



NEW CASTLE COUNTY COUNCIL COMMUNITY SERVICES COMMITTEE MEETING

Co-Chair: Penrose Hollins, Fourth District
Co-Chair: Jea P. Street, Tenth District

November 26, 2024
3:00 PM

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

REVISED AGENDA

A. Meeting Call to Order/Roll Call

B. Approval of Community Services Committee Minutes 10-22-2024

C. Review/Discussion of Resolution(s)

D. Review/Discussion of Ordinance(s)

°24-162: (TO BE VOTED 12/10/24) AMEND THE GRANTS BUDGET: APPROPRIATE \$7,055.00 IN PROGRAM INCOME TO THE ABSALOM JONES SENIOR CENTER RECREATION GRANT TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES

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

Co-sponsor(s): Mr. Toole

°24-163: (TO BE VOTED 12/10/24) AMEND THE GRANTS BUDGET: REALIGN \$444,662.67 IN FUNDS FROM THE DEPARTMENT OF STATE, DELAWARE DIVISION OF LIBRARIES WITHIN THE FY2024 STATE AID FOR LIBRARIES GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF LIBRARIES

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

°24-174: (TO BE VOTED 12/10/24) 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: (TO BE VOTED 12/10/24) 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

^o24-176: (TO BE VOTED 12/10/24) 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

E. Presentations

- Calendar Year 2025 Housing Choice Voucher Program Budget
- Pocket Neighborhoods/Ord. 24-137

F. Other

Legislative Aide to the Council President

G. Public Comment

H. Adjournment

REVISED AGENDA POSTED: NOVEMBER 22, 2024
AGENDA POSTED: NOVEMBER 19, 2024

*The revised agenda was posted less than (7) seven days in advance of the meeting to include the addition of "Legislative Aide to the Council President." This agenda item cannot wait until the 12/3/24 Committee meetings due to the length of time the hiring process takes and the desire to have the candidate start in December. 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 the Delaware Code, New Castle County Council is holding this meeting as a telephone and video conference, utilizing a 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 smartphone is <https://zoom.us/j/377322142> You may also call 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 connect well with one, please try the others. Additional information regarding phone functionality during the meeting is available at: <https://support.zoom.us/hc/en-us/articles/360029527911-Live-Training-Webinars>

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

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

Prime Sponsor(s): Mr. Hollins, Mr. Street
Co-sponsor(s): Mr. Toole
Requested by: Community Services
Date of introduction: November 19, 2024

ORDINANCE NO. 24-162

**AMEND THE GRANTS BUDGET:
APPROPRIATE \$7,055.00 IN PROGRAM INCOME TO THE ABSALOM JONES SENIOR
CENTER RECREATION GRANT TO BE ADMINISTERED BY THE DEPARTMENT OF
COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES**

1 **WHEREAS**, the Absalom Jones Senior Center Recreation grant was originally set up
2 to record revenue and expenses for the programs run by New Castle County employees at
3 the State-owned Absalom Jones Recreation Center; and

4
5 **WHEREAS**, authorization is being sought for the appropriation of an additional
6 \$7,055.00 in program income to the Absalom Jones Senior Center Recreation grant; and
7

8 **WHEREAS**, the Absalom Jones Senior Center provides a variety of services for the
9 elderly in the surrounding community including transportation to the center, adult programs,
10 activities, and social services; and
11

12 **WHEREAS**, the County Executive has determined that the revenue to be appropriated
13 shall be sufficient to cover the increase in the Grants Budget as hereinafter amended; and
14

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

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

22 Section 1. The Grants Budget as adopted by Ordinance No. 75-173 is hereby
23 amended by deleting the material bracketed and stricken and by adding the material
24 underscored on the attached Exhibit "A."
25

26 Section 2. This Ordinance shall become effective immediately upon its adoption by
27 County Council and approval by the County Executive, or as otherwise provided by 9 *Del. C.*
28 § 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 \$7,055.00 in program income to the Absalom Jones Senior Center Recreation Grant, which will be administered by the Department of Community Services, Division of Community Resources.

The Absalom Jones Senior Center provides a variety of services for the elderly in the surrounding community including transportation to the center, adult programs, activities, and social services. The revenue appropriation on this request, if approved, will be used for Tour transportation costs.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$7,055.00 in program income funds to the Absalom Jones Senior Center Recreation Grant to be administered by the Department of Community Services, Division of Community Resources. The revenue appropriation on this request, if approved, will be used for the cost of tour transportation.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$7,055.00 for FY2025. This increase will affect FY2025 and beyond since this is a continuous program. The Program Income balance after this appropriation will be \$0.00.

DEPARTMENT:	Community Services	EXHIBIT:	"A"
GRANT TITLE:	Absalom Jones Senior Center Recreation	Ordinance No.	24-162
PROGRAM TITLE:	Absalom Jones Senior Center Recreation		

Revenue	Current	Change	Revised
Federal	\$ -	\$ -	\$ -
State	\$ -	\$ -	\$ -
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ 289,164.08	\$ 7,055.00	\$ 296,219.08
Total	\$ 289,164.08	\$ 7,055.00	\$ 296,219.08

Expense	Current	Change	Revised
Salaries and Wages	\$ -	\$ -	\$ -
Benefits	\$ -	\$ -	\$ -
Training/Civic Affairs	\$ 632.05	\$ -	\$ 632.05
Communication/Utilities	\$ 468.33	\$ -	\$ 468.33
Materials/Supplies	\$ 33,217.64	\$ -	\$ 33,217.64
Contractual Services	\$ 251,746.06	\$ 7,055.00	\$ 258,801.06
Equipment	\$ 3,100.00	\$ -	\$ 3,100.00
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 289,164.08	\$ 7,055.00	\$ 296,219.08

SUPPLEMENTAL INFORMATION

Estimated Program Initiation: 10/1/1989

Estimated Program Completion: ongoing

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

Ordinance Passed:	Date Revised:
22-065	5/24/2022
23-014	1/24/2023
23-099	7/25/2023
<u>24-011</u>	<u>2/13/2024</u>

PROGRAM DESCRIPTION:

The Absalom Jones Senior Center Recreation grant assists in providing a variety of services to the elderly population in the neighboring community including transportation to the center, adult programs, activities and social services. Major source of revenue is program income with additional revenue from donations and interest income.

2/13/2024

11/19/2024

ORDINANCE NO. 24-163

AMEND THE GRANTS BUDGET:

**REALIGN \$444,662.67 IN FUNDS FROM THE DEPARTMENT OF STATE,
DELAWARE DIVISION OF LIBRARIES WITHIN THE FY2024 STATE AID FOR
LIBRARIES GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF
COMMUNITY SERVICES, DIVISION OF LIBRARIES**

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

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

11 **WHEREAS**, original allocated funding in the amount of \$2,823,393 from the
12 Department of State, Delaware Division of Libraries, was previously approved by County
13 Council and appropriated to the FY2024 State Aid for Libraries Grant via Ordinance 23-072;
14 and
15

16 **WHEREAS**, authorization is sought for the realignment of \$444,662.67 in State funds
17 within the FY2024 State Aid for Libraries Grant for books and security expenditures; and
18

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

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

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

30 Section 2. This Ordinance shall become effective immediately upon its adoption by
31 County Council and approval by the County Executive, or as otherwise provided by 9 *Del. C.*
32 § 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 realign \$444,662.67 in State funds within the FY2024 State Aid for Libraries Grant. The realignment of funds will be used for books and security expenditures.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by realigning \$444,662.67 in State funds within the FY2024 State Aid for Libraries Grant.

This Ordinance, if approved, will have no fiscal impact. The realignment will affect FY2025 only since the estimated program completion date is March 30, 2025. There is no anticipated fiscal impact on the Operating and/or Capital Budgets.

DEPARTMENT:	Community Services	EXHIBIT:	"A"
GRANT TITLE:	FY2024 State Aid for Libraries	Ordinance No.	24-163
PROGRAM TITLE:	Library Administration		

Revenue	Current	Change	Revised
Federal	\$ -	\$ -	\$ -
State	\$ 2,509,670.60	\$ 78,486.06	\$ 2,588,156.66
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ 2,509,670.60	\$ 78,486.06	\$ 2,588,156.66

Expense	Current	Change	Revised
Salaries and Wages	\$ 1,026,028.00	\$ -	\$ 1,026,028.00
Benefits	\$ 116,079.00	\$ -	\$ 116,079.00
Training/Civic Affairs	\$ 11,500.00	\$ (7,173.67)	\$ 4,326.33
Communication/Utilities	\$ 1,309.00	\$ (1,309.00)	\$ -
Materials/Supplies	\$ 636,218.10	\$ 100,000.00	\$ 736,218.10
Contractual Services	\$ 609,945.50	\$ 72,147.85	\$ 682,093.35
Equipment	\$ 106,091.00	\$ (84,254.81)	\$ 21,836.19
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ 2,500.00	\$ (924.31)	\$ 1,575.69
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 2,509,670.60	\$ 78,486.06	\$ 2,588,156.66

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:	7/1/2023
Estimated Program Completion:	3/30/2025
The Local Match:	Found in (ORG):
Ordinance Passed:	Date Revised:
<u>23-072</u>	<u>6/30/2023</u>

PROGRAM DESCRIPTION:

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

6/13/2023

11/19/2024

DEPARTMENT:	Community Services	EXHIBIT:	"B"
GRANT TITLE:	FY2024 State Aid for Libraries	Ordinance No.	24-163
PROGRAM TITLE:	Appoquinimink Library		

Revenue	Current	Change	Revised
Federal	\$ -	\$ -	\$ -
State	\$ 19,547.00	\$ (3,331.29)	\$ 16,215.71
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ 19,547.00	\$ (3,331.29)	\$ 16,215.71

Expense	Current	Change	Revised
Salaries and Wages	\$ -	\$ -	\$ -
Benefits	\$ -	\$ -	\$ -
Training/Civic Affairs	\$ 1,350.00	\$ (1,309.60)	\$ 40.40
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ 3,647.00	\$ (129.19)	\$ 3,517.81
Contractual Services	\$ 14,550.00	\$ (1,892.50)	\$ 12,657.50
Equipment	\$ -	\$ -	\$ -
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 19,547.00	\$ (3,331.29)	\$ 16,215.71

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:	7/1/2023
Estimated Program Completion:	3/30/2025
The Local Match:	Found in (ORG):
Ordinance Passed:	Date Revised:
<u>23-072</u>	<u>6/30/2023</u>

PROGRAM DESCRIPTION:

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

6/13/2023

11/19/2024

DEPARTMENT:	Community Services	EXHIBIT:	"C"
GRANT TITLE:	FY2024 State Aid for Libraries	Ordinance No.	24-163
PROGRAM TITLE:	Bear Library		

Revenue	Current	Change	Revised
Federal	\$ -	\$ -	\$ -
State	\$ 34,431.00	\$ (9,395.26)	\$ 25,035.74
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ 34,431.00	\$ (9,395.26)	\$ 25,035.74

Expense	Current	Change	Revised
Salaries and Wages	\$ -	\$ -	\$ -
Benefits	\$ -	\$ -	\$ -
Training/Civic Affairs	\$ 3,808.28	\$ (2,551.52)	\$ 1,256.76
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ 12,622.72	\$ (3,867.81)	\$ 8,754.91
Contractual Services	\$ 16,000.00	\$ (975.93)	\$ 15,024.07
Equipment	\$ 2,000.00	\$ (2,000.00)	\$ -
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 34,431.00	\$ (9,395.26)	\$ 25,035.74

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:	7/1/2023
Estimated Program Completion:	3/30/2025
The Local Match:	Found in (ORG):
Ordinance Passed:	Date Revised:
<u>23-072</u>	<u>6/30/2023</u>

PROGRAM DESCRIPTION:

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

6/13/2023

11/19/2024

DEPARTMENT:	Community Services	EXHIBIT:	"D"
GRANT TITLE:	FY2024 State Aid for Libraries	Ordinance No.	24-163
PROGRAM TITLE:	Claymont Library		

Revenue	Current	Change	Revised
Federal	\$ -	\$ -	\$ -
State	\$ 15,628.00	\$ (2,631.18)	\$ 12,996.82
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ 15,628.00	\$ (2,631.18)	\$ 12,996.82

Expense	Current	Change	Revised
Salaries and Wages	\$ -	\$ -	\$ -
Benefits	\$ -	\$ -	\$ -
Training/Civic Affairs	\$ 500.00	\$ (239.60)	\$ 260.40
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ 5,000.00	\$ (2,364.87)	\$ 2,635.13
Contractual Services	\$ 9,197.00	\$ -	\$ 9,197.00
Equipment	\$ 931.00	\$ (26.71)	\$ 904.29
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 15,628.00	\$ (2,631.18)	\$ 12,996.82

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:	7/1/2023
Estimated Program Completion:	3/30/2025
The Local Match:	Found in (ORG):
Ordinance Passed:	Date Revised:
<u>23-072</u>	<u>6/30/2023</u>

PROGRAM DESCRIPTION:

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

6/13/2023

11/19/2024

DEPARTMENT:	Community Services	EXHIBIT:	"E"
GRANT TITLE:	FY2024 State Aid for Libraries	Ordinance No.	24-163
PROGRAM TITLE:	Brandywine Hundred Library		

Revenue	Current	Change	Revised
Federal	\$ -	\$ -	\$ -
State	\$ 82,530.00	\$ (23,996.41)	\$ 58,533.59
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ 82,530.00	\$ (23,996.41)	\$ 58,533.59

Expense	Current	Change	Revised
Salaries and Wages	\$ -	\$ -	\$ -
Benefits	\$ -	\$ -	\$ -
Training/Civic Affairs	\$ 1,550.00	\$ (1,008.47)	\$ 541.53
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ 16,366.00	\$ (2,377.94)	\$ 13,988.06
Contractual Services	\$ 57,114.00	\$ (14,946.40)	\$ 42,167.60
Equipment	\$ 7,500.00	\$ (5,663.60)	\$ 1,836.40
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 82,530.00	\$ (23,996.41)	\$ 58,533.59

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:	7/1/2023
Estimated Program Completion:	3/30/2025
The Local Match:	Found in (ORG):
Ordinance Passed:	Date Revised:
<u>23-072</u>	<u>6/30/2023</u>

PROGRAM DESCRIPTION:

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

6/13/2023

11/19/2024

DEPARTMENT:	Community Services	EXHIBIT:	"F"
GRANT TITLE:	FY2024 State Aid for Libraries	Ordinance No.	24-163
PROGRAM TITLE:	Elsmere Library		

Revenue	Current		Change		Revised
Federal	\$	-	\$	-	\$ -
State	\$	17,381.51	\$	(3,517.37)	\$ 13,864.14
County	\$	-	\$	-	\$ -
Program Income	\$	-	\$	-	\$ -
Other	\$	-	\$	-	\$ -
Total	\$	17,381.51	\$	(3,517.37)	\$ 13,864.14

Expense	Current		Change		Revised
Salaries and Wages	\$	-	\$	-	\$ -
Benefits	\$	-	\$	-	\$ -
Training/Civic Affairs	\$	1,300.00	\$	(595.60)	\$ 704.40
Communication/Utilities	\$	-	\$	-	\$ -
Materials/Supplies	\$	12,981.51	\$	(2,347.52)	\$ 10,633.99
Contractual Services	\$	3,100.00	\$	(574.25)	\$ 2,525.75
Equipment	\$	-	\$	-	\$ -
Grants/Fixed Charges	\$	-	\$	-	\$ -
Land and Structures	\$	-	\$	-	\$ -
Contingency	\$	-	\$	-	\$ -
Operating Transfer Charges	\$	-	\$	-	\$ -
Operating Transfer Credits	\$	-	\$	-	\$ -
Total	\$	17,381.51	\$	(3,517.37)	\$ 13,864.14

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:	7/1/2023
Estimated Program Completion:	3/30/2025
The Local Match:	Found in (ORG):
Ordinance Passed:	Date Revised:
<u>23-072</u>	<u>6/30/2023</u>

PROGRAM DESCRIPTION:

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

6/13/2023

11/19/2024

DEPARTMENT:	Community Services	EXHIBIT:	"G"
GRANT TITLE:	FY2024 State Aid for Libraries	Ordinance No.	24-163
PROGRAM TITLE:	Hockessin Library		

Revenue	Current	Change	Revised
Federal	\$ -	\$ -	\$ -
State	\$ 17,934.39	\$ (4,574.14)	\$ 13,360.25
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ 17,934.39	\$ (4,574.14)	\$ 13,360.25

Expense	Current	Change	Revised
Salaries and Wages	\$ -	\$ -	\$ -
Benefits	\$ -	\$ -	\$ -
Training/Civic Affairs	\$ 3,300.00	\$ (752.12)	\$ 2,547.88
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ 4,190.39	\$ (300.00)	\$ 3,890.39
Contractual Services	\$ 4,248.00	\$ (0.50)	\$ 4,247.50
Equipment	\$ 6,196.00	\$ (3,521.52)	\$ 2,674.48
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 17,934.39	\$ (4,574.14)	\$ 13,360.25

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:	7/1/2023
Estimated Program Completion:	3/30/2025
The Local Match:	Found in (ORG):
Ordinance Passed:	Date Revised:
<u>23-072</u>	<u>6/30/2023</u>

PROGRAM DESCRIPTION:

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

6/13/2023

11/19/2024

DEPARTMENT:	Community Services	EXHIBIT:	"H"
GRANT TITLE:	FY2024 State Aid for Libraries	Ordinance No.	24-163
PROGRAM TITLE:	Kirkwood Library		

Revenue	Current	Change	Revised
Federal	\$ -	\$ -	\$ -
State	\$ 21,748.00	\$ (6,212.89)	\$ 15,535.11
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ 21,748.00	\$ (6,212.89)	\$ 15,535.11

Expense	Current	Change	Revised
Salaries and Wages	\$ -	\$ -	\$ -
Benefits	\$ -	\$ -	\$ -
Training/Civic Affairs	\$ 3,500.00	\$ (2,006.97)	\$ 1,493.03
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ 7,748.00	\$ (1,758.19)	\$ 5,989.81
Contractual Services	\$ 7,800.00	\$ (230.00)	\$ 7,570.00
Equipment	\$ 2,700.00	\$ (2,217.73)	\$ 482.27
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 21,748.00	\$ (6,212.89)	\$ 15,535.11

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:	7/1/2023
Estimated Program Completion:	3/30/2025
The Local Match:	Found in (ORG):
Ordinance Passed:	Date Revised:
<u>23-072</u>	<u>6/30/2023</u>

PROGRAM DESCRIPTION:

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

6/13/2023

11/19/2024

DEPARTMENT:	Community Services	EXHIBIT:	"I"
GRANT TITLE:	FY2024 State Aid for Libraries	Ordinance No.	24-163
PROGRAM TITLE:	Newark Library		

Revenue	Current		Change		Revised
Federal	\$	-	\$	-	\$ -
State	\$	30,353.00	\$	(8,331.54)	\$ 22,021.46
County	\$	-	\$	-	\$ -
Program Income	\$	-	\$	-	\$ -
Other	\$	-	\$	-	\$ -
Total	\$	30,353.00	\$	(8,331.54)	\$ 22,021.46

Expense	Current		Change		Revised
Salaries and Wages	\$	-	\$	-	\$ -
Benefits	\$	-	\$	-	\$ -
Training/Civic Affairs	\$	3,000.00	\$	(1,152.71)	\$ 1,847.29
Communication/Utilities	\$	-	\$	-	\$ -
Materials/Supplies	\$	12,853.00	\$	(5,433.85)	\$ 7,419.15
Contractual Services	\$	14,000.00	\$	(1,244.98)	\$ 12,755.02
Equipment	\$	-	\$	-	\$ -
Grants/Fixed Charges	\$	-	\$	-	\$ -
Land and Structures	\$	-	\$	-	\$ -
Contingency	\$	-	\$	-	\$ -
Operating Transfer Charges	\$	500.00	\$	(500.00)	\$ -
Operating Transfer Credits	\$	-	\$	-	\$ -
Total	\$	30,353.00	\$	(8,331.54)	\$ 22,021.46

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:	7/1/2023
Estimated Program Completion:	3/30/2025
The Local Match:	Found in (ORG):
Ordinance Passed:	Date Revised:
<u>23-072</u>	<u>6/30/2023</u>

PROGRAM DESCRIPTION:

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

6/13/2023

11/19/2024

DEPARTMENT:	Community Services	EXHIBIT:	"J"
GRANT TITLE:	FY2024 State Aid for Libraries	Ordinance No.	24-163
PROGRAM TITLE:	Route 9 Library		

Revenue	Current		Change		Revised
Federal	\$	-	\$	-	\$ -
State	\$	11,697.00	\$	(5,895.25)	\$ 5,801.75
County	\$	-	\$	-	\$ -
Program Income	\$	-	\$	-	\$ -
Other	\$	-	\$	-	\$ -
Total	\$	11,697.00	\$	(5,895.25)	\$ 5,801.75

Expense	Current		Change		Revised
Salaries and Wages	\$	-	\$	-	\$ -
Benefits	\$	-	\$	-	\$ -
Training/Civic Affairs	\$	2,250.00	\$	(1,692.08)	\$ 557.92
Communication/Utilities	\$	-	\$	-	\$ -
Materials/Supplies	\$	5,447.00	\$	(3,618.17)	\$ 1,828.83
Contractual Services	\$	4,000.00	\$	(585.00)	\$ 3,415.00
Equipment	\$	-	\$	-	\$ -
Grants/Fixed Charges	\$	-	\$	-	\$ -
Land and Structures	\$	-	\$	-	\$ -
Contingency	\$	-	\$	-	\$ -
Operating Transfer Charges	\$	-	\$	-	\$ -
Operating Transfer Credits	\$	-	\$	-	\$ -
Total	\$	11,697.00	\$	(5,895.25)	\$ 5,801.75

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:	7/1/2023
Estimated Program Completion:	3/30/2025
The Local Match:	Found in (ORG):
Ordinance Passed:	Date Revised:
<u>23-072</u>	<u>6/30/2023</u>

PROGRAM DESCRIPTION:

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

6/13/2023

11/19/2024

DEPARTMENT:	Community Services	EXHIBIT:	"K"
GRANT TITLE:	FY2024 State Aid for Libraries	Ordinance No.	24-163
PROGRAM TITLE:	Woodlawn Library		

Revenue	Current		Change		Revised
Federal	\$	-	\$	-	\$ -
State	\$	19,158.50	\$	(10,600.73)	\$ 8,557.77
County	\$	-	\$	-	\$ -
Program Income	\$	-	\$	-	\$ -
Other	\$	-	\$	-	\$ -
Total	\$	19,158.50	\$	(10,600.73)	\$ 8,557.77

Expense	Current		Change		Revised
Salaries and Wages	\$	-	\$	-	\$ -
Benefits	\$	-	\$	-	\$ -
Training/Civic Affairs	\$	1,900.00	\$	(1,344.16)	\$ 555.84
Communication/Utilities	\$	-	\$	-	\$ -
Materials/Supplies	\$	10,532.01	\$	(9,256.57)	\$ 1,275.44
Contractual Services	\$	6,726.49	\$	-	\$ 6,726.49
Equipment	\$	-	\$	-	\$ -
Grants/Fixed Charges	\$	-	\$	-	\$ -
Land and Structures	\$	-	\$	-	\$ -
Contingency	\$	-	\$	-	\$ -
Operating Transfer Charges	\$	-	\$	-	\$ -
Operating Transfer Credits	\$	-	\$	-	\$ -
Total	\$	19,158.50	\$	(10,600.73)	\$ 8,557.77

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:	7/1/2023
Estimated Program Completion:	3/30/2025
The Local Match:	Found in (ORG):
Ordinance Passed:	Date Revised:
<u>23-072</u>	<u>6/30/2023</u>

PROGRAM DESCRIPTION:

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

6/13/2023

11/19/2024

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**

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

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

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

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

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

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

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. 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.

40
41
42
43
44
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

Community Services Committee Meeting

NCC Housing Choice Voucher Program CY 2025 Budget Presentation



November 26, 2024
3:00 PM



A Year of Collaboration

- Centralized Waiting List:
 - Single Application: Applicants apply for housing across the five PHAs using one application.
 - Automated Maintenance: AffordableHousing.com keeps list current and purges outdated entries.
 - Efficiency: PHAs increase utilization rates by ensuring that applicants pulled from the list are ready for housing.
 - Resident Access: Residents can update their information and check their waiting list status on Delaware PHAs.
- Landlord Portal:
 - Complete vendor paperwork.
 - List available units.
 - Upload completed Request for Tenancy Approvals (RFTAs).
 - Ensures that paperwork, inspection policies, and RFTA processes are standardized across the entire state.

Additional Highlights

- Project Based Voucher (PBV): enhance voucher utilization.
- NCC Portability – NO Borders is working!
- Homeownership Program growing with approximately 20-25 clients attending briefings.
 - Number of Homeowners through the years:

2020	2021	2022	2023	2024
3	5	2	6	2
- VASH Vouchers: 90 vouchers awarded!
- Emergency Housing Vouchers: 39 vouchers issued to assist with homelessness. All utilized!
- Client portal has increased ease for clients completing annual reexams.

New Castle County Section 8 Housing Choice Voucher Program

CY 2025 Budget Presentation

The U.S. Department of Housing and Urban Development (HUD) appropriation of the funding is based on:

- A) Previous years utilization of funding
- B) Housing voucher utilization
- C) Reserve funding held by HUD



New Castle County Section 8 Housing Choice Voucher CY 2025 Budget Presentation

CY	FUNDING APPROPRIATED	HUD HELD	CY% UTILIZED
2019	\$15,562,960	\$1,202,366	99.8%
2020	\$15,290,460	\$355,324	106.3%
2021	\$16,010,556	\$321,188	94.5%
2022	\$15,386,408	\$1,201,262	87.4%
2023	\$14,173,411	\$3,003,760	84.2%
2024	\$13,226,569	\$4,159,459	96.8%



New Castle County Section 8 Housing Choice Voucher

CY 2025 Budget Presentation

Voucher Utilization

2020 Voucher Utilization = 94.7%

2021 Voucher Utilization = 90.9%

2022 Voucher Utilization = 82.0%

2023 Voucher Utilization = 74.9%

2024 Voucher Utilization = 70.4%

In 2020, NCCHA paid approximately \$700 per unit in HAP.

In 2024, NCCHA paid approximately \$1100 per unit in HAP.



Proposed 2025 Housing Assistance Payment Budget

Highlights:

	2025	2024
• HAP payments	\$14,600,000	\$13,000,000
• UAP (utility payments)	400,000	235,000
• Homeownership	420,200	300,000
• FSS Escrow	5,000	4,000
• Port Out payments	480,500	505,000
• Port-in payments	490,100	380,500
• Tenant Protection	66,900	84,000
• VASH	300,473	175,500

TOTAL VOUCHER:	\$16,763,173	\$14,684,755
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2025 Administrative Budget

Admin Costs:

Highlights:	2025	2024
• Salaries and Wages:	\$ 900,000	810,000
• Benefits:	526,761	480,000
• Operating costs (equipment, training, contractual, IS, etc.)	727,403	450,245
TOTAL ADMIN COSTS:	\$2,154,164	\$1,740,245

VOUCHER:	\$ 16,763,173	\$14,684,755
ADMIN:	2,154,164	1,740,245
TOTAL EXPENSES PROJECTED:	\$ 18,917,337	\$16,425,000



2025 Goals

- Increase voucher utilization:
 - Implement Project Based Vouchers
 - Pull from the waiting list / Centralized waiting list
- Increase Landlord participation and retention through the implementation of the Landlord Portal.
- Develop a Landlord Incentive Program.
- Continue to serve our VASH participants (some at Hope Center).
- Continue work on the Family Reentry Pilot Program – FRP.
- Enact SAFMR's HAP payment schedule on 1/1/24 – allows for higher rents.
- Adopt HUD's new inspection protocol NSPIRE – replaces HQS.
- Adopt HUD's (Housing Opportunity Through Modernization Act) HOTMA procedures which affects changes to income calculation, net family assets, and income reviews.
- Prepare for Source of Income Protections for our clients.

Prime Sponsor(s): Mr. Hollins
Requested by: Land Use Department
Date of introduction: September 17, 2024

SUBSTITUTE NO. 1 TO ORDINANCE NO. 24-137

TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 (“UNIFIED DEVELOPMENT CODE” OR “UDC”), ARTICLE 3 (“USE REGULATIONS”), ARTICLE 4 (“DISTRICT AND BULK STANDARDS”), ARTICLE 5 (“SITE CAPACITY AND CONCURRENCY CALCULATIONS”), ARTICLE 7 (“TRANSFER OF DEVELOPMENT RIGHTS AND OTHER INCENTIVES AND BONUSES”), ARTICLE 20 (“SUBDIVISION AND LAND DEVELOPMENT DESIGN PRINCIPLES”), ARTICLE 25 (“DESIGN”), ARTICLE 26 (“MODIFICATION OF STANDARDS”), AND ARTICLE 33 (“DEFINITIONS”), REGARDING EQUITABLE AFFORDABLE HOUSING OPPORTUNITIES AND POCKET NEIGHBORHOODS

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 2050”
3 or “Comprehensive Plan”), on July 26, 2022, and the County Executive approved the
4 Ordinance on August 4, 2022; and
5

6 **WHEREAS**, in December of 2014, County Council adopted Substitute No. 2 to
7 Ordinance No. 14-109 creating the Traditional Neighborhood Housing Program
8 (“Program”) to facilitate the supply of housing available to households with moderate
9 incomes; and
10

11 **WHEREAS**, in October of 2017, County Council adopted Substitute No. 1 to
12 Ordinance No. 17-094 revising the Traditional Neighborhood Housing Program
13 (“Program”) to facilitate the supply of rental housing available to households with
14 moderate incomes; and
15

16 **WHEREAS**, the Delaware Housing Needs Assessment 2015-2022, issued by the
17 Delaware State Housing Authority, indicates an existing need for affordable housing in
18 New Castle County; and
19

20 **WHEREAS**, the New Castle County Comprehensive Plan directs the County to
21 increase the variety and range of safe, quality housing options for all, in a diversity of
22 locations; focus on revitalizing and preserving areas already developed, while responsibly
23 guiding future development in a manner that is consistent with adjacent communities; and
24

25 **WHEREAS**, pocket neighborhoods are an effective strategy to increase housing
26 diversity and to address the affordable housing needs in the County; and

27 **WHEREAS**, the New Castle County Comprehensive Plan guides development
28 and redevelopment to be sensitive to the context of neighboring residential development;
29 and

30 **WHEREAS**, the County recognizes the importance of updating its development
31 regulations to be consistent with, and implement, the New Castle County Comprehensive
32 Plan; and
33

34 **WHEREAS**, County Council has determined that the provisions of this Ordinance
35 substantially advance, and are reasonably and rationally related to, legitimate
36 government interests (i.e., promoting the health, safety, morals, convenience, order,
37 prosperity and/or welfare of the present and future inhabitants of this State).
38

39 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
40

41 **Section 1.** *New Castle County Code* Chapter 40 (“Unified Development Code”
42 or “UDC”), Article 3 (“Use Regulations”), Division 40.03.100 (“Use regulations”), is
43 hereby amended by adding the material that is underscored, as set forth below:

Table 40.03.110A. General Use Table									Table 40.03.110B. General Use Table							Table 40.03.110C. General Use Table	
Zoning District (Urban and Suburban-Transition Character) Y=permitted, N=prohibited, L=limited review, S=special use review, A=accessory									Zoning District (Suburban and Special Character)							Additional Standards (all districts)	
Land Use	TN*	ST	MM	ON	OR	CR	BP	I	CN	S***	SE	NC**	HI	EX	SR	Parking	Limited & Special Use Standards
Residential									Residential							Residential	
Single-family, detached	Y	Y	N	N	N	N	N	N	N	Y	Y	Y	N	N	Y	2.0/du.	— ...
...Village	N	N	N	N	N	N	N	N	N	L	N	N	N	N	N	Division 40.25.100	Division 40.25.100
Pocket Neighborhood	Y	Y	N	N	N	N	N	N	N	Y	N	N	N	N	N	Section 40.25.333	Section 40.25.333 ...
Small single-family detached dwelling	L	L	N	N	N	N	N	N	N	L	N	L	N	N	N	2.0/du.	Only permitted in as an ADU Section 40.03.410, or in a Pocket Neighborhood ...

46 **Section 2. New Castle County Code Chapter 40** (“Unified Development Code”
47 or “UDC”), Article 4 (“District and Bulk Standards”), Division 40.04.100 (“District and
48 bulk standards”), is hereby amended by adding the material that is underscored and
49 deleting the material that is bracketed and stricken, as set forth below:

50
51 **Sec. 40.04.110. District and bulk standards.**

52
53 This Section contains the basic district standards applicable to all uses. Table 40.04.110
54 contains intensity, lot, bulk and exterior storage standards. These standards may be
55 modified by the Department pursuant to Article 26.

- 56
57 A. *Minimum open space ratio. ...*
58
59 B. *Site area ...*
60
61 C. *Maximum building height. ...*
62
63 D. *Minimum lot area. ...*

Table 40.04.110A. DISTRICT AND BULK STANDARDS								Table 40.04.110B. DISTRICT AND BULK STANDARDS								Table 40.04.110C. DISTRICT AND BULK STANDARDS	
District Standards								Lot, and Building Standards								Storage and Comments	
		Density		Floor Area Ratio				Minimum							Max.	Exterior Storage	Notes
Zoning District & Type	Min. OSR/LSR	Max. Gross	Max Net	Max. Gross	Max Net	Utilities (on-site, public)	Site Area	Lot Area	Lot Width (feet)	Front and Street Yards (feet)	Side Yard (feet)	Rear Yard (feet)	Paving street yard/ other yard (feet)	Unit Mix (%)	Building Height (feet)	Percent of Lot Area	
Suburban Reserve (SR)...								Suburban Reserve (SR)...								Suburban Reserve (SR)...	
Suburban (S)								Suburban (S)								Suburban (S)	
Farmstead...																	
Pocket Neighborhood	0.25	5.0	13.0	na.	na.	P	4 to 40 ac	See Table 40.04.112								na.	See Section 40.25.333
Single-family ...																	
Suburban Transition (ST)								Suburban Transition (ST)								Suburban Transition (ST)	
Pocket Neighborhood	0.15	8.0	13.0	na.	na.	P	4 to 40 ac	See Table 40.04.112								na.	See Section 40.25.333
Single-family ...																	
Traditional Neighborhood (TN)								Traditional Neighborhood (TN)								Traditional Neighborhood (TN)	
Pocket Neighborhood	0.15	8.0	13.0	na.	na.	P	4 to 40 ac	See Table 40.04.112								na.	See Section 40.25.333
Single-family village house ...																	

Table 40.04.111 A. USE AND LOT STANDARDS							Table 40.04.111 B. USE AND LOT STANDARDS																	Table 40.04.111 C. USE AND LOT STANDARDS			
Zoning District & Development Type	Landscaping Plant Units per (See Division 40.23.100)			Bufferyard Opacity Standards			Bufferyard Opacity Standards (See Section 40.23.140)																	Street Tree Spacing (feet)	Max. Illumination/Height		Notes *NC6.5 or less includes NC5, NCap, NCga, NCth, NCsd, CNmm, and NCpud
				Adjoining Streets			Adjoining District or Use (1) (No bufferyard shall be required where like zoning district and like developments options are adjacent)																		Illumination	Height	
	Lot	Acre Open Space	Parking Spaces																								
Suburban (S)							Suburban (S)																	Suburban (S)			
Farmstead...																											
Pocket Neighborhood	4	4	none	0.4	0.3	0	0.3	0.2	0.2	0.2	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.2	0.2	40	C=4 fc S=2 fc	C=20 ft S=20 ft		
Single-family ...																											
Suburban Transition (ST)							Suburban Transition (ST)																	Suburban Transition (ST)			
Pocket Neighborhood	4	4	none	0.4	0.3	0	0.3	0.2	0.2	0.2	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.2	0.2	40	C=4 fc S=2 fc	C=20 ft S=20 ft		
Single-family ...																											
Traditional Neighborhood (TN)							Traditional Neighborhood (TN)																	Traditional Neighborhood (TN)			
Pocket Neighborhood	4	4	none	0.4	0.3	0	0.3	0.2	0.2	0.2	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.2	0.2	40	C=4 fc S=2 fc	C=20 ft S=20 ft		
Single-family village house ...																											

Table 40.04.112 LOT STANDARDS FOR ATTACHED, POCKET NEIGHBORHOOD, AND OPEN SPACE PLANNED HOUSING TYPES													
Dwelling Unit Type	Minimum							Maximum	Patio Minimums		Side Load Garage Setback (ft)	Minimum Percent in Width Type	Setback to Parking/Paving: Street yard/ Other yard (feet)
	Site Area (sq. ft.)	Lot Area (sq. ft.)	Lot Width (ft)	Front and Street Yards (ft)	Side Yard (ft)	Building Spacing (ft)	Rear Yard (ft)	Height (ft)	Area (sq. ft.)	Width (ft)			
Single-Family Detached													
Single-family detached		12,000	85	25	6		30	36					25/2
Single-family detached		10,000	80	25	6		30	36					
Lot line		7,300	60	20 ¹	1@20	20	30	36			8	20	20
		8,000	65								8	40	
		8,600	70								8	remainder	
Village		4,800	48	12[/20 ³]	6	na.	25 ²	36					20/2
		5,400	54										
		6,000	60										
Patio		5000	55	8[/20 ³]	Patio	8	patio	36	1,000/48	20/6			20/2
Small Single-Family Dwelling		1,900	45	10	6		10	36					15/2
Single-Family Attached												Max Unit in a Row	
Twin	9,000	4,500	48	20[/20 ³]	1@8	12	25	36				2	20/0
Atrium	9,000	3,000	45	0[/20 ³]	0, 6' end unit	8	0	15	800/48	24/6		8	20/0
Weak-link townhouse	10,800	3,600	36	15[/20 ³]	0, 6' end unit	10	25	40				8	20/0
Townhouse	7,200	2,200 [4]3	22[4]3	15[/20 ³]	0, 6' end unit	10	20	40				8	20/0
Duplex	7,000	3,500	70	20	8	na.	30	36				na.	20/2
Quadraplex	8,000	2,000	80	20	6	12	15	36			5	na.	20/2
Multi-Family													
Apartment	10,000	1,800	100	25[/45 ³]	12	30	20	50				na.	25/10
1 Setback to garage from sidewalk. 2 [Rear garage may have 5' rear yard setback provided access to alley. 3 Setback to parking. 4) Variable – See Section 40.04.121													

Section 3. New Castle County Code Chapter 40 (“Unified Development Code” or “UDC”), Article 5 (“Site Capacity and Concurrency Calculations”), Division 40.05.400 (“Site resource capacity”), is hereby amended by adding the material that is underscored, as set forth below:

Sec. 40.05.421. Residential capacity calculation.

Table 40.05.421 provides the procedure for calculating the residential use's capacity based on natural resources. Table 40.05.422 shall be used to determine nonresidential uses. Calculations shall be rounded down to a whole dwelling unit in determining the capacity of the site.

Table 40.05.421
RESIDENTIAL CAPACITY CALCULATION

Step 1	Take Base Site Area (Table 40.05.420 Step 1)	= ac.
	Subtract Total Resource Land (Table 40.05.420 Step 3)	- ac.
	Equals Total Unrestricted Land	= ac.
	Multiply by Usability Factor	
	Suburban Reserve 0.015	
	Suburban Estate 0.022 (includes NC2a)	
	Suburban - Single Family, <u>Pocket Neighborhood</u> , and Open Space (includes NC40, NC21 and NC15) 0.049	
	Suburban Transition - <u>Single Family, Pocket Neighborhood</u> , and Open Space (includes all other NC districts) 0.154	
	Traditional Neighborhood - <u>Single Family, Pocket Neighborhood</u> , and Open Space 0.150	
	Manufactured Homes 0.136	
	Equals Usable Land	= ac.
	Add Protected Resource Land (Table 40.05.420 Step 4)	+ ac.
	Equals Site Protected Land	= ac.
Step 2	Enter Base Site Area (Table 40.05.420 Step 1)	ac.
	Multiply by Minimum Open Space Ratio (Table 40.04.110)	× ac.
	Equals Minimum District Required Open Space	= ac.
Step 3	Enter Base Site Area (Table 40.05.420 Step 1)	ac.

	Subtract Required Protected Land (Step 1 or 2, whichever is greater)	– ac.
	Equals Net Buildable Site Area	= ac.
	Multiply by Maximum Net Density (Table 40.04.110)	× ac.
	Equals Site Specific Maximum Density Yield	= du's
Step 4	Enter Base Site Area (Table 40.05.420 Step 1)	ac.
	Multiply by Maximum Gross Density (Table 40.04.110)	× ac.
	Equals District Maximum Density Yield	= du's
Step 5	Maximum Yield for Site (Step 3 or 4, whichever is less)	= du's

Section 4. New Castle County Code Chapter 40 (“Unified Development Code” or “UDC”), Article 7 (“Transfer of Development Rights and Other Incentives and Bonuses”), Division 40.07.500 (“Traditional Neighborhood Housing Program”), is hereby amended by adding the material that is underscored, as set forth below:

Sec. 40.07.510. Mandatory applicability.

Required Moderately Priced Dwelling Units (“MPDUs”). MPDUs shall be required subject to the following conditions.

- A. On all rezoning applications proposing...
- B. Any variance application proposing an increase ...
- C. Payment-in-lieu of MPDU construction. ...
- D. This section shall not apply to rezoning applications ...
- E. This Section shall not apply to the acreage ...
- F. On all Multifamily Conversion...
- G. On all Pocket Neighborhood (Division 40.25.333) and Hamlet and Village Design (Division 40.25.100) development plans proposing twenty-five (25) or more dwelling units fifteen (15) percent of all dwelling units shall be set aside as MPDUs.

Section 5. New Castle County Code Chapter 40 (“Unified Development Code” or “UDC”), Article 20 (“Subdivision and Land Development Design Principles”), Division 40.20.200 (“Subdivision layout”), is hereby amended by adding the material that is underscored, as set forth below:

115 **Sec. 40.20.220. Lots.**

116
117 Design standards for lots in subdivisions shall be as follows:

- 118
119 A. Except where explicitly permitted elsewhere in this Chapter, every lot shall have
120 frontage along the right-of-way lines of a street.
121
122 B. Reverse frontage residential lots should be avoided...

123
124 **Section 6.** *New Castle County Code* Chapter 40 (“Unified Development Code”
125 or “UDC”), Article 25 (“Design”), Division 40.25.300 (“Character standards”), is hereby
126 amended by adding the material that is underscored, as set forth below:

127
128 **Sec. 40.25.333 Pocket Neighborhoods**

129
130 Pocket Neighborhoods are groups of smaller detached housing units, oriented around
131 a common open space such as a courtyard, garden, or walkway. This development
132 option is intended to create community-oriented, smaller scale housing that is an
133 effective infill option for single family neighborhoods through context sensitive design
134 with respect to the surrounding community aesthetics. In addition to the standards in
135 Article 3 and Article 4 of this Chapter, the following standards apply:

- 136
137 A. Pocket Neighborhoods may only include single-family detached dwellings on
138 village lots and small single-family detached dwelling units on small single-family
139 detached dwelling unit lots.
140
141 B. The maximum gross floor area for any dwelling unit in a Pocket Neighborhood is
142 1,600 square feet. An additional 300 sf garage is permissible on lots with road or
143 alley frontage.
144
145 C. The maximum total GFA permitted for freestanding accessory structures on lots
146 within a pocket neighborhood is the lesser of either three hundred (300) square
147 feet of GFA or one half (½) of the footprint of the principle dwelling.
148
149
150 D. Accessory Dwelling Units are not permitted within a Pocket Neighborhood.
151
152
153 E. Lots within a pocket neighborhood are exempt from the requirements of Section
154 40.23.121.
155
156 F. Private swimming pools are not permitted on small single-family detached
157 dwelling unit lots within a Pocket Neighborhood.

- G. Pocket neighborhoods greater than 100 dwelling units in size are only permitted on land designated as an Investment Level 1 Area by the State of Delaware, in the Suburban, Suburban Transition, or Traditional Neighborhood zoning districts.
- H. Pocket Neighborhood developments may either be developed as fee simple or leasable lots. Land development plans for leasable lots must depict small single-family dwelling or village lot lines to ensure appropriate building spacing and setbacks are met.
- I. No dwelling unit within a Pocket Neighborhood may not be located within two hundred (200) feet of a parcel with an industrial use (Section 40.33.270) and may not be located within one-half (0.5) mile of Heavy Industry zoned land.
- J. Dwelling units within Pocket Neighborhoods must be reviewed pursuant to Section 40.25.410.
- K. Pocket Neighborhoods must avoid monotony by varying at least three (3) of the measures from Section 40.25.310. The Department will review the proposed dwelling unit and may require specific measures from Section 40.25.310 to avoid monotony within a development.
- L. Pocket Neighborhoods must include dumpsters for communal trash and recycling service. All dumpsters must be fully enclosed with a wood fence, masonry wall, berm or enclosure made of other durable low maintenance materials, subject to approval by the Department.
- M. In Pocket Neighborhoods, small single-family detached dwelling lots must provide a minimum of 1.5 parking spaces per dwelling unit and village lots must provide a minimum of 2.0 parking spaces per dwelling unit. Parking may be provided either on-site or in a shared community parking lot.

Section 7. *New Castle County Code* Chapter 40 (“Unified Development Code” or “UDC”), Article 26 (“Modification of Standards”), Division 40.26.300 (“Subdivision standards”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Division 40.26.300. Subdivision standards.

Sec. 40.26.310. No road frontage.

~~[Under certain circumstances atrium, patio, village houses, and townhouses of all types do not have to front on a street.]~~ In Pocket Neighborhoods, the Department may allow dwelling units to have no street frontage. All such units shall front an open space that meets the standards in Table 40.26.310. The maximum distance such a unit may be away from a street depends on whether the lot has direct access to both the open space and an alley that provides the lots with on-site parking and emergency access, or whether

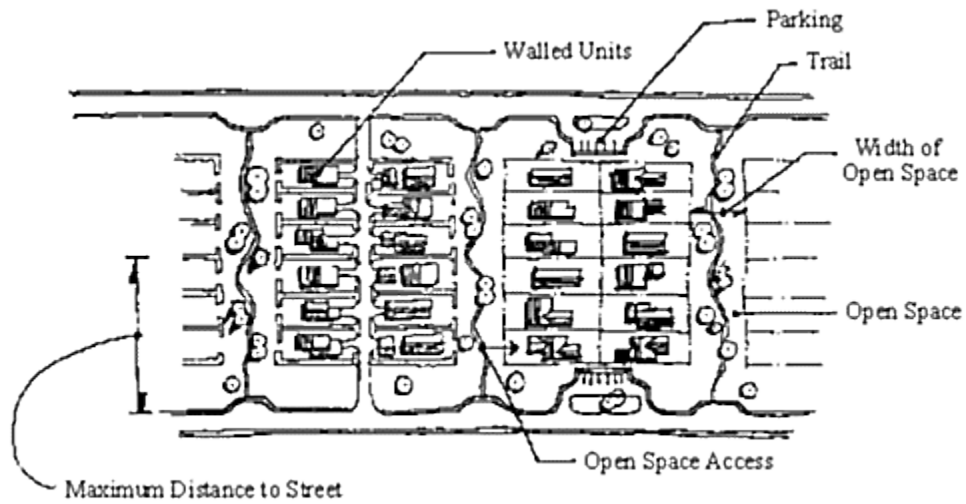
access is solely via the open space. The distance in Table 40.26.310 is doubled if a road or emergency access alley is available at both ends of the open space. Figure 40.26.310 illustrates the various conditions.

Table 40.26.310 STANDARDS FOR SPECIFIC RESIDENTIAL UNITS WITH NO ROAD FRONTAGE			
<i>Width of Open Space (ft.)</i>	[Walled Unit]	<i>Maximum Distance from Street (ft.)</i>	
		<i>Open Space Access</i>	<i>Alley and Open Space Access</i>
8	[yes]	60	100
12	[yes]	75	150
20	[no]	100	180
30	[no]	120	200

Section 8. *New Castle County Code* Chapter 40 (“Unified Development Code” or “UDC”), Article 26 (“Modification of Standards”), Division 40.26.300 (“Subdivision standards”), Figure 40.26.310 (“Residential Units With No Road Frontage”) is hereby amended by removing the current Figure 40.26.310, all of which shall be considered bracketed and stricken, and adding the below Figure 40.26.310, which shall be considered underscored in its entirety, as set forth below:

214
215
216

Figure 40.26.310
RESIDENTIAL UNITS WITH NO ROAD FRONTAGE



217



218

Section 9. *New Castle County Code* Chapter 40 (“Unified Development Code” or “UDC”), Article 33 (“Definitions”), Division 40.33.200 (“Use definitions”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.33.220. - Residential uses.

A. *Single-family detached.* ...

M. *Accessory dwelling unit (ADU).* This is a second, subordinate dwelling unit added to or created within a single-family detached dwelling, which provides independent living, sleeping, eating, cooking and sanitation facilities.

N. *Pocket Neighborhood.* This describes a development that consists of one (1) or more of the following housing types: village houses on village lots and small single-family detached dwellings on small single family detached dwelling lots.

Sec. 40.33.230. Institutional uses.

A. *Assembly and worship.* This use includes churches and...

F. *Institutional, residential:* Type I, facilities accommodating more than four (4) and not more than ten (10) persons; Type II facilities accommodating more than ten (10) persons. These uses include:

1. Convents or monasteries (NAICS 813110), and nursing homes...
2. Sheltered care facilities or group living facilities where the residents live in an institutional environment and are generally under the care or control of staff. All sheltered care[, and group care facilities, [and group homes] except emergency shelters and residential substance abuse facilities where total occupancy is more than eight (8), [shall be] are considered an institutional residential use. The residents would be members of an institution, or would have institutional care, or would be treated by staff in an institutional setting rather than living independently (NAICS 623, 624221).
3. Institutional housing where...
4. Dormitories, fraternities, or sororities (NAICS 721310)...

Section 10. Consistent with Comprehensive Development Plan. New Castle County Council finds that the provisions of this Ordinance are consistent with the spirit and intent of the New Castle County Comprehensive Development Plan.

262 **Section 11. Inconsistent Ordinances and Resolutions Repealed.** All
263 ordinances or parts of ordinances and all resolutions or parts of resolutions that may be
264 in conflict herewith are hereby repealed except to the extent they remain applicable to
265 land use matters reviewed under previous Code provisions as provided in Chapter 40 of
266 the *New Castle County Code*.

267
268 **Section 12. Severability.** The provisions of this Ordinance shall be severable. If
269 any provision of this Ordinance is found by any court of competent jurisdiction to be
270 unconstitutional or void, the remaining provisions of this Ordinance shall remain valid,
271 unless the court finds that that the valid provisions of this Ordinance are so essentially
272 and inseparably connected with, and so dependent upon, the unconstitutional or void
273 provision that it cannot be presumed that County Council would have enacted the
274 remaining valid provisions, without the unconstitutional or void one, or unless the court
275 finds that the remaining valid provisions, standing alone, are incomplete and incapable
276 of being executed in accordance with the County Council's intent. If any provision of this
277 Ordinance or any zoning map or portion thereof is found to be unconstitutional or void,
278 all applicable former ordinances, resolutions, zoning maps or portions thereof shall
279 become applicable and shall be considered as continuations thereof as not as new
280 enactments regardless if severability is possible.

281
282 **Section 14. Effective Date.** This Ordinance shall become effective immediately
283 upon its adoption by County Council and approval by the County Executive or as
284 otherwise provided in 9 *Del. C.* § 1156 and shall only apply to Land Use applications
285 submitted after such date(s) unless the applicant by written request agrees to submit to
286 the provisions of this Ordinance.

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: The following is a summary of the revisions contained in this ordinance broken down by *New Castle County Code* Division or Section number.

Sec. 40.03.110. This amendment permits small single-family detached dwellings in pocket neighborhoods.

Sec. 40.04.110. This amendment provides district and bulk standards for pocket neighborhoods.

Sec. 40.04.111. This amendment provides use and lot standards for pocket neighborhoods.

Sec. 40.04.112. This amendment provides lot standards for dwelling units in pocket neighborhoods including small single-family dwelling units. This amendment also clarifies parking and paving setbacks in a new column. This amendment also corrects footnotes to reflect those changes and eliminates a superfluous footnote.

Sec. 40.05.421. This amendment updates the residential capacity calculation for pocket neighborhoods and revises the residential capacity calculations for consistency.

Sec. 40.07.510. This amendment clarifies that Hamlet and Village design development plans proposing 25 or more dwelling units provide 15% as MPDUs. This amendment also requires that all pocket neighborhoods proposing 25 or more dwelling units provide 15% as MPDUs.

Sec. 40.20.220. This amendment clarifies that unless permitted elsewhere, all lots are required to have road frontage.

Sec. 40.25.333. This amendment includes character and design standards for pocket neighborhoods.

Sec. 40.26.310. This amendment revises the existing zero-road-frontage provisions to only apply to pocket neighborhoods. This amendment also removes the walled unit option in Table 40.26.310 and replaces Figure 40.26.310 with an updated figure.

Sec. 40.33.230. This amendment removes the term group home from the definition of Institutional Residential to be consistent with the existing definition of the term Group Home.

Substitute No. 1. The following changes are included in Substitute No. 1:

Sec. 40.03.110. This amendment clarifies the zoning districts where pocket neighborhoods as a development are permissible.

Sec. 40.04.110. This amendment adjusts the permitted density and restricts pocket neighborhoods to sites between four (4) and forty (40) acres in size.

Sec. 40.04.111. This amendment removes the on-lot landscaping requirements for pocket neighborhoods.

Sec. 40.25.333. This amendment includes limits pocket neighborhoods to no more than 20 acres if they are not incorporated into an open space or open space planned subdivision. This amendment also limits pocket neighborhoods greater than 100 dwelling units to Investment Level 1 areas designated by the State of Delaware. This amendment also exempts lots within a pocket neighborhood from additional on-lot landscaping required by Article 23. This amendment also establishes a maximum gross floor area of 1,600 sf and permits an additional 300 SF garage if the lot has either street or alley frontage. This amendment also restricts dwelling units within a pocket neighborhood from being within 200 ft of a parcel with an industrial use. The amendment also clarifies that the Department will review dwelling units within a pocket neighborhood development. This amendment also requires that pocket neighborhoods include dumpsters for communal trash and recycling service. This amendment also establishes a minimum parking of 1.5 parking spaces for small single family detached dwelling lots and 2.0 parking spaces for village lots within a pocket neighborhood. This amendment also includes restrictions for detached residential accessory structures in a pocket neighborhood.

Sec. 40.33.220. This amendment defines pocket neighborhoods.

FISCAL NOTE: This Ordinance will have no discernable fiscal impact.

Prime Sponsor(s): Mr. Hollins
Requested by: Land Use Department
Date of introduction: September 17, 2024

ORDINANCE NO. 24-137

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25 **WHEREAS**, pocket neighborhoods are an effective strategy to increase housing
26 diversity and to address the affordable housing needs in the County; and

27 **WHEREAS**, the New Castle County Comprehensive Plan guides development
28 and redevelopment to be sensitive to the context of neighboring residential development;
29 and

30 **WHEREAS**, the County recognizes the importance of updating its development
31 regulations to be consistent with, and implement, the New Castle County Comprehensive
32 Plan; and
33

34 **WHEREAS**, County Council has determined that the provisions of this Ordinance
35 substantially advance, and are reasonably and rationally related to, legitimate
36 government interests (i.e., promoting the health, safety, morals, convenience, order,
37 prosperity and/or welfare of the present and future inhabitants of this State).
38

39 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
40

41 **Section 1.** *New Castle County Code* Chapter 40 (“Unified Development Code”
42 or “UDC”), Article 3 (“Use Regulations”), Division 40.03.100 (“Use regulations”), is
43 hereby amended by adding the material that is underscored, as set forth below:

Table 40.03.110A. General Use Table									Table 40.03.110B. General Use Table							Table 40.03.110C. General Use Table	
Zoning District (Urban and Suburban-Transition Character) Y=permitted, N=prohibited, L=limited review, S=special use review, A=accessory									Zoning District (Suburban and Special Character)							Additional Standards (all districts)	
Land Use	TN*	ST	MM	ON	OR	CR	BP	I	CN	S***	SE	NC**	HI	EX	SR	Parking	Limited & Special Use Standards
Residential									Residential							Residential	
Single-family, detached	Y	Y	N	N	N	N	N	N	N	Y	Y	Y	N	N	Y	2.0/du.	—
Small single-family detached dwelling	L	L	N	N	N	N	N	N	N	L	N	L	N	N	N	2.0/du.	Only permitted in as an ADU Section 40.03.410, <u>or in a Pocket Neighborhood Section 40.25.333...</u>

46 **Section 2.** *New Castle County Code* Chapter 40 (“Unified Development Code”
47 or “UDC”), Article 4 (“District and Bulk Standards”), Division 40.04.100 (“District and
48 bulk standards”), is hereby amended by adding the material that is underscored and
49 deleting the material that is bracketed and stricken, as set forth below:

50
51 **Sec. 40.04.110. District and bulk standards.**

52
53 This Section contains the basic district standards applicable to all uses. Table 40.04.110
54 contains intensity, lot, bulk and exterior storage standards. These standards may be
55 modified by the Department pursuant to Article 26.

- 56
57 A. *Minimum open space ratio. ...*
58
59 B. *Site area ...*
60
61 C. *Maximum building height. ...*
62
63 D. *Minimum lot area. ...*

Table 40.04.110A. DISTRICT AND BULK STANDARDS								Table 40.04.110B. DISTRICT AND BULK STANDARDS								Table 40.04.110C. DISTRICT AND BULK STANDARDS	
District Standards								Lot, and Building Standards								Storage and Comments	
		Density		Floor Area Ratio				Minimum								Exterior Storage	Notes
Zoning District & Type	Min. OSR/LSR	Max. Gross	Max Net	Max. Gross	Max Net	Utilities (on-site, public)	Site Area	Lot Area	Lot Width (feet)	Front and Street Yards (feet)	Side Yard (feet)	Rear Yard (feet)	Paving street yard/ other yard (feet)	Unit Mix (%)	Building Height (feet)	Percent of Lot Area	
Suburban Reserve (SR)...								Suburban Reserve (SR)...								Suburban Reserve (SR)...	
Suburban (S)								Suburban (S)								Suburban (S)	
Farmstead...																	
<u>Pocket Neighborhood</u>	<u>0.35</u>	<u>2.0</u>	<u>5.20</u>	<u>na.</u>	<u>na.</u>	<u>P</u>	<u>8 ac</u>	<u>See Table 40.04.112</u>								<u>na.</u>	<u>See Section 40.25.333</u>
Single-family ...																	
Suburban Transition (ST)								Suburban Transition (ST)								Suburban Transition (ST)	
<u>Pocket Neighborhood</u>	<u>0.15</u>	<u>4.7</u>	<u>6.0</u>	<u>na.</u>	<u>na.</u>	<u>P</u>	<u>8 ac</u>	<u>See Table 40.04.112</u>								<u>na.</u>	<u>See Section 40.25.333</u>
Single-family ...																	
Traditional Neighborhood (TN)								Traditional Neighborhood (TN)								Traditional Neighborhood (TN)	
<u>Pocket Neighborhood</u>	<u>0.15</u>	<u>5.20</u>	<u>8.50</u>	<u>na.</u>	<u>na.</u>	<u>P</u>	<u>20 ac.</u>	<u>See Table 40.04.112</u>								<u>na.</u>	<u>See Section 40.25.333</u>
Single-family village house ...																	

Table 40.04.111 A. USE AND LOT STANDARDS							Table 40.04.111 B. USE AND LOT STANDARDS																	Table 40.04.111 C. USE AND LOT STANDARDS			
Zoning District & Development Type	Landscaping Plant Units per (See Division 40.23.100)			Bufferyard Opacity Standards			Bufferyard Opacity Standards (See Section 40.23.140)																	Street Tree Spacing (feet)	Max. Illumination/Height		Notes *NC6.5 or less includes NC5, NCap, NCga, NCth, NCsd, CNmm, and NCpud
				Adjoining Streets			Adjoining District or Use (1) (No bufferyard shall be required where like zoning district and like developments options are adjacent)																		Illumination	Height	
	Lot	Acre Open Space	Parking Spaces																					Arterial			Collector
Suburban (S)							Suburban (S)																	Suburban (S)			
Farmstead...																											
Pocket Neighborhood	1/du	4	none	0.4	0.3	0	0.3	0.2	0.2	0.2	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.2	0.2	40	C=4 fc S=2 fc	C=20 ft S=20 ft	
Single-family ...																											
Suburban Transition (ST)							Suburban Transition (ST)																	Suburban Transition (ST)			
Pocket Neighborhood	1/du	4	none	0.4	0.3	0	0.3	0.2	0.2	0.2	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.2	0.2	40	C=4 fc S=2 fc	C=20 ft S=20 ft	
Single-family ...																											
Traditional Neighborhood (TN)							Traditional Neighborhood (TN)																	Traditional Neighborhood (TN)			
Pocket Neighborhood	1/du	4	none	0.4	0.3	0	0.3	0.2	0.2	0.2	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.2	0.2	40	C=4 fc S=2 fc	C=20 ft S=20 ft	
Single-family village house ...																											

Table 40.04.112 LOT STANDARDS FOR ATTACHED, POCKET NEIGHBORHOOD, AND OPEN SPACE PLANNED HOUSING TYPES													
Dwelling Unit Type	Minimum							Maximum	Patio Minimums		Side Load Garage Setback (ft)	Minimum Percent in Width Type	Setback to Parking/Paving: Street yard/ Other yard (feet)
	Site Area (sq. ft.)	Lot Area (sq. ft.)	Lot Width (ft)	Front and Street Yards (ft)	Side Yard (ft)	Building Spacing (ft)	Rear Yard (ft)	Height (ft)	Area (sq. ft.)	Width (ft)			
Single-Family Detached													
Single-family detached		12,000	85	25	6		30	36					25/2
Single-family detached		10,000	80	25	6		30	36					
Lot line		7,300	60	20 ¹	1@20	20	30	36			8	20	20
		8,000	65								8	40	
		8,600	70								8	remainder	
Village		4,800	48	12[/20 ³]	6	na.	25 ²	36					20/2
		5,400	54										
		6,000	60										
Patio		5000	55	8[/20 ³]	Patio	8	patio	36	1,000/48	20/6			20/2
Small Single-Family Dwelling		1,900	45	10	6		10	25					15/2
Single-Family Attached												Max Unit in a Row	
Twin	9,000	4,500	48	20[/20 ³]	1@8	12	25	36				2	20/0
Atrium	9,000	3,000	45	0[/20 ³]	0, 6' end unit	8	0	15	800/48	24/6		8	20/0
Weak-link townhouse	10,800	3,600	36	15[/20 ³]	0, 6' end unit	10	25	40				8	20/0
Townhouse	7,200	2,200 [4]3	22[4]3	15[/20 ³]	0, 6' end unit	10	20	40				8	20/0
Duplex	7,000	3,500	70	20	8	na.	30	36				na.	20/2
Quadrplex	8,000	2,000	80	20	6	12	15	36			5	na.	20/2
Multi-Family													
Apartment	10,000	1,800	100	25[/15 ³]	12	30	20	50				na.	25/10
¹ Setback to garage from sidewalk. ² [Rear garage may have 5' rear yard setback provided access to alley. ³ Setback to parking. ⁴] Variable – See Section 40.04.121													

Section 3. *New Castle County Code* Chapter 40 (“Unified Development Code” or “UDC”), Article 5 (“Site Capacity and Concurrency Calculations”), Division 40.05.400 (“Site resource capacity”), is hereby amended by adding the material that is underscored, as set forth below:

Sec. 40.05.421. Residential capacity calculation.

Table 40.05.421 provides the procedure for calculating the residential use's capacity based on natural resources. Table 40.05.422 shall be used to determine nonresidential uses. Calculations shall be rounded down to a whole dwelling unit in determining the capacity of the site.

Table 40.05.421
RESIDENTIAL CAPACITY CALCULATION

Step 1	Take Base Site Area (Table 40.05.420 Step 1)	= ac.
	Subtract Total Resource Land (Table 40.05.420 Step 3)	- ac.
	Equals Total Unrestricted Land	= ac.
	Multiply by Usability Factor	
	Suburban Reserve 0.015	
	Suburban Estate 0.022 (includes NC2a)	
	Suburban - Single Family, <u>Pocket Neighborhood</u> , and Open Space (includes NC40, NC21 and NC15) 0.049	
	Suburban Transition - <u>Single Family, Pocket Neighborhood</u> , and <u>Open Space</u> (includes all other NC districts) 0.154	
	Traditional Neighborhood - <u>Single Family, Pocket Neighborhood</u> , and <u>Open Space</u> 0.150	
	Manufactured Homes 0.136	
	Equals Usable Land	= ac.
	Add Protected Resource Land (Table 40.05.420 Step 4)	+ ac.
	Equals Site Protected Land	= ac.
Step 2	Enter Base Site Area (Table 40.05.420 Step 1)	ac.
	Multiply by Minimum Open Space Ratio (Table 40.04.110)	× ac.
	Equals Minimum District Required Open Space	= ac.
Step 3	Enter Base Site Area (Table 40.05.420 Step 1)	ac.

	Subtract Required Protected Land (Step 1 or 2, whichever is greater)	– ac.
	Equals Net Buildable Site Area	= ac.
	Multiply by Maximum Net Density (Table 40.04.110)	× ac.
	Equals Site Specific Maximum Density Yield	= du's
Step 4	Enter Base Site Area (Table 40.05.420 Step 1)	ac.
	Multiply by Maximum Gross Density (Table 40.04.110)	× ac.
	Equals District Maximum Density Yield	= du's
Step 5	Maximum Yield for Site (Step 3 or 4, whichever is less)	= du's

Section 4. *New Castle County Code* Chapter 40 (“Unified Development Code” or “UDC”), Article 7 (“Transfer of Development Rights and Other Incentives and Bonuses”), Division 40.07.500 (“Traditional Neighborhood Housing Program”), is hereby amended by adding the material that is underscored, as set forth below:

Sec. 40.07.510. Mandatory applicability.

Required Moderately Priced Dwelling Units (“MPDUs”). MPDUs shall be required subject to the following conditions.

- A. On all rezoning applications proposing...
- B. Any variance application proposing an increase ...
- C. Payment-in-lieu of MPDU construction. ...
- D. This section shall not apply to rezoning applications ...
- E. This Section shall not apply to the acreage ...
- F. On all Multifamily Conversion...
- G. On all Pocket Neighborhood (Division 40.25.333) and Hamlet and Village Design (Division 40.25.100) development plans proposing twenty-five (25) or more dwelling units fifteen (15) percent of all dwelling units shall be set aside as MPDUs.

Section 5. *New Castle County Code* Chapter 40 (“Unified Development Code” or “UDC”), Article 20 (“Subdivision and Land Development Design Principles”), Division 40.20.200 (“Subdivision layout”), is hereby amended by adding the material that is underscored, as set forth below:

116 **Sec. 40.20.220. Lots.**

117
118 Design standards for lots in subdivisions shall be as follows:

- 119
120 A. Except where explicitly permitted elsewhere in this Chapter, e[~~E~~]very lot shall have
121 frontage along the right-of-way lines of a street.
122
123 B. Reverse frontage residential lots should be avoided...

124
125 **Section 6.** *New Castle County Code* Chapter 40 (“Unified Development Code”
126 or “UDC”), Article 25 (“Design”), Division 40.25.300 (“Character standards”), is hereby
127 amended by adding the material that is underscored, as set forth below:
128

129 **Sec. 40.25.333 Pocket Neighborhoods**

130
131 Pocket Neighborhoods are groups of smaller detached housing units, oriented around
132 a common open space such as a courtyard, garden, or walkway. This development
133 option is intended to create community-oriented, smaller scale housing that is an
134 effective infill option for single family neighborhoods through context sensitive design
135 with respect to the surrounding community aesthetics. In addition to the standards in
136 Article 3 and Article 4 of this Chapter, the following standards apply:
137

- 138 A. Pocket Neighborhood developments may include village homes and small single-
139 family detached dwelling units.
140
141 B. The maximum gross floor area for any dwelling unit in a Pocket Neighborhood is
142 1,200 square feet.
143
144 C. Pocket Neighborhood developments may either be developed as fee simple or
145 leasable lots.
146
147 D. Residential units in a Pocket Neighborhood may either be owner occupied or
148 rental.
149
150 E. Pocket Neighborhoods must be reviewed pursuant to Section 40.25.410.
151
152 F. Pocket Neighborhoods may not be located within one-half (0.5) mile of Heavy
153 Industry zoned land.
154
155 G. Pocket Neighborhoods must avoid monotony by varying at least three (3) of the
156 measures from Section 40.25.310.
157

158 **Section 7.** *New Castle County Code* Chapter 40 (“Unified Development Code”
159 or “UDC”), Article 26 (“Modification of Standards”), Division 40.26.300 (“Subdivision
160 standards”), is hereby amended by adding the material that is underscored and
161 deleting the material that is bracketed and stricken, as set forth below:

Division 40.26.300. Subdivision standards.

Sec. 40.26.310. No road frontage.

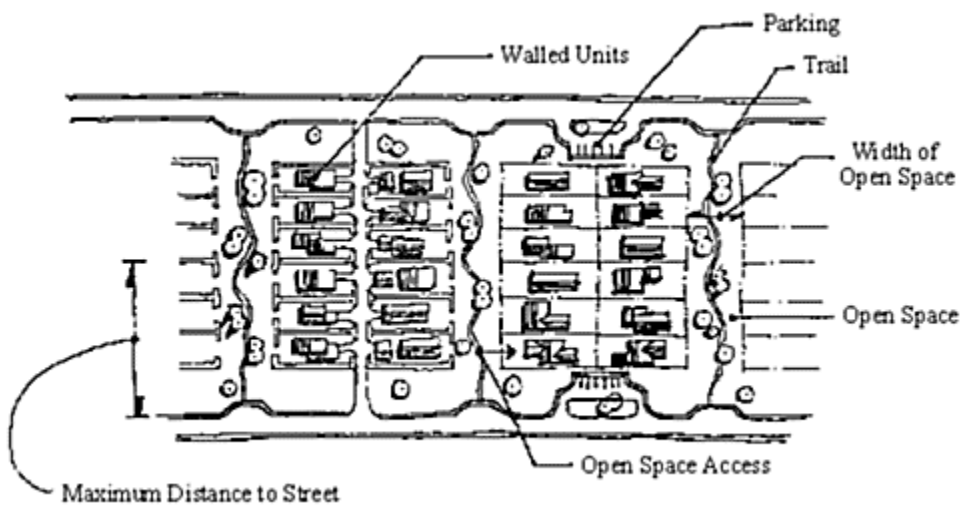
~~[Under certain circumstances atrium, patio, village houses, and townhouses of all types do not have to front on a street.]~~ In Pocket Neighborhoods, the Department may allow dwelling units to have no street frontage. All such units shall front an open space that meets the standards in Table 40.26.310. The maximum distance such a unit may be away from a street depends on whether the lot has direct access to both the open space and an alley that provides the lots with on-site parking and emergency access, or whether access is solely via the open space. The distance in Table 40.26.310 is doubled if a road or emergency access alley is available at both ends of the open space. Figure 40.26.310 illustrates the various conditions.

Table 40.26.310 STANDARDS FOR SPECIFIC RESIDENTIAL UNITS WITH NO ROAD FRONTAGE			
Width of Open Space (ft.)	[Walled Unit]	Maximum Distance from Street (ft.)	
		Open Space Access	Alley and Open Space Access
8	[yes]	60	100
12	[yes]	75	150
20	[no]	100	180
30	[no]	120	200

Section 8. *New Castle County Code* Chapter 40 (“Unified Development Code” or “UDC”), Article 26 (“Modification of Standards”), Division 40.26.300 (“Subdivision standards”), Figure 40.26.310 (“Residential Units With No Road Frontage”) is hereby amended by removing the current Figure 40.26.310, all of which shall be considered bracketed and stricken, and adding the below Figure 40.26.310, which shall be considered underscored in its entirety, as set forth below:

**Figure 40.26.310
RESIDENTIAL UNITS WITH NO ROAD FRONTAGE**

187



188



189

Section 9. *New Castle County Code* Chapter 40 (“Unified Development Code” or “UDC”), Article 33 (“Definitions”), Division 40.33.200 (“Use definitions”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.33.230. Institutional uses.

A. *Assembly and worship.* This use includes churches and...

F. *Institutional, residential:* Type I, facilities accommodating more than four (4) and not more than ten (10) persons; Type II facilities accommodating more than ten (10) persons. These uses include:

1. Convents or monasteries (NAICS 813110), and nursing homes...
2. Sheltered care facilities or group living facilities where the residents live in an institutional environment and are generally under the care or control of staff. All sheltered care~~[-]~~ and group care facilities, ~~[and group homes]~~ except emergency shelters and residential substance abuse facilities where total occupancy is more than eight (8), ~~[shall be]~~ are considered an institutional residential use. The residents would be members of an institution, or would have institutional care, or would be treated by staff in an institutional setting rather than living independently (NAICS 623, 624221).
3. Institutional housing where...
4. Dormitories, fraternities, or sororities (NAICS 721310)...

Section 10. Consistent with Comprehensive Development Plan. New Castle County Council finds that the provisions of this Ordinance are consistent with the spirit and intent of the New Castle County Comprehensive Development Plan.

Section 11. Inconsistent Ordinances and Resolutions Repealed. All ordinances or parts of ordinances and all resolutions or parts of resolutions that may be in conflict herewith are hereby repealed except to the extent they remain applicable to land use matters reviewed under previous Code provisions as provided in Chapter 40 of the *New Castle County Code*.

Section 12. Severability. The provisions of this Ordinance shall be severable. If any provision of this Ordinance is found by any court of competent jurisdiction to be unconstitutional or void, the remaining provisions of this Ordinance shall remain valid, unless the court finds that that the valid provisions of this Ordinance are so essentially and inseparably connected with, and so dependent upon, the unconstitutional or void provision that it cannot be presumed that County Council would have enacted the remaining valid provisions, without the unconstitutional or void one, or unless the court finds that the remaining valid provisions, standing alone, are incomplete and incapable

236 of being executed in accordance with the County Council's intent. If any provision of this
237 Ordinance or any zoning map or portion thereof is found to be unconstitutional or void,
238 all applicable former ordinances, resolutions, zoning maps or portions thereof shall
239 become applicable and shall be considered as continuations thereof as not as new
240 enactments regardless if severability is possible.

241
242 **Section 13. Effective Date.** This Ordinance shall become effective immediately
243 upon its adoption by County Council and approval by the County Executive or as
244 otherwise provided in 9 *Del. C.* § 1156 and shall only apply to Land Use applications
245 submitted after such date(s) unless the applicant by written request agrees to submit to
246 the provisions of this Ordinance.

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: The following is a summary of the revisions contained in this ordinance
broken down by *New Castle County Code* Division or Section number.

Sec. 40.03.110. This amendment permits small single-family detached dwellings in
pocket neighborhoods.

Sec. 40.04.110. This amendment provides district and bulk standards for pocket neighborhoods.

Sec. 40.04.111. This amendment provides use and lot standards for pocket neighborhoods.

Sec. 40.04.112. This amendment provides lot standards for dwelling units in pocket neighborhoods including small single-family dwelling units. This amendment also clarifies parking and paving setbacks in a new column. This amendment also corrects footnotes to reflect those changes and eliminates a superfluous footnote.

Sec. 40.05.421. This amendment updates the residential capacity calculation for pocket neighborhoods and revises the residential capacity calculations for consistency.

Sec. 40.07.510. This amendment clarifies that Hamlet and Village design development plans proposing 25 or more dwelling units provide 15% as MPDUs. This amendment also requires that all pocket neighborhoods proposing 25 or more dwelling units provide 15% as MPDUs.

Sec. 40.20.220. This amendment clarifies that unless permitted elsewhere, all lots are required to have road frontage.

Sec. 40.25.333. This amendment includes character and design standards for pocket neighborhoods.

Sec. 40.26.310. This amendment revises the existing zero-road-frontage provisions to only apply to pocket neighborhoods. This amendment also removes the walled unit option in Table 40.26.310 and replaces Figure 40.26.310 with an updated figure.

Sec. 40.33.230. This amendment removes the term group home from the definition of Institutional Residential to be consistent with the existing definition of the term Group Home.

FISCAL NOTE: This Ordinance will have no discernable fiscal impact.



Department of Land Use

**DEPARTMENT OF LAND USE
RECOMMENDATION REPORT**

**Ordinance No. 24-137
Application No. 2024-0483-T
Pocket Neighborhoods**

November 19, 2024

Sponsor: Councilman Hollins

Description: To Amend New Castle County Code Chapter 40 (also known as the Unified Development Code or “UDC) Regarding Pocket Neighborhoods

EXECUTIVE SUMMARY

Ordinance 24-137, implemented in response to the 2022 New Castle County Comprehensive Plan, aims to diversify the county’s housing stock while providing affordable housing opportunities. Building upon the recommendations of the Comprehensive Plan and other outreach initiatives, the Department of Land Use collaborated with Councilman Hollins to develop Ordinance 24-137. This ordinance introduces a new development option, Pocket Neighborhoods, commonly known as cottage communities, within the Suburban, Suburban Transition, and Traditional Neighborhood zoning districts where public water and sewer services are available.

The Department of Land Use has considered the Standards for Text Amendment in Section 40.31.420 of the *New Castle County Code* and comments received from other agencies and the public. Based on this analysis, the Department recommends **CONDITIONAL APPROVAL** of Ordinance No. 24-137, with the condition that County Council consider amending the ordinance to:

1. Permit Pocket Neighborhoods to develop at the following densities:
 - Suburban – 5.0 d.u./acre
 - Suburban Transition – 8.0 d.u./acre
 - Traditional Neighborhood – 8.0 d.u./acre
2. Allow Pocket Neighborhoods on sites ranging from 4-40 acres

3. Limit Pocket Neighborhoods greater than 100 units to Level 1 State Strategy Areas
4. Increase the maximum GFA for single family detached dwellings to 1,600 square feet, with a potential 300 square foot garage when abutting a street or alley.
5. Distance homes in Pocket Neighborhoods at least 200 feet from industrial uses
6. Require community trash receptacles
7. Permit accessory structures to have a maximum of 300 square feet of or ½ the footprint of the principal dwelling.
8. Restrict ADUs from Pocket Neighborhoods
9. Restrict small single family detached dwellings from having a private swimming pool

DESCRIPTION

Ordinance 24-137 (Application 2024-0483-T) is an implementation product of the 2022 New Castle County Comprehensive Plan seeking to diversify the housing stock in the county, while providing affordable housing opportunities. The ordinance proposes to permit a new development option, Pocket Neighborhoods (commonly referred to as cottage communities) in the Suburban, Suburban Transition and Traditional Neighborhood zoning districts where public water and sewer are present.

BACKGROUND

Small Single-Family Dwellings

With the adoption of the Unified Development Code (Ordinance 97-172) on December 31, 1997, the County strategically adopted provisions to incentivize and encourage affordable housing. Division 40.07.300 - Affordable Housing Bonuses, provided for two opportunities in Open Space Subdivisions as well as in Hamlets and Villages to receive density and reduction in open space bonuses for constructing homes that qualify for households making less than 80% of the area median income (AMI). Additionally, to incentivize smaller more affordable housing units, Section 40.07.340 included a development option for small single-family housing. These were intended to create three housing types (1 story detached, 2 story detached and 1 story attached), with lot sizes appropriate for the dwelling unit size. That said while Section 40.33.220 defined the use as:

The small single-family house is an affordable unit specially designed and built to serve the needs of individuals or small households who need small, compact, affordable housing. It is not intended to meet the needs of large families. Three types of housing are provided: single-family detached one (1) story, single-family detached two (2) story, and single story attached.

The small scale of these units permits them to fit into existing neighborhoods without threatening the neighborhood character.

Section 40.33.300 did not define the size and nature of the structures, as anything other than not subject to the definition of a single family detached dwelling. Essentially, they were small in relation to single-family detached dwellings. From 1997 through 2007, the development options for small single family dwellings went unused. In 2007, the County Council adopted Ordinance 07-150, which incorporated comprehensive affordable housing incentives under the Workforce Housing program. Notably, this ordinance eliminated the provisions for small single-family housing developments.

On September 24, 2024, County Council adopted Ordinance 24-087, returning small single-family dwellings, as Accessory Dwelling Units to the UDC. Additionally, the ordinance revised the use definition in Article 40.33.220 to only include 1 and 2 story small single family dwellings, and for the first time defined the size and nature of the structure as follows:

Dwelling, small single-family detached. A one (1) or two (2) story dwelling unit, designed for and occupied by not more than one (1) family and having no roof, wall or floor in common with any other dwelling unit. The following applies:

- A. It has a minimum of four hundred (400) square feet of gross floor area and less than seven hundred fifty (750) square feet of gross floor area.
- B. It is of light-frame or masonry construction and permanently mounted on a solid foundation or pier foundation system in accordance with Chapter 6.
- C. All utilities must be permanently connected in accordance with the County plumbing and mechanical codes.
- D. The dwelling must have a weather-resistant exterior covering material comparable in appearance, quality and durability to brick, stone, treated lumber, masonry, or masonry veneer, which shall extend to the foundation.
- E. The siding of all dwellings must be continuous so as to enclose any joining of two (2) or more sections.
- F. It complies with all other pertinent sections of the building and housing codes of the County, and the fire and health codes of the State.

Pocket Neighborhoods

Pocket Neighborhoods, commonly known as cottage communities, although not a prevalent development type in New Castle County, have a long history in the United States. Historically, these neighborhoods were typically constructed in urban areas centered around pocket parks. In New Castle County, we have a unique example dating back over a century. In 1923, just outside of Newport, Claude Banta planned the Villa Monterey development. It was envisioned as a 350-home development with a “Mediterranean-influenced style,” featuring flat-roofed, stuccoed cement-block houses. However, the development was ultimately limited to 12 units. While demonstrating the potential for Pocket Neighborhoods to serve as a viable option for infill development, it remains a unique example in New Castle County.¹

Villa Monterey (Corinne Court),
New Castle County



Modern Pocket Neighborhoods

As previously discussed, the concept of Pocket Neighborhoods is not novel, but their implementation outside of urban areas has largely been a novelty. In 1996, architect Ross Chapin and developer Jim Soules collaborated on the Third Street Cottages in Langley, Washington, an eight-home development comprised of cottages centered around a communal garden. Mr. Chapin

Third Street Cottages,
Langley, WA



characterized the development as “a pocket safely concealing its belongings from the external world,” and formally coined the term “pocket neighborhood.” They continued their endeavors, partnering with The Cottage Company to develop Pocket Neighborhoods in the Seattle area. Their success has resulted in a book publication and numerous communities adopting regulations that facilitate and encourage the development of Pocket Neighborhoods.²

¹W. Barksdale Maynard, *Villa Monterey (Corinne Court)*, <https://sah-archipedia.org/buildings/DE-01-BR16> (Accessed 11/11/2024)

² Pocket Neighborhoods, *Beginnings*, <https://www.pocket-neighborhoods.net/beginnings.html>, (Accessed 11/11/2024)

Ordinance 24-137- Pocket Neighborhoods

The 2022 Update to the New Castle County Comprehensive Plan, which was a product of extensive public outreach, identified a diversification of housing types and encouraging development patterns that are less automotive dependent as an effective mechanism to increase the range of affordable housing and mobility options. Building on the recommendations of the Comprehensive Plan and other outreach opportunities, the Department of Land Use worked with Councilman Hollins, to craft Ordinance 24-137 to encourage infill residential development and diversify housing types and price points. Ordinance 24-137 was introduced on September 17, 2024, and proposes to accomplish these objectives by:

- Introducing the Pocket Neighborhoods development concept, one that clusters smaller lots centered around an open space area such as a courtyard, as opposed to a street network thereby deemphasizing the focus on automotive transportation.
- Expand the development of starter homes by restricting the maximum home size and permitting the construction of small single-family detached dwellings on lots as small as 1,900 sf.
- Require that in developments greater than 25 units in size to include 15% as affordable units (MPDUs)

PLUS REVIEW (Preliminary Land Use Service)

The PLUS Report, dated October 22, 2024, contains comments from several State agencies. The Office of State Planning Coordination commended the County's efforts implement the Comprehensive Plan, specifically identifying the County's efforts to address affordable housing.

The Department of Natural Resources and Environmental Control (DNREC) commended the County for:

...for promoting infill housing. An emphasis on infill has the potential to direct this type of residential development away from "greenfields" and toward already developed areas in New Castle County instead.

The Delaware State Housing Authority (DHSA) supported the ordinance stating that it:

...supports utilizing Pocket Neighborhoods as an effective strategy for increasing housing diversity and sustainably planning residential communities in New Castle County. Homes in Pocket Neighborhoods may include village homes and small-scale single-family detached housing and could be owner-occupied or rental units. This flexibility to offer multiple options to Delaware residents promotes healthy mixed-

income communities with diverse housing types. The utilization of common open space promotes sustainable community-oriented design.

DHSA supported the inclusion of a requirement for MPDUs on developments greater than 25 units stating:

The inclusion of this MPDU mandate addresses affordability concerns raised in DSHA's 2023 Housing Needs Assessment (HNA). The HNA notes that in 2021, 48% of renters and 21% of homeowners paid over 30% of their monthly income on housing costs. DSHA supports New Castle County's efforts to reduce the burden for Delaware residents through this MPDU mandate and would encourage the county to explore increasing the percentage of MPDUs in Pocket Neighborhoods.

The State Fire Marshal's Office voiced opposition to the ordinance expressing concerns over lots without road frontage. They recommended improvements to structures including sprinklers and height limitations. They also requested a meeting with the Department to discuss identified issues.

Planning Board Public Hearing – November 6, 2024

Matthew Rogers, Planner for the Department of Land Use presented Ordinance 24-137 at the November 6th New Castle County Department of Land Use and Planning Board Public Hearing. During his presentation, he discussed how the ordinance was derived from recommendations of the New Castle County Comprehensive Plan, public outreach and working with the development community. Mr. Rogers also presented several potential changes to the ordinance based on public feedback.

Planning Board members had several inquiries and comments in response to the presentation. Ms. Peterson inquired about concerns raised by the Fire Marshal, John Rudd. Mr. Rogers said that the Department had met with Mr. Rudd to clarify the ordinance. He further explained that Mr. Rudd had indicated that lots without road or alley access would either require sprinkling or have access to a pathway with a minimum width of 14 feet, capable of supporting the weight of fire equipment. The Department informed Mr. Rudd that Pocket Neighborhoods would be subject to the Fire Code. Ms. Peterson then inquired if all parking is to be in the common parking facilities. Mr. Rogers explained that when a lot has either alley or street access it would likely include a garage for off-street parking, otherwise the units would be served by common parking facilities. Ms. Peterson then inquired about the governance documents for the maintenance of common facilities. Mr. Rogers explained that when a development pursued fee simple lots, they'd have a home ownership association, and if leased they'd likely have a condominium association. Ms. Visvardis inquired about the potential to locate a garage in the example Pocket Neighborhood. Mr. Rogers identified a lot that had the potential for a detached garage.

Support

At the Public Hearing, seven (7) members of the public spoke in favor of Ordinance 24-137: (1) Dev Sitiram, (2) Jay Sonecha, (3) Doug Eitelman, (4) Mike Oleck, (5) Jerome Heisler Jr., (6) Dale Swain, and (7) Frederick Mitsdarfer, III, Esq.. Mr. Sitaram voiced support for the ordinance while making recommendations that the County consider permitting Pocket Neighborhoods in the Neighborhoods Conservation Districts. Jay Sonecha recommended that the County consider permitting townhomes and other attached dwelling units. Doug Eitelman, Land Use Chair for the Committee of 100, additionally commended the County's efforts and echoed Mr. Sitaram's recommendation that Pocket Neighborhoods be included in the Neighborhoods Conservation Districts. Mike Oleck, representing the Home Builder's Association, voiced support for the ordinance and commended the Department's efforts. He recommended that the County consider removing the MPDU requirement, voiced concern about the ability to provide EV parking as required by State Code. Jerome Heisler reiterated comments that he submitted to record prior to the hearing. Dale Swain offered support for affordable housing, however voiced concern that the housing actually be affordable and that the public had the opportunity to participate in the public process and be able to have a voice. Frederick Mitsdarfer, III, Esq. voiced support for the ordinance as well as for a number of recommendations made by prior speakers.

Opposition

There were no comments in opposition to the ordinance.

Comments received while the record was open

The Department of Land Use received written correspondence supporting Ordinance 24-137 from Jerome Heisler Jr. His letter also included recommendations for several changes to the ordinance. This was forwarded to the Planning Board prior to the public hearing.

Analysis

Ordinance 24-137 (Application 2024-0483-T) is an implementation product of substantial outreach and public feedback regarding affordable housing received during the comprehensive planning process and subsequent outreach efforts. The ordinance seeks to both increase the diversity and affordability of the housing supply in New Castle County while incentivizing residential infill development in areas that have the infrastructure and services to support development. It seeks to do this by revising the No Road Frontage standards (Section 40.26.310), existing in the UDC since its adoption with modern Pocket Neighborhood standards that have been successfully implemented in areas across the country. While the record was open the Department received feedback from both the Office of the State Fire Marshal, as well as recommendations from the development community to revise the ordinance to make it more viable. The Department has reviewed those recommendations and have identified strategic revisions, which were presented at the public hearing.

State Fire Marshal's Office

As discussed in the PLUS REVIEW (Preliminary Land Use Service) section above, the State Fire Marshall's Office identified concerns regarding development with zero lot frontage and requested a meeting with the Department. The Department met in person with State Fire Marshal John Rudd on October 1, 2024. The Department explained the existing zero lot frontage provisions in the UDC, as well as changes proposed by the ordinance. Mr. Rudd explained that in instances where the lots would have neither road or alley access, that the units would need to either have an automatic fire sprinkler system installed in accordance with the applicable National Fire Prevention Association (NFPA) sprinkler standards or have direct access to a 14 foot pathway that could support the weight of fire service equipment. The Department confirmed that the development would be required to meet the fire code and receive Fire Marshal approval prior to recordation. With the understanding that these improvements would be identified on the record plan, the Fire Marshal did not oppose the ordinance.

Recommendations from the Development Community

As discussed earlier, Ordinance 24-137 benefitted greatly from the public and development community's feedback. The Department has considered the feedback and offers the following:

1. Pocket Neighborhoods in the Neighborhood Conservation Districts

During the public hearing it was recommended that the Pocket Neighborhood development option be expanded to the Neighborhood Conservation Districts to remove the burden on the developer to pursue a rezoning. The Department concurs that there are potential infill development parcels that could be developed as Pocket Neighborhoods. That said, the Neighborhood Conservation Districts, were developed specifically to "*...protect the residential character of existing neighborhoods or planned subdivisions that were or are being developed under previous zoning regulations*" and to "*recognize the lotting standards in effect when the community was developed.*" Furthermore, Neighborhood Conservation Districts were designed to "*...permit minor in-fill consistent with the existing character.*" The development of Pocket Neighborhoods is a new development option that was not an option prior to the adoption of the UDC. While, if designed appropriately, they can transition housing types in a manner that is sensitive to surrounding communities, they are inconsistent with the stated intent for the Neighborhood Conservation Districts. Additionally, the rezoning process affords the public, Department, Planning Board, and County Council to make specific site design recommendations that protect older existing communities.

2. Townhouses and Twins

During the public hearing it was recommended that the Pocket Neighborhood development option be expanded to permit single family attached units (townhouses and twins). While there are examples of instances of Pocket Neighborhoods that include attached units, Ordinance 24-137 was

drafted with the intent of providing novel affordable housing opportunities that are sensitive to abutting developments. Most potential infill sites north of the C&D Canal, are adjacent to single family detached developments, and would benefit from adequate transition from detached to attached units. This can be accomplished north of the C&D Canal on S or ST zoned land meeting the size requirements for a Village and Hamlet development options, as a result of County Council adopting Ordinance 23-084 on January 1, 2024. This ordinance builds on that effort by requiring MPDUs for Hamlet or Village developments with 25 or more units.

3. Waiver from TIS and Concurrency Requirements

The Department acknowledges that traffic and concurrency requirements may potentially limit development. While the Department aims to incentivize and encourage the development of affordable housing, it seeks to do so in a manner that is mindful of the infrastructure and services within our communities. Pocket neighborhoods can vary in size, ranging from small infill developments to larger developments that inevitably impact infrastructure and services. Future residents of pocket neighborhoods are affected by the transportation system and other services in the area. Improvements to the transportation system, partially funded by development contributions, benefit future residents regardless of their mode of transportation, such as personal vehicles, public transit, or cycling. The UDC incorporates clear standards for a Level of Service Waiver, which, if a development meets the criteria, is heard in a public hearing and considered by the Department, Planning Board, and County Council.

4. Buffering and Design

The Department has also received recommendations that the ordinance remove anti-monotony standards and relax the distancing from Heavy Industry to as little as 100 feet, and to remove the requirement to require Moderately Priced Dwelling Units for developments with more than 25 dwelling units. The Department believes that all development, regardless of the cost merits design consideration. There are cost effective ways to achieve the stated goals in the UDC. Pocket Neighborhoods are also intended to be developments where a young family can start in a small single family detached dwelling, transition to a larger village home, and potentially move back into a small single family detached dwelling when their children move out. The anti-monotony standards make sure that these developments can be desirable for residents at all stages of life.

The Department also believes that taking a conservative approach regarding the distancing of new affordable developments from Heavy Industry is important in preventing us from creating Environmental Justice neighborhoods by reliving the mistakes of our past. Should the proposed distance be too onerous, and adequate scientific evidence exist that a smaller buffer from Heavy Industry be safe, it should be considered in a public forum and potentially revised in a subsequent ordinance.

5. Moderately Priced Dwelling Units

At the Planning Board Public Hearing it was also recommended that an amendment be considered to remove the requirement for Moderately Priced Dwelling Units since these developments are inherently affordable. This argument hinges on the small stature of the dwelling and lot will inherently make the homes affordable.

Novelty and Experience Matters

While smaller homes and lots typically command a smaller price, it is not always the case. If size alone dictated value, condominiums would be cheap. Additionally, smaller dwellings in age-restricted communities frequently well exceed 80% of the Area Median Income in cost. In each of these examples, novelty and experience matter. Pocket Neighborhoods offer a unique experience not available in other developments within the county. Additionally, they can be developed as lease lots akin to condominiums offering similar amenities, more privacy and potentially more square footage.

Location Matters

The Comprehensive Plan recognizes that where affordable housing is built is important in providing services and opportunities for New Castle County residents in all income brackets. Areas with good schools and services typically command higher housing prices. This is reflective in the Delaware State Housing Authority's Market Value Analysis. Areas of opportunity are typically those that have quality schools, services and typically higher housing prices. Relying on the market alone has not resulted in affordable housing in those opportunity areas. The Comprehensive Plan recognizes this and includes the following strategy to "increase variety and range of price-points of safe, quality housing options, in a diversity of locations". (Objective 4.1)

Using the market value analysis (MVA) and other data, identify priority areas and areas of opportunity and implement affordable and moderately priced housing efforts there to achieve better distribution of housing types and price points along with accessibility to daily needs (jobs, transit, school, etc.) (Strategy 4.1.5) ...

Absent a requirement for Moderately Priced Dwelling there is no assurance that the dwelling units created will be affordable.

Size Does Matter

While Ordinance 24-137 permits the construction of small single family detached dwellings (400-750 square feet in size), it does not require them. A Pocket Neighborhood can consist wholly of Village Lots with dwellings that are classified as single family detached dwellings. While the maximum square footage for single family dwellings is limited, these homes have the potential to command a market value greater than that required for Moderately Priced Dwelling Units.

Department of Land Use Recommended Changes

As discussed at the Planning Board Public Hearing, there are several potential amendments recommended by public feedback that the Department feels can strengthen the ordinance and provide more affordable housing opportunities.

1. Strategically Permit More Density

The Department received feedback that the densities proposed in the original ordinance are too low to make Pocket Neighborhoods a viable development option to create affordable housing. The Department has considered this recommendation and proposes that County Council consider a substitute ordinance that increases permitted density as follows:

Zoning District	Density (d.u./acre)	
	As Drafted	Proposed
Suburban	2.0	5.0
Suburban Transition	4.7	8.0
Traditional Neighborhood	5.2	8.0

The proposed densities are in line with those permitted under the Village and Hamlet provisions for each zoning district. To assure that larger Pocket Neighborhoods have the needed services and infrastructure, the Department recommends that Pocket Neighborhoods developments greater than 100 units be located in Investment Level 1 Areas (State Strategy Areas). This is consistent with the recommendation by the Comprehensive Plan that 90% of growth to occur in the Levels 1 & 2 Areas, with 70% in the Level 1 Area. Additionally, the Department feels that setting site area requirements for Pocket Neighborhoods at 4-40 acres, will better direct Pocket Neighborhood development towards infill sites.

2. Additional Changes

The Department has considered several other potential changes that will provide increased protections for future residents and better overall development. County Council has recommended on recent affordable housing initiatives that we not only consider distancing homes farther from Heavy Industry, but also from other industrial uses. The Department recommends that dwelling units within a Pocket Neighborhoods be no closer than 200 feet from industrial uses. Pocket Neighborhoods do not require road frontage, making it difficult to provide trash service to some individual lots. The Department recommends requiring that Pocket Neighborhoods to

provide community trash receptacles (dumpster enclosers). Pocket Neighborhoods are envisioned to be communities where families can move into a starter home, as their family grows expand to one of the village lots, and as the children move out downsize back to smaller homes. To assure that the village lots can adequately accommodate the needs of growing families, the Department recommends permitting village lots to build dwellings up to 1,600 square feet of GFA and permit a 300 square foot detached garage on lots abutting alleys and streets.

The Department has also identified several amendments with respect to accessory structures that will help maintain the intended character of the development. These include:

- Setting a maximum GFA for Detached Accessory structures to 300 square feet or $\frac{1}{2}$ the footprint of the principle dwelling whichever is less.
- Restricting accessory dwelling units from Pocket Neighborhoods
- Restricting private swimming pools from small single family detached dwelling lots.

Standards of Review

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

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

While previous Comprehensive Plans have recommended incentivizing affordable housing opportunities within the county, the 2022 Update to the New Castle Comprehensive Development Plan ties these to existing and planned infrastructure (State Strategy Levels 1 & 2), sensitivity to neighboring communities, and diversifying the location for affordable units. Ordinance 24-137 provides a new development option that requires affordable housing units in Pocket Neighborhoods greater than 25 units. Additionally, Pocket Neighborhoods are well suited for infill development in areas with existing infrastructure and services.

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

As discussed above, Ordinance 24-137 includes important changes and incentives in the UDC that serve to expand the diversity of housing types and price points throughout the county. By permitting a range of housing sizes in areas with existing or planned services they can serve future residents at all stages in life. This new development option can further diversify our housing stock and increases the quantity of affordable housing. This will help the County achieve Goals 4 and 10:

Goal 4 - Healthy, safe housing options throughout the County are diverse, meeting needs of people of all incomes, ages, abilities, and races, while maintaining design and form of the built environment that integrates with existing communities.

4.1. Objective: Increase variety and range of price points of safe, quality housing options, in a diversity of locations.

4.1.1. Strategy: Enable/encourage a greater range of housing types in residential zones...

4.1.3. Strategy: Enable and pursue innovative housing types to help meet demand now and in the future.

4.2. Objective: Increase proximity of quality housing to other daily needs throughout the county, especially jobs and quality education, to support overall cost of living affordability. Better balance of jobs and housing can support residents and their access to both quality/affordable living and living-wage jobs as well as employers and their workforce.

4.3. Objective: Expand access to homeownership, especially among low-income residents and people of color.

Goal 10 - Land uses, transportation, and other infrastructure complement each other, and neighborhoods and areas across the county are distinctive, attractive, functional, comfortable, and human scale. The physical environment is high quality, inclusively designed, retains value, and is fiscally sustainable.

10.2. Objective: Increase compact development in places where it is appropriate and will support the range of community goals (like transit, affordable housing/lifestyles, non-motorized accessibility, enhancement of place, etc.).

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

While Ordinance 24-137 proposes a new development option, Pocket Neighborhoods are consistent with density and other provisions in the UDC for development options within the Suburban, Suburban Transition and Traditional Neighborhood Districts.

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

N/A

E. Flexibility in meeting the objectives of this Chapter.

The intent of the Unified Development Code, as stated in Section 40.01.015 is:

“to encourage greater flexibility and more development options while minimizing development impact on current property owners and the environment...”

Section 40.01.015.A expands on these principles:

Affordable housing. This Chapter is intended to:

- Ensure that there is adequate affordable housing;
- Provide options for special housing types that provide affordable housing that are consistent with the character of the area; and
- Provide bonuses to developers willing to provide affordable housing.

As discussed above Ordinance 24-137 will provide for a new development option expanding opportunities to create starter homes, with a requirement that developments over 25 units include affordable housing units.

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

N/A

G. Consideration of specific problems found in this Chapter.

N/A

DEPARTMENT OF LAND USE RECOMMENDATION

The Department of Land Use has considered the Standards for Text Amendment in Section 40.31.420 of the *New Castle County Code* and comments received from other agencies and the public. Based on this analysis, the Department recommends **CONDITIONAL APPROVAL** of Ordinance No. 24-137, with the condition that County Council consider amending the ordinance to:

1. Permit Pocket Neighborhoods to develop at the following densities:
 - Suburban – 5.0 d.u./acre
 - Suburban Transition – 8.0 d.u./acre
 - Traditional Neighborhood – 8.0 d.u./acre
2. Allow Pocket Neighborhoods on sites ranging from 4-40 acres
3. Limit Pocket Neighborhoods greater than 100 units to Level 1 State Strategy Areas
4. Increase the maximum GFA for single family detached dwellings to 1,600 square feet, with a potential 300 square foot garage when abutting a street or alley.

5. Distance homes in Pocket Neighborhoods at least 200 feet from industrial uses
6. Require community trash receptacles
7. Permit a maximum accessory structure to have a maximum of 300 square feet of or ½ the footprint of the principal dwelling.
8. Restrict ADUs from Pocket Neighborhoods
9. Restrict small single family detached dwellings from having a private swimming pool

PLANNING BOARD RECOMMENDATION

At a business meeting held on November 19, 2024, the Planning Board considered the recommendation provided by the Department of Land use as well as comments from outside agencies and the public.

On a motion made by Mr. Cantrell and seconded by Ms. Visvardis, the Board voted to recommend **APPROVAL** of Ordinance 24-083 as recommended by the Department of Land Use.

The motion was adopted by a vote of 7-0-0-2 (In Favor: Cahill-Krout, Cantrell, Cochran, Drake, Peterson, Snowden, Visvardis; In Opposition: None; Abstention: None; Absent:, Daigle, Gray).

Prior to the vote the following discussion occurred:

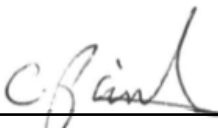
Matthew Rogers read the Department of Land Use recommendation into the record.

Ruth Visvardis inquired about the potential size of a Pocket Neighborhood. Mr. Rogers and Ms. Patibanda explained that while a Pocket Neighborhood site could range between 4 and 40 acres, larger sites would most likely be made up of several pockets. Mr. Rogers also explained that could be integrated with other development options, where a portion would be a Pocket Neighborhood, and the remainder be an Open Space Planned Subdivision. Mr. Cochran asked the department to elaborate on the 25-unit requirement. Mr. Rogers explained that if a Pocket Neighborhoods exceeds 25 dwelling units, they'd be required to provide 15% of the units as Moderately Priced Dwelling Units for 10 years. Mr. Cochran further inquired about potential ways Pocket Neighborhoods could occur. Mr. Rogers explained that any transfer of property to become a part of a Pocket Neighborhood would typically occur during the development review process for the Pocket Neighborhood. He also explained that open space areas within existing development could not be converted into a Pocket Neighborhood. Ms. Peterson inquired about the site design of Pocket Neighborhoods specifically the likelihood of having large single pocket developments. Mr. Rogers explained that while it is possible, it becomes more difficult and cost ineffective the large an individual pocket gets. He further explained that to meet fire code, if a dwelling unit doesn't have road or alley frontage the development would have to include a 14-foot-wide path able to

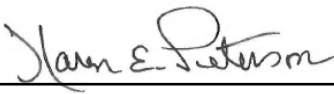
support the weight of a fire truck. Ms. Patibanda stated that the home could also be sprinkled to meet fire code. The further discussed different variations of how property could be developed to support multiple pockets. Ms. Peterson then asked about the rationale for not allowing swimming pools on small single family detached lots. Mr. Rogers explained that with a minimum lot size of 1,900 square feet and a house ranging in size from 400-750 square feet there wasn't much room on the lot left to construct a swimming pool and still have any yard space. She further asked if there was the potential to construct a community swimming pool. Mr. Rogers affirmed that there is potential to construct a variety of community facilities including swimming pools. Board members further inquired about a variety of different pool options including hot tubs as an option. The Department confirmed that no pool that requires a permit would be permissible on the small single family detached lots, including hot tubs. Mr. Snowden asked about the prevalence of Suburban zoned land that is undeveloped, sewerred and has water service. Mr. Rogers explained that there is a good amount of land that meets those requirements. He further explained the extent of the sewer service area. Ms. Visvardis inquired about the potential to construct patios and decks, and if there is a specific limitation on their size. Mr. Rogers explained that lots within a Pocket Neighborhood would be able to construct a patio or deck and would be subject to the same limitations as other residential lots in the county.

STATUTORY GUIDELINES

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


11/21/2024

Charuni Patibanda date
General Manager
Department of Land Use


11/21/2024

Karen Peterson date
Chair
Planning Board



Pocket Neighborhoods Ord. 24-137

COMMUNITY SERVICES
COMMITTEE

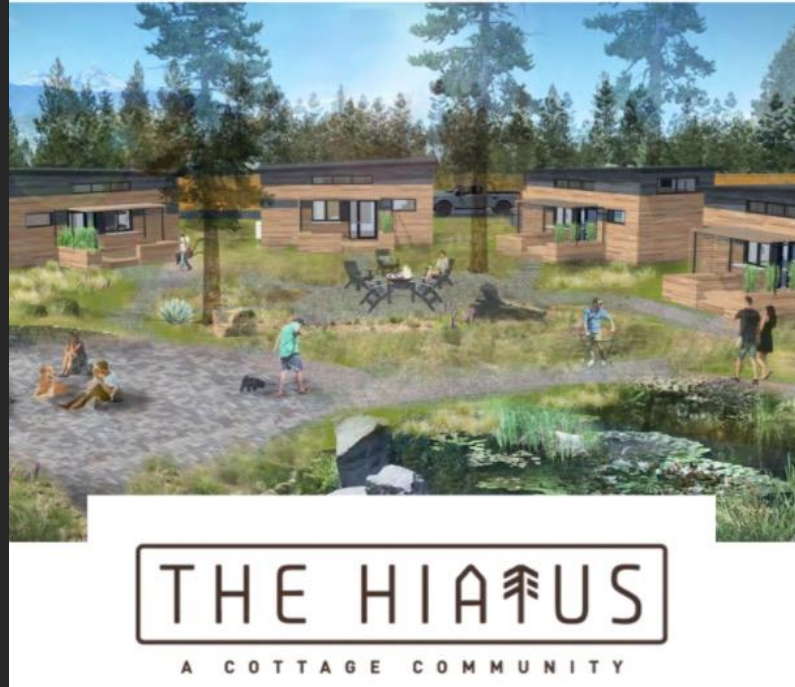
MEETING

NOVEMBER 26, 2024



What is a Pocket Neighborhood?

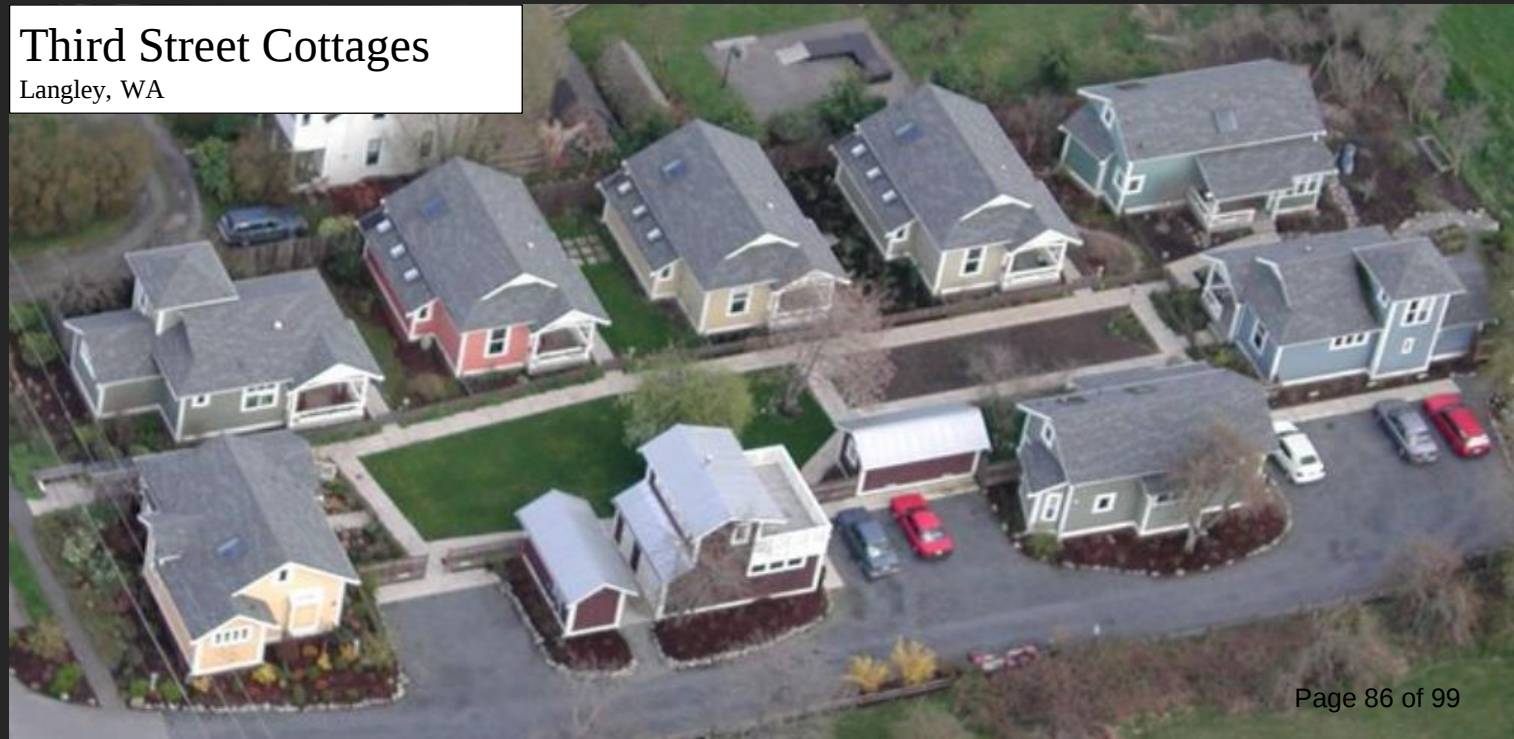
- Sometimes referred to as a cottage community.
- Groups of smaller detached housing units.
- Oriented around a common open space such as a courtyard, garden, or walkway.



Villa Monterey (Corinne Court),
New Castle County



Third Street Cottages
Langley, WA

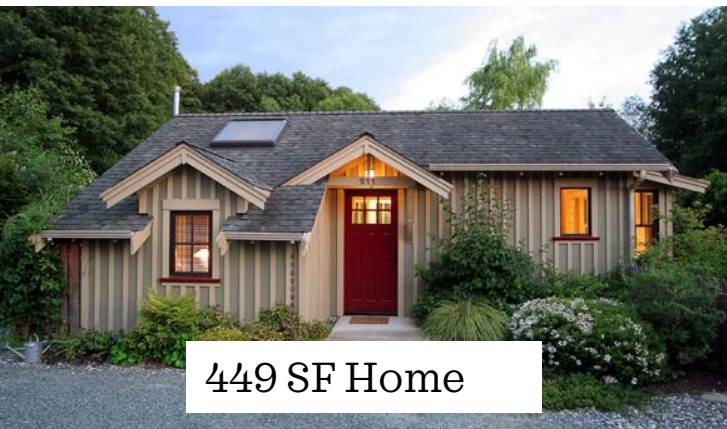




416 SF Home



637 SF Home



449 SF Home



720 SF Home



540 SF Home



854 SF Home

Pocket Neighborhood Details

Permitted in:

- Suburban
- Suburban Transition
- Traditional Neighborhood

Public Utilities

- Sewer
- Water



416 SF Home



637 SF Home



449 SF Home



720 SF Home



540 SF Home



854 SF Home

Pocket Neighborhood Details

- Village or Small Single-Family lots
- Homes limited in size
- Fee Simple or Lease lots

Pocket Neighborhood Details



1,061 SF Home



1,168 SF Home



1,086 SF Home



1,170 SF Home



1,150 SF Home



1,200 SF Home

- Avoid monotony in design
- > 0.5 miles from Heavy Industry zoned land
- On plans proposing 25 or more units 15% must be MPDUs

Recommendations from the Development Community

1. Pocket Neighborhoods in the Neighborhood Conservation Districts
2. Townhouses and Twins
3. Waiver from TIS and Concurrency Requirements
4. Buffering and Design
5. Moderately Priced Dwelling Units

Department of Land Use Recommended Changes

Substitute Ordinance Changes

AS DRAFTED

Density

- Suburban – 2 d.u. per acre
- Suburban Transition – 4.7 d.u. per acre
- Traditional Neighborhood – 5.2 d.u. per acre

PROPOSED

Density

- Suburban – 5 d.u. per acre
- Suburban Transition – 8 d.u. per acre
- Traditional Neighborhood - 8 d.u. per acre

Substitute Ordinance Changes

AS DRAFTED

Site Area

- Suburban – 8 acres
- Suburban Transition – 8 acres
- Traditional Neighborhood – 20 acres

PROPOSED

Site Area

- 4-40 acres

Substitute Ordinance Changes

AS DRAFTED

Protection from Industry

- > 0.5 miles from Heavy Industry zoned land

PROPOSED

Protection from Industry

- > 0.5 miles from Heavy Industry zoned land
- Dwelling units must be at least 200 feet from a parcel with an industrial use

Substitute Ordinance Changes

PROPOSED

Community trash receptacles and service

Reduced parking for 1-bedroom units

Increase maximum size to 1,600 SF with a 300 SF garage (only for lots abutting alley or street)

Maximum GFA for Detached Accessory structures 300 SF or ½ of the footprint of the principle dwelling whichever is less.

Private swimming pools are not permitted on small single-family detached dwelling lots (tiny homes)

Substitute Ordinance Changes

PROPOSED

ADUs not permitted

Pocket Neighborhood with more than
100 units only permitted in Investment
Level 1 Areas

Standards for a Text Amendment (Section 40.31.420)

- A. Implementation of a new portion of the Comprehensive Development Plan.
- B. Implementation and achievement of the Comprehensive Plan's goals and objectives.
- C. Consistency with the provisions of this Chapter and the standards for similar uses.
- D. Necessity to respond to State and/or Federal legislation.
- E. Flexibility in meeting the objectives of this Chapter.
- F. Changes to conditions, interpretations, and/or clarifications to existing language for new uses.
- G. Consideration of specific problems found in this Chapter

Department of Land Use Recommendation

The Department of Land Use has considered the Standards for Text Amendment in Section 40.31.420, A through G of the *Unified Development Code*, 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 and recommends **CONDITIONAL APPROVAL** of Ordinance 24-137 with the condition that County Council consider amending the ordinance to:

Department of Land Use Recommendation

1. Permit Pocket Neighborhoods to develop at the following densities:
 - Suburban – 5.0 d.u./acre
 - Suburban Transition – 8.0 d.u./acre
 - Traditional Neighborhood – 8.0 d.u./acre
2. Allow Pocket Neighborhoods on sites ranging from 4-40 acres
3. Limit Pocket Neighborhoods greater than 100 units to Level 1 State Strategy Areas
4. Increase the maximum GFA for single family detached dwellings to 1,600 square feet, with a potential 300 square foot garage when abutting a street or alley.
5. Distance homes in Pocket Neighborhoods at least 200 feet from industrial uses
6. Require community trash receptacles
7. Permit accessory structures to have a maximum of 300 square feet of or ½ the footprint of the principle dwelling.
8. Restrict ADUs from Pocket Neighborhoods
9. Restrict small single family detached dwellings from having a private swimming pool