14.06.302 ("QUALIFICATIONS FOR AND AMOUNT OF ELDERLY EXEMPTION"), 14.06.303 ("QUALIFICATIONS FOR AND AMOUNT OF DISABILITY EXEMPTION"), 14.06.901 ("LANDFILL EXEMPTION"), AND 14.06.1103 ("FILING FREQUENCY"); AND CHAPTER 38 ("UTILITIES"), ARTICLE 2 ("SEWERS AND SEWAGE DISPOSAL"), SECTION 38.02.505 ("ESTIMATED EDU CHARGES AND MEASUREMENT OF WATER FOR CONSUMPTION CHARGES") REGARDING EXEMPTIONS

1 **WHEREAS**, County Council wishes to ensure that senior citizens and residents
2 with disabilities are able to remain in their homes by offering benefits, including access to
3 and eligibility for property tax exemptions, to qualified members of those populations; and
4

5 **WHEREAS**, the most recent increase to the income eligibility limit for the elderly
6 property tax exemption was approved by County Council via Ordinance 04-155 on
7 November 16, 2004, and the most recent increase to the income eligibility limit for the
8 disability property tax exemption was approved by County Council via Ordinance 03-021
9 on March 25, 2003; and
10

11 **WHEREAS**, it appears to County Council that, based on rising inflation, the current
12 income eligibility limits applicable to Sections 14.06.302 ("Qualifications for and amount of
13 elderly exemption") and 14.06.303 ("Qualifications for and amount of disability exemption")
14 are too low and incompatible with the property tax exemptions' purposes of providing
15 elderly and disabled County residents with property tax relief; and
16

17 **WHEREAS**, New Castle County is currently undergoing a countywide
18 reassessment of property values that will have all properties assessed at their July 1, 2024
19 fair market value, which will render the current allowable assessment exemptions relating
20 to the elderly and disability property tax exemptions too low and incompatible with the
21 exemptions' purposes; and
22

23 **WHEREAS**, Tyler Technologies, New Castle County's vendor performing the
24 reassessment, currently calculates that the new total residential assessed value based on
25 2024 values will increase by 440.95% over the current total residential assessed value
26 based on 1983 values; and
27

28 **WHEREAS**, County Council has concluded that it is in the interest of all residents
29 of New Castle County to extend the benefits of both the elderly exemption and the disability
30 exemption to those residents who would not qualify under existing income eligibility
31 criteria, as well as to increase the amount of both exemptions for County tax purposes;
32 and

33 **WHEREAS**, 14 Del. C. § 1902(a)(3) exempts from school tax any property that
34 receives an exemption pursuant to a County property tax exemption that existed as of
35 January 1, 1998; and

36
37 **WHEREAS**, as of January 1, 1998, County property tax exemptions existed for the
38 elderly, disabled and disabled veterans such that a property owner who meets those
39 requirements is entitled to an exemption from school taxes, and the County has continued
40 to recognize such exemptions from school taxes; and

41
42 **WHEREAS**, it is the intent of County Council to preserve exemptions for school tax
43 purposes based on County law as it existed as of January 1, 1998 and to create fair and
44 equivalent exemptions for County tax purposes based upon updated income and
45 assessed property value amounts and residency requirements; and

46
47 **WHEREAS**, it is the intent of County Council that any person currently approved
48 for an elderly or disabled exemption need not submit a new application but shall receive
49 an increase in the amount of the exemption as established by this Ordinance; and

50
51 **WHEREAS**, the change to the eligibility requirements for elderly property tax
52 exemptions necessitates changes to the requirements for sewer fee reductions based on
53 elderly exemptions; and

54
55 **WHEREAS**, in addition, the current countywide reassessment of property values
56 will take into consideration the location of properties relative to the site of the former Pigeon
57 Point Landfill, such that County Council finds it necessary to remove Section 14.06.901
58 ("Landfill exemption") as unnecessary based on the reassessment once effective for the
59 fiscal year beginning on July 1, 2025.

60
61 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**

62
63 **Section 1.** Section 14.06.302 of the *New Castle County Code* is hereby amended
64 by adding the material that is underscored and deleting the material that is stricken, as set
65 forth below:

66
67 **Sec. 14.06.302. - Qualifications for and amount of elderly exemption.**

68
69 ~~A. Elderly exemption for those making application on or before tax year 2007:~~

- 70
71 ~~1. Qualifications. Every resident who is sixty-five (65) or more years of age~~
72 ~~and who has reached that age prior to July 1st of the fiscal year for which~~
73 ~~the exemption is sought and who or whose spouse resides in a house~~
74 ~~owned by him or her that is his or her principal residence shall be entitled~~
75 ~~to an exemption as set forth in Subsection B. provided his or her income~~
76 ~~does not exceed fifty thousand dollars (\$50,000.00) per year or, in the case~~
77 ~~of a married couple the combined income of the two (2) of them does not~~
78 ~~exceed fifty thousand dollars (\$50,000.00) per year. No application under~~
79 ~~this Subsection shall be approved unless, at the time of the approval~~

thereof, all taxes and sewer service charges then due to or collectible by New Castle County have been paid in full.

~~2. Amount of elderly exemption. An elderly resident who meets the qualifications set forth in Subsection A. shall be entitled to an exemption from all real property taxes, exclusive of any local light and ditch taxes, to an assessed value of fifty thousand dollars (\$50,000.00) on such principal residence.~~

~~B. Elderly exemption for those making application on or after tax year 2008 but prior to tax year 2019:~~

~~1. Qualifications. Every resident who is sixty-five (65) or more years of age and who has reached that age prior to July 1st of the fiscal year for which the exemption is sought and who or whose spouse resides in a house owned by him or her that is his or her principal residence shall be entitled to an exemption as set forth in Subsection 2. provided his or her income does not exceed fifty thousand dollars (\$50,000.00) per year, or in the case of a married couple the combined income of the two (2) of them does not exceed fifty thousand dollars (\$50,000.00) per year; and further provided that the assessed value of the property does not exceed one hundred twenty-five thousand dollars (\$125,000.00). For those whose assessed property value exceeds one hundred twenty-five thousand dollars (\$125,000.00), the State senior property tax exemption for those with incomes not in excess of three thousand dollars (\$3,000.00) shall apply. No application under this Subsection shall be approved unless, at the time of the approval thereof, all taxes and sewer service charges then due to or collectible by New Castle County have been paid in full. A resident shall be defined as one legally domiciled within the state for a period of three (3) years immediately preceding October of the pretax year, as set forth in 9 Del. C. Ch. 81 (Limitations upon taxing power).~~

~~2. Amount of elderly exemption.~~

~~a. A resident who is sixty-five (65) years of age who meets the qualifications set forth in Subsection B., and whose property is not assessed at more than one hundred twenty-five thousand dollars (\$125,000.00), shall be entitled to an exemption from all real property taxes, exclusive of any local light and ditch taxes, to an assessed value of thirty-two thousand dollars (\$32,000.00) on such principal residence.~~

~~b. An elderly resident whose property has an assessed value which exceeds one hundred twenty-five thousand dollars (\$125,000.00), but whose income does not exceed three thousand dollars (\$3,000.00) per year shall be entitled, on proper claim being made therefore, to exemption from taxation on such real property to an assessed valuation not exceeding five thousand dollars (\$5,000.00) as set forth in 9 Del. C. § 8131.~~

- 129 3. ~~No application under this Subsection shall be approved unless, at the time~~
130 ~~of the approval thereof, all taxes and sewer service charges then due to or~~
131 ~~collectible by New Castle County have been paid in full, or the applicant is~~
132 ~~actively enrolled and making monthly payments of any tax or sewer service~~
133 ~~charges due to or collectible by New Castle County as determined by the~~
134 ~~Office of Finance at the time of the application.~~

135
136 ~~C. *Elderly exemption for those making application for or after tax year 2019:*~~
137

- 138 1. ~~*Qualifications.* Every resident who is at least sixty-five (65) years of age~~
139 ~~and who has reached that age prior to July 1 of the fiscal year for which the~~
140 ~~exemption is sought and who or whose spouse resides in a house owned~~
141 ~~by him or her that is his or her principal residence shall be entitled to an~~
142 ~~exemption in an amount as set forth in Subsection 2., provided his or her~~
143 ~~income does not exceed fifty thousand dollars (\$50,000.00) per year, or in~~
144 ~~the case of a married couple the combined income of the two (2) spouses~~
145 ~~does not exceed fifty thousand dollars (\$50,000.00) per year; and further~~
146 ~~provided that the assessed value of the property does not exceed one~~
147 ~~hundred twenty-five thousand dollars (\$125,000.00). For those whose~~
148 ~~assessed property value exceeds one hundred twenty-five thousand~~
149 ~~dollars (\$125,000.00), the State senior property tax exemption for those~~
150 ~~with an income not in excess of three thousand dollars (\$3,000.00) shall~~
151 ~~apply. A "resident" is defined for purposes of Subsection C. as a person~~
152 ~~who has been legally domiciled within the State of Delaware for a period of~~
153 ~~ten (10) consecutive years immediately preceding October 1 of the pretax~~
154 ~~year, as defined in 9 Del. C. Ch. 81.~~

155
156 2. ~~*Amount of elderly exemption.*~~
157

- 158 a. ~~A resident who is at least sixty-five (65) years of age who meets the~~
159 ~~qualifications set forth in Subsection C., and whose property is not~~
160 ~~assessed at more than one hundred twenty-five thousand dollars~~
161 ~~(\$125,000.00), shall be entitled to an exemption from all real property~~
162 ~~taxes, exclusive of any local light and ditch taxes, to an assessed value~~
163 ~~of thirty-two thousand dollars (\$32,000.00) on such principal residence.~~
164
165 b. ~~An elderly resident whose property has an assessed value that exceeds~~
166 ~~one hundred twenty-five thousand dollars (\$125,000.00), but whose~~
167 ~~income does not exceed three thousand dollars (\$3,000.00) per year~~
168 ~~shall be entitled, on proper claim being made therefor, to exemption~~
169 ~~from taxation on such real property to an assessed valuation not~~
170 ~~exceeding five thousand dollars (\$5,000.00) in the aggregate as set~~
171 ~~forth and subject to the limitations set forth in 9 Del. C. § 8132.~~
172
173 3. ~~No application under Subsection C. shall be approved unless, at the time~~
174 ~~of such approval, all taxes and sewer service charges then due to or~~
175 ~~collectible by New Castle County have been paid in full, or the applicant is~~
176 ~~actively enrolled and timely making monthly payments of any and all tax~~

177 and sewer service charges due to or collectible by New Castle County, as
178 determined by the Office of Finance.
179

- 180 ~~4. *Exemption may be forfeited.* For any elderly exemption approved pursuant~~
181 ~~to Subsection C., if the applicant fails to remain current on payment of any~~
182 ~~taxes or sewer service charges in accordance with and for the duration of~~
183 ~~any agreement between New Castle County and the applicant, at the~~
184 ~~discretion of the Office of Finance the exemption shall be treated as having~~
185 ~~been forfeited by the applicant.~~
186

187 A. *County tax elderly exemption.* A person is entitled to an elderly exemption
188 from County property taxes, not to exceed one hundred seventy-three
189 thousand dollars (\$173,000) of the assessed value of real property owned by
190 the person, if:
191

- 192 1. The person was approved for an elderly exemption established by County
193 Code for a fiscal year before fiscal year 2026; or
194

- 195 2. The person meets all of the following:
196

197 a. On or before June 1 of the year for which exemption is sought, the
198 person submits to the Assessment Division an application on the
199 prescribed form.
200

201 b. The person is sixty-five (65) years of age or older before July 1 of the
202 year for which exemption is sought.
203

204 c. The house on the real property is the principal residence of the person
205 or the person's spouse.
206

207 d. The assessed value of the real property does not exceed six hundred
208 seventy-six thousand dollars (\$676,000).
209

210 e. The person's income does not exceed sixty-five thousand dollars
211 (\$65,000) per year or, if the person is married, the combined income of
212 the person and the person's spouse does not exceed sixty-five
213 thousand dollars (\$65,000) per year.
214

215 i. A person's "income" is calculated as defined under Section
216 14.06.301.
217

218 f. The person is a resident as defined under Section 14.06.301 and has
219 been legally domiciled within the State of Delaware for a period of ten
220 (10) consecutive years before July 1 of the year for which exemption is
221 sought.
222

223 g. The person either does not owe any taxes or sewer service charges
224 collectible by New Castle County or is enrolled in an approved payment

plan and has timely paid all payments and continues to do so until the payment plan is complete.

B. School tax elderly exemption based on New Castle County elderly exemption that was effective as of January 1, 1998. A person is entitled to an elderly exemption from school taxes, not exceeding thirty-two thousand dollars (\$32,000) of the assessed value of real property owned by the person, if:

1. The person was approved for an elderly exemption established by County Code as of January 1, 1998 for a fiscal year before fiscal year 2026; or

2. The person meets all of the following:

a. On or before June 1 of the year for which exemption is sought, the person submits to the Assessment Division an application on the prescribed form.

b. The person is sixty-five (65) years of age or older before July 1 of the year for which exemption is sought.

c. The person is a resident as defined in Section 14.06.301.

d. The person or the person's spouse resides in the house on the real property, or the person lives in a health care facility because of a mental or physical infirmity.

e. The person's income does not exceed fifteen thousand dollars (\$15,000) per year or, if the person is married, the combined income of the person and the person's spouse does not exceed nineteen thousand dollars (\$19,000) per year.

i. A person's "income" is calculated as defined under Section 14.06.301.

f. The person holds record title to the property, or the person conveyed the property directly to the trustee of a revocable trust, of which the person is the beneficiary.

C. In lieu of an elderly exemption under Subsections A. or B., a person may seek a State elderly exemption pursuant to 9 Del. C. ch. 81, subch. II.

D. A person may receive a County tax elderly exemption not exceeding one hundred seventy-three thousand dollars (\$173,000) of the assessed value of real property under Subsection A. and a school tax elderly exemption not exceeding thirty-two thousand dollars (\$32,000) of the assessed value of real property under Subsection B.

E. Exemption may be forfeited. For any exemption approved pursuant to Subsection A., if the person making the application fails to remain current on

273 payment of any taxes or sewer service charges in accordance with and for the
274 duration of any agreement between New Castle County and the person, at the
275 discretion of the Office of Finance the exemption shall be treated as having
276 been forfeited by the person.

277
278 F.D. Continuation of elderly exemption upon death. Notwithstanding Regardless
279 of whether the elderly exemption was approved pursuant to Section
280 14.06.302 A., B., or C., and notwithstanding Section 14.06.305, upon death
281 the Section 14.06.302 A. elderly exemption shall remain in effect for the entire
282 fiscal year, so long as the person making the application applicant or their the
283 spouse remains in the house on the real property parcel as their principal
284 residence for which the exemption was granted.

285
286 G.E. Transfer of elderly exemption. If ~~Regardless of whether the elderly exemption~~
287 ~~was approved pursuant to Section 14.06.302 A., B., or C., if a person resident~~
288 who qualifies for the Section 14.06.302 A. elderly exemption transfers his or
289 her property for which the exemption was granted and acquires a new property
290 (which is the principal residence), the person resident may transfer his or her
291 exemption to the new residence upon the submission of a new application for
292 exemption, accompanied by proper documentation of such transfer.

293
294 **Section 2.** Section 14.06.303 of the *New Castle County Code* is hereby amended
295 by adding the material that is underscored and deleting the material that is stricken, as set
296 forth below:

297
298 **Sec. 14.06.303. - Qualifications for and amount of disability exemption.**

299
300 ~~A. Disability exemption for those making application on or before tax year 2007:~~

301
302 ~~1. Qualifications. Every resident who is disabled, as defined by Section~~
303 ~~14.06.301, and who has become disabled prior to July 1st of the fiscal year~~
304 ~~for which the exemption is sought and who or whose spouse resides in a~~
305 ~~house owned by him or her that is his or her principal residence shall be~~
306 ~~entitled to an exemption from all real property taxes, exclusive of any local~~
307 ~~light and ditch taxes, to an assessed value not exceeding forty thousand~~
308 ~~dollars (\$40,000.00), providing his or her income does not exceed forty~~
309 ~~thousand dollars (\$40,000.00) per year or, in the case of a married couple,~~
310 ~~the combined income of the two (2) of them does not exceed forty thousand~~
311 ~~(\$40,000.00) per year. No application under this Subsection or Section~~
312 ~~14.06.304 shall be approved unless, at the time of the approval thereof, all~~
313 ~~taxes and sewer service charges then due to or collectible by New Castle~~
314 ~~County have been paid in full.~~

315
316 ~~2. Amount of disability exemption. A person who is disabled as defined by~~
317 ~~Section 14.06.301 and who meets the requirements prescribed in~~
318 ~~Subsection A. shall be entitled to an additional exemption from all real~~
319 ~~property taxes, exclusive of any local light and ditch taxes, to an assessed~~
320 ~~valuation not exceeding forty-two thousand dollars (\$42,000.00), provided~~
321 ~~his or her disability is due to the loss or loss of the use of both lower~~

extremities or both upper extremities or both an upper and lower extremity such as to preclude locomotion without the aid of a brace, crutch, cane, or wheelchair and such as to require a home with special fixtures.

~~B. Disability exemptions for those making application on or after tax year 2008 but prior to tax year 2019:~~

~~1. Qualifications. Every resident who is disabled, as defined by Section 14.06.301, and who has become disabled prior to July 1st of the fiscal year for which the exemption is sought and who or whose spouse resides in a house owned by him or her that is his or her principal residence shall be entitled to an exemption from all real property taxes, exclusive of any local light and ditch taxes, to an assessed value not exceeding thirty-two thousand dollars (\$32,000.00), provided his or her income does not exceed fifty thousand dollars (\$50,000.00) per year or, in the case of a married couple the combined income of the two (2) of them does not exceed fifty thousand dollars (\$50,000.00) per year. No application under this Section or Section 14.06.304 shall be approved unless, at the time of the approval thereof, all taxes and sewer service charges then due to or collectible by New Castle County have been paid in full. A resident shall be defined as one domiciled within the State for a period of three (3) years immediately preceding October of the pretax year, as set forth in 9 Del. C. Ch. 81 (Limitations upon taxing power). The durational residency requirement shall be waived for an applicant who is totally and permanently disabled, who incurred his or her disability as a result of, and while in, the service of the United States armed services, and who has been honorably discharged. The waiver applicant shall, at the time of written application, provide documentation of total and permanent service-connected disability and of honorable discharge, as stated herein.~~

~~2. Amount of disability exemption. A person who is disabled as defined by Section 14.06.301 and who meets the requirements prescribed in Subsection A. shall be entitled to an additional exemption from all real property taxes, exclusive of any local light and ditch taxes, to an assessed valuation not exceeding forty-two thousand dollars (\$42,000.00), provided his or her disability is due to the loss or loss of the use of both lower extremities or both upper extremities or both an upper and lower extremity such as to preclude locomotion without the aid of a brace, crutch, cane, or wheelchair and such as to require a home with special fixtures.~~

~~3. No application under this Subsection or Section 14.06.304 shall be approved unless, at the time of the approval thereof, all taxes and sewer service charges then due to or collectible by New Castle County have been paid in full, or the applicant is actively enrolled and making monthly payments of any tax or sewer charges due to or collectible by New Castle County as determined by the Office of Finance at the time of the application.~~

~~C. Disability exemption for those making application for or after tax year 2019:~~

371 ~~1. *Qualifications.* Every resident who is disabled, as defined by Section~~
372 ~~14.06.301, and who became disabled prior to July 1 of the fiscal year for~~
373 ~~which the exemption is sought and who or whose spouse resides in a house~~
374 ~~owned by him or her that is his or her principal residence shall be entitled~~
375 ~~to an exemption from all real property taxes, exclusive of any local light and~~
376 ~~ditch taxes, to an assessed value not exceeding thirty-two thousand dollars~~
377 ~~(\$32,000.00), provided his or her income does not exceed fifty thousand~~
378 ~~dollars (\$50,000.00) per year, or in the case of a married couple the~~
379 ~~combined income of the two (2) spouses does not exceed fifty thousand~~
380 ~~dollars (\$50,000.00) per year. A "resident" is defined for purposes of~~
381 ~~Subsection C. as a person who has been legally domiciled within the State~~
382 ~~for a period of ten (10) consecutive years immediately preceding October~~
383 ~~1 of the pretax year, as defined in 9 Del. C. Ch. 81. The durational~~
384 ~~residency requirement shall be waived for an applicant who is totally and~~
385 ~~permanently disabled, who incurred his or her disability as a result of, and~~
386 ~~while in, the service of the United States armed services, and who has been~~
387 ~~honorably discharged. The waiver applicant shall, at the time of written~~
388 ~~application, provide documentation of total and permanent service-~~
389 ~~connected disability and of honorable discharge, as stated herein.~~

391 ~~2. *Amount of disability exemption.* A resident who is disabled as defined~~
392 ~~by Section 14.06.301 and who meets the qualifications set forth in~~
393 ~~Subsection C. shall be entitled to an additional exemption from all real~~
394 ~~property taxes, exclusive of any local light and ditch taxes, to an assessed~~
395 ~~valuation not exceeding forty-two thousand dollars (\$42,000.00) on such~~
396 ~~principal residence, provided his or her disability is due to the loss or loss~~
397 ~~of the use of both lower extremities or both upper extremities or both an~~
398 ~~upper and lower extremity such as to preclude locomotion without the aid~~
399 ~~of a brace, crutch, cane, or wheelchair and such as to require a home with~~
400 ~~special fixtures.~~

402 ~~3. No application under Subsection C. or Section 14.06.304 shall be approved~~
403 ~~unless, at the time of the approval thereof, all taxes and sewer service~~
404 ~~charges then due to or collectible by New Castle County have been paid in~~
405 ~~full, or the applicant is actively enrolled and timely making monthly~~
406 ~~payments of any tax or sewer service charges due to or collectible by New~~
407 ~~Castle County, as determined by the Office of Finance.~~

409 ~~4. *Exemption may be forfeited.* For any disability exemption approved~~
410 ~~pursuant to Subsection C., if the applicant fails to remain current on~~
411 ~~payment of any and all taxes or sewer service charges in accordance with~~
412 ~~and for the duration of any agreement between New Castle County and the~~
413 ~~applicant, at the discretion of the Office of Finance the exemption shall be~~
414 ~~treated as having been forfeited by the applicant.~~

416 A. *County tax disability exemption.* A person is entitled to a disability exemption
417 of County property taxes, not exceeding one hundred seventy-three thousand

dollars (\$173,000) of the assessed value of real property owned by the person, if:

1. The person was approved for a disability exemption established by County Code for a fiscal year before fiscal year 2026; or

2. The person meets all of the following:

a. On or before June 1 of the year for which exemption is sought, the person submits to the Assessment Division an application on the prescribed form.

b. The person is disabled as defined by Section 14.06.301 and became disabled before July 1 of the year for which exemption is sought.

c. The house on the real property is the principal residence of the person or the person's spouse.

d. The person's income does not exceed sixty-five thousand dollars (\$65,000) per year or, if the person is married, the combined income of the person and the person's spouse does not exceed sixty-five thousand dollars (\$65,000) per year.

i. A person's "income" is calculated as defined under Section 14.06.301.

e. The person is a resident as defined under Section 14.06.301 and has been legally domiciled within the State of Delaware for a period of ten (10) consecutive years as of July 1 of the year before the year for which exemption is sought.

i. This durational residency requirement shall be waived for a person who is totally and permanently disabled, who incurred his or her disability as a result of, and while in, the service of the United States armed services, who has been honorably discharged, and who provides documentation of the foregoing when submitting the application.

f. The person either does not owe any taxes or sewer service charges collectible by New Castle County or is enrolled in an approved payment plan and has timely paid all payments and continues to do so until the payment plan is complete.

B. Additional County tax disability exemption. A person is entitled to an additional County tax disability exemption not exceeding two hundred twenty-seven thousand dollars (\$227,000) of the assessed value of real property owned by the person if:

464 1. The person was approved for an additional disability exemption established
465 by County Code for a fiscal year before fiscal year 2026; or

466 2. The person meets all of the following:

467 a. The person meets the qualifications for a County tax disability
468 exemption set forth in Subsection A; and

469 b. The person's disability is due to the loss or loss of the use of both lower
470 extremities or both upper extremities or both an upper and lower
471 extremity which precludes locomotion without the aid of a brace, crutch,
472 cane, or wheelchair and requires a home with special fixtures.

473 C. School tax disability exemption based on New Castle County disability
474 exemption that was effective as of January 1, 1998. A person is entitled to a
475 disability exemption from school taxes not exceeding thirty-two thousand
476 dollars (\$32,000) of the assessed value of real property owned by the person
477 if:

478
479 1. The person was approved for a disability exemption established by County
480 Code as of January 1, 1998 for a fiscal year before fiscal year 2026; or

481
482 2. The person meets all of the following:

483
484 a. On or before June 1 of the year for which exemption is sought, the
485 person submits to the Assessment Division an application on the
486 prescribed form.

487
488 b. The person is disabled, as defined by Section 14.06.301, and became
489 disabled before July 1 of the year for which exemption is sought.

490
491 c. The person is a resident as defined in Section 14.06.301.

492
493 d. The person or the person's spouse resides in the house on the real
494 property, or the person lives in a health care facility because of a mental
495 or physical infirmity.

496
497 e. The person's income does not exceed fifteen thousand dollars
498 (\$15,000) per year or, if the person is married, the combined income of
499 the person and the person's spouse does not exceed nineteen thousand
500 dollars (\$19,000) per year.

501
502 i. A person's "income" is calculated as defined under Section
503 14.06.301.

504
505 D. Additional school tax disability exemption based on New Castle County
506 disability exemption that was effective as of January 1, 1998. A person is
507 entitled to an additional school tax disability exemption not exceeding forty-two

thousand dollars (\$42,000) of the assessed value of real property owned by the person if:

1. The person was approved for an additional disability exemption established by County Code as of January 1, 1998 for a fiscal year before fiscal year 2026; or

2. The person meets all of the following:

a. The person meets the qualifications for a school tax disability exemption set forth in Subsection C; and

b. The person's disability is due to the loss or loss of the use of both lower extremities or both upper extremities or both an upper and lower extremity which precludes locomotion without the aid of a brace, crutch, cane, or wheelchair and requires a home with special fixtures.

E. A person may receive a County tax disability exemption, an additional County tax disability exemption, a school tax disability exemption, an additional school tax disability exemption pursuant to this Section, and a disabled veteran's exemption pursuant to Section 14.06.304.

F. Exemption may be forfeited. The Office of Finance may treat any exemption approved pursuant to Subsections A. or B. as having been forfeited by the person making the application if the person fails to remain current on payment of any taxes or sewer service charges in accordance with and for the duration of any agreement between New Castle County and the person.

~~G. D. Continuation of disability exemption upon death. Notwithstanding~~ Regardless of whether the disability exemption was approved pursuant to Section 14.06.303 A., B. or C., and notwithstanding Section 14.06.305, upon death the upon death, any disability exemption approved pursuant to Subsections A. or B. shall remain in effect for the entire fiscal year, so long as the person making the application applicant or their spouse remains in the house on the real property as their parcel which is the principal residence for which the exemption was granted.

~~H. E. Transfer of disability exemption. If~~ Regardless of whether the disability exemption was approved pursuant to Subsections 14.06.303 A., B., or C., if a person resident who qualifies for the disability exemption pursuant to Subsection A. or B. transfers his or her property for which the exemption was granted and acquires a new property (which is the principal residence), the person resident may transfer his or her exemption to the new residence upon the submission of a new application for exemption, accompanied by proper documentation of such transfer.

Section 3. Section 14.06.901 of the *New Castle County Code* is hereby amended by deleting the material that is stricken, as set forth below:

555 **Sec. 14.06.901. -- Landfill exemption.**

556
557 ~~Any person owning a parcel of land, any part of which is located south of that part~~
558 ~~of the City of Wilmington-New Castle County boundary lying east of New Castle Avenue~~
559 ~~(Delaware Route No. 9), and north of Interstate 295 and U.S. Route 40, upon which~~
560 ~~parcel is located the principal residence of said owner, shall receive an exemption from~~
561 ~~all real property taxation of twenty (20) percent of said parcel's assessed valuation.~~

562
563 **Section 4.** Section 14.06.1103 of the *New Castle County Code* is hereby amended
564 by adding the material that is underscored and deleting the material that is stricken, as set
565 forth below:

566
567 **Sec. 14.06.1103. - Filing frequency.**

568
569 A. A completed application for exemption pursuant to Divisions 14.06.100 and
570 14.06.700 of this Article pertaining to charitable, religious and educational
571 property, and cemetery property, respectively, or specific organizations
572 enumerated in Title 9, Chapter 81, Section 8106A of the Delaware Code must
573 be filed with the Assessment Division on forms prescribed by the Office of
574 Finance ~~by March 1 of the fiscal year immediately preceding the fiscal year for~~
575 ~~which the exemption is sought. If an owner acquires property after March 1, the~~
576 ~~owner shall apply for an exemption within thirty (30) days of its acquisition of the~~
577 ~~property. Once an exemption for a parcel or part thereof has been granted, no~~
578 ~~annual application for such parcel need be filed.~~

579
580 B. Applications for exemption pursuant to Division 14.06.300, relating to ~~over sixty-~~
581 ~~five (65) the elderly~~, disability and disabled veteran's disability exemptions, must
582 be filed with the Assessment Division on forms prescribed by the Office of
583 Finance. The applications must be filed on or before June 1st of the fiscal year
584 immediately preceding the fiscal year for which an exemption is sought for the
585 full year's exemption from County and school taxes. If an owner acquires
586 property after June 1, the owner shall apply for an exemption within thirty (30)
587 days from the issuance of an assessment change notice. The assessment
588 change notice shall state that the owner has thirty (30) days within which to
589 apply for the exemption. If the exemption eligibility criteria are met, the
590 exemption shall be granted as of the effective date of the assessment change
591 notice. Once an exemption for a parcel has been granted, no annual application
592 for such parcel need be filed.

593
594 **Section 5.** Section 38.02.505 of the *New Castle County Code* is hereby amended
595 by adding the material that is underscored and deleting the material that is stricken, as set
596 forth below:

597
598 **Sec. 38.02.505. - Estimated EDU charges and measurement of water for**
599 **consumption charges.**

600
601 F. Users receiving a ~~sixty-five (65)~~ an elderly or disability exemption granted on
602 or before tax year 2007. Every resident who is receiving a property tax
603 exemption pursuant to Division 14.06.300 shall be charged thirty-six dollars

(\$36.00) on the property upon which the exemption has been approved. Eligible residents shall not be billed any EDU charges.

G. Users receiving a ~~sixty-five (65)~~ an elderly, disability, or disabled veteran's exemption granted in tax year 2008 and thereafter. Every resident who is receiving a property tax exemption pursuant to Division 14.06.300 shall be billed fifty (50) percent of the consumption charges, or the minimum charge as set by County Council pursuant to Section 38.02.503, whichever is greater, on the property upon which the exemption has been approved. Eligible residents shall not be billed any EDU charges. This provision does not apply to residents who receive an exemption of ~~five thousand dollars (\$5,000.00)~~ in accordance with Title 9, Section 8132 of the Delaware Code, ~~whose property assessment exceeds one hundred twenty-five thousand dollars (\$125,000.00), and income does not exceed three thousand dollars (\$3,000.00).~~

Section 6. This Ordinance will become effective immediately upon its adoption by County Council and approval by the County Executive or as otherwise provided by 9 Del. C. § 1156.

Section 7. The provisions of this ordinance shall apply to property tax exemptions for the fiscal year which begins on July 1, 2025 and for each fiscal year thereafter.

Adopted by County Council
of New Castle County on:

Monique Williams-Johns
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, amends Section 14.06.302 ("Qualifications for and amount of elderly exemption") effective beginning fiscal year 2026 to account for the effects of rising inflation and the first countywide reassessment of property values in 40 years. Specifically, this Ordinance increases New Castle County's elderly County property tax exemption's amount from \$32,000 to \$173,000, its income not to exceed limit from \$50,000 to \$65,000, and its assessed value of qualifying real property not to exceed limit from \$125,000 to \$676,000. This Ordinance provides that to qualify for the County's

elderly property tax exemption a person must have been legally domiciled within the State of Delaware for a period of 10 consecutive years before July 1 of the year for which the exemption is sought. This Ordinance additionally provides that any person who was previously approved for an elderly exemption established by County Code prior to fiscal year 2026 will continue to qualify for that County tax exemption.

This Ordinance further amends Section 14.06.302 (“Qualifications for and amount of elderly exemption”) to formalize application of an elderly exemption from school taxes based on the County’s elderly exemption in the amount of \$32,000 that was effective as of January 1, 1998, as is directed pursuant to 14 *Del. C.* § 1902(a)(3). This Ordinance confirms that, to qualify for an elderly exemption from school taxes, a person must satisfy the application, age, residency, income, and property ownership requirements as they existed for this exemption in County Code as of January 1, 1998 (and now included at Section 14.06.302 B.2). This Ordinance additionally provides that any person who was previously approved for an elderly exemption established by County Code existing as of January 1, 1998 prior to fiscal year 2026 will continue to qualify for that school tax exemption.

This Ordinance also provides that a person may qualify to receive both a County tax elderly exemption not exceeding \$173,000 and a school tax elderly exemption not exceeding \$32,000. This Ordinance makes clear that if a person qualifies for neither exemption, they may seek a State of Delaware elderly exemption pursuant to 9 *Del. C.* ch. 81, subch. II.

This Ordinance amends Section 14.06.303 (“Qualifications for and amount of disability exemption”) effective beginning fiscal year 2026 to account for the effects of rising inflation and the first countywide reassessment of property values in 40 years. Specifically, this Ordinance increases New Castle County’s disability property tax exemption’s amount from \$32,000 to \$173,000 and its income not to exceed limit from \$50,000 to \$65,000. This Ordinance additionally provides that to qualify for the County’s disability property tax exemption a person must have been legally domiciled within the State of Delaware for a period of 10 consecutive years before July 1 of the year for which the exemption is sought, but that this requirement may be waived if the person is able to demonstrate they are totally and permanently disabled, incurred their disability as a result of, and while in, the service of the United States armed services, and has been honorably discharged. This Ordinance additionally provides that any person who was previously approved for a disability exemption established by County Code prior to fiscal year 2026 will continue to qualify for that County tax exemption.

This Ordinance further amends Section 14.06.303 (“Qualifications for and amount of disability exemption”) to increase the County’s additional disability property tax exemption amount from \$42,000 to \$220,000 when the person meets the qualifications for a County disability tax exemption and the person’s disability is due to the loss or loss of the use of both lower extremities or both upper extremities or both an upper and lower extremity which precludes locomotion without the aid of a brace, crutch, cane, or wheelchair and requires a home with special fixtures. This Ordinance additionally provides that any person who was previously approved for an additional disability exemption established by County Code prior to fiscal year 2026 will continue to qualify for that County tax exemption.

This Ordinance further amends Section 14.06.303 (“Qualifications for and amount of disability exemption”) to formalize application of a disability exemption from school taxes based on the County’s disability exemption in the amount of \$32,000 that was effective as of January 1, 1998, as is directed pursuant to 14 *Del. C.* § 1902(a)(3). This Ordinance confirms that, to qualify for a disability exemption from school taxes, a person must satisfy the application, disability, and residency requirements as they existed for this exemption in County Code as of January 1, 1998 (and now included at Section 14.06.303 C.2). This Ordinance additionally provides that any person who was previously approved for a disability exemption established by County Code existing as of January 1, 1998 prior to fiscal year 2026 will continue to qualify for that school tax exemption.

This Ordinance further amends Section 14.06.303 (“Qualifications for and amount of disability exemption”) to formalize an additional disability exemption from school taxes based on the County’s disability exemption in the amount of \$42,000 that was effective as of January 1, 1998, as is directed pursuant to 14 *Del. C.* § 1902(a)(3). This Ordinance confirms that, to qualify for an additional disability exemption from school taxes, a person must satisfy the application, residency, and disability requirements as they existed for this exemption in County Code as of January 1, 1998 (and now included at Section 14.06.303 D.2). This Ordinance additionally provides that any person who was previously approved for an additional disability exemption established by County Code existing as of January 1, 1998 prior to fiscal year 2026 will continue to qualify for that school tax exemption.

This Ordinance further provides that a person may qualify to receive a County tax disability exemption not exceeding \$173,000, an additional County tax disability exemption not exceeding \$227,000, a school tax disability exemption not exceeding \$32,000, and an additional school tax disability exemption not exceeding \$42,000, as well as a disabled veteran’s exemption pursuant to Section 14.06.304.

In addition, this Ordinance deletes Section 14.06.901 (“Landfill exemption”) in its entirety because the current countywide reassessment of property values will take into consideration the location of those properties presently receiving the Landfill exemption when such properties’ values are reassessed effective for fiscal year 2026.

Finally, this Ordinance makes stylistic amendments to Section 14.06.1103 (“Filing frequency”) and Section 38.02.505 (“Estimated EDU charges and measurement of water for consumption charges”) accounting for changes made by this Ordinance to Section 14.06.302 (“Qualifications for and amount of elderly exemption”) as described above, and as requested by the Office of Finance.

FISCAL NOTE: This Ordinance, if approved, has no discernible fiscal impact because it updates current exemption amounts to provide a commensurate post-reassessment exemption to that provided by current law.

ORDINANCE NO. 24-174

**AMEND THE GRANTS BUDGET:
APPROPRIATE \$147,509.12 IN ACTUAL PROGRAM INCOME AND \$150,000.00 IN
ANTICIPATED PROGRAM INCOME TO THE SUMMER RECREATION CAMPS GRANT**

1 **WHEREAS**, the Summer Recreation Camp Program provides low- and moderate-income
2 children with the opportunity to attend a summer camp program; and
3

4 **WHEREAS**, one-third of campers receive financial aid from Federal and County funds;
5 and
6

7 **WHEREAS**, the County Executive anticipates that funds from actual and anticipated
8 program income will be sufficient to fund the Grants Budget hereinafter amended; and
9

10 **WHEREAS**, the revenue measures heretofore adopted by the County Council are, in the
11 opinion of the County Executive, estimated to yield sums at least sufficient to balance the
12 proposed expenditures as set forth in the Annual Operating Budget as hereinafter amended.
13

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

16 Section 1. The Grants Budget as adopted by Ordinance No. 75-173 is hereby amended
17 by deleting the material bracketed and stricken and by adding the material underscored on the
18 attached Exhibit "A."
19

20 Section 2. This Ordinance shall become effective immediately upon its adoption by
21 County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* §
22 1156.

Adopted by County Council of
New Castle County on:

Monique Williams-Johns
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate \$147,509.12 in actual program income and \$150,000.00 in anticipated program income to the Summer Recreation Camps Grant which is administered by the Department of Community Services, Division of Community Resources.

FISCAL NOTE: The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget by \$297,509.12. FY2024 funding was authorized in the amount \$237,650.40 in actual and anticipated program income. New Castle County Funding of \$64,800 is included in the Approved Operating Budget in the Department of Community Services. This increase will affect FY2025 and beyond since this is a continuous program. The Department will be utilizing the current program income balance of \$147,509.12 and anticipates receiving an additional \$150,000.00.

DEPARTMENT:	Community Services	EXHIBIT:	"A"
GRANT TITLE:	Summer Recreation Camps	Ordinance No.	24-174
PROGRAM TITLE:	Summer Recreation Camps		

Revenue	Current	Change	Revised
Federal	\$ 7,079.00	\$ -	\$ 7,079.00
State	\$ -	\$ -	\$ -
County	\$ 194,400.00		\$ 194,400.00
Program Income	\$ 810,111.99	\$ 297,509.12	\$ 1,107,621.11
Other	\$ 7,550.00	\$ -	\$ 7,550.00
Total	\$ 1,019,140.99	\$ 297,509.12	\$ 1,316,650.11

Expense	Current	Change	Revised
Salaries and Wages	\$ 663,851.36	\$ 201,077.38	\$ 864,928.74
Benefits	\$ 64,617.84	\$ 20,910.04	\$ 85,527.88
Training/Civic Affairs	\$ 2,090.00	\$ -	\$ 2,090.00
Communication/Utilities	\$ 11,969.11	\$ 3,000.00	\$ 14,969.11
Materials/Supplies	\$ 75,667.28	\$ 12,521.70	\$ 88,188.98
Contractual Services	\$ 189,484.02	\$ 60,000.00	\$ 249,484.02
Equipment	\$ 1,665.02	\$ -	\$ 1,665.02
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ 9,796.36	\$ -	\$ 9,796.36
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 1,019,140.99	\$ 297,509.12	\$ 1,316,650.11

SUPPLEMENTAL INFORMATION

Estimated Program Initiation: 7/1/2005

Estimated Program Completion: ongoing

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

Ordinance Passed:		Date Revised:	
05-049	May 2005	12-114	November 2012
05-135	December 2005	13-094	December 2013
06-049	April 2006	14-121	November 2014
07-045	April 2007	16-131	November 2016
08-042	April 2008	18-047	May 2018
09-033	April 2009	19-031	March 2019
09-097	October 2009	20-025	April 2020
10-077	July 2010	21-058	April 2021
10-104	October 2010	22-049	April 2022
11-112	December 2011	23-044	April 2023
		<u>24-037</u>	<u>March 2024</u>

PROGRAM DESCRIPTION:

The New Castle County Summer Recreation Camps Grant will serve children in New Castle County from June 2025 through September 2025.

2/27/2024

11/26/2024

ORDINANCE NO. 24-175

AMEND THE GRANTS BUDGET:

**APPROPRIATE ANTICIPATED FEDERAL FUNDS OF \$18,917,337 FROM THE
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO THE SECTION 8
HOUSING CHOICE VOUCHERS – 2025 GRANT, WHICH WILL BE ADMINISTERED BY
THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY
DEVELOPMENT AND HOUSING**

1 **WHEREAS**, the U.S. Department of Housing and Urban Development (HUD) is projected
2 to award funding to the Department of Community Services for the Section 8 Housing Choice
3 Vouchers – 2025 Grant; and
4

5 **WHEREAS**, this funding will be used by the Department of Community Services, Division
6 of Community Development and Housing for the administrative expenses of the program and
7 for rental and utility subsidies for very low-income families in New Castle County; and
8

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

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

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

20 Section 1. The Grants Budget, as adopted by Ordinance No. 75-173, is hereby amended
21 by adding the material in Exhibit “A,” which is underscored in its entirety, which is attached hereto
22 and made a part hereof.
23

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

28 Section 3. The provisions of this Ordinance shall be effective January 1, 2025.

Adopted by County Council of
New Castle County on:

Monique Williams-Johns
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate anticipated federal funds of \$18,917,337 from the U.S. Department of Housing and Urban Development (HUD) to the Section 8 Housing Choice Vouchers – 2025 Grant. This funding will be used for the administrative expenses of the program and for rental and utility subsidies for very low-income families in New Castle County. For CY2025 1,951 housing choice vouchers are allocated for this program.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$18,917,337 from the U.S. Department of Housing and Urban Development (HUD) to the Section 8 Housing Choice Vouchers – 2025 Grant.

This Ordinance is an estimate of the funding to be awarded for Calendar Year 2025. It is anticipated that the award will be announced in the spring of 2025. This appropriation allows the Department of Community Services, Division of Community Development and Housing to provide uninterrupted service until the Federal budget is passed. This grant will be amended if there is any change in funding from HUD upon award.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$18,917,337. This increase will affect FY2025 and FY2026 since the targeted program completion date of the program is December 31, 2025. There will be no fiscal impact beyond FY2026 as a result of the grant award. FY2024 funding was authorized in the amount of \$16,425,000. There is no anticipated fiscal impact on the Operating and/or Capital Budget.

DEPARTMENT:	Community Services	EXHIBIT:	"A"
GRANT TITLE:	Section 8 Housing Choice Vouchers - 2025	Ordinance No.	24-175
PROGRAM TITLE:	Section 8 Housing Choice Vouchers - 2025		

Revenue	Current		Change		Revised
Federal	\$	18,917,337.00	\$	-	\$ 18,917,337.00
State	\$	-	\$	-	\$ -
County	\$	-	\$	-	\$ -
Program Income	\$	-	\$	-	\$ -
Other	\$	-	\$	-	\$ -
Total	\$	18,917,337.00	\$	-	\$ 18,917,337.00

Expense	Current		Change		Revised
Salaries and Wages	\$	900,000.00	\$	-	\$ 900,000.00
Benefits	\$	526,761.00	\$	-	\$ 526,761.00
Training/Civic Affairs	\$	16,110.00	\$	-	\$ 16,110.00
Communication/Utilities	\$	13,640.00	\$	-	\$ 13,640.00
Materials/Supplies	\$	11,400.00	\$	-	\$ 11,400.00
Contractual Services	\$	461,280.00	\$	-	\$ 461,280.00
Equipment	\$	1,000.00	\$	-	\$ 1,000.00
Grants/Fixed Charges	\$	16,901,046.00	\$	-	\$ 16,901,046.00
Land and Structures	\$	-	\$	-	\$ -
Contingency	\$	-	\$	-	\$ -
Operating Transfer Charges	\$	86,100.00	\$	-	\$ 86,100.00
Operating Transfer Credits	\$	-	\$	-	\$ -
Total	\$	18,917,337.00	\$	-	\$ 18,917,337.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation: 1/1/2025

Estimated Program Completion: 12/31/2025

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

Ordinance Passed: **Date Revised:**

PROGRAM DESCRIPTION:

Section 8 Housing Choice Vouchers - Calendar Year 2025 Grant from the U.S. Department of Housing and Urban Development (HUD) for administrative expenses of the program and for rental and utility subsidies for very low income families in New Castle County.

11/26/2024

ORDINANCE NO. 24-176

AMEND THE GRANTS BUDGET:

APPROPRIATE ANTICIPATED ADDITIONAL FEDERAL FUNDS OF \$615,000.00 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO THE EMERGENCY HOUSING CHOICE VOUCHERS GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING

1 **WHEREAS**, original allocated funding in the amount of \$555,756.00 from the U.S.
2 Department of Housing and Urban Development (HUD) was previously approved by County
3 Council and appropriated to the Emergency Housing Choice Vouchers Grant via Ordinance
4 21-092; and

5
6 **WHEREAS**, additional federal funds of \$57,101.12 and anticipated federal funds of
7 \$180,000.00 from the U.S. Department of Housing and Urban Development (HUD) was
8 previously approved by County Council and appropriated to the Emergency Housing Choice
9 Vouchers Grant via Ordinance 24-068; and

10
11 **WHEREAS**, additional federal funds of \$30,672.54 and anticipated additional federal
12 funds of \$10,000.00 from the U.S. Department of Housing and Urban Development (HUD) was
13 previously approved by County Council and appropriated to the Emergency Housing Choice
14 Vouchers Grant via Ordinance 24-159; and

15
16 **WHEREAS**, authorization is being sought to appropriate anticipated additional federal
17 funds of \$615,000.00 from the U.S. Department of Housing and Urban Development (HUD) to
18 the Emergency Housing Choice Vouchers Grant; and

19
20 **WHEREAS**, this funding will be used by the Department of Community Services,
21 Division of Community Housing and Development for the administrative expenses of the
22 program and for rental and utility subsidies for very low-income families in New Castle County
23 and, when administering the grant, must follow the applicable Section 8 Housing Choice
24 Voucher program requirements; and

25
26 **WHEREAS**, the County Executive has determined that revenues anticipated to be
27 received shall be sufficient to cover the increase in the Grants Budget as hereinafter amended;
28 and

29
30 **WHEREAS**, Council has determined that the provisions of this Ordinance substantially
31 advance, and are reasonably and rationally related to, legitimate government interests (i.e.,
32 promoting the health, safety, morals, convenience, order prosperity and/or welfare of the
33 present and future inhabitants of this State).

34
35 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**

36
37 Section 1. The Grants Budget, as adopted by Ordinance No. 75-173, is hereby
38 amended by adding the material in Exhibit "A," which is considered to be underscored in its
39 entirety, which is attached hereto and made a part hereof.

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45
46

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

Section 3. It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to June 1, 2021.

Adopted by County Council of
New Castle County on:

Monique Williams-Johns
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate anticipated additional federal funds of \$615,000.00 from the U.S. Department of Housing and Urban Development (HUD) to the Emergency Housing Choice Vouchers Grant which is administered by the Department of Community Services, Division of Community Housing and Development.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to June 1, 2021.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating anticipated additional federal funds of \$615,000.00 from the U.S. Department of Housing and Urban Development (HUD) to the Emergency Housing Choice Vouchers Grant.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$615,000.00. This increase will affect FY2025 through FY2031 since the targeted program completion date has been extended to September 30, 2030. There is no local match requirement for this grant award. There is no anticipated fiscal impact on the Operating and/or Capital Budget.

DEPARTMENT:	Community Services	EXHIBIT:	"A"
GRANT TITLE:	Emergency Housing Choice Vouchers	Ordinance No.	24-176
PROGRAM TITLE:	Emergency Housing Choice Vouchers		

Revenue	Current	Change	Revised
Federal	\$ 829,376.00	\$ 615,000.00	\$ 1,444,376.00
State	\$ -	\$ -	\$ -
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ 4,153.66	\$ -	\$ 4,153.66
Total	\$ 833,529.66	\$ 615,000.00	\$ 1,448,529.66

Expense	Current	Change	Revised
Salaries and Wages	\$ -	\$ -	\$ -
Benefits	\$ -	\$ -	\$ -
Training/Civic Affairs	\$ -	\$ -	\$ -
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ -	\$ -	\$ -
Contractual Services	\$ 68,300.65	\$ 9,000.00	\$ 77,300.65
Equipment	\$ -	\$ -	\$ -
Grants/Fixed Charges	\$ 765,229.01	\$ 606,000.00	\$ 1,371,229.01
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 833,529.66	\$ 615,000.00	\$ 1,448,529.66

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:		6/1/2021
Estimated Program Completion:	12/31/2024	<u>9/30/2030</u>
The Local Match:	Found in (ORG):	
Ordinance Passed:	Date Revised:	
21-092	7/27/2021	
24-068	5/14/2024	
<u>24-159</u>	<u>10/22/2024</u>	

PROGRAM DESCRIPTION:

Emergency Housing Vouchers Grant from the U.S. Department of Housing and Urban Development (HUD), authorized by the American Rescue Plan Act (ARPA), for administrative expenses of the program and for rental and utility subsidies for very low-income families in New Castle County.

~~10/22/2024~~

11/26/2024

ORDINANCE NO. 24-177

**TO AMEND THE PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE
35-HOUR WORKWEEK EMPLOYEES REPRESENTED BY THE DELAWARE
PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607
AND TO ADOPT NEW AND AMEND CLASS SPECIFICATIONS FOR LAND USE
RELATED POSITIONS**

1 **WHEREAS**, the Department of Land Use has determined that it is necessary to
2 make organizational changes to operate most effectively and to continue to deliver high
3 quality customer service to the residents and businesses of New Castle County;
4

5 **WHEREAS**, the Department of Land Use has determined the class specification
6 for Permit Process Technician needs to be changed from a Pay Grade 19 to Pay Grade
7 20 (Exhibits "D-F") to reflect the work currently being performed; and
8

9 **WHEREAS**, the Department of Land Use has submitted a new class
10 specification for a Senior Permit Process Technician (Exhibit "A"), Pay Grade 21
11 (Exhibits "D-F"), that performs and coordinates permitting, licensing, customer service,
12 and information activities within the Department of Land Use; and
13

14 **WHEREAS**, the Department of Land Use has submitted a new class
15 specification for a Senior Certified Permit Process Technician (Exhibit "B"), Pay Grade
16 23 (Exhibits "D-F"), that requires at least one (1) year of experience as a Senior Permit
17 Process Technician with New Castle County, and the two (2) most current annual
18 performance evaluations must be rated with an overall performance rating of
19 satisfactory or above; and
20

21 **WHEREAS**, the Department of Land Use has submitted a new class
22 specification for a Senior Customer Service and Information Technician (Exhibit "C"),
23 Pay Grade 21 (Exhibits "D-F"), that trains new Customer Service and Information
24 Technicians and assists coworkers with difficult customers and requires at least five (5)
25 years' experience as a Customer Service and Information Technician; and
26

27 **WHEREAS**, in accordance with *New Castle County* Code Section 26.03.103, the
28 Human Resources Advisory Board (HRAB) at their meeting on October 3, 2024,
29 reviewed and recommended the new and amended class specifications and respective
30 changes to pay plans for these Land Use related positions; and
31

32 **WHEREAS**, the Acting Chief Human Resources Officer concurs with the
33 recommendation of the Human Resources Advisory Board.

34 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
35

36 Section 1. The new Class Specifications for Senior Permit Process Technician,
37 Senior Certified Permit Process Technician and Senior Customer Service and
38 Information Technician are adopted as set forth in Exhibit "A-C".
39

40 Section 2. The Pay Plan and Rates of Pay for Classified Service 35-Hour
41 Workweek Employees Represented by the Delaware Public Employees Council 81,
42 AFSCME, AFL-CIO, Affiliate Local 1607, for the period July 1, 2024 through June 30,
43 2025 as set forth in Exhibit "D", is hereby amended by adding the material that is
44 underscored and deleting the material that is stricken.
45

46 Section 3. The Pay Plan and Rates of Pay for Classified Service 35-Hour
47 Workweek Employees Represented by the Delaware Public Employees Council 81,
48 AFSCME, AFL-CIO, Affiliate Local 1607, for the period July 1, 2025 through June 30,
49 2026 as set forth in Exhibit "E", is hereby amended by adding the material that is
50 underscored and deleting the material that is stricken.
51

52 Section 4. The Pay Plan and Rates of Pay for Classified Service 35-Hour
53 Workweek Employees Represented by the Delaware Public Employees Council 81,
54 AFSCME, AFL-CIO, Affiliate Local 1607, effective July 1, 2026 as set forth in Exhibit
55 "F", is hereby amended by adding the material that is underscored and deleting the
56 material that is stricken.
57

58 Section 5. This Ordinance shall become effective immediately upon its adoption
59 by County Council and approval by the County Executive, or as otherwise provided in 9
60 *Del. C. § 1156*.

Adopted by County Council of
New Castle County on:

Monique Williams-Johns
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, amends or creates the class specifications
for Classified Service 35-Hour Workweek Employees Represented by the Delaware

Public Employees Council 81, AFSCME, AFL-CIO, Affiliate Local 1607 and updates the pay plans as follows:

- Amends class specification of Permit Process Technician (Pay Grade from 19 to Pay Grade 20)
- Creates class specification for Senior Permit Process Technician (Pay Grade 21)
- Creates class specification for Senior Certified Permit Process Technician (Pay Grade 23)
- Creates class specification for Senior Customer Service and Information Technician (Pay Grade 21)

The HRAB reviewed and recommended the amendments and additions on October 3, 2024, and the Chief Human Resource Officer concurs with recommendations of the HRAB.

FISCAL IMPACT: This Ordinance, if approved, changes the Pay Grade for the position title of Permit Process Technician from Pay Grade 19 to Pay Grade 20 on the Pay Plan and Rates of Pay for Classified Service 35-Hour Workweek Employees Represented by the Delaware Public Employees Council 81, AFSCME, AFL-CIO, Affiliate Local 1607. All other changes are creating new classifications.

There are currently five filled positions with the title of Permit Process Technician. The estimated fiscal impact (Salaries/Wages and Benefits) of reclassifying the five employees currently in these positions is \$11,074 in FY2025, \$21,015 in FY2026 and \$21,762 in FY2027.

NEW CASTLE COUNTY GOVERNMENT**Number** XXXX**Page** 1 of 3**CLASS SPECIFICATION****Date** DRAFT**Title:** SENIOR PERMIT PROCESS TECHNICIAN**Approved:**CHRO Signature
here

GENERAL STATEMENT OF DUTIES: Performs and coordinates permitting, licensing, customer service, and information activities within the Department of Land Use; does related work as required.

DISTINGUISHING FEATURES OF THE CLASS: An employee in this class performs administrative work in carrying out complex office tasks in the Department of Land Use. This employee is responsible for coordinating the issuance of permits and other related permit activities, processing contractor licenses, administrative duties, and providing quality service to residents and customers. In most instances, the work is performed under general supervision, but this employee may make independent decisions in some cases. The employee may assist in training Permit Process Technicians and the public on related work. The employee works under general supervision.

EXAMPLES OF WORK: (Illustrative only)

- Performs intake, coordination, review, and issuance of permits and other related functions, including the processing of payments;
- Assists both walk-in and electronic submission customers as needed with regard to questions, permits, licensing, and other related work;
- Researches records as necessary and furnishes information as required to the general public and appropriate staff;
- Assists in the operation of computerized programs and participates in discussions to research ways to improve processes;
- Plans, assigns and coordinates work activities, trains personnel, and provides input to performance evaluations;
- Handles complaints and requests of a complex nature;
- Prepares a wide variety of reports;
- Files, scans, and prepares licensing documents for archiving;
- Performs intake, coordination, review, and issuance of contractor licenses, including the processing of payments;
- Administers an elevator licensing program for New Castle County;
- Assists both customers and staff during the permit process related to Land Use and other New Castle County activities;

NEW CASTLE COUNTY GOVERNMENT**Number** XXXX**Page** 2 of 3**CLASS SPECIFICATION****Date** DRAFT**Title:** SENIOR PERMIT PROCESS TECHNICIAN**Approved:**

- Assists in training Permit Process Technicians and the public on permit-related activities;
- Coordinates and reviews requirements relating to issues in the permit process and with the issuance of the Certificates of Occupancy, including those releases from outside agencies and follows up on discrepancies;
- Promotes an ongoing attitude of dedication to excellent public service and ensures that external and internal customers are provided with the highest quality of service;
- Works with NCC Information Systems to enhance and/or streamline the permitting software applications;
- Operates a personal computer, and other related equipment in the course of the work.

REQUIRED KNOWLEDGE, SKILLS, AND ABILITIES: Thorough knowledge of modern principles and practices of business and office management to include accounting and records management; thorough knowledge of business mathematics; good knowledge of laws and regulations relating to permitting activities; ability to maintain current knowledge of permitting developments in the construction field by maintaining the required ICC certification; ability to work with computerized information systems; ability to plan, establish, and monitor complex procedures to determine effectiveness; organizational skills; ability to prioritize workload; ability to operate a personal computer and other related equipment; ability to communicate courteously and effectively, both verbally and in writing; ability to coordinate activities of office staff; ability to evaluate problems and draw valid conclusions; ability to establish and maintain effective working relationships with other departments, agencies and the general public; tact and courtesy.

MINIMUM QUALIFICATIONS: At least three (3) years of experience providing customer service in a professional environment, completion of a high school diploma or GED, and at least one (1) year of progressively responsible experience as a Permit Process Technician; or an equivalent combination of experience, education or training directly related to the required knowledge, skills and abilities. Additionally, for promotion, at least five (5) years of experience as a Permit Process Technician with New Castle County, and the two (2) most current annual performance evaluations must be rated with an overall

NEW CASTLE COUNTY GOVERNMENT**Number** XXXX**Page** 3 of 3**Date** DRAFT**CLASS SPECIFICATION****Title:** SENIOR PERMIT PROCESS TECHNICIAN**Approved:**

performance rating of satisfactory or above. Any record of discipline that resulted in a suspension during the twelve (12) months preceding the application for promotion shall be reviewed to determine eligibility for promotion.

ADDITIONAL REQUIREMENTS: Must pass a Class III County physical exam and background check. Verification of successful completion of one of the following: Customer Service Training course at Delaware Technical and Community College, the Direct Contact Service Professional Certification training through the National Customer Service Association, or approved equivalent.

HISTORY OF REVISIONS:

Established: --/--/--

NEW CASTLE COUNTY GOVERNMENT**Number** XXXX**Page** 1 of 3**CLASS SPECIFICATION****Date** DRAFT**Title:** SENIOR CERTIFIED PERMIT PROCESS
TECHNICIAN**Approved:**
CHRO Signature
here

GENERAL STATEMENT OF DUTIES: Performs and coordinates permitting, licensing, customer service, and information activities in the Department of Land Use; does related work as required.

DISTINGUISHING FEATURES OF THE CLASS: An employee in this class performs administrative work in carrying out complex office tasks in the Department of Land Use. This employee is responsible for coordinating the issuance of permits and other related permit activities, processing contractor licenses, administrative duties, and providing quality service to residents and customers. In most instances, the work is performed under general supervision, but this employee may make independent decisions in some cases. The employee may assist in training Permit Process Technicians and the public on related work. The employee works under general supervision.

EXAMPLES OF WORK: (Illustrative only)

- Performs intake, coordination, review and issuance of permits and other related functions, including the processing of payments;
- Assists both walk-in and electronic submission customers as needed with regard to questions, permits, licensing, and other related work;
- Researches records as necessary and furnishes information as required to the general public and appropriate staff;
- Assists in the operation of computerized programs and participates in discussions to research ways to improve processes;
- Plans, assigns and coordinates work activities, trains personnel, and provides input to performance evaluations;
- Handles complaints and requests of a complex nature;
- Prepares a wide variety of reports;
- Files, scans, and prepares licensing documents for archiving;
- Performs intake, coordination, review, and issuance of contractor licenses, including the processing of payments;
- Administers an elevator licensing program for New Castle County;
- Assists both customers and staff during the permit process related to Land Use and other New Castle County activities;

NEW CASTLE COUNTY GOVERNMENT**Number** XXXX**Page** 2 of 3**CLASS SPECIFICATION****Date** DRAFT**Title:** SENIOR CERTIFIED PERMIT PROCESS
TECHNICIAN**Approved:**

- Assists in training Permit Process Technicians and the public on permit-related activities;
- Coordinates and reviews requirements relating to issues in the permit process and with the issuance of the Certificates of Occupancy, including those releases from outside agencies and follows up on discrepancies;
- Promotes an ongoing attitude of dedication to excellent public service and ensures that external and internal customers are provided with the highest quality of service;
- Works with NCC Information Systems to enhance and/or streamline the permitting software applications;
- Operates a personal computer, and other related equipment in the course of the work.

REQUIRED KNOWLEDGE, SKILLS, AND ABILITIES: Thorough knowledge of modern principles and practices of business and office management to include accounting and records management; thorough knowledge of business mathematics; good knowledge of laws and regulations relating to permitting activities; ability to maintain current knowledge of permitting developments in the construction field by maintaining the required ICC certification; ability to work with computerized information systems; ability to plan, establish, and monitor complex procedures to determine effectiveness; organizational skills; ability to prioritize workload; ability to operate a personal computer and other related equipment; ability to communicate courteously and effectively, both verbally and in writing; ability to coordinate activities of office staff; ability to evaluate problems and draw valid conclusions; ability to establish and maintain effective working relationships with other departments, agencies and the general public; tact and courtesy.

MINIMUM QUALIFICATIONS: At least three (3) years of experience providing customer service in a professional environment and completion of a high school diploma or GED At least one (1) year of progressively responsible clerical experience as a Permit Process Technician, and completion of two (2) years of college in business administration or a related field; or an equivalent combination of experience, education or training directly related to the required knowledge, skills and abilities. Additionally, for promotion to Senior Certified Permit Processing Technician, at least one (1) year of experience as a Senior

NEW CASTLE COUNTY GOVERNMENT**Number** XXXX**Page** 3 of 3**Date** DRAFT**CLASS SPECIFICATION****Title:** SENIOR CERTIFIED PERMIT PROCESS
TECHNICIAN**Approved:**

Permit Process Technician with New Castle County, and the two (2) most current annual performance evaluations must be rated with an overall performance rating of satisfactory or above. Any record of discipline that resulted in a suspension during the twelve (12) months preceding the application for promotion shall be reviewed to determine eligibility for promotion.

ADDITIONAL REQUIREMENTS: Must pass a Class III County physical exam and background check. Verification of successful completion of the ICC required discipline at time of application or promotion. The certification must remain valid as a condition of employment. All costs associated with the certifications, verification and subsequent maintenance of current status in such examination areas shall be borne by the employee or applicant unless otherwise provided for in the collective bargaining agreement.

REQUIRED DISCIPLINE

Permit Technician

ICC CODE

14

HISTORY OF REVISIONS:

Established:

NEW CASTLE COUNTY GOVERNMENT**Number** XXXX**Page** 1 of 2**CLASS SPECIFICATION****Date** DRAFT**Title:** SENIOR CUSTOMER SERVICE AND INFORMATION
TECHNICIAN**Approved:**
CHRO Signature
here

GENERAL STATEMENT OF DUTIES: Performs customer service and information activities within New Castle County where multiple activities are administered, and information is relayed from a designated work area; does related work as required.

DISTINGUISHING FEATURES OF THE CLASS: An employee in this class trains new Customer Service and Information Technicians and assists coworkers with difficult customers. Additionally, the employee performs responsible work in the area of customer service providing information, assistance, and direction to internal and external customers by telephone, electronically and in person. The employee answers and screens telephone calls, greets and directs visitors, and researches and responds to questions. This employee is responsible for complete follow-up with the person requesting information to ensure customer satisfaction and provide the highest quality of customer service to the citizens and employees of the County. Work involves knowledge of County-wide information relating to all County departments and services. This employee must exercise discretion in the course of the work. Work is performed under general supervision in accordance with designated procedures.

EXAMPLES OF WORK: (Illustrative only)

- Trains new Customer Service and Information Technicians
- Answers and screens incoming telephone calls and transfers calls to the proper department;
- Greets and meets with visitors to address customer problems and concerns;
- Ensures that visitors are escorted to the appropriate department or employee;
- Receives and sorts incoming mail;
- Prepares notices and correspondence, process work orders, demand for payment letters, responds to Freedom of Information Act requests;
- Researches and responds to questions regarding the operation of the County;
- Contacts public utilities to verify active service;
- Prepares reports and makes recommendations as required;
- Disseminates information and complaints to the relevant government entity;
- Schedules meeting rooms, conference areas and other public-use facilities located within the complex;
- Posts agendas and other required material on the central reception information board;
- Pre-screens permit submissions and performs basic zoning reviews;
- Records and investigates issues and ensures a prompt and accurate response;
- Performs routine office work as necessary;

NEW CASTLE COUNTY GOVERNMENT**Number** XXXX**Page** 2 of 2**CLASS SPECIFICATION****Date** DRAFT**Title:** SENIOR CUSTOMER SERVICE AND INFORMATION
TECHNICIAN**Approved:**

- May be required to provide coverage at the front desk when meetings are scheduled in County buildings on evenings and weekends, as necessary;
- Promotes an ongoing attitude of dedication to excellent public service and ensures external and internal customers are provided with the highest quality of service;
- Operates a personal computer and other related equipment in the course of the work.

REQUIRED KNOWLEDGE, SKILLS, AND ABILITIES: Thorough knowledge of customer service protocol and etiquette; good knowledge of office terminology, procedures, and equipment; good knowledge of the departments and row offices of the County and their functions; ability to operate a personal computer and other related equipment; demonstrated ability to type at a minimum of 25 words per minute with accuracy; ability to communicate courteously and effectively, both verbally and in writing; ability to understand and follow complex verbal and written instructions; ability to deal with individuals in a knowledgeable, helpful and pleasant manner; ability to establish and develop effective working relationships with employees, associates, government officials, agencies, organizations, and the public.

MINIMUM QUALIFICATIONS: Completion of a high school diploma or GED and possession of an associate's degree from an accredited college or university with major course work in business administration or related field; or an equivalent combination of experience, education or training directly related to the required knowledge, skills and abilities. At least five (5) years' experience as a Customer Service and Information Technician, two (2) consecutive years of overall satisfactory performance evaluations and an overall performance rating of satisfactory or above in the year applying for the promotion. Any record of discipline that resulted in a suspension during the twelve (12) months preceding the application for promotion shall be reviewed to determine eligibility for promotion.

ADDITIONAL REQUIREMENTS: Must pass a Class III County physical exam and background check. Verification of successful completion of the Customer Service Training course at Delaware Technical and Community College or the Direct Contact Service Professional Certification training through the National Customer Service Association, or approved equivalent.

HISTORY OF REVISIONS:

Established: --/--/--

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 35-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
CLERK	12	28,739	30,175	31,684	33,267	34,928	36,676	38,509	40,434	42,457	44,580	46,810
SURVEYOR ASSISTANT	12											
ADMINISTRATIVE SERVICES TECHNICIAN	14	31,684	33,267	34,928	36,676	38,509	40,434	42,457	44,580	46,809	49,149	51,607
AUTOMOTIVE PARTS CLERK	14											
CLERK TYPIST	14											
COMPUTER OPERATOR I	14											
JUNIOR ADMINISTRATIVE AIDE	14											
KEY OPERATOR	14											
MICROFILM TECHNICIAN	14											
PUBLIC SAFETY AIDE	14											
ACCOUNT CLERK I	15	33,267	34,928	36,676	38,509	40,434	42,457	44,580	46,809	49,149	51,608	54,188
CUSTOMER SERVICES COORDINATOR	15											
DRAFTING TECHNICIAN I	15											
INTERLIBRARY LOAN ASSISTANT	15											
LIBRARY ASSISTANT	15											
COMPUTER OPERATOR II	16	34,928	36,676	38,509	40,434	42,457	44,580	46,809	49,149	51,608	54,189	56,898
SURVEY INSTRUMENT OPERATOR	16											
ACCOUNT CLERK II	17	36,676	38,509	40,434	42,457	44,580	46,809	49,149	51,608	54,189	56,899	59,744
COURT CLERK	17											
DEPUTY I	17											
PRINCIPAL LIBRARY ASSISTANT	17											
SECRETARY	17											
STOREKEEPER	17											
PUBLIC WORKS DATA TECHNICIAN	17											
DISPATCHER	18	38,509	40,434	42,457	44,580	46,809	49,149	51,608	54,189	56,899	59,743	62,730
GRAPHIC ARTS DESIGNER	18											
MAINTENANCE PROGRAM TECHNICIAN	18											
RADIO COMMUNICATOR	18											
SANITARY MAINTENANCE TECHNICIAN	18											
TREASURY CUSTOMER SERVICE REPRESENTATIVE	18											
ACCOUNT CLERK III	19	40,434	42,457	44,580	46,809	49,149	51,608	54,189	56,899	59,743	62,730	65,867
ADMINISTRATIVE AIDE	19											
ASSESSMENT TECHNICIAN	19											
ASSESSOR I	19											
BUDGET OFFICE ASSISTANT	19											
LIBRARY SPECIALIST	19											
PARTY CHIEF	19											
PERMIT PROCESS TECHNICIAN	19											
BUILDING AND SITE INSPECTOR	20	42,457	44,580	46,809	49,149	51,608	54,189	56,899	59,743	62,730	65,868	69,161
CERTIFIED ASSESSOR I	20											
COMMUNITY DEVELOPMENT HOUSING INSPECTOR	20											
CUSTOMER INFORMATION & ASSISTANCE SPECIALIST	20											
CUSTOMER SERVICE AND INFORMATION TECHNICIAN	20											
DELINQUENT ACCOUNT COLLECTOR	20											
DEPUTY II	20											
DRAFTING TECHNICIAN II	20											
GRAPHIC ARTS DESIGNER II	20											
HOUSING PROGRAM ASSISTANT	20											
MAINTENANCE OFFICE ADMINISTRATOR	20											
PAYROLL ASSISTANT I	20											
<u>PERMIT PROCESS TECHNICIAN</u>	<u>20</u>											
PLAN EXAMINER	20											
PUBLIC WORKS INSPECTOR	20											
SANITARY SEWER INFORMATION SPECIALIST	20											
SENIOR OFFICE ASSISTANT	20											
SENIOR SANITARY MAINTENANCE TECHNICIAN	20											
VICTIM'S ASSISTANCE OFFICER	20											

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 35-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
ASSISTANT PROCUREMENT AGENT	21	44,580	46,809	49,149	51,608	54,189	56,899	59,743	62,730	65,868	69,161	72,619
CERTIFIED PERMIT PROCESS TECHNICIAN	21											
CODE ENFORCEMENT OFFICER	21											
CONSTRUCTION INSPECTOR	21											
DRAFTING TECHNICIAN III	21											
ENVIRONMENTAL ANALYST	21											
PLUMBING AND MECHANICAL CODE SUPERVISOR	21											
RIGHT-OF-WAY AGENT	21											
<u>SENIOR CUSTOMER SERVICES & INFORMATION TECHNICIAN</u>	<u>21</u>											
<u>SENIOR PERMIT PROCESS TECHNICIAN</u>	<u>21</u>											
ACCOUNTANT I	22	46,809	49,149	51,608	54,189	56,899	59,743	62,730	65,868	69,161	72,621	76,253
ASSESSOR II	22											
GEOGRAPHIC INFORMATION SYSTEMS TECHNICIAN	22											
HOUSING REHABILITATION SPECIALIST I	22											
OPERATIONS SPECIALIST	22											
ACCOUNTING OPERATIONS ASSISTANT	23	49,149	51,608	54,189	56,899	59,743	62,730	65,868	69,161	72,621	76,251	80,064
CENTRAL RECEIVING SUPERVISOR	23											
CENTRAL SERVICES TECHNICIAN	23											
CERTIFIED ASSESSOR II	23											
CERTIFIED BUILDING AND SITE INSPECTOR	23											
CERTIFIED PLAN EXAMINER	23											
CERTIFIED PLUMBING & MECHANICAL PLAN EXAMINER	23											
CERTIFIED PROPERTY MAINTENANCE & HOUSING INSPECTOR	23											
COMPLAINTS SPECIALIST	23											
CONSTRUCTION INSPECTION SUPERVISOR	23											
EQUESTRIAN PROGRAM COORDINATOR	23											
HOUSING REHABILITATION SPECIALIST II	23											
<u>SENIOR CERTIFIED PERMIT PROCESS TECHNICIAN</u>	<u>23</u>											
SURVEY PARTIES SUPERVISOR	23											
TREASURY ASSOCIATE	23											
CHIEF RIGHT-OF-WAY AGENT	24	51,608	54,189	56,899	59,743	62,730	65,868	69,161	72,621	76,251	80,064	84,067
CUSTOMER SERVICES SPECIALIST	24											
GEOGRAPHIC INFORMATION SYSTEMS SPECIALIST	24											
PUBLIC WORKS CONTRACTS OFFICER	24											
SCHOOL CROSSING GUARD SUPERVISOR	24											
SITE INSPECTIONS SUPERVISOR	24											
STAFF ENGINEER	24											
ACCOUNTANT II	25	54,189	56,899	59,743	62,730	65,868	69,161	72,621	76,251	80,064	84,065	88,269
CHIEF CONSTRUCTION INSPECTOR	25											
CHIEF FIELD SUPERVISOR	25											
EQUESTRIAN PROGRAM SUPERVISOR	25											
PROCUREMENT AGENT	25											
SUPERINTENDENT OF WASTEWATER TREATMENT	25											
CIVIL ENGINEER I	26	56,899	59,743	62,730	65,868	69,161	72,621	76,251	80,064	84,065	88,270	92,684
DRAFTING AND DESIGN SUPERVISOR	26											
ENVIRONMENTAL PROGRAM MANAGER I	26											
GEOGRAPHIC INFORMATION SYSTEMS ANALYST	26											
PAYROLL ASSISTANT II	26											
PROGRAMMER ANALYST	26											
ARCHITECT	28	62,730	65,868	69,161	72,621	76,251	80,064	84,065	88,270	92,683	97,317	102,182
CIVIL ENGINEER II	28											
ENVIRONMENTAL PROGRAM MANAGER II	28											
SENIOR PROCUREMENT AGENT	28											
SEWER MANAGEMENT ENGINEER	28											
SENIOR APPLICATION ENGINEER	28											
CHIEF OF FACILITY MAINTENANCE	30	69,161	72,621	76,251	80,064	84,065	88,270	92,683	97,317	102,184	107,295	112,660
CHIEF OF PROJECT MANAGEMENT	30											
CIVIL ENGINEER III	30											
ENVIRONMENTAL PROGRAM MANAGER III	30											
PUBLIC WORKS PROJECT ADMINISTRATOR	30											
CHIEF OF DRAINAGE OPERATIONS	32	76,251	80,064	84,065	88,270	92,683	97,317	102,184	107,295	112,660	118,292	124,206
CHIEF OF SITE MANAGEMENT	32											

Effective: 07/01/2024 (Ordinance 24-089)

Revised: xx/xx/2024 (Ordinance 24-xxx)

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 35-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
CLERK	12	29,457	30,929	32,476	34,099	35,801	37,593	39,472	41,445	43,518	45,695	47,980
SURVEYOR ASSISTANT	12											
ADMINISTRATIVE SERVICES TECHNICIAN	14	32,476	34,099	35,801	37,593	39,472	41,445	43,518	45,695	47,979	50,378	52,897
AUTOMOTIVE PARTS CLERK	14											
CLERK TYPIST	14											
COMPUTER OPERATOR I	14											
JUNIOR ADMINISTRATIVE AIDE	14											
KEY OPERATOR	14											
MICROFILM TECHNICIAN	14											
PUBLIC SAFETY AIDE	14											
ACCOUNT CLERK I	15	34,099	35,801	37,593	39,472	41,445	43,518	45,695	47,979	50,378	52,898	55,543
CUSTOMER SERVICES COORDINATOR	15											
DRAFTING TECHNICIAN I	15											
INTERLIBRARY LOAN ASSISTANT	15											
LIBRARY ASSISTANT	15											
COMPUTER OPERATOR II	16	35,801	37,593	39,472	41,445	43,518	45,695	47,979	50,378	52,898	55,544	58,320
SURVEY INSTRUMENT OPERATOR	16											
ACCOUNT CLERK II	17	37,593	39,472	41,445	43,518	45,695	47,979	50,378	52,898	55,544	58,321	61,238
COURT CLERK	17											
DEPUTY I	17											
PRINCIPAL LIBRARY ASSISTANT	17											
SECRETARY	17											
STOREKEEPER	17											
PUBLIC WORKS DATA TECHNICIAN	17											
DISPATCHER	18	39,472	41,445	43,518	45,695	47,979	50,378	52,898	55,544	58,321	61,237	64,298
GRAPHIC ARTS DESIGNER	18											
MAINTENANCE PROGRAM TECHNICIAN	18											
RADIO COMMUNICATOR	18											
SANITARY MAINTENANCE TECHNICIAN	18											
TREASURY CUSTOMER SERVICE REPRESENTATIVE	18											
ACCOUNT CLERK III	19	41,445	43,518	45,695	47,979	50,378	52,898	55,544	58,321	61,237	64,298	67,514
ADMINISTRATIVE AIDE	19											
ASSESSMENT TECHNICIAN	19											
ASSESSOR I	19											
BUDGET OFFICE ASSISTANT	19											
LIBRARY SPECIALIST	19											
PARTY CHIEF	19											
PERMIT PROCESS TECHNICIAN	19											
BUILDING AND SITE INSPECTOR	20	43,518	45,695	47,979	50,378	52,898	55,544	58,321	61,237	64,298	67,515	70,890
CERTIFIED ASSESSOR I	20											
COMMUNITY DEVELOPMENT HOUSING INSPECTOR	20											
CUSTOMER INFORMATION & ASSISTANCE SPECIALIST	20											
CUSTOMER SERVICE AND INFORMATION TECHNICIAN	20											
DELINQUENT ACCOUNT COLLECTOR	20											
DEPUTY II	20											
DRAFTING TECHNICIAN II	20											
GRAPHIC ARTS DESIGNER II	20											
HOUSING PROGRAM ASSISTANT	20											
MAINTENANCE OFFICE ADMINISTRATOR	20											
PAYROLL ASSISTANT I	20											
<u>PERMIT PROCESS TECHNICIAN</u>	<u>20</u>											
PLAN EXAMINER	20											
PUBLIC WORKS INSPECTOR	20											
SANITARY SEWER INFORMATION SPECIALIST	20											
SENIOR OFFICE ASSISTANT	20											
SENIOR SANITARY MAINTENANCE TECHNICIAN	20											
VICTIM'S ASSISTANCE OFFICER	20											

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 35-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
ASSISTANT PROCUREMENT AGENT	21	45,695	47,979	50,378	52,898	55,544	58,321	61,237	64,298	67,515	70,890	74,434
CERTIFIED PERMIT PROCESS TECHNICIAN	21											
CODE ENFORCEMENT OFFICER	21											
CONSTRUCTION INSPECTOR	21											
DRAFTING TECHNICIAN III	21											
ENVIRONMENTAL ANALYST	21											
PLUMBING AND MECHANICAL CODE SUPERVISOR	21											
RIGHT-OF-WAY AGENT	21											
<u>SENIOR CUSTOMER SERVICES & INFORMATION TECHNICIAN</u>	<u>21</u>											
<u>SENIOR PERMIT PROCESS TECHNICIAN</u>	<u>21</u>											
ACCOUNTANT I	22	47,979	50,378	52,898	55,544	58,321	61,237	64,298	67,515	70,890	74,437	78,159
ASSESSOR II	22											
GEOGRAPHIC INFORMATION SYSTEMS TECHNICIAN	22											
HOUSING REHABILITATION SPECIALIST I	22											
OPERATIONS SPECIALIST	22											
ACCOUNTING OPERATIONS ASSISTANT	23	50,378	52,898	55,544	58,321	61,237	64,298	67,515	70,890	74,437	78,157	82,066
CENTRAL RECEIVING SUPERVISOR	23											
CENTRAL SERVICES TECHNICIAN	23											
CERTIFIED ASSESSOR II	23											
CERTIFIED BUILDING AND SITE INSPECTOR	23											
CERTIFIED PLAN EXAMINER	23											
CERTIFIED PLUMBING & MECHANICAL PLAN EXAMINER	23											
CERTIFIED PROPERTY MAINTENANCE & HOUSING INSPECTOR	23											
COMPLAINTS SPECIALIST	23											
CONSTRUCTION INSPECTION SUPERVISOR	23											
EQUESTRIAN PROGRAM COORDINATOR	23											
HOUSING REHABILITATION SPECIALIST II	23											
<u>SENIOR CERTIFIED PERMIT PROCESS TECHNICIAN</u>	<u>23</u>											
SURVEY PARTIES SUPERVISOR	23											
TREASURY ASSOCIATE	23											
CHIEF RIGHT-OF-WAY AGENT	24	52,898	55,544	58,321	61,237	64,298	67,515	70,890	74,437	78,157	82,066	86,169
CUSTOMER SERVICES SPECIALIST	24											
GEOGRAPHIC INFORMATION SYSTEMS SPECIALIST	24											
PUBLIC WORKS CONTRACTS OFFICER	24											
SCHOOL CROSSING GUARD SUPERVISOR	24											
SITE INSPECTIONS SUPERVISOR	24											
STAFF ENGINEER	24											
ACCOUNTANT II	25	55,544	58,321	61,237	64,298	67,515	70,890	74,437	78,157	82,066	86,167	90,476
CHIEF CONSTRUCTION INSPECTOR	25											
CHIEF FIELD SUPERVISOR	25											
EQUESTRIAN PROGRAM SUPERVISOR	25											
PROCUREMENT AGENT	25											
SUPERINTENDENT OF WASTEWATER TREATMENT	25											
CIVIL ENGINEER I	26	58,321	61,237	64,298	67,515	70,890	74,437	78,157	82,066	86,167	90,477	95,001
DRAFTING AND DESIGN SUPERVISOR	26											
ENVIRONMENTAL PROGRAM MANAGER I	26											
GEOGRAPHIC INFORMATION SYSTEMS ANALYST	26											
PAYROLL ASSISTANT II	26											
PROGRAMMER ANALYST	26											
ARCHITECT	28	64,298	67,515	70,890	74,437	78,157	82,066	86,167	90,477	95,000	99,750	104,737
CIVIL ENGINEER II	28											
ENVIRONMENTAL PROGRAM MANAGER II	28											
SENIOR PROCUREMENT AGENT	28											
SEWER MANAGEMENT ENGINEER	28											
SENIOR APPLICATION ENGINEER	28											
CHIEF OF FACILITY MAINTENANCE	30	70,890	74,437	78,157	82,066	86,167	90,477	95,000	99,750	104,739	109,977	115,477
CHIEF OF PROJECT MANAGEMENT	30											
CIVIL ENGINEER III	30											
ENVIRONMENTAL PROGRAM MANAGER III	30											
PUBLIC WORKS PROJECT ADMINISTRATOR	30											
CHIEF OF DRAINAGE OPERATIONS	32	78,157	82,066	86,167	90,477	95,000	99,750	104,739	109,977	115,477	121,249	127,311
CHIEF OF SITE MANAGEMENT	32											

Effective: 07/01/2025 (Ordinance 24-089)

Revised: xx/xx/2024 (Ordinance 24-xxx)

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 35-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
CLERK	12	30,193	31,702	33,288	34,951	36,696	38,533	40,459	42,481	44,606	46,837	49,180
SURVEYOR ASSISTANT	12											
ADMINISTRATIVE SERVICES TECHNICIAN	14	33,288	34,951	36,696	38,533	40,459	42,481	44,606	46,837	49,178	51,637	54,219
AUTOMOTIVE PARTS CLERK	14											
CLERK TYPIST	14											
COMPUTER OPERATOR I	14											
JUNIOR ADMINISTRATIVE AIDE	14											
KEY OPERATOR	14											
MICROFILM TECHNICIAN	14											
PUBLIC SAFETY AIDE	14											
ACCOUNT CLERK I	15	34,951	36,696	38,533	40,459	42,481	44,606	46,837	49,178	51,637	54,220	56,932
CUSTOMER SERVICES COORDINATOR	15											
DRAFTING TECHNICIAN I	15											
INTERLIBRARY LOAN ASSISTANT	15											
LIBRARY ASSISTANT	15											
COMPUTER OPERATOR II	16	36,696	38,533	40,459	42,481	44,606	46,837	49,178	51,637	54,220	56,933	59,778
SURVEY INSTRUMENT OPERATOR	16											
ACCOUNT CLERK II	17	38,533	40,459	42,481	44,606	46,837	49,178	51,637	54,220	56,933	59,779	62,769
COURT CLERK	17											
DEPUTY I	17											
PRINCIPAL LIBRARY ASSISTANT	17											
SECRETARY	17											
STOREKEEPER	17											
PUBLIC WORKS DATA TECHNICIAN	17											
DISPATCHER	18	40,459	42,481	44,606	46,837	49,178	51,637	54,220	56,933	59,779	62,768	65,905
GRAPHIC ARTS DESIGNER	18											
MAINTENANCE PROGRAM TECHNICIAN	18											
RADIO COMMUNICATOR	18											
SANITARY MAINTENANCE TECHNICIAN	18											
TREASURY CUSTOMER SERVICE REPRESENTATIVE	18											
ACCOUNT CLERK III	19	42,481	44,606	46,837	49,178	51,637	54,220	56,933	59,779	62,768	65,905	69,202
ADMINISTRATIVE AIDE	19											
ASSESSMENT TECHNICIAN	19											
ASSESSOR I	19											
BUDGET OFFICE ASSISTANT	19											
LIBRARY SPECIALIST	19											
PARTY CHIEF	19											
PERMIT PROCESS TECHNICIAN	19											
BUILDING AND SITE INSPECTOR	20	44,606	46,837	49,178	51,637	54,220	56,933	59,779	62,768	65,905	69,203	72,662
CERTIFIED ASSESSOR I	20											
COMMUNITY DEVELOPMENT HOUSING INSPECTOR	20											
CUSTOMER INFORMATION & ASSISTANCE SPECIALIST	20											
CUSTOMER SERVICE AND INFORMATION TECHNICIAN	20											
DELINQUENT ACCOUNT COLLECTOR	20											
DEPUTY II	20											
DRAFTING TECHNICIAN II	20											
GRAPHIC ARTS DESIGNER II	20											
HOUSING PROGRAM ASSISTANT	20											
MAINTENANCE OFFICE ADMINISTRATOR	20											
PAYROLL ASSISTANT I	20											
<u>PERMIT PROCESS TECHNICIAN</u>	<u>20</u>											
PLAN EXAMINER	20											
PUBLIC WORKS INSPECTOR	20											
SANITARY SEWER INFORMATION SPECIALIST	20											
SENIOR OFFICE ASSISTANT	20											
SENIOR SANITARY MAINTENANCE TECHNICIAN	20											
VICTIM'S ASSISTANCE OFFICER	20											

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE 35-HOUR WORKWEEK EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
ASSISTANT PROCUREMENT AGENT	21	46,837	49,178	51,637	54,220	56,933	59,779	62,768	65,905	69,203	72,662	76,295
CERTIFIED PERMIT PROCESS TECHNICIAN	21											
CODE ENFORCEMENT OFFICER	21											
CONSTRUCTION INSPECTOR	21											
DRAFTING TECHNICIAN III	21											
ENVIRONMENTAL ANALYST	21											
PLUMBING AND MECHANICAL CODE SUPERVISOR	21											
RIGHT-OF-WAY AGENT	21											
<u>SENIOR CUSTOMER SERVICES & INFORMATION TECHNICIAN</u>	<u>21</u>											
<u>SENIOR PERMIT PROCESS TECHNICIAN</u>	<u>21</u>											
ACCOUNTANT I	22	49,178	51,637	54,220	56,933	59,779	62,768	65,905	69,203	72,662	76,298	80,113
ASSESSOR II	22											
GEOGRAPHIC INFORMATION SYSTEMS TECHNICIAN	22											
HOUSING REHABILITATION SPECIALIST I	22											
OPERATIONS SPECIALIST	22											
ACCOUNTING OPERATIONS ASSISTANT	23	51,637	54,220	56,933	59,779	62,768	65,905	69,203	72,662	76,298	80,111	84,118
CENTRAL RECEIVING SUPERVISOR	23											
CENTRAL SERVICES TECHNICIAN	23											
CERTIFIED ASSESSOR II	23											
CERTIFIED BUILDING AND SITE INSPECTOR	23											
CERTIFIED PLAN EXAMINER	23											
CERTIFIED PLUMBING & MECHANICAL PLAN EXAMINER	23											
CERTIFIED PROPERTY MAINTENANCE & HOUSING INSPECTOR	23											
COMPLAINTS SPECIALIST	23											
CONSTRUCTION INSPECTION SUPERVISOR	23											
EQUESTRIAN PROGRAM COORDINATOR	23											
HOUSING REHABILITATION SPECIALIST II	23											
<u>SENIOR CERTIFIED PERMIT PROCESS TECHNICIAN</u>	<u>23</u>											
SURVEY PARTIES SUPERVISOR	23											
TREASURY ASSOCIATE	23											
CHIEF RIGHT-OF-WAY AGENT	24	54,220	56,933	59,779	62,768	65,905	69,203	72,662	76,298	80,111	84,118	88,323
CUSTOMER SERVICES SPECIALIST	24											
GEOGRAPHIC INFORMATION SYSTEMS SPECIALIST	24											
PUBLIC WORKS CONTRACTS OFFICER	24											
SCHOOL CROSSING GUARD SUPERVISOR	24											
SITE INSPECTIONS SUPERVISOR	24											
STAFF ENGINEER	24											
ACCOUNTANT II	25	56,933	59,779	62,768	65,905	69,203	72,662	76,298	80,111	84,118	88,321	92,738
CHIEF CONSTRUCTION INSPECTOR	25											
CHIEF FIELD SUPERVISOR	25											
EQUESTRIAN PROGRAM SUPERVISOR	25											
PROCUREMENT AGENT	25											
SUPERINTENDENT OF WASTEWATER TREATMENT	25											
CIVIL ENGINEER I	26	59,779	62,768	65,905	69,203	72,662	76,298	80,111	84,118	88,321	92,739	97,376
DRAFTING AND DESIGN SUPERVISOR	26											
ENVIRONMENTAL PROGRAM MANAGER I	26											
GEOGRAPHIC INFORMATION SYSTEMS ANALYST	26											
PAYROLL ASSISTANT II	26											
PROGRAMMER ANALYST	26											
ARCHITECT	28	65,905	69,203	72,662	76,298	80,111	84,118	88,321	92,739	97,375	102,244	107,355
CIVIL ENGINEER II	28											
ENVIRONMENTAL PROGRAM MANAGER II	28											
SENIOR PROCUREMENT AGENT	28											
SEWER MANAGEMENT ENGINEER	28											
SENIOR APPLICATION ENGINEER	28											
CHIEF OF FACILITY MAINTENANCE	30	72,662	76,298	80,111	84,118	88,321	92,739	97,375	102,244	107,357	112,726	118,364
CHIEF OF PROJECT MANAGEMENT	30											
CIVIL ENGINEER III	30											
ENVIRONMENTAL PROGRAM MANAGER III	30											
PUBLIC WORKS PROJECT ADMINISTRATOR	30											
CHIEF OF DRAINAGE OPERATIONS	32	80,111	84,118	88,321	92,739	97,375	102,244	107,357	112,726	118,364	124,280	130,494
CHIEF OF SITE MANAGEMENT	32											

Effective: 07/01/2026 (Ordinance 24-089)

Revised: xx/xx/2024 (Ordinance 24-xxx)

ORDINANCE NO. 24-178

**TO PROVIDE FOR THE INSTALLATION OF ARLINGTON STREET LIGHTS WITH LIGHT
EMITTING DIODE (LED) BULBS (70 WATT EQUIVALENT) AND 8' POLE IN THE
FOULKSTONE SUBDIVISION LOCATED IN THE BRANDYWINE HUNDRED AND FOR A
LIGHT TAX BASED ON THE COST OF STREET LIGHTS**

WHEREAS, a petition has been filed with the Clerk of New Castle County Council for the establishment of a street light tax district in the FOULKSTONE SUBDIVISION and for the installation of ARLINGTON street lights with 70 watt light emitting diode (LED) bulbs and 8' pole, therein.

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

Section 1. The County Executive is hereby authorized to enter a contract, in accordance with 9 *Del. C.* Chapter 21, to provide for the installation of ARLINGTON street lights with 70 watt light emitting diode (LED) bulbs and 8' pole, according to the standards established by the New Castle County Department of Land Use, to be erected along JAMESON WAY as set forth in the petition.

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

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

Adopted by County Council of
New Castle County on:

Monique Williams-Johns
President of Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will allow for the installation of ARLINGTON street lights with 70 watt light emitting diode (LED) bulbs and 8' pole in the FOULKSTONE SUBDIVISION.

FISCAL NOTE: This Ordinance, if approved, provides for the installation of ARLINGTON street lights with 70 watt light emitting diode (LED) bulbs and 8' pole and the assessment of a light tax based on the rates set in the Annual Revenue Ordinance.

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



OFFICE OF FINANCE

BUILDERS PETITION FOR STREET LIGHTING

STATE OF DELAWARE :

SS :

NEW CASTLE COUNTY : EXHIBIT A

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

BE IT KNOWN, that on this 16th Day of September, A.D. 2024 personally appeared before me, the undersigned Notary Public, Christopher Buccini, Authorized Signatory of BPG Office IV LLC, a limited liability company of the State of Delaware, and Anthony J. Ruggio, Authorized Signatory of Montchanin Foulkstone LLC, a limited liability company of the State of Delaware, known to me as such, and being first duly sworn by me according to law, stated and said as follows:

1. Montchanin Foulkstone LLC holds record title to Parcel 2B (Tax Parcel 06-066.00-227) and Parcel 3.1 (Tax Parcel 06-066.00-232) and BPG Office IV LLC holds record title Parcel 3.3 (Tax Parcel 06-066.00-231), Parcel 3.5 (Tax Parcel 06-066.00-230) Parcel 3.6 (Tax Parcel 06-066.00-229) and Parcel 3.7 (Tax Parcel 06-066.00-233) a subdivision located in Brandywine Hundred, New Castle County, Delaware, the metes and bounds for which are set forth in the Deed dated July 18, 2024 between BPG Office IV LLC as grantors, and Montchanin Foulkstone, LLC as grantee, recorded in the Office for the Recorder of Deeds in and for New Castle County at Wilmington, Delaware, in Deed Instrument Number 202440718-0046716, and the Deed dated September 14, 2005, between BPG Office Partners IV LLC as grantors, and BPG Office IV LLC as grantee, recorded in the Office for the Recorder of Deeds in and for New Castle County at Wilmington, Delaware, in Deed Instrument Number 20050919-0095290, and the Deed dated August 15, 2018, between BPG Office Partners IV LLC as grantors, and BPG Office IV LLC as grantee, recorded in the Office for the Recorder of Deeds in and for New Castle County at Wilmington, Delaware, in Deed Instrument Number 20180817-0041805 a copy of which is attached hereto and made a part hereof as EXHIBIT A. A substantially reduced copy of the record subdivision

plan for the portion of the lands known as

Foulkstone,

New Castle County, Delaware, being known as Subdivision Instrument No. 20240716-0046103,
is attached hereto and made a part hereof as EXHIBIT B.

2. Montchanin Foulkstone LLC and BPG Office IV LLC
as sole owners of the above parcels
_____ an
unincorporated community in Brandywine Hundred, New Castle
County, Delaware, hereby petitions New Castle County pursuant to 9 Del. C. 2101 et seq. (Rev. 1974) to enter
into a contract for the purpose of providing light for the streets running through and within said
parcels, the boundary lines of which
are set forth on EXHIBIT A attached hereto and made part hereof, and more visually represented in EXHIBIT
B attached hereto and made part hereof.

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

☐ Colonial / Traditionaire LED (70 watt HPS equivalent)

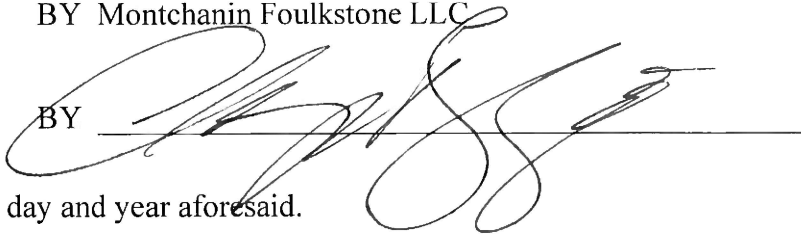
☐ Colonial / Traditionaire LED (100 watt HPS equivalent)

☒ Arlington LED (70 watt HPS equivalent)

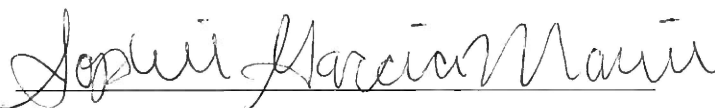
☐ Arlington LED (100 watt HPS equivalent)

4. List names of all streets you wish to have lights installed on Jameson Way

BY Montchanin Foulkstone LLC

BY 

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



Notary Public

My commission expires: 8/2/2026

(Seal)



- ☐ Colonial / Traditionaire LED (70 watt HPS equivalent)
- ☐ Colonial / Traditionaire LED (100 watt HPS equivalent)
- ☒ **Arlington LED (70 watt HPS equivalent)**
- ☐ Arlington LED (100 watt HPS equivalent)

5. List names of all streets you wish to have lights installed on Jameson Way

BY BPG Office Partners IV LLC

BY

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

Notary Public

My commission expires: 1.30.2026

(Seal)



EXHIBIT A



20240718-0046716

P: 1 of 3 F:\$86.00

7/18/2024 3:27:56 PM

Michael E. Kozikowski

T20240026276

New Castle Recorder

DEE

NC: \$17,550.00

State: \$29,250.00

P/O Tax Parcel No. 06-066.00-227

Prepared By and return to:

Berger McDermott LLP

1105 N. Market Street, 11th floor

Wilmington, DE 19801

DEED

THIS DEED, made this 18 day of July, 2024 between

BPG OFFICE IV LLC a Delaware limited liability company (the "Grantor"),

and

MONTCHANIN FOULKSTONE, LLC, a Delaware limited liability company (the "Grantee").

WITNESSETH, that the said Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other good and valuable consideration unto it well and truly paid by the said Grantee, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, does hereby grant and convey unto the said Grantee, its successors and assigns:

LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A"

SUBJECT to all easements, restrictions and conditions as recorded in the Office of the Recorder of Deeds in and for New Castle County, Delaware, to the extent the same remain in force and effect.

BEING a part of the same lands and premises which BPG Office Partners IV, LLC did by deed dated September 14, 2005, and recorded in the Office of the Recorder of Deeds in and for New Castle County, Delaware at Instrument No. 20050919-0095290 did grant and convey unto BPG Office IV LLC.

Grantees Address:

300 Water Street, Suite 300

Wilmington, DE 19801

[Signature Page Follows]

IN WITNESS WHEREOF, the Grantor has caused this Deed to be executed under seal on the date first written above.

SIGNED, SEALED AND
DELIVERED IN THE
PRESENCE OF:

Gene Ruston
Witness

BPG OFFICE IV LLC,
a Delaware limited liability company

By: _____ (SEAL)
Name: Christopher F. Buccini
Title: Authorized Signatory

STATE OF Delaware

:
: ss
:

COUNTY OF New Castle

On the 12th day of July, 2024, before me, the undersigned, personally appeared Christopher F. Buccini, the Authorized Signatory of BPG OFFICE IV LLC, a Delaware limited liability company, and did execute the foregoing Deed.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Nicole L. Metcalfe
Notary Public
Printed Name: Nicole L. Metcalfe
My commission expires: 1-30-2026

EXHIBIT "A"**LEGAL DESCRIPTION****PR. Lot 3.1:**

ALL that lot piece and parcel of land containing 0.42 acres of land, more or less, known as PR. Lot 3.1, as more particularly bounded and described on the Record Title Subdivision Plan of Foulkstone prepared by CDA Engineering Inc., recorded July 9, 2024 in the Office of the Recorder of Deeds in and for New Castle County, Delaware in Instrument No. 20240709-0044058, as modified by the Record Plan Modification of Foulkstone prepared by CDA Engineering Inc., recorded July 16, 2024 in the Office of the Recorder of Deeds in and for New Castle County, Delaware in Instrument No. 20240716-0046103.

PR Lot. 3.2:

ALL that lot piece and parcel of land containing 0.39 acres of land, more or less, known as PR. Lot 3.2, as more particularly bounded and described on the Record Title Subdivision Plan of Foulkstone prepared by CDA Engineering Inc., recorded July 9, 2024 in the Office of the Recorder of Deeds in and for New Castle County, Delaware in Instrument No. 20240709-0044058, as modified by the Record Plan Modification of Foulkstone prepared by CDA Engineering Inc., recorded July 16, 2024 in the Office of the Recorder of Deeds in and for New Castle County, Delaware in Instrument No. 20240716-0046103.

Parcel 2B (a/k/a Remaining Lands of Parcel 2B):

ALL that lot piece and parcel of land containing 3.56 acres of land, more or less, known as Parcel 2B, as more particularly bounded and described on the Record Title Subdivision Plan of Foulkstone prepared by CDA Engineering Inc., recorded July 9, 2024 in the Office of the Recorder of Deeds in and for New Castle County, Delaware in Instrument No. 20240709-0044058, as modified by the Record Plan Modification of Foulkstone prepared by CDA Engineering Inc., recorded July 16, 2024 in the Office of the Recorder of Deeds in and for New Castle County, Delaware in Instrument No. 20240716-0046103.

Lot 4B (a/k/a Jameson Way):

ALL that lot piece and parcel of land containing 0.68 acres of land, more or less, known as Lot 4B, as more particularly bounded and described on the Record Title Subdivision Plan of Foulkstone prepared by CDA Engineering Inc., recorded July 9, 2024 in the Office of the Recorder of Deeds in and for New Castle County, Delaware in Instrument No. 20240709-0044058, as modified by the Record Plan Modification of Foulkstone prepared by CDA Engineering Inc., recorded July 16, 2024 in the Office of the Recorder of Deeds in and for New Castle County, Delaware in Instrument No. 20240716-0046103.


20050919-0095290
 Pages: 6 F: \$80.00
 09/19/05 11:11:44 AM
 T20050076292
 Michael E. Kozikowski
 New Castle Recorder DEE

Tax Parcel No. 06-079.00-142
 and 06-066.00-147

PREPARED BY AND RETURN TO:
 Eugene A. DiPrinzio, Esquire/cp
 Young Conaway Stargatt & Taylor, LLP
 P.O. Box 391
 Wilmington, DE 19899-0391

THIS DEED, made this 14th day of September, 2005,

Between:

BPG OFFICE PARTNERS IV LLC, a Delaware limited liability company,
 party of the first part,

AND

BPG OFFICE IV LLC, a Delaware limited liability company, party of the
 second part,

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of **TEN AND 00/100 DOLLARS (\$10.00)** lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the said party of the second part, its successors and assigns:

Tax Parcel Number 06-079.00-142:

ALL that certain lot, piece or parcel of land situate in Brandywine Hundred, New Castle County Delaware, shown as a Private Street on a Record Resubdivision Plan of "Foulkstone" on record in the Recorder of Deeds Office in and for New Castle, Delaware in microfilm number 12150, being more particularly described according to said Plan and a recent field survey by Landmark Engineering, Inc. in August 2005 as follows:

BEGINNING in the northwesterly line of Foulk Road, a public right of way of varying width, and at a common corner with Parcel 1, of said Plan, located on the northeasterly side of said Private Street, said Beginning being located by the said northwesterly line from the southerly end of a 30' radius curve joining the said northwesterly line with the southwesterly line of Tenby Drive, a 50' wide public right of way, by the following four (4) courses:

1. S 47° 44' 44" W, 110.00';

DB02:5050198.1

059727.1020

NCC 92756 09/19/05 11:03:00
 \$0.00 ST
 \$0.00 NC

2. N 28° 02' 01" W, 7.90';
3. By the arc of a circle curving to the left with a radius of 1,238.00', an arc of 76.22' and a chord bearing S 49° 49' 59" W, 76.21' to a point of tangency;
4. S 48° 04' 09" W, 383.51' to the Beginning;

THENCE, from the Beginning, by the said northwesterly line of Foulk Road S 48° 04' 09" W, 220.00' to a common corner with Parcel 1 A, of the said Plan, located on the southwesterly side of the said Private Road;

THENCE, by the said Parcel 1 A, the following six (6) courses:

1. N 41° 55' 51" W, 2.50';
2. By an arc of a circle curving to the left with a radius of 70.50', an arc of 110.74' and a chord bearing N 03° 04' 09" E, 99.70' to a point of tangency;
3. N 41° 55' 51" W, 242.00' to a point of curvature;
4. By an arc of a circle curving to the right with a radius of 715.75', an arc of 189.62' and a chord bearing N 34° 20' 29" W, 189.07' to a point of Tangency;
5. N 26° 45' 06" W, 66.04' to a point of curvature;
6. By the arc of a circle curving to the left with a radius of 24.11', an arc of 44.26' and a chord bearing N 79° 20' 29" W, 38.30' to the northeasterly line of the subdivision of "Windsor Hills" (MF 630) and at a common corner with Parcel 2 of said Plan;

THENCE, by said Parcel 2, N 48° 04' 09", 79.67' to a common corner with the said Parcel 1;

THENCE, thereby, the following five (5) courses:

1. By the arc of a circle curving to the left with a radius of 10.00', an arc of 13.06' and a chord bearing S 64° 09' 44" W 12.15' to a point of tangency;
2. S 26° 45' 06" E, 38.16';
3. S 41° 55' 51" E, 479.30' to a point of curvature;

DB02:5050198.1

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4. By the arc of a circle curving to the left with a radius of 70.50', an arc of 110.74' and a chord bearing S 86° 55' 51" E, 99.70';
5. S 41° 55' 51" E, 2.50' to the Place of Beginning.

CONTAINING 1.03+/- acres.

Tax Parcel Number 06-066.00-147:

ALL that certain lot, piece or parcel of land situate in Brandywine Hundred, New Castle County Delaware, shown as Parcel 2 on a Record Resubdivision Plan of "Foulkstone" on record in the Recorder of Deeds Office in and for New Castle County, Delaware in microfilm no. 12150 and being more particularly described according to said plan and a recent field survey performed by Landmark Engineering, Inc. in August 2005 as follows:

BEGINNING at an iron pipe found in the southwesterly line of the subdivision of "Perth" (microfilm no. 478) and common corner with Parcel 1 of the aforesaid Plan; said Beginning being located from the southerly end of a 30' radius curve joining the southwesterly line of Tenby Drive, a 50' wide public right-of-way with the northwesterly line of Foulk Road, a public right-of-way of varying width, by the following two courses:

1. By the said northwesterly line of Foulk Road S 47° 44' 44" W, 110.00';
2. By the common line of said "Perth" and said Parcel 1 N 28°02' 01" W, 624.81' to the Beginning;

THENCE, from the Beginning, by said Parcel 1, S 48° 04' 09" W, 738.38' (738.25' by said survey) to the northwesterly line of the subdivision of "Windsor Hills" (microfilm no. 630) and centerline of a 25' wide public lane, at a common corner with Parcel 1 A and Private Street as shown on the aforesaid Plan;

THENCE, by the said northeasterly line of "Windsor Hills" and said centerline the following nine (9) courses:

1. N 26° 45' 06" W, 278.62';
2. N 32° 39' 44" W, 282.00';
3. N 18° 57' 44" W, 136.01';
4. N 21° 22' 44" W, 200.00';

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5. N 18° 34' 44" W, 100.00';
6. N 09° 42' 44" W, 100.00';
7. N 04° 32' 44" W, 100.00';
8. N 05° 07' 56" E, 100.00';
9. N 25° 04' 48" E, 76.92', to a drill hole set in the southerly line of Saddler Lane, a 50' wide public right-of-way (microfilm no. 9088);

THENCE, in part by said Saddler Lane and in part by the subdivision of "Surrey Park" (microfilm no. 858) N 52° 11' 35" E, 481.82' to a concrete monument found at a common corner with the aforesaid subdivision of "Perth";

THENCE, thereby, the following two (2) courses:

5. S 28° 41' 37" E, 979.91' to an iron pipe set, crossing an iron pipe found at 567.11';
6. S 28° 02' 01" E 170.10' to the Place of Beginning.

CONTAINING 18.47 +/- acres.

SUBJECT TO Declaration of Restrictions of Pierce K. Crompton, Jr. and George F. Snyder, dated October 17, 1983, recorded in the Office of the Recorder of Deeds, in and for County of New Castle and State of Delaware, in Deed Record I, Volume 124, Page 86.

SUBJECT TO Declaration by Foulkstone Partnership recorded in the Office of the Recorder of Deeds, in and for County of New Castle and State of Delaware, in Deed Book 422, Page 46.

SUBJECT TO notes, easements, restrictions and covenants appearing on Resubdivision Plan for Foulkstone, recorded in the Office of the Recorder of Deeds, in and for New Castle County and State of Delaware in Microfilm # 12150.

SUBJECT TO notes, easements, restrictions and covenants appearing on Resubdivision Plan for Foulkstone, recorded in the Office of the Recorder of Deeds, in and for New Castle County and State of Delaware in Microfilm # 7066.

SUBJECT TO rights or claims of parties in possession as tenants or as sub-tenants only.

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059727.1020

SUBJECT TO ALL other covenants, conditions, restrictions and easements of record, this reference to which shall not be construed to reimpose the same.

BEING a part of the same lands and premises which Foulkstone L.L.C., by Deed dated November 26, 2003, and recorded in the Office of the Recorder of Deeds in and for New Castle County, State of Delaware, as Instrument Number 20031201-0152579, did grant and convey unto BPG Office Partners IV LLC, in fee.

Grantee's Mailing Address:

322 A Street, Suite 300
Wilmington, Delaware 19801

DB02:5050198.1

059727.1020

IN WITNESS WHEREOF, the said BPG Office Partners IV LLC, a Delaware corporation, has caused its name to be hereunto set under seal by Christopher F. Buccini, Manager of BPG Office Investors III/IV LLC, Manager of BPG Office III/IV LLC, Manager of BPG Office Mezzanine III/IV, LLC, Manager of BPG Office Partners IV LLC, the day and year aforesaid.

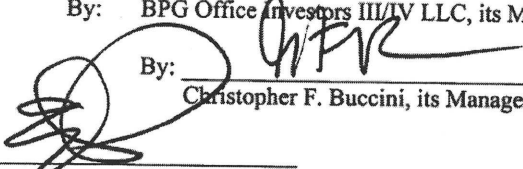
SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

BPG OFFICE PARTNERS IV LLC

By: BPG Office Mezzanine III/IV, LLC, its Manager

By: BPG Office III/IV LLC, its Manager

By: BPG Office Investors III/IV LLC, its Manager

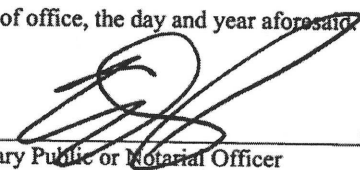
By:  (SEAL)
Christopher F. Buccini, its Manager

Witness

STATE OF DELAWARE)
):
COUNTY OF NEW CASTLE) S.S.

BE IT REMEMBERED, that on this 14TH day of September, 2005, came before me, the Subscriber, a Notary Public in and for the State and County aforesaid, Christopher F. Buccini, Manager of BPG Office Investors III/IV LLC, Manager of BPG Office III/IV LLC, Manager of BPG Office Mezzanine III/IV, LLC, Manager of BPG Office Partners IV LLC, a Delaware limited liability company, party to this Indenture, known to me personally to be such, and acknowledged this Indenture is the act and deed of such company; that his signature is in his own proper handwriting; and that the act of sealing, executing, acknowledging and delivering this Indenture was duly authorized by the company as its act and deed.

GIVEN under my Hand and Seal of office, the day and year aforesaid.

 (Seal)
Notary Public or Notarial Officer

Print Name: _____

My Commission Expires: _____

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20180817-0041805
Pages: 3 F: \$78.00
08/17/18 08:34:32 AM
T20180029043
Michael E. Kozikowski
New Castle Recorder DEE

CLOCK-IN
AND RETURN

Tax Parcel No.: 06-079.00-142
& P/O 06-066.00-147

Prepared by and return to:
Richards, Layton & Finger, P.A.
One Rodney Square
P.O. Box 551
Wilmington, DE 19899

THIS DEED, MADE this 15th day of August, 2018,

BETWEEN BPG OFFICE IV LLC, a Delaware limited liability company, of New Castle County, State of Delaware, party of the first part,

-and-

OFFICE PARTNERS IV FOULKSTONE LLC, a Delaware limited liability company, of New Castle County, State of Delaware, party of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of TEN AND 00/100 DOLLARS (\$10.00), lawful money of the United States of America, and other good and valuable consideration, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the said party of the second part, its successors and assigns,

ALL those certain lots, pieces or parcels of land, together with the improvements thereon, situate in Brandywine Hundred, New Castle County, Delaware, and described on Exhibit "A" attached hereto and made a part hereof.

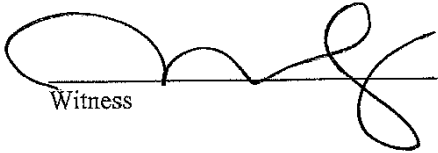
SUBJECT to all restrictions, easement and agreements of record to the extent applicable and in force and effect.

BEING a part of the same lands and premises which BPG Office Partners IV LLC, a Delaware limited liability company, by Deed dated September 14, 2005 and recorded in the Office of the Recorder of Deeds in and for New Castle County, State of Delaware, in Instrument Number 20050919-0095290 did grant and convey unto BPG Office IV LLC, a Delaware limited liability company, in fee.

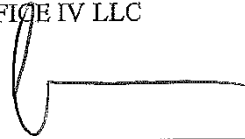
GRANTEE(S) ADDRESS:
322 A Street, Suite 300
Wilmington, DE 19801

IN WITNESS WHEREOF, the said party of the first part has caused this Deed to be duly executed as a sealed instrument the day and year aforesaid.

Signed, sealed and delivered
in the presence of:


Witness

BPG OFFICE IV LLC

By:  (SEAL)
Name: Christopher F. Buccini
Title: Manager

STATE OF DELAWARE)
) SS.
COUNTY OF NEW CASTLE)

Be It Remembered, That on this 31ST day of JULY, 2018, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, Christopher F. Buccini, as Manager of BPG Office IV LLC, party to this Deed, known to me to be such, and he acknowledged before me this Indenture to be his act; that the signature thereto is in his own proper handwriting and that his act of sealing, executing, acknowledging and delivering said Deed was duly authorized by resolution.

GIVEN under my hand and seal of office, the day and year aforesaid.

MEAGAN M. SANTANGELO
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires January 19, 2019

[Notary Seal]

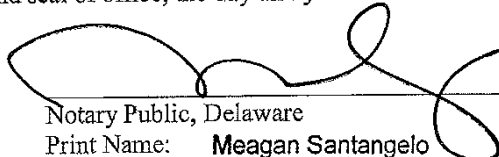

Notary Public, Delaware
Print Name: Meagan Santangelo
My commission expires: 01/19/19

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 2A

ALL that certain piece, parcel or tract of land with the improvements thereon erected, situate in Brandywine Hundred, New Castle County and State of Delaware, being all of Parcel 2A as shown on the Record Title Subdivision Plan of Foulkstone, as recorded in the Office of the Recorder of Deeds in and for New Castle County, State of Delaware in Instrument No. 20180813-0040937.

PRIVATE STREET

ALL that certain piece, parcel or tract of land with the improvements thereon erected, situate in Brandywine Hundred, New Castle County and State of Delaware, being all of the Private Street as shown on the Record Title Subdivision Plan of Foulkstone, as recorded in the Office of the Recorder of Deeds in and for New Castle County, State of Delaware in Instrument No. 20180813-0040937.

TOGETHER with those rights under that certain Foulkstone Plaza Amended and Restated Master Declaration of Covenants, Easements and Restrictions by BPG Office IV LLC and Foulkstone Medical Pavilion Condominium dated August 6, 2018 and recorded August 10, 2018 in the Office of the Recorder of Deeds, in and for New Castle County, Delaware, in Instrument No. 20180810-0040533.

EXHIBIT B

SITE DATA

- OWNER ADDRESS: PARCEL 2A
OFFICE PARTNERS IV FOULKSTONE LLC
1000 N. WEST STREET, SUITE 900
WILMINGTON, DE 19801
- PROPERTY ADDRESS: PARCEL 2A (TP# 06-066.00-147)
1403 FOULK ROAD
WILMINGTON, DE 19803
- TAX PARCEL NUMBERS: PARCEL 2A (TP# 06-066.00-147) (PARCEL 2A)
06-066.00-227 (PARCEL 2B)
- AREA OF PARCELS: 10.62± AC. (PARCEL 2A)
3.56± AC. (PARCEL 2B)
0.42± AC. (LOT 3.1)
0.39± AC. (LOT 3.2)
0.42± AC. (LOT 3.3)
0.40± AC. (LOT 3.4)
0.41± AC. (LOT 3.5)
0.41± AC. (LOT 3.6)
0.40± AC. (LOT 3.7)
0.75± AC. (LOT 4A)
0.88± AC. (LOT 4B)
18.47± AC. TOTAL
- EXISTING/1/3 PROPOSED
- LOTS: 4 EXISTING/1/3 PROPOSED
- ZONING: ON — OFFICE NEIGHBORHOOD (MIXED USE)
- SOURCE OF TITLE: INST. # 20180817-0041805 (PARCEL 2A)
INST. # 20050919-0008201 (PARCEL 2B)
INST. # 20050915-0094437 (PARCEL 1)
INST. # 20180817-0041805 (PUBLIC ACCESS)
- SURVEY: MAY 2018 BY CDA ENGINEERING INC.
- DATUM: VERTICAL — NAVD 88
HORIZONTAL — COORDINATE SYSTEM AND BASIS OF BEARINGS:
DELAWARE STATE PLANE NAD 83/86
- BENCHMARK: RTH MAG
NORTHING 655639.63; EASTING 625722.38
ELEVATION 333.02; POINT NO 11
12 (EXISTING)
- GROSS FLOOR AREA: EXISTING: 240,004± SF TOTAL
PROPOSED: 240,004± SF TOTAL (NO INCREASE IN GFA PROPOSED BY THIS PLAN)
- USE GFA BREAKDOWN: NON-RESIDENTIAL: 161,610± SF OFFICE (90%)
3,500± SF FITNESS CENTER (2%)
14,890± SF DAY CARE (8%)
180,004± SF (TOTAL EX. GFA)
60,004± SF 31 TH UNITS (1,835±SF/UNIT)
- UNIT MIX BREAKDOWN: NON-RESIDENTIAL: 180,004± SF (75%)
RESIDENTIAL: 60,004± SF (25%)
(FOR RESIDENTIAL TOWNHOUSES: GFA INCLUDES 2nd FLOOR AND PARTIAL 1st FLOOR — EXCLUDING GARAGE AREAS)
- PARKING: REQUIRED: 62 SPACES: TOWNHOUSES (31 UNITS x 2 SPACES/UNIT FOR 2 & 3 BEDROOM UNITS)
7 SPACES: TOWNHOUSES (1 GUEST PARKING/5 UNITS x 31 UNITS)
396 SPACES: GENERAL OFFICE (113,127± SF x 3.5 SPACES/1,000 SF)
219 SPACES: MEDICAL OFFICE (48,483± SF x 4.5 SPACES/1,000 SF)
26 SPACES: FITNESS CENTER (3,500± SF x 7.0 SPACES/1,000 SF)
53 SPACES: DAY CARE (14,890± SF x 3.5 SPACES/1,000 SF)
762 SPACES TOTAL REQUIRED PER UDC**
** 599+/- SPACES REQUIRED PER SPECIAL STUDY (UDC SECTION 40.03.524). SEE NOTE #38
- PROVIDED: 108 SPACES EXISTING OFFICE PARKING TO REMAIN
108 SPACES PROPOSED OFFICE PARKING
93 SPACES (62 DRIVEWAY SPACES + 31 GARAGE SPACES)
671 EXISTING SPACES, INCLUDING 17 ADA VAN ACCESSIBLE SPACES
- BICYCLE PARKING: REQUIRED: 20
PROVIDED: 20
- LOADING BAYS: PROVIDED: 3
- *PER SPECIAL STUDY (UDC SECTION 40.03.510.A.4). SEE NOTE #39
- AREA BREAKDOWN: EXISTING: 3,51± AC. (17.9%)
PROPOSED: 3,51± AC. (17.9%)
IMPERVIOUS SURFACES: 5.86± AC. (31.7%)
SWN AREAS: 0.16± AC. (0.9%)
OPEN SPACE: 9.34± AC. (50.6%)
TOTAL: 18.47± AC. (100%)
- NATURAL RESOURCES: PROTECTED RESOURCES TOTAL AREA* DISTURBED AREA PROTECTION RATIO REQUIRED RATIO PROVIDED
WETLANDS: 0.42± AC. 0.0± AC. 0.0± AC. 1.00
RIPARIAN BUFFER: 1.35± AC. 0.0± AC. 0.0± AC. 1.00
TIER 2 FOREST: 2.77± AC. 0.0± AC. 0.0± AC. 0.40
* TOTAL AREA OF RESOURCE; RESOURCES MAY OVERLAP
** DISTURBANCE TO RIPARIAN BUFFER IS PERMITTED WITHIN ZONE 2 FOR STORMWATER MANAGEMENT PRACTICES PER UDC TABLE 40.10.210
- 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.
SEWER FLOW: EXISTING: 25,750 OPD
* NO INCREASE IN SEWER DEMAND PROPOSED BY THIS PLAN
- WATER SUPPLY: CITY OF WILMINGTON — WATER SUPPLY IS SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE STATE DEPARTMENT OF PUBLIC HEALTH.
- FLOODPLAIN: THIS PROPERTY IS NOT WITHIN THE 100-YEAR FLOODPLAIN ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP #1000300067K, WITH AN EFFECTIVE DATE OF JANUARY 22, 2020. A FLOOD STUDY IS NOT REQUIRED FOR THIS APPLICATION.
- WRPA MAP: THE SITE IS WITHIN A WATER RESOURCE PROTECTION AREA (WRPA) ACCORDING TO THE WRPA MAP 1 OF 3, DATED MARCH 2022.
- CRITICAL NATURAL AREA: THE SITE IS NOT WITHIN A CRITICAL NATURAL AREA PER INVENTORY OF NATURAL AREAS.
- WETLANDS: A WETLAND INVESTIGATION WAS CONDUCTED BY WATERSHED ECO, LLC IN OCTOBER 2021 IN ACCORDANCE WITH THE 1987 USACE WETLANDS DELINEATION MANUAL ((Y-87-1) AND REGIONAL SUPPLEMENT. WETLANDS WERE FOUND TO EXIST ON THE SITE AS SHOWN ON THIS PLAN.
- DEBRIS DISPOSAL: NO DEBRIS SHALL BE BURIED ON THE SITE.
- DRAINAGE: DRAINAGE AND EROSION AND SEDIMENT CONTROL, AND STORMWATER MANAGEMENT SHALL BE PROVIDED IN ACCORDANCE WITH THE DELAWARE SEDIMENT AND STORMWATER REGULATIONS AND THE NEW CASTLE COUNTY DRAINAGE CODE.
- SEWER 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.
- SUPERSEDES NOTE: THIS PLAN SUPERSEDES, IN PART, THE RECORD TITLE SUBDIVISION PLAN FOR FOULKSTONE, DATED 5/31/2004 AND RECORDED ON 7/9/2024, IN THE RECORDS OF DEEDS, IN AND FOR NEW CASTLE COUNTY, STATE OF DELAWARE AS INSTRUMENT #20240709-004048.
- IMPACT FEES: THIS PLAN IS SUBJECT TO THE IMPACT FEE PROVISION OF CHAPTER 40, ARTICLE 14 OF THE NEW CASTLE COUNTY CODE, AS MAY BE AMENDED BY NEW CASTLE COUNTY COUNCIL.
- DECLARATIONS: A MASTER DECLARATION OF COVENANTS, EASEMENTS, AND RESTRICTIONS FOR FOULKSTONE, DATED MARCH 27, 2008 WAS RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS, IN AND FOR NEW CASTLE COUNTY, STATE OF DELAWARE, AS INSTRUMENT #20080308-0020902. THE DECLARATION WAS AMENDED AND RE-ESTATED ON AUGUST 6, 2018 BY INSTRUMENT #20180610-0040533, AND FURTHER AMENDED AND RE-ESTATED ON DECEMBER 19, 2023 BY INSTRUMENT #20240129-0005697.
- DEED RESTRICTIONS: A DECLARATION OF RESTRICTIONS, DATED OCTOBER 17, 1983, WAS RECORDED ON OCTOBER 28, 1983 IN DEED VOLUME 1, BOOK 124, PAGE 88, WHICH RESTRICTIONS, INTER ALIA, PROHIBIT THE SALE OF ALCOHOL, LIMIT THE HOURS OF CONSTRUCTION, AND REGULATE SIGNAGE. IN ADDITION, BUILDINGS ARE SUBJECT TO HEIGHTENED SETBACK AND HEIGHT STANDARDS, WHILE PARKING AREAS ARE SIMILARLY SUBJECT TO HEIGHTENED SETBACK STANDARDS. THESE RESTRICTIONS ALSO LIMIT THE AGGREGATE GROSS FLOOR AREA FOR BUILDINGS TO 300,000 SQUARE FEET.
- LANDSCAPE PLAN: A LANDSCAPE PLAN, PREPARED BY DESIGNS, ETC., LAST DATED 10/14/22 OR AS AMENDED AND APPROVED IN WRITING BY THE DEPARTMENT OF LAND USE, IS HEREBY CONSIDERED A PART OF THE RECORD PLAN.
- DELDOT: ALL ENTRANCES SHALL CONFORM TO DELDOT'S CURRENT DEVELOPMENT COORDINATION MANUAL (CDM) AND SHALL BE SUBJECT TO ITS APPROVAL.
- LIMIT OF DISTURBANCE: NO DISTURBANCE PROPOSED BY THIS PLAN.
- LAND DEVELOPMENT IMPROVEMENT AGREEMENT: ALL IMPROVEMENTS REQUIRED BY THIS PLAN AND THE NEW CASTLE COUNTY CODE SHALL BE SUBJECT TO THE LIDIA, AND THE PERFORMANCE GUARANTEE INCORPORATED THEREIN. THE LIDIA IS RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY ON 12/26/2022, AT INSTRUMENT #20221226-0117665.
- SIDEWALKS: UNLESS OTHERWISE SPECIFIED ON THE PLAN, SIDEWALKS SHALL BE INSTALLED IN THE LOCATIONS SHOWN ON THIS PLAN AND SHALL BE A MINIMUM FIVE (5) FEET IN WIDTH AND CONSTRUCTED OF PORTLAND CEMENT CONCRETE.

PURPOSE OF PLAN:

TO DOCUMENT THE OMITTED TITLE SUBDIVISION LINE WITHIN LOT 4.

LEGEND

EXISTING	PROPOSED
	PROPERTY LINE
	ADJACENT LINE
	EASEMENT
	BUILDING SETBACK
	PAVING SETBACK
	CONCRETE CURB
	FENCE
	CONTOUR
	SANITARY MANHOLE
	LIGHT POLE
	UTILITY POLE
	FIRE HYDRANT
	FIRE DEPARTMENT CONNECTION
	LIMIT OF DISTURBANCE
	BUILDING
	POSTAL ADDRESS
	CE
	RIPARIAN BUFFER

SHEET 2

SHEET 3

KEY MAP

LOCATION MAP

SCALE: 1"=800'
BASE MAP #10

ISSUE/REVISION DATE
ISSUED FOR RECORDATION 7.15.2024

CDA ENGINEERING INC.
CIVIL/SITE ENGINEERING AND LAND PLANNING
6 LARCH AVENUE
SUITE 401
WILMINGTON, DE 19804
Tel: 302 998 9202
Fax: 302 691 1314
cdaengineering.com

DRAWN BY: ZAK

CHECKED BY: CD

PROJECT No.: 24.108.00

SCALE: 1" = 80'

DATE: JULY 10, 2024

CAD FILE:

0' 40' 80' 160' 240'

1" = 80'

APPLICATION #2024-0325

FOULKSTONE

RECORD PLAN MODIFICATION

BRANDYWINE HUNDRED NEW CASTLE COUNTY DELAWARE

DRAWING TITLE: RECORD PLAN MODIFICATION

DRAWING NUMBER: REC 1 OF 4

CERTIFICATION OF PLAN APPROVAL

APPROVED: 7/16/24 BY: Robert E. Deascanis, General Manager

DATE: JULY 10, 2024

FOR DEPARTMENT OF LAND USE OF NEW CASTLE COUNTY.

APPROVED: 7/16/24 BY: Robert E. Deascanis, General Manager

DATE: JULY 10, 2024

FOR COUNTY COUNCIL OF LAND USE OF NEW CASTLE COUNTY.

CERTIFICATION OF OWNERSHIP

I, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN ON THE ATTACHED MAP, AND THAT I AM THE OWNER OF THE 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.

7/16/24

OFFICE PARTNERS IV FOULKSTONE LLC
& BPO OFFICE IV, LLC
C/O MICHAEL HARE

CERTIFICATION OF PLAN ACCURACY

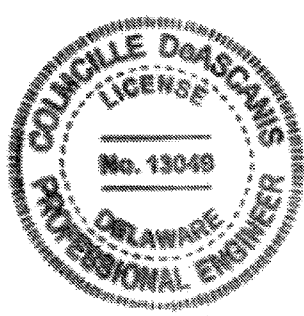
I, COLMICELLE DEASCANIS, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL ENGINEER WITH A BACKGROUND IN CIVIL ENGINEERING IN THE STATE OF DELAWARE AND THAT ALL OF THE INFORMATION SHOWN ON THIS PLAN IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY ACCEPTED SURVEYING STANDARDS AND PRACTICES AND BY THE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

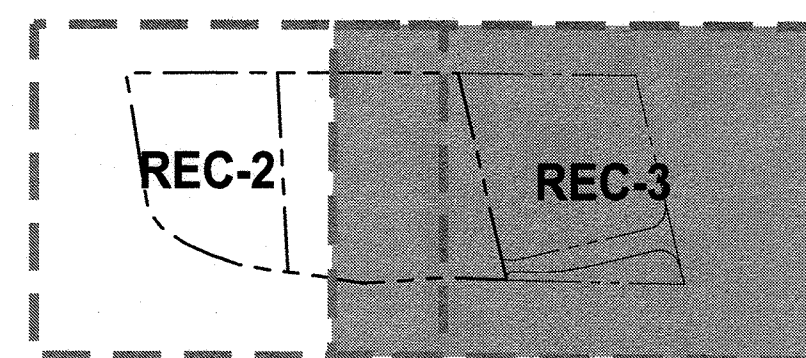
7/16/24

COLMICELLE DEASCANIS
REGISTRATION #13049

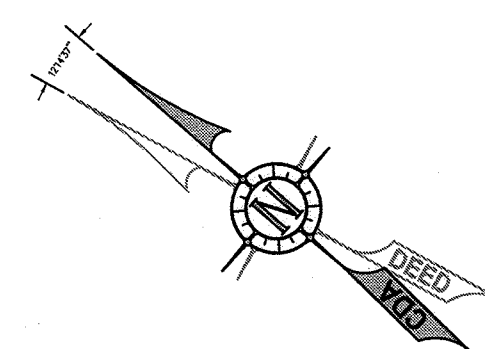


20240716-0046103
P: 1 of 4 F: 585.00
Michael E. Kozlovski
New Castle Recorder





KEY MAP



ISSUE/REVISION	DATE
ISSUED FOR RECORDATION	7.15.2024

CDA ENGINEERING INC.

CIVIL/SITE ENGINEERING AND LAND PLANNING

**6 LARCH AVENUE
SUITE 401
WILMINGTON, DE 19804**

**Tel: 302 998 9202
Fax: 302 691 1314
cdaengineering.com**

DRAWN BY: **ZAK**

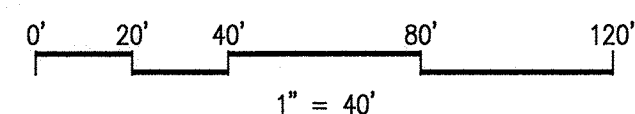
CHECKED BY: _____ **CD**

PROJECT No.: **24.108.00**

SCALE: **1" = 40'**

DATE: **JULY 10, 2024**

CAD FILE: _____



APPLICATION #2024-0325

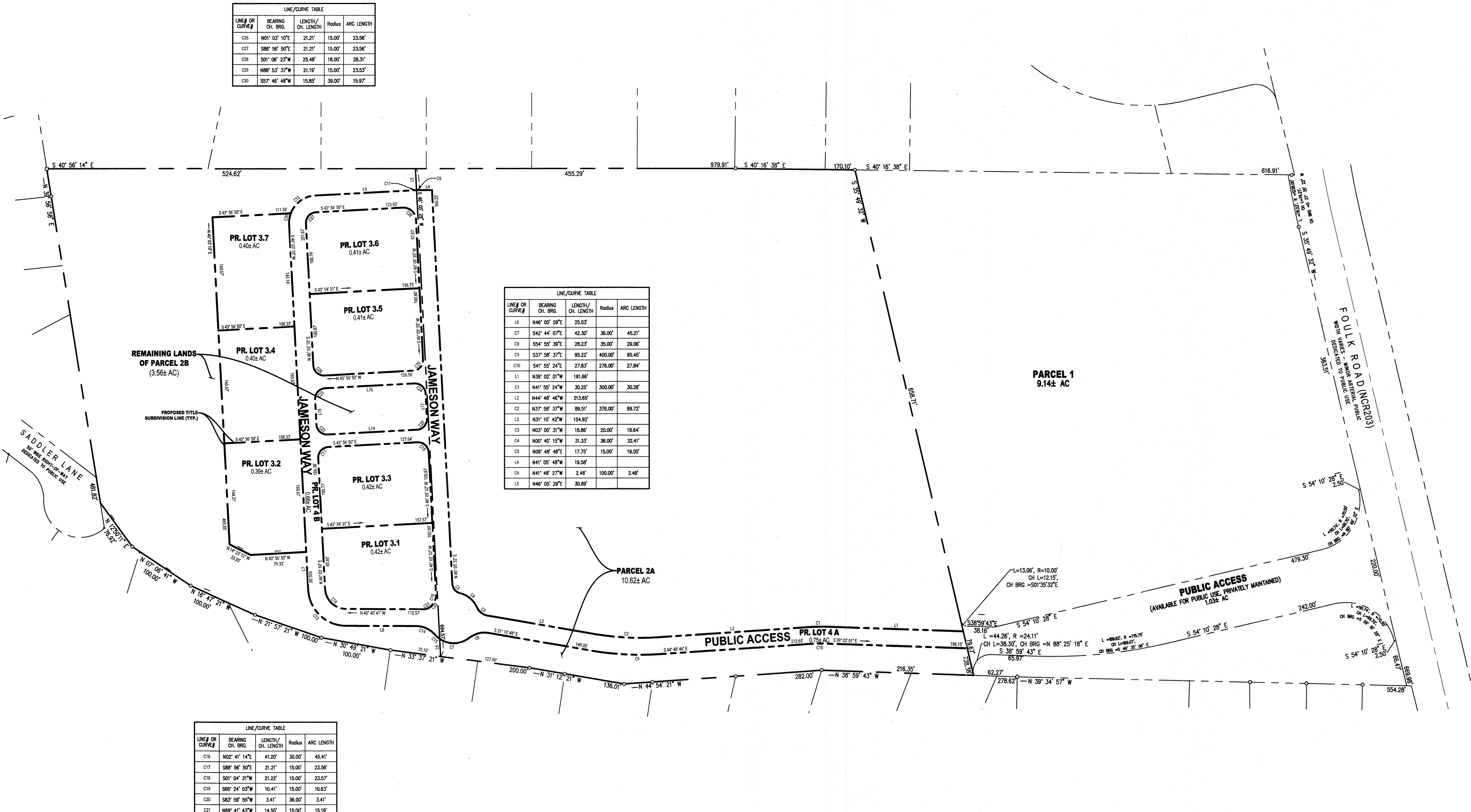
FOULKSTONE

RECORD PLAN MODIFICATION

BRANDYWINE HUNDRED NEW CASTLE COUNTY DELAWARE

DRAWING TITLE: **RECORD PLAN MODIFICATION**

DRAWING NUMBER: REC 3 of 4



ISSUE/REVISION	DATE
ISSUED FOR RECORDATION	7.15.2024

CDA

ENGINEERING INC.

CIVIL/SITE ENGINEERING AND LAND PLANNING

6 LARCH AVENUE
SUITE 401
WILMINGTON, DE 19804

Tel: 302.998.9202
Fax: 302.691.1314
cdaengineering.com

DRAWN BY:	ZAK
CHECKED BY:	CD
PROJECT No.:	24.108.00
SCALE:	1" = 80'
DATE:	JULY 10, 2024
CAD FILE:	

0'

40'

80'

160'

240'

1" = 80'

APPLICATION #2024-0325

FOULKSTONE

RECORD PLAN MODIFICATION

BRANDYWINE HUNDREDNEW CASTLE COUNTYDELAWARE

DRAWING TITLE:RECORD PLAN MODIFICATION

DRAWING NUMBER:REC 4 of 4

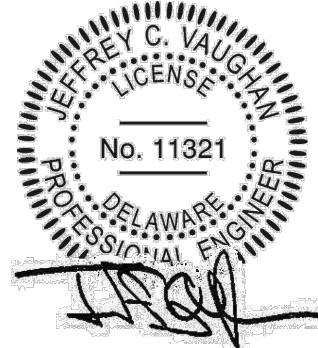


CDA ENGINEERING INC.
CIVIL/SITE ENGINEERING AND LAND PLANNING

6 LARCH AVENUE
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WILMINGTON, DE 19804

Tel: 302 998 9202
Fax: 302 691 1314
cdaengineering.com

**APPLICATION No.
RECORD LAND DEVELOPMENT
MIXED-USE
OF
FOULKSTONE**



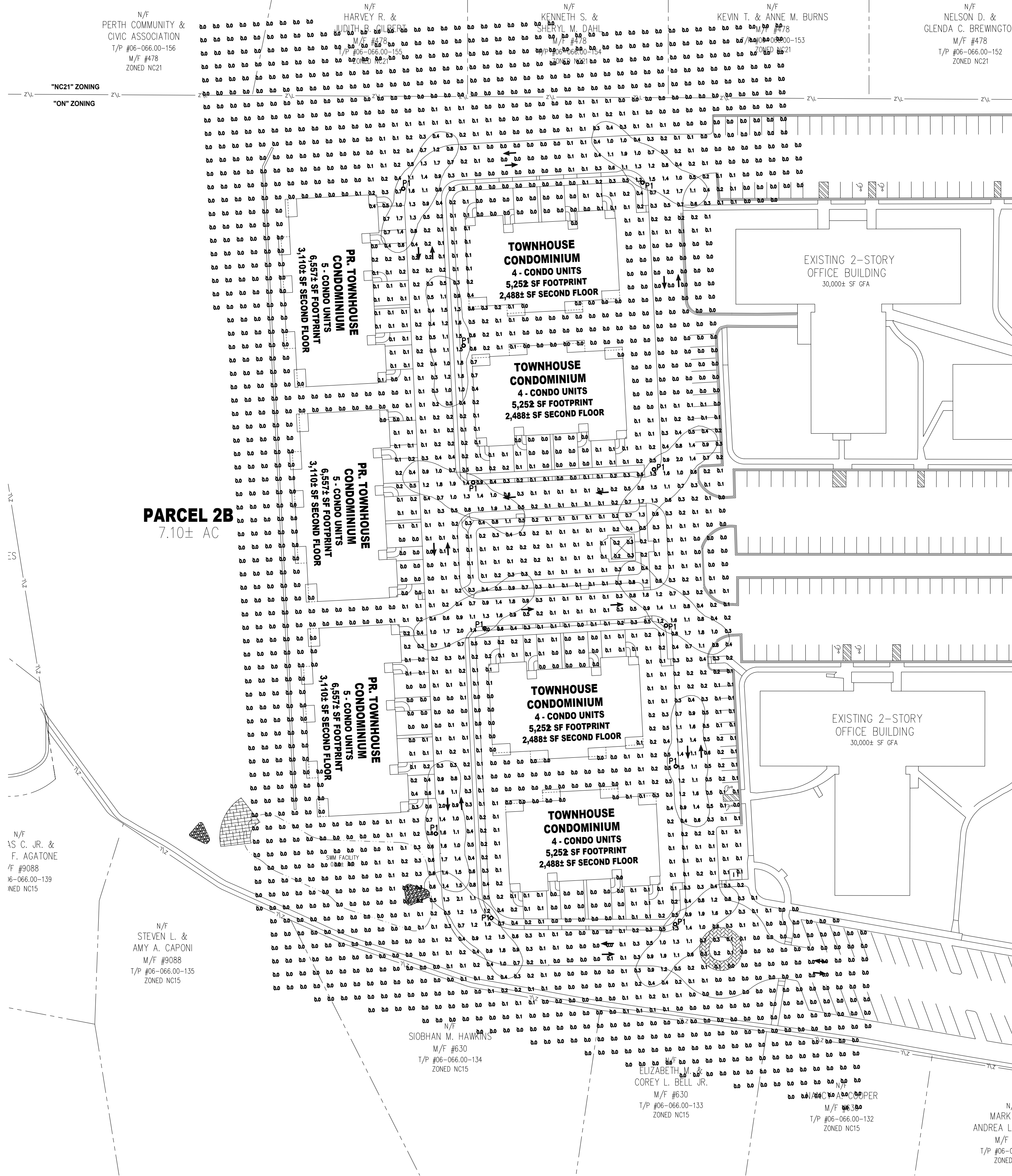
blv **BLAKE & VAUGHAN**
ENGINEERING, INC.

Mechanical / Electrical Consulting Engineers
800 Woodlawn Ave., Wilmington, DE 19805
P: (302) 888-1780 F: (302) 888-1781

PROJECT NUMBER: 2022153
DATE: 8/17/23

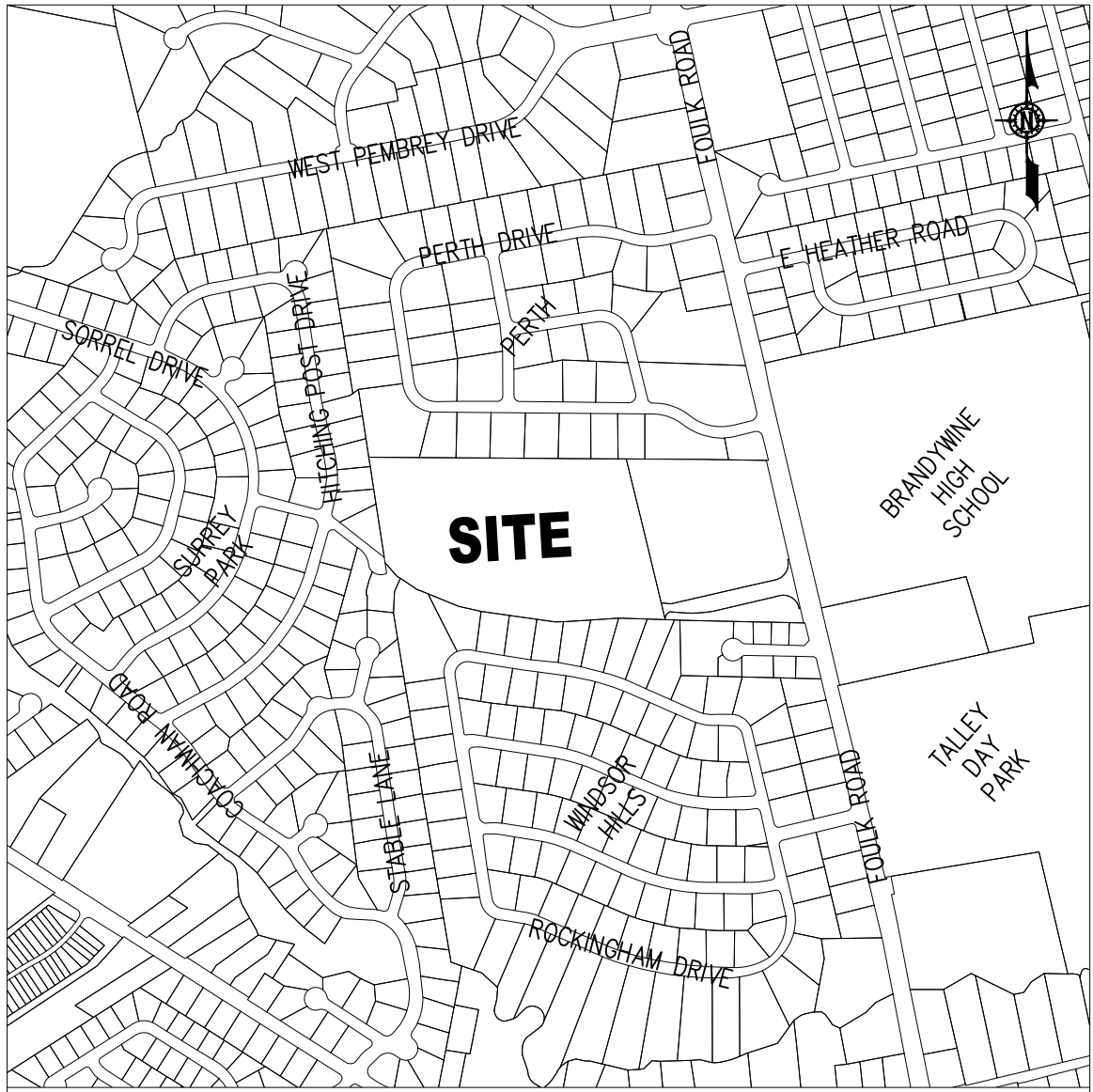
DRAWING TITLE: SITE LIGHTING PLAN

DRAWING NUMBER: E-1



SITE LIGHTING PHOTOMETRICS PLAN

SCALE: 1" = 50'



LOCATION MAP

SCALE: 1"=800'

REVISION

CDA ENGINEERING INC.

CIVIL/SITE ENGINEERING AND LAND PLANNING

6 LARCH AVENUE
SUITE 401
WILMINGTON, DE 19804
Tel: 302.998.9202
Fax: 302.691.1314
cdaengineering.com

DRAWN BY: FWM

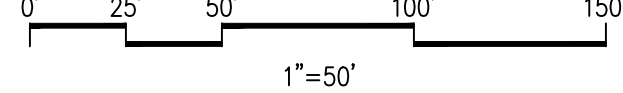
CHECKED BY: JCV

PROJECT No.: 18.108.00

SCALE: 1"=50'

DATE: 8-17-2023

CAD FILE: ...DWG\REC\1810800 BASE.DWG



APPLICATION No.

RECORD LAND DEVELOPMENT

MIXED-USE

OF

FOULKSTONE

BRANDY WINE HUNDRED NEW CASTLE COUNTY DELAWARE

DRAWING TITLE: SITE LIGHTING PHOTOMETRICS PLAN

DRAWING NUMBER: E-2



BLAKE & VAUGHAN
ENGINEERING, INC.

Mechanical / Electrical Consulting Engineers
800 Woodlawn Ave., Wilmington, DE 19805
P: (302) 888-1780 F: (302) 888-1781
PROJECT NUMBER: 2022153
DATE: 8/17/23

Note: Builder will use the Arlington Fixture from Delmarva Power Standard Fixtures with LED 70-watt equivalent lamp in lieu of Granville Fixture to meet dark-sky compliance



Catalog Number	
Notes	Type

Technical drawing of the PHANE 1500000000 luminaire. The drawing includes a perspective view on the left and two orthographic views (front and side) on the right. Dimensions are provided for the overall height (3'-7"), the top cap diameter (1'-5 1/4"), the base diameter (1'-0 7/8"), and the mounting arm length (1'-0 7/8"). Labels identify the components: PRISMATIC ACRYLIC TOP CAP, PRISMATIC ACRYLIC REFLECTOR, PRISMATIC ACRYLIC REFRACTOR, LUMINAIRE HOUSING, SET SCREWS, and SLIP FITTER FOR 3" TENDON.

Maximum weight - 37 lbs
 Maximum effective projected area - 2.19 sq. ft.

Acrylic Washington Postlite Utility LED3

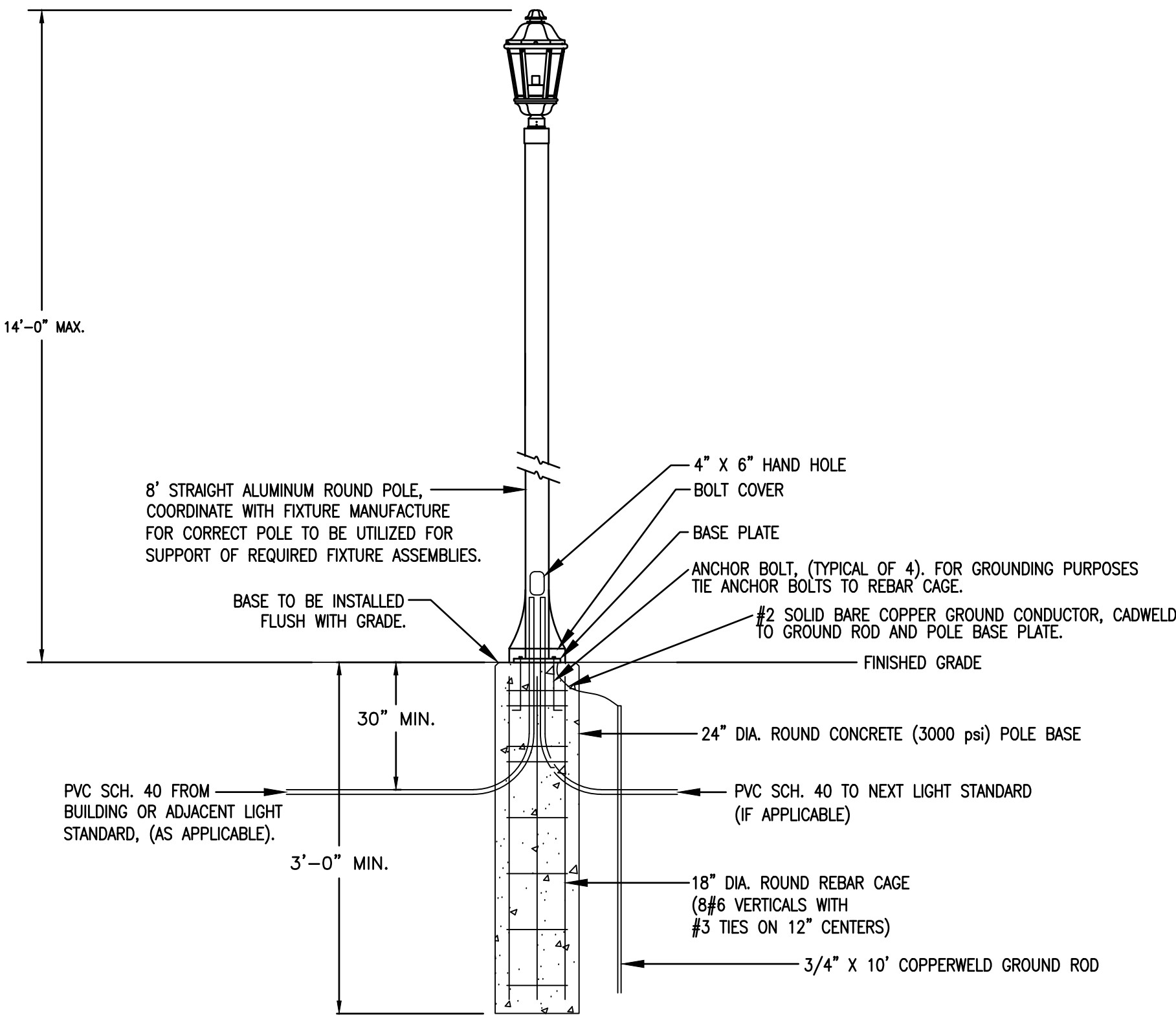


ORDERING INFORMATION			Example: AWDE5 350 30K MVOLT MS AL3 BK MB ST TBK AC		
Series	LED Performance Package	LED Color temperature	Voltage	Mounting Style	HS
AWDE5 Acrylic Washington Postality Utility LEDS	P10 3,700 nominal lumens P20 6,000 nominal lumens P30 9,000 nominal lumens P40 12,000 nominal lumens P50 13,400 nominal lumens P60 16,500 nominal lumens P70 20,100 nominal lumens	27K 2700K CCT 30K 3000K CCT 40K 4000K CCT 50K 5000K CCT	MVOLT Auto-Sensing 120-277V 50/60Hz HVOLT Auto-Sensing 347-480V 50/60Hz	MS Modern Style Swing LS Lead Style Swing LS Lead Style Swing	MS Modern Style Swing LS Lead Style Swing

Optics	Housing Color		Trim	Finish	Trim Color
AL3	Acrylic, Type III	BK	Black	(BK) No Trim	(BK) Black
AL5	Acrylic, Type V	BZ	Bronze	FBM Full Cover with Medallions and Band	BL Rail
AL3U	Acrylic, Type III	GR	Gasphe	FNT Full Cover only	CL Clear Acrylic
AL5U	Acrylic, Type V	GR	Green	MB Medallions and Band	CG Gold
		GR	Grey	RMB Ribs, Band and Medallions	EGE Eagle
		PP	Prime Paint	FRBM Full Cover, Ribs, Band and Medallions	FL Flower
		WH	White		KC Knurled Cap
CNC	CustomMatchColor Finish			PN Pawns	TPP Prime Paint
XX	STD Finish, TBD			ST Standard	TWH White
RALxxxxDGR	RAL Super Durable Corrosion Resistant, 80% Gloss-Paint, replace xxxx with RAL number.			TCM Custom Match Color Finish	
				RAL Super Durable Corrosion Resistant, 80% Gloss-Paint, replace xxxx with RAL number.	
					TXX STD Finish, TBD

Options: Option Compatibility Matrix on page 4 of 6		
CONTROLS OPTIONS		
A0	Field Adjustable Output	
PD	NEHA twillow dimming photoconductive receptacle - 7 pin	
PD7E	NEHA twillow dimming photoconductive receptacle - 7 Pin (Under Aerial)	
PCLL	Long Life DTL Twillow Photoconductive for Solid State, 340V	
PCL	Long Life DTL Twillow Photoconductive for Solid State, 340V	
PCL4	Long Life DTL Twillow Photoconductive for Solid State, 480V	
PD8	Long Life DTL Twillow Photoconductive for Solid State, 480V	
SH	Shunting Cap	
RS06	Light Motion Sensing Photocontrols	
NLAIR2	Light's R0 2.0 Antenna	
PREWIRED LEAD OPTIONS		
L1H	1.5 ft prewired leads	
L1B	3 ft prewired leads	
L10	10 ft prewired leads	
L20	20 ft prewired leads	
L25	25 ft prewired leads	
L30	30 ft prewired leads	
OPTIC OPTIONS		
TB	Tarson Black Cover	
REMA LABEL OPTIONS		
NL1X1	1" X 1" ANSI Wattle Label	
NL2X2	2" X 2" ANSI Wattle Label	
OPTIC OPTIONS		
UA	Assembly	
DRIVER ELECTRICAL OPTIONS		
FPDx	Factory Programmed Driver	
20KV	Extreme surge protection 20KV/10KA, fail off with indicator light	

Accessories: Order as separate catalog number	
DECORATIVE BAND OPTIONS RBMX Ribs and Band Kit, Field Installed <i>(Field Installed: For use with units without factory installed ribs and band. Insert Firm color for R)</i>	HOUSE SIDE SHIELD OPTIONS GYH5590 House Side Shield Solid 90° GYH5512 House Side Shield Solid 120° GYH5518 House Side Shield Solid 180° GYH5590 House Side Shield for Lunar Optic Solid 90° GYH5512 House Side Shield for Lunar Optic Solid 120° GYH5518 House Side Shield for Lunar Optic Solid 180°



TYPE "P1" POLE/BASE DETAIL

SCALE: NONE

[illegible]

CDA ENGINEERING INC.

CIVIL/SITE ENGINEERING AND LAND PLANNING

6 LARCH AVENUE
SUITE 401
WILMINGTON, DE 19804

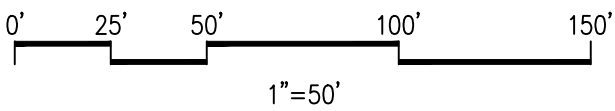
Tel: 302 998 9202
Fax: 302 691 1314
cdaengineering.com

DRAWN BY:	FWM
CHECKED BY:	JCV
PROJECT No.:	18.108.00
SCALE:	1"=50'

SCALE: 1"=50'

DATE: 8-17-2023

CAD FILE: ...\\DWG\\REC\\1810800 BASE.DWG



**APPLICATION No.
RECORD LAND DEVELOPMENT
MIXED-USE
OF
FOULKSTONE**

BRNADYWINE HUNDRED NEW CASTLE COUNTY DELAWARE

DRAWING TITLE: SITE LIGHTING DETAILS, SCHEDULE

DRAWING NUMBER: E-3

Prime Sponsor(s): Mr. Tackett
Requested by: Land Use
Date of introduction: March 26, 2024

ORDINANCE NO. 24-043

COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 11 REGARDING THE FOLLOWING TAX PARCELS: PENCADER HUNDRED: 11-014.00-044 (904 OLD BALTIMORE PIKE, DAYETT MILLS INC), 11-014.00-045 (2029 SUNSET LAKE RD), 11-018.00-012 (0 EGGERTS LN), 11-018.00-060 (0 OLD COOCHS BRIDGE RD, GLASGOW COMMONS), 11-018.00-061 (2001 OLD COOCHS BRIDGE RD, GLASGOW COMMONS), 11-018.00-062 (0 DUSK RUN RD, GLASGOW COMMONS), 11-022.00-014 (2199 PULASKI HWY, GLASGOW REGIONAL PARK), 11-022.00-016 (0 DUSK RUN RD, GLASGOW COMMONS), 11-032.00-001 (210 BENJAMIN BLVD), 11-032.00-259 (209 BENJAMIN BLVD); WHITE CLAY CREEK HUNDRED: 09-029.00-003 (39 E REGAL BLVD), 09-029.00-015 (0 CHAPMAN RD)

1 **WHEREAS**, County Council adopted Substitute No. 2 to Ordinance No. 22-024 as
2 amended by Floor Amendment No. 1 ("New Castle County Comprehensive Plan" or "the
3 Plan"), on July 26, 2022, and the County Executive approved the Ordinance on August
4 4, 2022; and
5

6 **WHEREAS**, the Future Land Use Element and Map Series of the New Castle
7 County Comprehensive Plan designates proposed future general distribution, location
8 and extent of the uses of land consistent with goals, policies and measurable objectives
9 enumerated in the Plan; and
10

11 **WHEREAS**, the New Castle County Comprehensive Plan guides and encourages
12 sustainable economic development sensitive to the context of neighboring residential
13 developments; and
14

15 **WHEREAS**, the New Castle County Comprehensive Plan guides and encourages
16 preservation efforts to best protect important ecological habitats; and
17

18 **WHEREAS**, 9 Del. C. § 2660 requires New Castle County to amend its official
19 zoning map within eighteen months of the date of adoption of a revision to the county
20 comprehensive plan "to rezone all lands in accordance with the uses and intensities of
21 uses provided for in the future land use element for the County"; and
22

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

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

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

33 **WHEREAS**, County Council has determined that the amendments to the zoning
34 map substantially advance, and are reasonably and rationally related to, legitimate
35 government interests (i.e., promoting the health, safety, morals, convenience, order,
36 prosperity and/or welfare of the present and future inhabitants of this State).
37

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

40 Section 1. The Zoning Maps of Pencader Hundred and White Clay Creek
41 Hundred, are hereby amended by changing the zoning classification of the land shown
42 on attached Exhibit "A", Maps 1-4 dated 3/13/2024, as set forth therein.
43

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

Adopted by County Council of
New Castle County on:

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

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: Same as title.

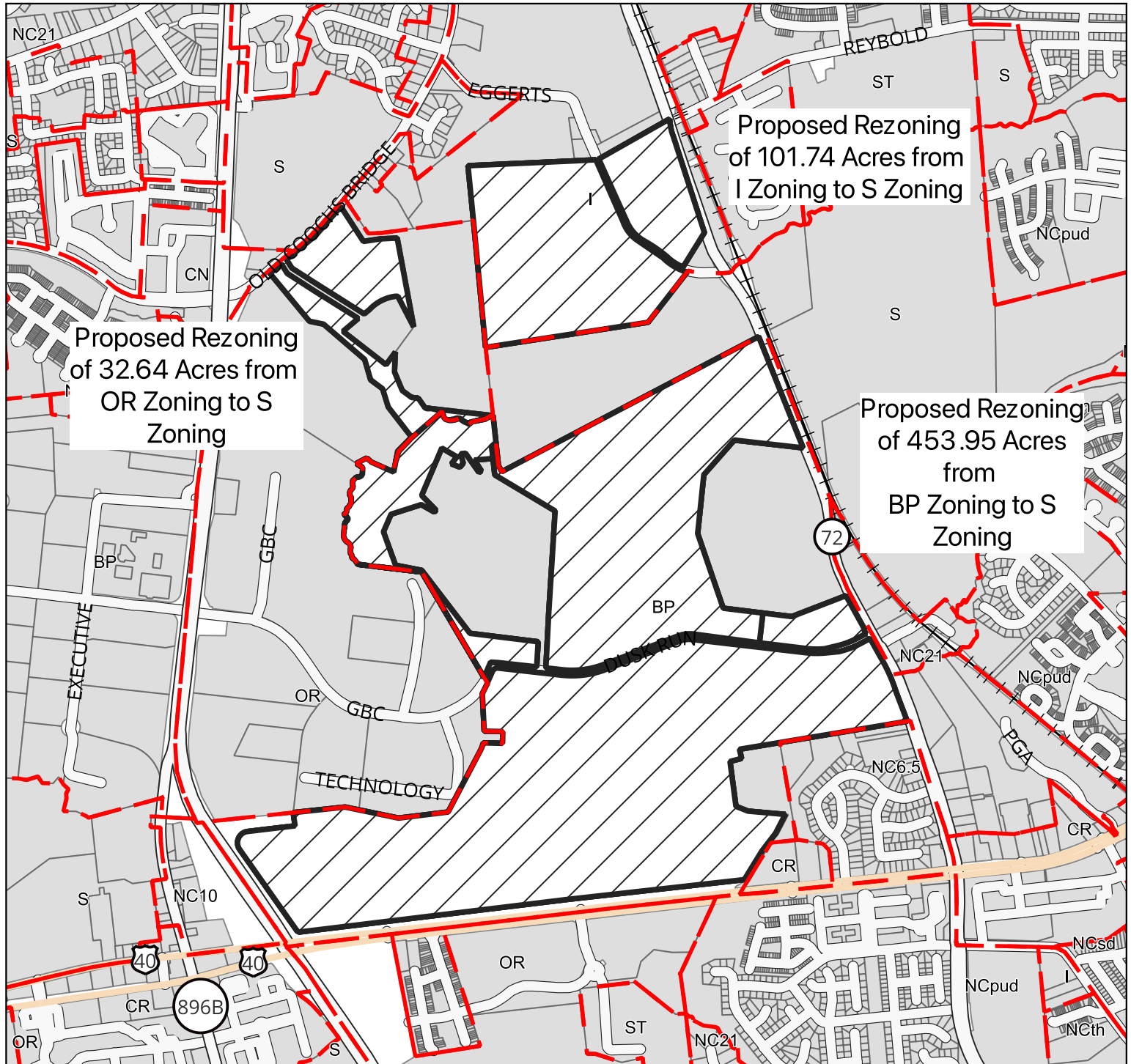
FISCAL IMPACT: There is no discernible fiscal impact with the adoption of this legislation.

PROPERTY MAP

EXHIBIT A: MAP 1
ZONING ORDINANCE AS INTRODUCED

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

APPLICATION NO. 2024-0157-Z
TAX PARCEL NO: 11-018.00-012, 11-018.00-060,
11-018.00-061, 11-018.00-062, 11-022.00-014,
11-022.00-016



HUNDRED: PENCADER
NEW CASTLE COUNTY, DELAWARE

Scale: 1:18510
Prepared by: Matthew Rogers

Date: 3/14/2024

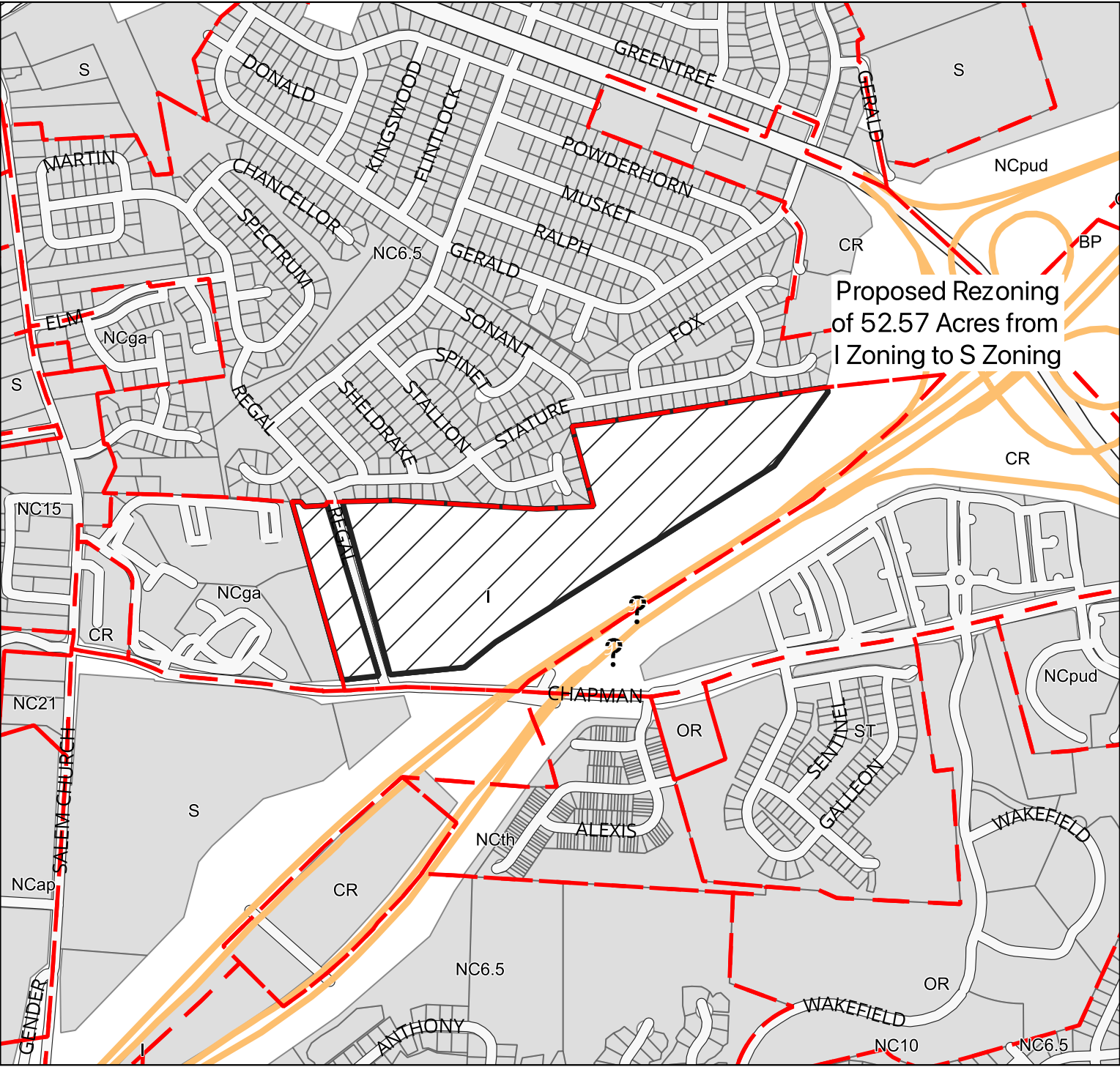


-  BP to S
-  I to S
-  OR to S

PERMANENT ORDINANCE NO. 24-043
Date Adopted by County Council:
Date Approved by County Executive:

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

APPLICATION NO. 2024-0157-Z
TAX PARCEL NO: 09-029.00-003,
09-029.00-015



HUNDRED: WHITE CLAY CREEK
NEW CASTLE COUNTY, DELAWARE

Scale: 1:10333
Prepared by: Matthew Rogers

Date: 3/14/2024



PERMANENT ORDINANCE NO. 24-043
Date Adopted by County Council:
Date Approved by County Executive:

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

APPLICATION NO. 2024-0157-Z
TAX PARCEL NO: 11-014.00-044,
11-014.00-045



HUNDRED: PENCADER
NEW CASTLE COUNTY, DELAWARE

Scale: 1:4079
Prepared by: Matthew Rogers

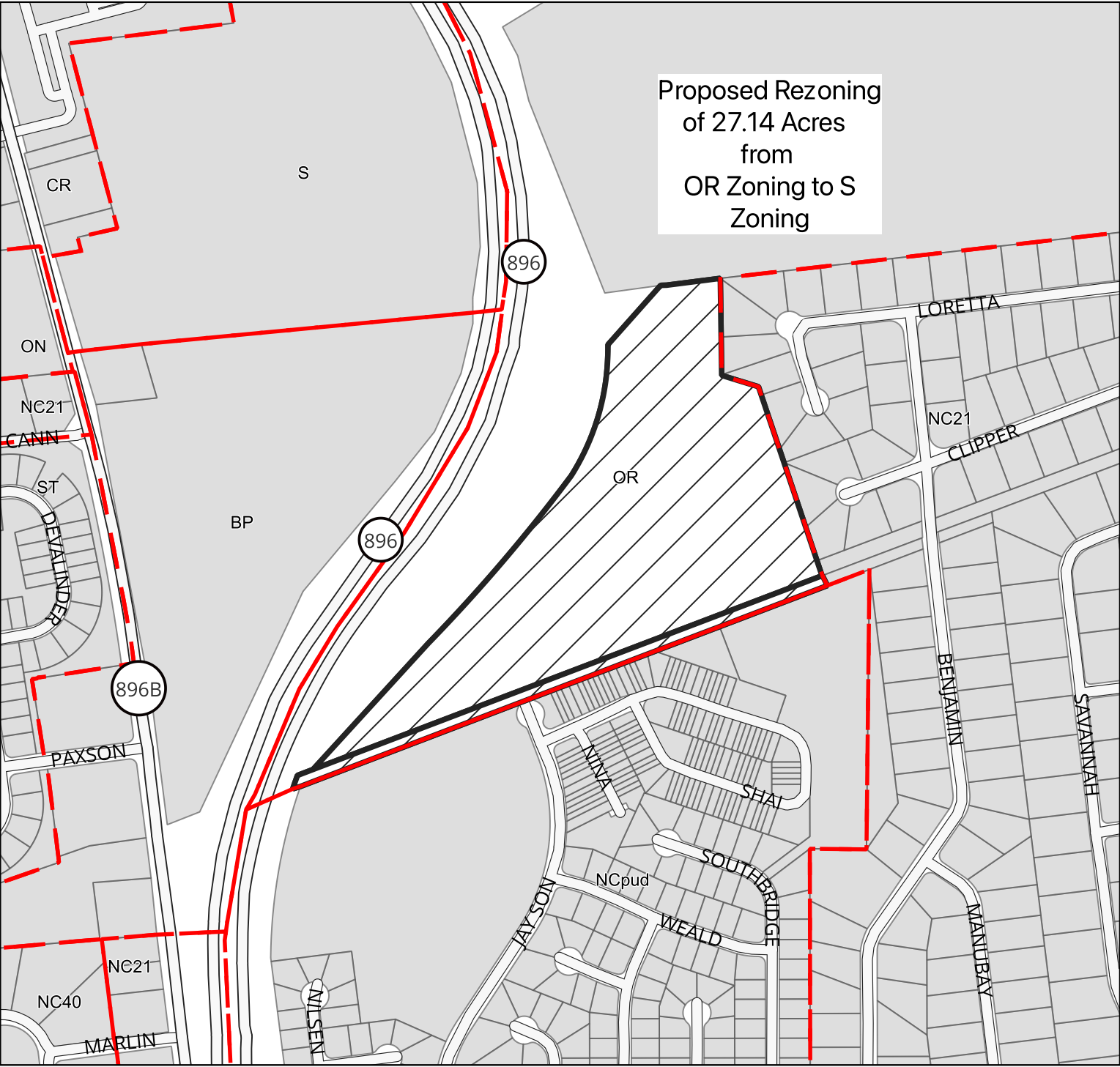
Date: 3/13/2024



PERMANENT ORDINANCE NO. 24-043
Date Adopted by County Council:
Date Approved by County Executive:

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

APPLICATION NO. 2024-0157-Z
TAX PARCEL NO: 11-032.00-001,
11-032.00-259



HUNDRED: PENCADER
NEW CASTLE COUNTY, DELAWARE

Scale: 1:6039
Prepared by: Matthew Rogers

Date: 3/13/2024



PERMANENT ORDINANCE NO. 24-043
Date Adopted by County Council:
Date Approved by County Executive:



Department of Land Use

**JOINT DEPARTMENT OF LAND USE / PLANNING BOARD
RECOMMENDATION**

**Ordinance No. 24-043
Application No. 2024-0157-Z
Comprehensive Rezoning**

July 16, 2024

Sponsor: Councilman Tackett (District 11)

Description: Amend the Zoning Map for County Council District 11 consistent with the Future Land Use Map

EXECUTIVE SUMMARY

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

Ordinance 24-043 proposes to amend the County's official zoning map to rezone lands in County Council District 11 in accordance with the uses and intensities of uses provided for in the Future Land Use Element in the 2022 Update to the New Castle County Comprehensive Development Plan. While the Future Land Use map itself is by Code *not a rezoning*¹ it effectuates future development, preservation, and rezonings in the County.² It further prescribes a range of permissible zoning districts within each designation. The County rezoning process and standards are how the appropriate district for each parcel is designated.

The 2022 Update to the New Castle County Comprehensive Development Plan designates parcels 09-029.00-003, 09-029.00-015, 11-014.00-044, 11-014.00-045, 11-018.00-012, 11-018.00-060, 11-018.00-061, 11-018.00-062, 11-022.00-014, 11-022.00-016, 11-032.00-001, and 11-032.00-259 as Resource Preservation in the Future Land Use Map. This designation described in the Comprehensive Plan as:

These areas include existing preserved lands as well as those appropriate for future preservation. Land within this district includes important environmental and

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

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

agricultural resources as well as National Scenic Byway areas. Land Use policies shall discourage development and incentivize preservation of these resources.

Rezoning parcels 09-029.00-003, 09-029.00-015, 11-014.00-044, 11-014.00-045, 11-018.00-012, 11-018.00-060, 11-018.00-061, 11-018.00-062, 11-022.00-014, 11-022.00-016, 11-032.00-001, and 11-032.00-259 from nonresidential to residential zoning designations will better preserve and protect these open space, environmental, and historical resources, while discouraging development that could be detrimental.

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

DESCRIPTION

Ordinance 24-043 is a rezoning ordinance that rezones parcels: 09-029.00-003, 09-029.00-015, 11-014.00-044, 11-014.00-045, 11-018.00-012, 11-018.00-060, 11-018.00-061, 11-018.00-062, 11-022.00-014, 11-022.00-016, 11-032.00-001, and 11-032.00-259 from nonresidential designations to residential designations consistent with the Future Land Use map and pursuant to Delaware State Law.³

BACKGROUND

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

Establishment of Zoning & the Rezoning Process

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

³ Ibid.

Levy Court to County Executive/Council/Planning Board & Comprehensive Planning⁴

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

Quality of Life Act of 1988⁵

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

*After a comprehensive plan or element or portion thereof has been adopted by County Council or Levy Court in conformity with this Act, the land use map or map series forming part of the comprehensive plan as required by this Act shall have the **force of law**, and no development, as defined in this Act, shall be permitted except in conformity with the land use map or map series and with land development regulations enacted to implement the other elements of the adopted comprehensive plan.*⁶

The Delaware Chancery Court confirmed that the land use element/map had the force of law, and that no development is permitted that is not in conformity to it.⁷ When the Quality of Life Act was adopted, there was no time requirement for the zoning map to be brought into conformity with the land use map. In 2001, State Code was revised to read:

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

⁴ Reorganization Of The Government Of New Castle County And Amending And Repealing Existing Laws Pertaining Thereto: <https://legis.delaware.gov/SessionLaws/Chapter?id=17035>

⁵ Quality of Life Act of 1988: <https://legis.delaware.gov/SessionLaws/Chapter?id=22445>

⁶ Ibid. Emphasis added.

⁷ In *Farmers for Fairness v. Kent County Levy Court*, 2012 WL 295060, the Court of Chancery stated; *The Act is unambiguous. The land use map or map series has “the force of law,” and the County may not permit development contrary to that provided for in the land use map. The statutory language ...is straightforward and uncomplicated. The “force of law” means that any provisions in the land use map or map series have a “legally binding effect.”*

district regulations shall be amended to reflect the timing elements of the comprehensive plan.⁸

Rezoning in New Castle County

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

2022 Update to the New Castle County Comprehensive Plan

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

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

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

Ordinance 23-083 Comprehensive Rezoning

Ordinance 23-083 was introduced on June 13, 2023, proposing the rezoning 33 parcels from residential zoning designations to nonresidential zoning designations and 61 parcels from nonresidential designations to residential designations consistent with the Future Land Use map and pursuant to Delaware State Law.⁹ The Ordinance was reviewed and recommended for approval by the Department of Land Use and the Planning Board, however was subsequently withdrawn on February 13, 2024, by County Council to facilitate the Department pursuing the *Take 2* initiative. This effort includes conducting additional public outreach and dividing rezoning effort by County Council District.

⁸ <https://legis.delaware.gov/SessionLaws/Chapter?id=19151>

⁹ Ibid.

Ordinance 24-043 Comprehensive Rezoning County Council District 11

Ordinance 24-043 was introduced on March 26, 2024, proposing to rezone 12 parcels from nonresidential to residential zoning designations:

1. 453.96 acres from Business Park (BP) to Suburban (S).

Parcels:

- 11-018.00-061 (State of Delaware, 2001 Old Coochs Bridge Rd),
- 11-018.00-062 (State of Delaware, 0 Dusk Run Road),
- 11-022.00-014 (New Castle County, 2199 Pulaski Highway), and
- 11-022.00-016 (State of Delaware, 0 Dusk Run Road).

2. 59.77 acres from Office Regional (OR) to Suburban (S).

Parcels:

- 11-018.00-060 (State of Delaware, 0 Old Coochs Bridge Road),
- 11-018.00-061 (LPC First State Holding Company LP, 2001 Old Coochs Bridge Rd),
- 11-018.00-062 (State of Delaware, 0 Dusk Run Road),
- 11-032.00-001 (New Castle County, 210 Benjamin Boulevard), and
- 11-032.00-259 (New Castle County, 209 Benjamin Boulevard).

3. 195.21 acres from Industrial (I) to Suburban (S)

Parcels:

- 09-029.00-003 (State of Delaware, 39 E Regal Boulevard),
- 09-029.00-015 (State of Delaware, 0 Chapman Road)
- 11-014.00-044 (State of Delaware, 904 Old Baltimore Pike),
- 11-014.00-045 (State of Delaware, 2029 Sunset Lake Road), and
- 11-018.00-012 (State of Delaware, 0 Eggerts Lane).

Take 2 Community Meeting

On May 22, 2024, in coordination with County Councilmembers, the Department held a community meeting at the Delaware State Police Troop 2 Building regarding the Group 3 Comprehensive Rezoning (*Ordinances; 24-040, 24-041, 24-042, and 24-043*). Residents had the opportunity to review maps of the proposed rezonings and have their questions answered by Department of Land Use staff.

PLUS REVIEW (Preliminary Land Use Service)

The Rezonings proposed by *Ordinance 24-043* were originally proposed by Ordinance 23-083 and as such the PLUS Report, dated August 23, 2023, contains relevant comments from State agencies. The Office of State Planning Coordination reiterated their support for the 2022 New Castle County Comprehensive Plan and its goals and strategies as well as for the rezonings proposed. No other State agency had any comments.¹⁰

PLANNING BOARD PUBLIC HEARING – June 4, 2024

*Please note, the below is a summary. A recording and transcripts of the public hearing are available at the Department of Land Use and hyperlinked below.¹¹

Presentation

Matthew Rogers, Planner for the Department of Land Use, presented the *Ordinance 24-043*, discussing the process, outreach, and the site proposed to be rezoned as well as the rationale for the rezoning. There were no questions or comments from the Planning Board following Mr. Rogers' presentation.

Public Comment

There was no public comment on the application at the public hearing.

Written Public Comment:

The Department of Land Use did not receive written public comment while the record was open.

ANALYSIS

Ordinance 24-043 proposes rezoning parcels 09-029.00-003, 09-029.00-015, 11-014.00-044, 11-014.00-045, 11-018.00-012, 11-018.00-060, 11-018.00-061, 11-018.00-062, 11-022.00-014, 11-022.00-016, 11-032.00-001, and 11-032.00-259 from nonresidential designations Business Park, Office Regional, and Industrial to the residential zoning designation Suburban (S), consistent with the 2022 Update to the New Castle County Comprehensive Plan, which designated the parcel as Resource Preservation.

Parcels 11-014.00-044 (State of Delaware), 11-018.00-060 (State of Delaware), 11-018.00-061 (LPC First State Holding Company LP), 11-018.00-062 (State of Delaware), and 11-022.00-016 (State of Delaware) 11-018.00-012 (State of Delaware) are all part of the Christina River Natural

¹⁰ PLUS Report: <https://www3.newcastlede.gov/project/details/default.aspx?ProjectKey=770318>

¹¹ May 5, 2024, Planning Board Public Hearing:
<https://www3.newcastlede.gov/project/details/default.aspx?ProjectKey=791079>

Area (Critical Natural Area) and are home to a number of environmental resources including floodplain, wetlands and forests. While parcel 11-018.00-061 is privately owned, the portion being rezoned has not been disturbed by development and rezoning that portion of the parcel will provide additional protections from nonresidential development.

Parcel 11-022.00-014 was originally zoned Residential (R-2) in 1954. Originally three separate parcels, parcel 11-022.00-014 was rezoned to Manufacturing (M-3) between 1966 (Ord. 66-688) and 1969 (Ord. 69-002). In 1997, the property was rezoned to Business Park (BP). In 2003, New Castle County acquired the property and has developed it into the Glasgow Regional Park, providing a wide array of recreational opportunities to residents in the area.

Parcel 11-014.00-045, home to the historic Cooch Dayett Mill, was originally zoned Manufacturing (M-1) reflecting its industrial use as a mill, cutting timber, and processing corn and wheat. In 1997, the site was rezoned to Industrial (I) with the adoption of the UDC. In 2000, the State of Delaware acquired the property and it now serves as the Pencader Heritage Museum.

Parcels 11-032.00-001 and 11-032.00-259 were originally zoned Residential (R-2). In 1974, parcel 11-032.00-259 was rezoned to Planned Unit Development (Ord 74-044) as part of the Spring Wood Development. New Castle County acquired parcel 11-032.00-259 in 1977. In 1997, with the adoption of the UDC all of parcel 11-032.00-001 and a portion of parcel 11-032.00-259 were rezoned to Office Regional (OR). Hodgson Vocational Technical School recorded a plan in 2001 for storage structures to support the school (App. 2001-0624-S). New Castle County acquired parcel 11-032.00-001 in 2001. Since then both parcels have served as Brevoort Park, a forested buffer between Rt 896 and the developments of Spring Wood and Caravel Farms Section 5.

Parcels 09-029.00-003 and 09-029.00-015 were zoned Residential (R-2) until they were rezoned to Residential (R-1-C) to serve as open space area for the Sherwood Forest development. The State of Delaware acquired both parcels in 1968 (W70, 473). In 1971, a portion of parcel 09-029.00-003 was rezoned to Manufacturing (M-1) to permit road maintenance buildings (salt storage and others). In 1997, both parcels were rezoned to Industrial (I). While rezoning these parcels will not impact DelDOT's current use of these parcels, should they ever cease to exist in this capacity their only permitted use would be as either residential or open space.

The 2022 Update to the New Castle County Comprehensive Development Plan describes land designated as Resource Preservation as:

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

Rezoning parcels 09-029.00-003, 09-029.00-015, 11-014.00-044, 11-014.00-045, 11-018.00-012, 11-018.00-060, 11-018.00-061, 11-018.00-062, 11-022.00-014, 11-022.00-016, 11-032.00-001, and 11-032.00-259, from nonresidential to a residential zoning designation serves to better preserve and protect these open space, environmental, and historical resources, while discouraging development that could be detrimental.

Standards of Review

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

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

Parcels 09-029.00-003, 09-029.00-015, 11-014.00-044, 11-014.00-045, 11-018.00-012, 11-018.00-060, 11-018.00-061, 11-018.00-062, 11-022.00-014, 11-022.00-016, 11-032.00-001, and 11-032.00-259 are designated as Resource Preservation by the Future Land Use Maps. Nonresidential zoning designations are not permissible within this designation. Residential zoning districts such as Suburban are appropriate for the land designated as Resource Preservation. The County has determined that land use policy for land with the Future Land Use designation of Resource Preservation, is to encourage the preservation of environmental, agricultural, and historic resources and would permit development consistent and sensitive to existing community character. The rezonings proposed by Ordinance 24-043 are consistent with the Future Land Use Map, as well as the Comprehensive Development Plan as a whole.

B. Consistency with the character of the neighborhood.

Parcels 11-014.00-044, 11-018.00-012, 11-018.00-060, 11-018.00-062, 11-022.00-014, 11-022.00-016, 11-032.00-001, and 11-032.00-259 all have historically served as open space, and are to remain in that capacity. Parcel 11-014.00-045 has a historic mill that serves as a museum. Only the portion of parcel 11-018.00-061, that is encumbered by Critical Natural Areas is proposed to be rezoned to provide additional protections to the resource. While parcels 09-029.00-003 and 09-029.00-015, were also initially open space, they have in recent decades served as a location to store road maintenance supplies and equipment. Should parcels 09-029.00-003 and 09-029.00-015 cease to operate in their current capacity, the 2022 Comprehensive Plan identified those parcels as being appropriate as open space based on their proximity to the Sherwood Forest development. Rezoning the parcels in accordance with Ordinance 24-043 is consistent with the character of their surrounding neighborhoods.

C. Consistency with zoning and use of nearby properties.

Parcels 11-014.00-044, 11-014.00-045, 11-018.00-012, 11-018.00-060, 11-018.00-061, 11-018.00-062, 11-022.00-014, 11-022.00-016, 11-032.00-001, and 11-032.00-259 have long served in an open space capacity. Parcel 11-014.00-045 has a historic mill that serves as a museum. Only the portion of parcel 11-018.00-061, that is encumbered by Critical Natural Areas is proposed to be rezoned to provide additional protections to the resource. All of these parcels are located in the sewer service area as such Suburban zoning is consistent with neighboring residential uses. As discussed above parcels 09-029.00-003 and 09-029.00-015 no longer serve as open space for the Sherwood Forest development, however should they cease to serve in their current capacity, due to their proximity to residential development, new industrial uses are inappropriate, where a residential or open space use would be more appropriate. As such, and since they are located in the Sewer Service area Suburban zoning is appropriate.

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

As stated above parcels 11-014.00-044, 11-018.00-012, 11-018.00-060, 11-018.00-062, 11-022.00-014, 11-022.00-016, 11-032.00-001, and 11-032.00-259 all have historically served as open space, and are to remain in that capacity. Parcel 11-014.00-045 has a historic mill that serves as a museum. Only the portion of parcel 11-018.00-061, encumbered by Critical Natural Areas is proposed to be rezoned to provide additional protections to the resource. While parcels 09-029.00-003 and 09-029.00-015, were also initially open space, they have in recent decades served as a location to store road maintenance supplies and equipment. None of these parcels propose a change of use and therefore the properties remain suitable for their existing uses.

E. *Effect on nearby properties.*

The rezoning of parcels 09-029.00-003, 09-029.00-015, 11-014.00-044, 11-014.00-045, 11-018.00-012, 11-018.00-060, 11-018.00-061, 11-018.00-062, 11-022.00-014, 11-022.00-016, 11-032.00-001, and 11-032.00-259 to Suburban, discouraging development and encouraging preservation of the land will not have a negative impact on nearby properties, and will be consistent with their current use and that of nearby properties.

DEPARTMENT OF LAND USE RECOMMENDATION

The Department of Land Use has considered the Standards for Zoning Map Amendment in Section 40.31.410, A through E of the *Unified Development Code*, the Future Land Use Map, the comments received from outside agencies, and the comments received by the public. Based on this analysis, the Department is of the opinion that the standards are met by this proposal. Therefore, the Department of Land Use recommends **APPROVAL** of Ordinance 24-043.

PLANNING BOARD RECOMMENDATION

At a business meeting held on July 16, 2024, the Planning Board considered the recommendation provided by the Department of Land use as well as comments from outside agencies and the public.

On a motion made by Ms. Drake and seconded by Mr. Cochran, the Board voted to recommend **APPROVAL** of Ordinance 24-043 as recommended by the Department of Land Use.

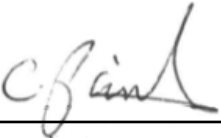
The motion was adopted by a vote of 5-0-0-4 (In Favor: Cantrell, Cochran, Drake, Gray, Visvardis; In Opposition: None; Abstention: None; Absent: Cahill-Krout, Daigle, Peterson, Snowden).

Prior to the vote the following discussion occurred:

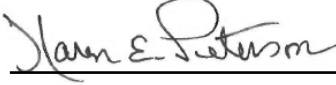
Matthew Rogers read the Department of Land Use recommendation into the record. There were no questions from the Board.

STATUTORY GUIDELINES

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


08/12/2024

Charuni Patibanda date
General Manager
Department of Land Use


08/9/2024

Karen Peterson date
Chair
Planning Board