NEW CASTLE COUNTY COUNCIL
COUNCIL MEETING

April 14, 2026
6:30 PM

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

AGENDA

A. Call to Order

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

B. Approval of Minutes

C. Announcements

D. Introduction of Ordinances

°26-034:THE ANNUAL REVENUE ORDINANCE OF NEW CASTLE COUNTY FOR FISCAL YEAR 2027 BEGINNING JULY 1, 2026
Prime Sponsor(s): Mr. Smiley, Mr. Cartier

°26-035: CALCULATION OF SEWER SERVICE CHARGES EFFECTIVE JULY 1, 2026 FOR FISCAL YEAR 2027
Prime Sponsor(s): Mr. Smiley, Mr. Cartier

°26-036: AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF NEW CASTLE COUNTY FOR THE PURPOSE OF FINANCING CERTAIN CAPITAL PROJECTS APPROVED IN THE FISCAL YEAR 2027 CAPITAL BUDGET
Prime Sponsor(s): Mr. Smiley, Mr. Cartier

°26-037: THE CAPITAL BUDGET ORDINANCE OF NEW CASTLE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2026
Prime Sponsor(s): Mr. Smiley, Mr. Cartier

°26-038: ADOPT THE ANNUAL OPERATING BUDGET OF NEW CASTLE CO FOR THE FISCAL YEAR BEGINNING JULY 1, 2026
Prime Sponsor(s): Mr. Smiley, Mr. Cartier

°26-039: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 13 (“STORMWATER MAINTENANCE DISTRICTS”) REGARDING STORMWATER MAINTENANCE AND GREEN

VALLEY – PHASE V COMMUNITY
Prime Sponsor(s): Mr. Sheldon

°26-040: AMEND THE GRANTS BUDGET: APPROPRIATE FUNDS FROM THE FEDERAL HOME LOAN BANK OF PITTSBURGH TO THE HOPE CENTER SHELTER RENOVATIONS - FHLB GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING
Prime Sponsor(s): Mr. Hollins, Mr. Street

°26-041: AMEND THE GRANTS BUDGET: APPROPRIATE ANTICIPATED ADDITIONAL FEDERAL FUNDS 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

°26-042: REALLOCATE FUNDS IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND BETWEEN PROJECTS TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES
Prime Sponsor(s): Mr. Hollins, Mr. Street

°26-043: AMEND THE FY2026 APPROVED OPERATING BUDGET APPROPRIATE FUNDING FROM THE NEW CASTLE COUNTY TECHNOLOGY FEE ACCOUNT WITHIN THE OFFICE OF THE RECORDER OF DEEDS AND RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT TO THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE FOR THE PURCHASE OF BLUE VOICE SOFTWARE
Prime Sponsor(s): Mr. Smiley, Mr. Cartier

°26-044: AMEND THE FY2026 CAPITAL PROGRAM AND BUDGET: APPROPRIATE ADDITIONAL FUNDING RECEIVED FROM THE STATE OF DELAWARE, DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL (DNREC) THROUGH DELAWARE'S NONPOINT SOURCE PROGRAM TO THE DEPARTMENT OF PUBLIC WORKS, GENERAL PARKLAND IMPROVEMENTS 2021 CAPITAL PROJECT
Prime Sponsor(s): Mr. Sheldon, Mr. Carter

°26-045: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 ("UNIFIED DEVELOPMENT CODE"), ARTICLE 5 ("SITE CAPACITY AND CONCURRENCY CALCULATIONS") AND APPENDIX 1 ("APPLICATION AND PLAN REQUIREMENTS") TO REQUIRE CERTIFICATION OF ELECTRICAL CAPACITY
Prime Sponsor(s): Mr. Carter
Co-sponsor(s): Mr. Cartier, Ms. Durham, Mr. Tackett, Mr. Caneco

E. Consent Calendar

R26-082: HONORING THE LIFE OF SENATOR NANCY W. COOK AND OFFERING CONDOLENCES TO HER FAMILY AND FRIENDS
Prime Sponsor(s):Ms. Williams-Johns
Co-sponsor(s): Mr. Caneco, Mr. Carter, Mr. Cartier, Ms. Durham, Ms. George, Mr. Hollins, Ms. Kilpatrick, Mr. Sheldon, Mr. Smiley, Mr. Street, Mr. Tackett, Mr. Toole

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

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

R26-083: CONSENTING TO THE APPOINTMENT OF JON YEARLY TO THE POSITION OF CHIEF OF TECHNOLOGY & ADMINISTRATIVE SERVICES
Prime Sponsor(s): Mr. Hollins, Ms. Williams-Johns

R26-084: TO AMEND NEW CASTLE COUNTY COUNCIL PROCEDURAL RULE NO. 14.1 ("EXPENDITURES; NECESSARY APPROVALS") RELATING TO EXPENDITURE APPROVALS
Prime Sponsor(s): Ms. Durham, Mr. Smiley

R26-085: (STATUS: TO BE TABLED) ADOPTING THE NEW CASTLE COUNTY CAPITAL PROGRAM FOR FISCAL YEAR 2027 THROUGH 2032
Prime Sponsor(s): Mr. Smiley, Mr. Cartier

G. Time Sensitive Congratulatory/Honorary Resolutions

R26-086: HONORING AUTISM DELAWARE IN RECOGNITION OF AUTISM AWARENESS MONTH
Prime Sponsor(s): Ms. Williams-Johns

R26-087: HONORING AND RECOGNIZING THE HOWARD HIGH SCHOOL OF TECHNOLOGY BOYS' BASKETBALL TEAM FOR THEIR 2026 DIAA STATE CHAMPIONSHIP AND OUTSTANDING ATHLETIC ACHIEVEMENTS
Prime Sponsor(s): Ms. Williams-Johns

R26-088: A RESOLUTION HONORING AND RECOGNIZING OMEGA PSI PHI FRATERNITY, INC., GAMMA MU NU CHAPTER, FOR THEIR OUTSTANDING SERVICE AND COMMITMENT TO THE COMMUNITY
Prime Sponsor(s): Ms. Williams-Johns

H. Presentations

I. Consideration of Ordinances

°26-027: AMEND THE GRANTS BUDGET: APPROPRIATE ADDITIONAL FEDERAL FUNDS OF $143,979 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT PASSED THROUGH FROM THE CITY OF WILMINGTON FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT TO THE LEAD-BASED PAINT HAZARD REDUCTION - CITY OF WILMINGTON GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES
Prime Sponsor(s): Mr. Hollins, Mr. Street

°26-028: (STATUS: TO BE WITHDRAWN) REALLOCATE $1,856,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND BETWEEN PROJECTS TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES
Prime Sponsor(s): Mr. Hollins, Mr. Street

°26-029: REALLOCATE $1,000,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND BETWEEN EXISTING CONTRACTS WITH THE DELAWARE VALLEY DEVELOPMENT CORPORATION PROJECTS CURRENTLY ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES
Prime Sponsor(s): Mr. Hollins, Mr. Street

°26-030: AMEND THE GRANTS BUDGET: APPROPRIATE $142,800 IN FUNDING RECEIVED FROM THE STATE OF DELAWARE, DEPARTMENT OF TRANSPORTATION THROUGH THE COMMUNITY TRANSPORTATION FUND TO THE DEPARTMENT OF PUBLIC

WORKS, SILVERSIDE ROAD RETAINING WALL MURAL GRANT
Prime Sponsor(s): Mr. Sheldon, Mr. Carter

SUBSTITUTE NO. 1 TO °25-121: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 40 ("UNIFIED DEVELOPMENT CODE" OR "UDC"), ARTICLE 3 ("USE REGULATIONS"), ARTICLE 4 ("DISTRICT AND BULK STANDARDS"), ARTICLE 11 ("TRANSPORTATION IMPACT"), AND ARTICLE 33 ("DEFINITIONS"), REGARDING TRUCK TERMINALS, WAREHOUSES, FULFILLMENT CENTERS AND DISTRIBUTION CENTERS
Prime Sponsor(s): Mr. Tackett, Ms. Kilpatrick

°25-146: REVISE PREVIOUSLY APPROVED EXPLORATORY MINOR LAND DEVELOPMENT PLAN WITH REZONING FOR PIKE EXCAVATING, INC.; PENCADER HUNDRED; EAST SIDE OF SR 72 (SUNSET LAKE ROAD), APPROXIMATELY 800 FEET SOUTH OF OLD BALTIMORE PIKE; TAX PARCEL NO. 11-014.00-048 (2016 SUNSET LAKE RD.) & 11-014.00-083, (2020 SUNSET LAKE RD., PIKE EXCAVATING INC)
Prime Sponsor(s): Ms. George

°25-159: **(NOTE: THESE REZONINGS RELATE TO PUBLIC LANDS AND PUBLIC PARKS) COUNTY INITIATED REZONING** - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 11 REGARDING THE FOLLOWING TAX PARCELS: **NEW CASTLE HUNDRED**: 09-041.10-303 (42 Charles Ct, River Walk), 10-043.20-155 (0 Canary Dr, Raven Glen at Wellin), 10-043.20-156 (0 Canary Dr, Raven Glen at Wellin) **PENCADER HUNDRED**: 09-040.10-015 (8 Woodland Run Dr, Woodland Run), 11-015.00-011 (624 Salem Church Rd, Millers Post), 11-015.10-045 (295 E Flagstone Dr, Gray Acres), 11-019.00-013 (0 Salem Church Rd,), 11-019.00-055 (0 Salem Church Rd, Olenderski Subd), 11-019.30-169 (0 Becks Woods Dr, Village Of Becks Pond), 11-019.40-047 (28 Bradley Dr, Becks Landing), 11-022.00-014 (2199 Pulaski Hwy, Glasgow Regional Park), 11-027.00-027 (219 A Forrestal Dr, New Castle County), 11-031.00-004 (54 Stardust Dr, Melody Meadows II), 11-031.00-216 (54 Stardust Dr, Melody Meadows II), 11-032.00-001 (210 Benjamin Blvd,), 11-032.00-259 (209 Benjamin Blvd, New Castle County), 11-033.00-276 (6 Mabel Ln, Caravel Academy), 11-038.00-247 (0 Off Clifton Dr, Hickory Woods Sec 4), 11-042.20-147 (13 Viscaya Ct, Mansion Farm Ph 1) **WHITE CLAY CREEK HUNDRED**: 09-029.10-380 (0 Regal Ct, Sherwood Forest Sc 2), 09-029.10-475 (14 Spectrum Dr, Elmwood Sec 1), 09-034.00-015 (0 Off Old Baltimore Pike, Woodshade Sec 1), 09-034.00-042 (99 Woodshade Dr, Woodshade Sec 2), 09-034.20-058 (8 Screven Pl, Varlano), 09-040.10-015 (8 Woodland Run Dr, Woodland Run), 09-040.40-020 (115 Creekside Ct, Country Creek), 09-041.10-277 (48 Birchgrove Rd, Christina Hollow), 09-041.10-303 (42 Charles Ct, River Walk), 11-015.00-011 (624 Salem Church Rd, Millers Post)
Prime Sponsor(s): Mr. Tackett

°25-160: **(NOTE: THESE REZONINGS RELATE TO PUBLIC LANDS AND PUBLIC PARKS) COUNTY INITIATED REZONING** - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 3 REGARDING THE FOLLOWING TAX PARCELS: **MILL CREEK HUNDRED**: 08-007.00-042 (1023 Valley Rd, Hockessin Public Library), 08-007.00-049 (4338 Mill Creek Rd, Buck Subdivision), 08-007.40-124 (623 Yorklyn Rd, Hockessin Center), 08-008.30-100 (7259 Lancaster Pike, Hockessin Park), 08-008.30-102 (7259 Lancaster Pike, 17-41 Co Subdivision), 08-012.20-121 (513 Hemingway Dr, Hickory Hill), 08-013.20-046 (0 Deergrass Rd, Bon Ayre), 08-013.20-083 (32 Basil Ct., Brackenville Woods), 08-013.30-013 (4129 Mill Creek Rd Hickory Hill), 08-013.30-039 (4089 Mill Creek Rd, Gateway Farms Sec 2), 08-013.40-038 (47 Staten Dr, Stuyvesant Hills), 08-013.40-048 (27 Staten Dr, Stuyvesant Hills), 08-017.30-004 (3 Welwyn Rd, Hillstream), 08-019.10-074 (100 Ramunno Cir, Belle Terre), 08-012.00-041 (740 Evanson Rd), 08-012.30-001 (188 A Thompson Dr, Hockessin Valley Fal), 08-020.00-150 (0 Off Hobson Dr, West Riding), 08-020.30-032 (115 Westgate Dr, Westgate Farms), 08-013.30-074 (1800 Brackenville Rd), 08-024.10-121 (9 Jarrell Farms Dr, Jarrell Farms III), 08-025.00-008 (0 Mill Creek Rd), 08-025.00-011 (3850 Mill Creek Rd), 08-020.40-021 (104 Oldbury Dr, Westgate Farms), 08-020.40-028 (112 Alexis Ct, Canterbury Hills), 08-026.30-127 (200 Whitekirk Dr, Highland West),

08-026.30-176 (200 Whitekirk Dr), 08-036.20-001 (4901 Mermaid Blvd, Linden Heath), 08-037.30-015 (5134 New Kent Rd, Linden Hill Village), 08-042.10-236 (9 Ware Rd, Deacons Walk), 08-042.20-029 (9 Ware Rd, Preserve At Deacons Walk), 08-047.00-072 (170 Possum Hollow Rd, Tri State Bird Rescue), 08-042.40-255 (0 Upper Pike Creek Rd, Linden Way), 08-053.40-011 (16 St Regis Dr, Chapel Hill), 08-053.40-049 (21 St Regis Dr, Chapel Hill), 08-047.00-124 (0 Briggs Ln, Chanterelle)
Prime Sponsor(s): Ms. Kilpatrick

°25-161: **(NOTE: THESE REZONINGS RELATE TO PUBLIC LANDS AND PUBLIC PARKS) COUNTY INITIATED REZONING** - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 3 AND COUNTY COUNCIL DISTRICT 9 REGARDING THE FOLLOWING TAX PARCELS: **CHRISTIANA HUNDRED:** 07-034.30-070 (0 Newell Dr, Historic Red Clay Valley), 07-034.40-236 (2161 Elder Dr, New Castle County), 07-034.40-293 (2101 Inman Dr, Faulkland Heights Sec A), 07-034.40-534 (2130 Faulkland Rd, Davis Terrace), 07-034.40-537 (613 Armstrong Ave, Brookland Terrace), 07-035.10-042 (2130 Faulkland Rd, Woodland), 07-035.10-042 (2130 Faulkland Rd, Woodland), 07-037.20-001 (2161 Elder Dr, New Castle County), 07-037.20-250 (250 Greenbank Rd, New Castle County), 07-037.20-251 (323 Greenbank Rd, New Castle County), 07-037.20-257 (319 Greenbank Rd, New Castle County), 08-033.00-008 (3300 Faulkland Rd, Brandywine Convalescent), 08-033.00-012 (0 Faulkland Rd)**;** **MILL CREEK HUNDRED:** 08-026.40-042 (2518 Mill Creek Rd, Crossgates), 08-032.00-013 (2920 Duncan Rd, Delcastle Tennis Center), 08-032.10-064 (2626 Mill Creek Rd, Crossgates), 08-032.20-111 (212 Lister Dr, Hyde Park), 08-032.40-014 (2815 Duncan Rd, Hyde Park), 08-033.00-008 (3300 Faulkland Rd, Brandywine Convalescent), 08-033.00-012 (0 Faulkland Rd), 08-033.30-098 (2400 Cedar Ave, Cedars), 08-035.20-079 (585 Polly Drummond Hill Rd, Middle Run Crossing), 08-035.20-080 (103 Wren Way, Middle Run Crossing), 08-035.40-003 (0 Mourning Dove Dr, Middle Run Crossing), 08-035.40-071 (0 Mourning Dove Dr, Middle Run Crossing), 08-035.40-073 (0 Wren Way, Middle Run Crossing), 08-035.40-124 (0 Mourning Dove Dr, Middle Run Crossing), 08-037.00-035 (3700 Limestone Rd, New Castle County Carousel Park), 08-037.20-105 (1225 Arundel Dr, Arundel Sec 2), 08-037.20-106 (1401 Arundel Dr, Arundel Sec 1), 08-037.20-329 (19 A Ascension Dr, Winding Bridge), 08-038.10-001 (1230 Arundel Dr, Arundel Sec 1), 08-038.10-127 (1103 A Highgate Rd, Sherwood Park II), 08-038.20-045 (2609 Sherwood Dr, Sherwood Park Sec 2), 08-038.20-290 (55 A St John Dr (Dunlinden Acres), 08-038.20-328 (48 A St John Dr (Dunlinden Acres), 08-038.30-388 (2446 W Eric Dr ,Limestone Gardens), 08-041.00-026 (101 Fox Den Rd, Middle Run Crossing), 08-041.20-092 (391 Polly Drummond Hil Rd (Middle Run Crossing), 08-042.00-013 (273 Polly Drummond Hil Rd, Delaware Hospice), 08-043.10-041 (3007 Ridgevale Rd, Hills of Skyline), 08-043.20-178 (1802 Milltown Rd, Village of Lindell), 08-043.30-005 (5439 Crestline Rd, Hills of Skyline), 08-043.30-019 (5434 Crestline Rd, Hills of Skyline), 08-043.30158 (2660 Longfellow Dr, Highlands of Heritage), 08-043.40-014 (2660 Longfellow Dr, Heritage Farm), 08-043.40-015 (2661 Longfellow Dr, Grendon Farms), 08-043.40-320 (2010 Marlboro Dr, Montclare), 08-043.40-377 (2510 Grendon Dr, Grendon Farms), 08-044.10-278 (2446,W Eric Dr ,Sheridan Square), 08-044.30-382 (4998, E Woodmill Dr, Woodmill), 08-047.00-072 (170 Possum Hollow Rd, Tri State Bird Rescue), 08-048.00-045 (0 Upper Pike Creek Rd), 08-048.20-231 (7 Creek Xing, Creek Landing), 08-048.20-247 (19 Taylors Mill Ln, Taylors Mill), 08-049.20-013 (2616 A Whitman Dr, Heritage Farm), 08-049.20-045 (2609 Whitman Dr, Heritage Farm), 08-049.30-008 (122 Rockrose Dr, Meadowood Sec 1), 08-053.00-050 (331 Delaplane Ave, Delaplane Manor Iii), 08-060.00-007 (148 Fairway Rd, Red Mill Farms), 08-060.10-018 (1600 Melrose Place Dr, Country Squire Apts), 08-060.20-090 (315 Darwin Dr, Sycamore Gardens), 08-060.20-116 (132 Longview Dr, Peoples Subd), 08-060.20-118 (120 Longview Dr, Newkirk Estates Sc 2), 08-060.20-119 (122 Longview Dr, Newkirk Estates Sc 2), 08-060.20-120 (134 Longview Dr, Peoples Subd), 08-060.20-121 (121 Longview Dr, Newkirk Estates Sc 2), 08-060.20-146 (115 Phyllis Dr (Newkirk Estates Sc 2), 08-060.20-148 (127 Longview Dr), 08-060.20-149 (125 Longview Dr, Peoples Subd), 08-060.20-150 (123 Longview Dr, Peoples Subd), 08-060.20-152 (0 Off Longview Dr), 08-060.30-005 (21 Mary Ella Dr, Millrace), 09-010.30-001 (0 Sheffield Manor Dr,

Sheffield Manor), 09-010.30-066 (74 Green Ridge Rd, Brookhaven), 09-017.00-028 (0 Tamara Cir, Harmony Hills Sec 2); **PENCADER HUNDRED:** 11-006.20-166 (0 Scottfield Dr, Scottfield Sec 3)**; WHITE CLAY CREEK HUNDRED:** 08-060.00-007 (148 Fairway Rd, Red Mill Farms), 08-060.10-018 (1600 Melrose Place Dr, Country Squire Apts), 08-060.20-146 (115 Phyllis Dr, Newkirk Estates Sec 2), 08-060.30-005 (21 Mary Ella Dr, Millrace), 09-010.30-001 (0 Sheffield Manor Dr, Sheffield Manor), 09-010.30-066 (74 Green Ridge Rd, Brookhaven), 09-015.20-027 (136 N Dillwyn Rd, Windy Hills Sec 1), 09-016.20-028 (52 A Millwright Dr, Old Mill Manor), 09-016.20-091 (22 A Gristmill Ln, Old Mill Manor), 09-016.30-167 (136 N Dillwyn Rd, Windy Hills Sec 2), 09-016.40-017 (27 A Old Manor Rd, Old Mill Manor), 09-017.00-028 (0 Tamara Cir (Harmony Hills Sec 2), 09-017.30-046 (139 W Rutherford Dr, Rutherford Sec 3), 09-017.301-87 (0 Harmony Crest Dr (Harmony Crest Sc III), 09-017.40-149 (121 E Rutherford Dr, Rutherford Sec 1), 09-021.40-069 (110 Old Newark Rd, Greenbridge), 09-021.40-256 (50 Durham Ct (New Castle County Police Academy), 09-022.30-411 (0 Lisbeth Rd, Chestnut Hill Estates 2), 09-022.30-412 (0 E Cherokee Dr, Cherokee Woods), 09-022.30-422 (0 E Cherokee Dr, Cherokee Woods), 09-023.10-203 (801 Prides Xing, Harmony Crest Sc II), 09-023.10-232 (801 Prides Xing, Harmony Crest Sec II), 09-028.10-220 (127 Garrett Rd, Todd Estates Sec 4), 09-033.00-033 (24 Upland Ct, Breezewood Sec II), 09-033.20-073 (499 Gender Rd, Gender Woods), 09-033.20-074 (545 Gender Rd, Gender Woods)
Prime Sponsor(s): Ms. Kilpatrick, Mr. Sheldon

J. Introduction/Consideration of Emergency Ordinances

K. Public Comment/Other

L. Motion to Adjourn

AGENDA POSTED: April 7, 2026

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

**Under Title 29, Section 10006A of *Delaware Code*, New Castle County Council is holding this meeting as a telephone and video conference, utilizing zoom Webinar. In addition, this meeting is open to the public in Council Chambers (800 N. French Street, Wilmington, DE 19801). The link to join the meeting via computer, smart device, or smart phone is: https://us02web.zoom.us/webinar/register/WN_nMNvEBVLR4eRRGxQ4a6g7g You may also call into the meeting (audio) using the following call in numbers: 1-312-626-6799 or +1-646-558-8656 or +1-346-248-7799 or +1-669-900-9128 or +1-253-215-8782 or +1-301-715-8592. Then enter the Webinar ID: 377 322 142. If you do not have a good connection with one, please try the others. Additional information regarding phone functionality during the meeting is available at: https://support.zoom.us/hc/en-us/articles/360029527911-Live-Training-Webinars

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

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

Prime Sponsor(s): Mr. Smiley, Mr. Cartier
Requested by: Administration/Finance
Date of introduction: April 14, 2026

ORDINANCE NO. 26-034

THE ANNUAL REVENUE ORDINANCE OF NEW CASTLE COUNTY FOR FISCAL YEAR 2027 BEGINNING JULY 1, 2026

WHEREAS, pursuant to 9 *Del. C.* § 1371F(a), the Board of Assessment Review was presented the 2026-2027 tax roll on February 13, 2026; and

WHEREAS, pursuant to 9 *Del. C.* § 1371F(b), it has been certified to County Council the total value of all real property in the County which has been assessed is $120,506,394,200 and the total value of all property which has been assessed and is subject to taxation is $97,313,518,500 net of tax exemptions; and

WHEREAS, the Fiscal Year 2027 revenue estimate is $168,529,434, representing an increase based upon the tax rates provided in Sections 3 through 5 and the certified assessment roll; and

WHEREAS, pursuant to 9 *Del. C.* § 8306(b) the County is mandated to assess property at least every five years, which will result in future assessment expenses; and

WHEREAS, pursuant to *New Castle County Code* § 14.01.018, the County established a Reassessment Reserve Account with procedures for the deposit and appropriation of funds.

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

Section 1. A tax upon the residential real property in New Castle County is hereby established and levied at the rate of 5.39 cents for each one hundred dollars of assessed valuation (based on 100 percent of July 1, 2024 fair market value) for the fiscal year beginning July 1, 2026, and ending June 30, 2027, to pay the costs of the General Operating Budget.

Section 2. A tax upon the non-residential real property in New Castle County is hereby established and levied at the rate of 8.15 cents for each one hundred dollars of assessed valuation (based on 100 percent of July 1, 2024 fair market value) for the fiscal year beginning July 1, 2026, and ending June 30, 2027, to pay the costs of the General Operating Budget.

Section 3. A tax upon the residential real property in the following listed areas of New Castle County at the following listed rates for each one hundred dollars of assessed valuation is hereby established and levied for the fiscal year beginning July 1, 2026, and ending June 30, 2027, to pay costs under the Local Service Function Budget.

Location	Tax Rate in Cents Per $100 of Assessed Valuation
Arden	11.66
Ardencroft	11.81
Ardentown	11.88
Bellefonte	12.78
Delaware City	3.86
Elsmere	2.52
Middletown	1.17
Newark	0.00
New Castle	2.03
Newport	2.44
Odessa	2.44
Townsend	0.08
Wilmington	0.00
Those portions of New Castle County not within any of the preceding incorporated municipalities	13.07

Section 4. A tax upon the non-residential real property in the following listed areas of New Castle County at the following listed rates for each one hundred dollars of assessed valuation is hereby established and levied for the fiscal year beginning July 1, 2026, and ending June 30, 2027, to pay costs under the Local Service Function Budget.

Location	Tax Rate in Cents Per $100 of Assessed Valuation
Arden	17.62
Ardencroft	17.84
Ardentown	17.95
Bellefonte	19.31
Delaware City	5.83
Elsmere	3.81
Middletown	1.77
Newark	0.00
New Castle	3.07
Newport	3.68
Odessa	3.68
Townsend	0.13
Wilmington	0.00
Those portions of New Castle County not within any of the preceding incorporated municipalities	19.75

Section 5. A tax upon the real property in the light districts in New Castle County established pursuant to 9 *Del. C.* ch. 21, is hereby established and levied for light districts at the following rates for each one hundred dollars of assessed valuation for the fiscal year beginning July 1, 2026, and ending June 30, 2027 to pay the cost of street and highway illumination:

Light Code	Light District Installations	Tax Rate in Cents Per $100 of Assessed Valuation
High Pressure Sodium (HPS) Units		
TRL1	Cobra (formerly Incandescent)	0.245
TRLA	Cobra (formerly Mercury)	1.790
TRLQ	Metal Pole	2.850
TRLC	Traditionaire	3.170
TRLT	Limited Installation	1.660
TRLU	Turn of the Century	3.480
Light Emitting Diode (LED) Units		
TRLO	Cobra	1.790
TRLM	Traditionaire	1.000
TRLN	Granville	2.500

Section 6. A tax upon the full annual cost established pursuant to 9 *Del. C.* § 1339, is hereby established and levied for crossing guards by school district at the following rates for the fiscal year beginning July 1, 2026, and ending June 30, 2027.

Crossing Guard Rates	Tax Rates in Cents Per $100 of Assessed Valuation
Appoquinimink School District	0.272
Brandywine (Area I)	0.511
Christina (Area III)	0.414
Colonial (Area IV)	0.466
Red Clay (Area II)	0.511

Section 7. Fees and charges not specified in this Ordinance shall be heretofore or hereafter established.

Section 8. Fees, fines, forfeitures, penalties, assessments, charges, receipts and income, together with needed reserves and available cash balances, shall be included in the receipts of New Castle County as collected during the fiscal year beginning July 1, 2026, and ending June 30, 2027.

Section 9. For purposes of Section 1 and Section 3 of this Ordinance, the term “residential real property” shall mean property classified as either Residential or Farmland pursuant to New Castle County parcel records as of July 1, 2026.

Section 10. For purposes of Section 2 and Section 4 of this Ordinance, the term “non-residential real property” shall mean property classified as any classification other than Residential or Farmland pursuant to New Castle County parcel records as of July 1, 2026.

Section 11. The effective date for the provisions in this Ordinance shall be July 1, 2026.

Section 12. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided by 9 *Del. C.* § 1156.

Adopted by Council of
New Castle County on:

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

Approved on:

_____
Marcus Henry
County Executive

SYNOPSIS: This Ordinance is the Annual Revenue Ordinance for Fiscal Year 2027.

Section 1 establishes a General Operating residential property tax rate in New Castle County.

Section 2 establishes a General Operating non-residential property tax rate in New Castle County.

Section 3 establishes the Local Service Function residential property tax rates in the listed areas of New Castle County.

Section 4 establishes the Local Service Function non-residential property tax rates in the listed areas of New Castle County.

Section 5 establishes the tax rates in the light districts of New Castle County.

Section 6 establishes the tax rates for school crossing guards.

Section 7 provides that fees and charges not specifically addressed in this Ordinance can be established at some future time.

Section 8 provides that other receipts and funding sources shall be included in the revenue of New Castle County collected during Fiscal Year 2027 to be used in accordance with the budget Ordinance.

Section 9 defines the term “residential real property” as it is used in Sections 1 and 3 of this Ordinance.

Section 10 defines the term “non-residential real property” as it is used in Section 2 and 4 of this Ordinance.

FISCAL NOTE: This Ordinance proposes Fiscal Year 2027 tax rates which in conjunction with other anticipated sources of revenue are estimated to yield sufficient revenue to balance the proposed Fiscal Year 2027 Operating Budget.

These proposed real property tax rates applied to estimated taxable assessments and estimated quarterly additions (net of exemptions) are anticipated to yield approximately $167,104,434, for a total of $168,529,434 including prior year collections and penalties.

The proposed light district tax rates, as cited in Section 5, are anticipated to yield revenues of $9,539,395. These revenues, together with prior year tax collections and the use of available cash balances, are estimated to support direct street lighting expenses plus overhead.

The proposed school crossing guard tax rates, as set forth in Section 6, are anticipated to yield revenues of $3,847,701. These revenues, together with prior year tax collections and the use of available cash balances, are estimated to support direct crossing guard expenses plus overhead.

This Ordinance, as proposed, has no explicit fiscal impact upon the two successive fiscal years commencing July 1, 2027 and July 1, 2028, as the rates are legislated annually by County Council.

Acknowledged by the Chief Financial Officer March 31, 2026.

Prime Sponsor(s): Mr. Smiley, Mr. Cartier
Requested by: Administration/Finance
Date of introduction: April 14, 2026

ORDINANCE NO. 26-035

CALCULATION OF SEWER SERVICE CHARGES EFFECTIVE JULY 1, 2026 FOR FISCAL YEAR 2027

WHEREAS, in accordance with *New Castle County Code* Chapter 38 ("Utilities"), Article 2 ("Sewers and Sewage Disposal"), Division 38.02.500 ("Sewer services charges"), Section 38.02.503 ("Schedule generally"), County Council must adopt applicable unit charges for sewer service.

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

Section 1. County Council adopts the following sewer unit charges for Fiscal Year 2027:

The following unit charges shall be effective other than for certain contract users:

$5.286119/1000 gallons flow rate	(q)
$0.437653/lb. BOD	(b)
$0.566035/lb. SS	(s)

The rates for certain contract users shall be as follows:

$3.593868/1000 gallons flow rate	(q)
$0.437653/lb. BOD	(b)
$0.566035/lb. SS	(s)

The Equivalent Dwelling Unit (EDU) rates shall be as follows:

Meter Size	EDU	Fixed Charge @ $100 / EDU
1/2" or 5/8"	1.0	$75*
3/4"	1.5	$150
1"	2.5	$250
1 1/2"	5.0	$500
2.0	8.0	$800
3.0	15.0	$1,500
4.0	25.0	$2,500
6.0	50.0	$5,000
8.0	80.0	$8,000
10.0	115.0	$11,500
* For Fiscal Year 2027, the base rate of $100/EDU has been discounted by 25% for meters up to 5/8".		

Section 2. Pursuant to Section 38.02.503.F., the annual minimum charge for sewer service shall be fifty-six dollars ($56.00).

Section 3. The effective date for the provisions in this Ordinance shall be July 1, 2026.

Section 4. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided by 9 *Del. C.* § 1156.

Adopted by Council of
New Castle County on:

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

Approved on:

_____
Marcus Henry
County Executive
New Castle County

SYNOPSIS: This Ordinance establishes sewer service charges effective July 1, 2026, for Fiscal Year 2027.

FISCAL NOTE: This Ordinance proposes the adoption of the Fiscal Year 2027 sewer user rates which, in conjunction with other related sources of revenue, are estimated to yield sufficient revenue to balance the Fiscal Year 2027 sewer fund budget.

If adopted, this Ordinance would establish a Fiscal Year 2027 composite (flow $5.286119 + (BOD $0.437653 X 1.2510 (flow factor) = $0.5475041) + (SS $0.566035 X 1.5429 (flow factor) = $0.8733356)) residential flow rate of $6.70696 per 1,000 billable gallons. The composite rate reflects a five percent increase from the FY2026 composite rate.

The base rate of $100/EDU, as previously approved by County Council, has been discounted by 25% for meters up to 5/8", which will increase the EDU to $75 for the 5/8 customers.

The rates contained in this Ordinance would, if adopted, be applied to all user classes, including $13,040,000 for EDU as follows:

User Classification	**Number of Users**	**Gross Billing**
Residential	127,035	$44,141,783
Industrial	20	$11,129,081
Commercial	3,808	$16,363,996
Apartment	228	$9,232,033
Contract	5	$6,500,228
Gross Billing	**131,096**	**$87,367,121**
Less Allowance for Delinquent Accounts		($3,744,121)
Net Billing		**$83,623,000**

Acknowledged by the Chief Financial Officer March 31, 2026.

Prime Sponsor(s): Mr. Smiley, Mr. Cartier
Requested by: Administration/Finance
Date of introduction: April 14, 2026

ORDINANCE NO. 26-036

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF NEW CASTLE COUNTY FOR THE PURPOSE OF FINANCING CERTAIN CAPITAL PROJECTS APPROVED IN THE FISCAL YEAR 2027 CAPITAL BUDGET

WHEREAS, Chapter 22 of Title 9 of the *Delaware Code*, as amended, authorizes New Castle County to plan, acquire, purchase, construct, reconstruct, improve, better, extend, maintain and operate sewerage systems therein defined, and the County Council of New Castle County has determined to extend existing sewerage systems now maintained by the County by rehabilitating and constructing local sewer projects and to improve existing sewer systems, pump stations, treatment plant sites, and facilities; and,

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

WHEREAS, Section 1163 of Title 9 of the *Delaware Code* authorizes New Castle County to issue bonds to finance the cost of any object, program or purpose for which New Castle County may raise, appropriate or expend money, and the County Council of New Castle County determines to expend money for various facilities and services; and,

WHEREAS, Subchapter III, of Chapter 13 of Title 9 of the *Delaware Code*, as amended, authorizes New Castle County to develop plans for buildings/facilities, parks, open spaces, natural areas and greenways within the County. Said plans provide for the acquisition of land for the development of parks and recreation facilities and the improvement and development of existing parks and buildings/facilities. The County has deemed it necessary to implement such plans for development and improvements.

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS: (by a supermajority of all the members elected to the County Council concurring therein):

Section 1. New Castle County shall authorize the issuance of its negotiable bonds in the maximum aggregate net principal amount of $59,790,230 to finance projects approved in the FY2027 Capital Budget (the maximum aggregate principal amount of the bonds to be issued for each purpose is set out in the following schedule):

PURPOSE	BOND AUTHORIZATIONS MAXIMUM AGGREGATE PRINCIPAL AMOUNT
(A) Sanitary Facilities/Stormwater	$ 34,220,000
(B) Public Safety	14,485,230
(C) Parks	5,315,000
(D) Administration	3,090,000
(E) Facilities/Equipment	1,800,000
(F) Community Services	880,000
TOTAL BOND AUTHORIZATIONS	**$59,730,230**

Section 2. The monies raised by the issuance of the bonds hereby authorized after the payment of the charges and expenses connected with the preparation, sale, and issuance thereof shall be held in separate accounts and shall be expended only for the purposes for which said bonds have been authorized, or for the payment of the principal of, and interest on, temporary loans made in anticipation of the sale of such bonds.

Section 3. The effect of the bonded indebtedness hereby authorized upon the total bonded indebtedness of New Castle County is as shown on the attached fiscal note, Exhibit "A".

Section 4. It is hereby determined and declared that the normal life of said improvements is not less than three (3) years (§ 1163 of Title 9 of the *Delaware Code*).

Section 5. In accordance with Federal Treasury Reg. § 1.150-2, the County hereby states its intentions that a portion of the proceeds of the bonds authorized hereunder will be used to reimburse itself for expenditures paid prior to the date of issuance of the bonds. All capitalized terms used herein and not otherwise defined have the same meaning as ascribed to them in Treasury Reg. § 1.150-2.

All original expenditures to be reimbursed will be capital expenditures (as defined in Federal Treasury Reg. Sec. 1.150-1(b)) and other amounts permitted to be reimbursed pursuant to Federal Treasury Reg. Sec. 1.150-2(d)(3) and (f). The County intends to reimburse the original expenditures through the County's incurrence of debt to be evidenced by the bonds. The description of the type and use of the property for which the original expenditure to be fully or partially reimbursed is to be paid is: costs relating to the projects as defined in Section 3 hereof. The maximum principal amount of the bonds to be issued to reimburse the costs of said projects paid prior to their issuance and to complete said projects is a net $59,790,230 including the costs of issuance of the bonds.

Once the bonds are issued, the County shall allocate bond proceeds to reimburse a prior expenditure by making the allocation on its books and records maintained with respect to the bonds; provided that such costs to be reimbursed were paid not more than 60 days prior to the date hereof. Such allocations shall specifically identify the actual original expenditure to be reimbursed. Such allocations shall occur not later than 18 months after the later of (i) the date on which the original expenditure is paid, or (ii) the date the project is placed in service or abandoned, but in no event more than 3 years after the original expenditure is paid. If the bonds are issued before the expiration of the period prescribed in the preceding sentence, then the reimbursement allocation shall occur not later than the date of bonds are issued.

The bond proceeds used to reimburse the County for original expenditures will not be used within 1 year after the allocation in a manner that results in the creation of replacement proceeds (as defined in Treasury Reg. § 1.148-1) for the bonds authorized hereunder or for other bonds. The County will not use the proceeds of bonds to reimburse, refinance or refund an original expenditure paid by another obligation (either tax-exempt or taxable).

Section 6. Continuing Disclosure. The County covenants for the benefit of holders of any bonds that it issues in the public markets, whether pursuant to this Ordinance or otherwise, that, so long as any such bonds are outstanding, it will file, or cause to be filed, all financial information, operating data and notices of events, actions or failure to act, with such persons and entities and at such times as may be necessary to comply with the requirements of Rule 15c2-12(b) (5) of the Securities Exchange Act of 1934 with respect to such bonds. The Chief Financial Officer shall by Resolution adopted in connection with the issuance of such bonds specify the specific actions that the County shall be obligated to undertake to comply with this Section. Upon approval of the

County Executive, the Chief Financial Officer is hereby authorized to take such other actions, by contract with a fiscal agent or otherwise, as such official shall deem appropriate to cause the County to comply with this Section.

Section 7. The effective date for the provisions in this Ordinance shall be July 1, 2026.

Section 8. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided by 9 *Del. C.* § 1156.

Adopted by County Council of
New Castle County on:

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

Approved on:

_____
Marcus Henry
County Executive
New Castle County

SYNOPSIS: This Ordinance will authorize New Castle County to issue bonds in the net amount of $59,790,230 to finance projects approved in the Fiscal Year 2027 Capital Budget.

FISCAL NOTE: See attached Exhibit “A” for fiscal impact of this Ordinance.

Acknowledged by the Chief Financial Officer March 31, 2026.

EXHIBIT "A"

FISCAL NOTE: This Ordinance will authorize County Bonds in the maximum aggregate principal amount (net of issuance costs) of $59,790,230.

The fiscal impact of this Ordinance, if approved, is demonstrated on a pro-forma basis below:

Previous Authorizations	Principal	Interest	Total
Authorized and Issued Bonds [1](2/28/2026)	$517,665,000	$170,621,142	$688,286,142
Authorized and Unissued Bonds (2/28/2026)	145,155,304	60,965,228	206,120,532
Total Previous Authorizations	662,820,304	231,586,370	894,406,674
Proposed Net Authorizations [2] by the Ordinance	59,730,230	25,086,697	84,816,927
Total Previous Authorizations and Proposed Net Authorizations	$722,550,534	$256,673,067	$979,223,601

The following State Revolving Fund (SRF) and Water Infrastructure Finance and Innovation Act (WIFIA) loans are not included in the above totals:

Authorized and Issued Bonds (2/28/2026)	$ 38,518,145	$ 8,919,382[3]	$ 47,437,527
Authorized and Unissued Bonds (2/28/2026)	103,522,831	59,720,271[3]	163,243,102
Total Previous Authorizations	$142,040,976	$68,639,653	$210,680,629

[1] These amounts have been adjusted to reflect retired principal and interest through 4/30/26.
[2] Assuming a constant principal amount of $2,986,511 over a term of twenty years, total debt service for the $59,730,230 would be $84,816,927.
[3] Interest is based on estimated future repayment schedules. Interest rates for various SRF loans are 2.00, 2.394 and 2.601 percent and for the various WIFIA loans are 4.5 percent.

Prime Sponsor(s): Mr. Smiley, Mr. Cartier
Requested by: Administration/Finance
Date of introduction: April 14, 2026

ORDINANCE NO. 26-037

THE CAPITAL BUDGET ORDINANCE OF NEW CASTLE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2026

WHEREAS, Chapter 22 of Title 9 of the *Delaware Code*, as amended, authorizes New Castle County to plan, acquire, purchase, construct, reconstruct, improve, better and extend, and maintain and operate sewerage systems therein defined, and the County Council of New Castle County has determined to extend existing sewerage systems now maintained by the County by rehabilitating and constructing local sewer projects and to improve existing sewer systems, pump stations, treatment plant sites, and facilities; and

WHEREAS, *Delaware Code*, including Chapter 34 of Title 9 and Chapter 39 of Title 7 of the *Delaware Code*, authorizes New Castle County to carry out preventive and control measures and works of improvement for the prevention of erosion, floodwater, and sediment damages, and the County Council of New Castle County determines whether to construct, improve, and develop stormwater courses and facilities; and

WHEREAS, Section 1163 of Title 9 of the *Delaware Code* authorizes New Castle County to issue bonds to finance the cost of any object, program or purpose for which New Castle County may raise, appropriate or expend money, and the County Council of New Castle County determines to expend money for various facilities and services; and

WHEREAS, Subchapter III, Chapter 13 of Title 9 of the *Delaware Code*, as amended, authorizes New Castle County to develop plans for buildings/facilities, parks, open spaces, natural areas and greenways within the County. Said plans provide for the acquisition of land for the development of parks and recreation facilities and the improvements and development of existing parks and buildings/facilities. The County has deemed it necessary to implement such plans for development and improvements.

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

Section 1. Exhibit "A", entitled "Capital Budget – FY2027" consisting of two (2) pages, dated March 31, 2026, attached hereto and made a part hereof, is hereby adopted as the Capital Budget of New Castle County for the fiscal year beginning July 1, 2026, and ending June 30, 2027.

Section 2. The projects listed on Exhibit "B," entitled “Projects to Sunset Fiscal Year End 2025” will sunset in accordance with Key Financial Policy (KFP) #1 on June 30, 2026. All unexpended appropriations and bond authorizations on June 30, 2026, will be deauthorized. Any encumbrances will remain open until liquidated.

Section 3. The effective date for the provisions in this Ordinance shall be July 1, 2026.

Section 4. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided by 9 *Del. C.* § 1156.

Adopted by County Council of
New Castle County on:

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

Approved on:

_____
Marcus Henry
County Executive
New Castle County

SYNOPSIS: This Ordinance is the Capital Budget Ordinance for the Fiscal Year 2027, authorizing capital spending of $75,702,105 for 51 County projects. This Ordinance also will deauthorize the projects on Exhibit "B" and the corresponding available appropriations and bond authorizations on June 30, 2026.

FISCAL NOTE: The Capital Budget Ordinance for Fiscal Year 2027 authorizes capital spending of $75,702,105 for various projects. A companion Ordinance authorizing the issuance of General Obligation Bonds of $59,790,230 to fund the Capital Budget must be adopted.

In addition, this Ordinance sunsets 10 capital projects, effective June 30, 2026. Projects are listed on Exhibit “B”.

Acknowledged by the Chief Financial Officer March 31, 2026.

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2027

DEPARTMENT OF ADMINISTRATION

Land Use Information System	$	2,650,000
Sewer and Tax Billing Replacement		440,000
Subtotal	$	3,090,000

DEPARTMENT OF COMMUNITY SERVICES

Carousel Park Outdoor Arena Footing	$	180,000
Hope Center		300,000
Public Arts		327,640
Rockwood Museum		350,000
Rockwood Wheelchair Lift		350,000
Subtotal	$	1,507,640

DEPARTMENT OF PUBLIC SAFETY

800MgHZ Communications Equipment 2026-2027	$	400,000
Communications Upgrade 2026-2027	$	250,000
Police Range / EVOC	$	13,720,000
Public Safety Equipment 2027		367,705
Public Safety Southern Facility		50,000
Public Safety Trailer		65,230
Public Safety Vest Protection Program 2027		397,726
Subtotal	$	15,250,661

DEPARTMENT OF PUBLIC WORKS

Facilities/Equipment

Fleet Equipment 2027	$	8,469,900
Government Center Parking Lot	$	2,000,000
Subtotal	$	10,469,900

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2027

DEPARTMENT OF PUBLIC WORKS *(Continued)*

Parks

ADA Improvements in Parks	$	100,000
Delcastle Park Improvements		800,000
General Parkland Improvements 2024-2025		1,000,000
Glasgow Regional Park		1,500,000
Greenbank Park Improvements		200,000
Middle Run Valley Reforestation		100,000
Paper Mill Park Improvements		400,000
Pavilion Renovations		50,000
Play Area Improvements 2026-2027		515,000
Powell Ford Park Improvements		850,000
Subtotal	$	5,515,000

Sewer/Stormwater

Airport Road System Rehabilitation	$	1,850,000
Asset Management		1,200,000
Countywide Drainage Problems		1,000,000
Delaware City Industrial Sewer Expansion		1,700,000
DelDOT Coordination Project 2021		1,000,000
General Sewer Improvements		1,750,000
General Stormwater Improvements 2021		499,990
Kirkwood Trunkline Interceptor		3,500,000
Lea Eara Farms Treatment Plant Closure		3,000,000
Major Pump Stations Electrical Upgrades		600,000
Manhole Rehabilitation		750,000
Pump Station Rehabilitation 2026-2027		1,545,000
Richardson Park System Rehabilitation		500,000
Septage Receiving Station Upgrade		800,000
Sewer Fleet Equipment 2027		3,398,914
Sewer Repairs and Rehabilitation 2026-2027		2,000,000
Sewer System Expansion		250,000
Southern Sewer Service Area		2,000,000
Stormwater Basin Renovation II		1,000,000
Terminal Avenue System Rehabilitation		2,000,000
Water Farm 1 System Rehabilitation		2,000,000
Water Fill Stations		225,000
Water Quality Improvement Plans		500,000
White Clay System Rehabilitation		6,300,000
Wilmington System Rehabilitation		500,000
Subtotal	$	39,868,904

CAPITAL BUDGET TOTAL	**$**	**75,702,105**

Exhibit "B"
NEW CASTLE COUNTY
Projects to Sunset Fiscal Year End 2026

DEPARTMENT OF PUBLIC WORKS

C300509	General Parkland Improvements	Complete
C302303	Fleet Equipment 2023	Complete
C301303	DelDOT Coordination Project II	Complete
C302301	Market Street System Rehabilitation Bridge #9	Complete
C121606	Information Systems Expansion II	Complete
C122501	Firewall Replacement	Complete
C122612	Network Infrastructure Rearchitect and Upgrade	Complete
C402401	Absalom Jones Senior Center Kiln	Complete
C402610	Appoquinimink Library Maker Space HVAC	Complete
C402620	Carousel Park Indoor Arena Footing	Complete

Prime Sponsor(s): Mr. Smiley, Mr. Cartier
Requested by: Administration/Finance
Date of introduction: April 14, 2026

ORDINANCE NO. 26-038

ADOPT THE ANNUAL OPERATING BUDGET OF NEW CASTLE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2026

WHEREAS, County Council has adopted revenue measures which together with any reserves and available cash balances shall, in the opinion of the County Executive, be estimated to yield sums at least sufficient to balance the proposed expenditures as set forth herein.

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS: (by a supermajority of all the members elected to the County Council concurring therein):

Section 1. County Council hereby ordains that the taxes and other revenue measures which the County Executive has certified as yielding sufficient revenue, together with any reserves and available cash balances, serve to balance the Annual Operating Budget of New Castle County for the fiscal year beginning July 1, 2026, and ending June 30, 2027.

Section 2. Exhibit "A," entitled "Departmental Operating Budget," consisting of six (6) pages, attached hereto and made a part hereof, is adopted as the Annual Operating Budget of Appropriations to the respective departments, offices, reserves and services for the fiscal year beginning July 1, 2026, and ending June 30, 2027.

Section 3. Exhibit "B," entitled "Operating Budget Components," consisting of one (1) page, attached hereto and made a part hereof, representing the component budgets encompassed by the "Departmental Operating Budget" for the fiscal year beginning July 1, 2026, and ending June 30, 2027.

Section 4. As the County Council has done in all past years, by and through the budget hearing, review, and adoption process undertaken for the FY2027 budget, the County Council hereby confirms its review and approves the schedule of fees established by the Department of Land Use set forth in, *inter alia*, Appendix 2 of Chapter 40 of the *New Castle County Code* (“the UDC”). The County Council also confirms and clarifies that through the budget hearing, review, and adoption process, it has reviewed and approved the schedule of fees established by the Department of Land Use in all prior budget years, and the County hereby confirms, clarifies, and ratifies its previous approvals of the fee schedules heretofore established by the Department of Land Use.

Section 5. The effective date for the provisions in this Ordinance shall be July 1, 2026.

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

Adopted by Council of
New Castle County on:

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

Approved on:

_____
Marcus Henry
County Executive
New Castle County

SYNOPSIS: This Ordinance authorizes the Annual Operating Budget of New Castle County for the fiscal year beginning July 1, 2026 and ending June 30, 2027.

Exhibit "A" provides a summary of appropriations to departments, row offices, reserves and non-departmental operating budgets.

Exhibit "B" provides the component budgets (i.e. General Operating, Local Service Function, Sewer, Crossing Guard and Street Lighting) encompassed by Exhibit "A."

FISCAL NOTE: This Ordinance embodies, by detailed appropriation, by object of expenditure for each department and office (Exhibit "A") as required by State Law, and, by component budgets supported by various revenue measures (Exhibit "B"), the County's Annual Operating Budget for Fiscal Year 2027.

The fiscal impact of this Ordinance is the authorization to expend $387,613,138 in Fiscal Year 2027 and to legislate the amounts within New Castle County’s reserve accounts.

This Ordinance has no explicit impact on subsequent fiscal years, as the Operating Budget is legislated annually by County Council.

Acknowledged by the Chief Financial Officer March 31, 2026.

EXHIBIT A1

COUNTY COUNCIL		
Salaries and Wages	$	2,730,491
Benefits		1,477,914
Training and Civic Affairs		65,212
Communication and Utilities		11,408
Materials and Supplies		60,772
Contractual Services		256,247
Equipment		1,600
Grants and Fixed Charges		469,732
Operating Transfer Charges		181,699
Total	***$***	***5,255,075***
Total Authorized Full-Time Positions 35		

COUNTY EXECUTIVE		
Salaries and Wages	$	2,401,265
Benefits		1,296,477
Training and Civic Affairs		41,904
Communication and Utilities		14,769
Materials and Supplies		22,236
Contractual Services		248,565
Equipment		1,000
Grants and Fixed Charges		43,000
Contingency		55,000
Operating Transfer Charges		114,934
Total	***$***	***4,239,150***
Total Authorized Full-Time Positions 17		

DEPARTMENT OF ADMINISTRATION		
Salaries and Wages	$	15,179,002
Benefits		8,174,714
Training and Civic Affairs		199,555
Communication and Utilities		9,592,710
Materials and Supplies		169,549
Contractual Services		8,002,559
Equipment		318,900
Grants and Fixed Charges		4,082,350
Operating Transfer Charges		1,004,932
Operating Transfer Credits		(14,008,398)
Total	***$***	***32,715,873***
Total Authorized Full-Time Positions 177		

EXHIBIT A2

DEPARTMENT OF PUBLIC WORKS		
Salaries and Wages	$	27,101,408
Benefits		14,637,068
Training and Civic Affairs		88,079
Communication and Utilities		28,464,659
Materials and Supplies		4,918,251
Contractual Services		11,344,204
Equipment		536,333
Grants and Fixed Charges		1,294,498
Land and Structures		35,000
Operating Transfer Charges		4,964,157
Operating Transfer Credits		(7,906,610)
Total	***$***	***85,477,047***
Total Authorized Full-Time Positions 389		

DEPARTMENT OF LAND USE		
Salaries and Wages	$	9,147,002
Benefits		4,932,574
Training and Civic Affairs		66,975
Communication and Utilities		100,483
Materials and Supplies		106,727
Contractual Services		1,204,609
Equipment		56,240
Grants and Fixed Charges		56,500
Operating Transfer Charges		812,369
Total	***$***	***16,483,479***
Total Authorized Full-Time Positions 113		

DEPARTMENT OF COMMUNITY SERVICES		
Salaries and Wages	$	12,751,262
Benefits		6,072,129
Training and Civic Affairs		9,960
Communication and Utilities		1,356,485
Materials and Supplies		1,029,334
Contractual Services		3,258,150
Equipment		1,500
Grants and Fixed Charges		3,296,066
Operating Transfer Charges		1,590,723
Operating Transfer Credits		(257,608)
Total	***$***	***29,108,001***
Total Authorized Full-Time Positions 161		

EXHIBIT A3

DEPARTMENT OF PUBLIC SAFETY			
Salaries and Wages		$	83,209,835
Benefits			44,672,013
Training and Civic Affairs			205,206
Communication and Utilities			1,065,054
Materials and Supplies			1,493,047
Contractual Services			2,698,422
Equipment			3,899,005
Grants and Fixed Charges			9,204,644
Operating Transfer Charges			8,603,175
Total		***$***	***155,050,401***
Total Authorized Full-Time Positions	***729***		
REGISTER OF WILLS			
Salaries and Wages		$	1,230,774
Benefits			660,764
Training and Civic Affairs			34,950
Communication and Utilities			9,527
Materials and Supplies			10,053
Contractual Services			62,715
Equipment			2,800
Operating Transfer Charges			112,881
Total		***$***	***2,124,464***
Total Authorized Full-Time Positions	***20***		

EXHIBIT A4

RECORDER OF DEEDS			
Salaries and Wages		$	1,302,349
Benefits			698,105
Training and Civic Affairs			40,170
Communication and Utilities			30,597
Materials and Supplies			12,398
Contractual Services			82,718
Equipment			6,150
Grants and Fixed Charges			18,350
Operating Transfer Charges			187,466
Total		$	***2,378,303***
Total Authorized Full-Time Positions	***23***		
SHERIFF			
Salaries and Wages		$	1,492,735
Benefits			808,273
Training and Civic Affairs			24,412
Communication and Utilities			11,740
Materials and Supplies			28,259
Contractual Services			52,249
Equipment			5,000
Operating Transfer Charges			165,848
Total		***$***	***2,588,516***
Total Authorized Full-Time Positions	***21***		
CLERK OF THE PEACE			
Salaries and Wages		$	540,993
Benefits			292,932
Training and Civic Affairs			7,700
Communication and Utilities			2,094
Materials and Supplies			9,704
Contractual Services			19,218
Equipment Replacement			0
Operating Transfer Charges			42,052
Total		***$***	***914,693***
Total Authorized Full-Time Positions	***7***		
DEBT SERVICE			
Debt Service		$	48,468,304
Total		***$***	***48,468,304***
Total Authorized Full-Time Positions			

EXHIBIT A5

ETHICS COMMISSION		
Salaries and Wages	$	45,589
Benefits		11,776
Training and Civic Affairs		10,500
Communication and Utilities		1,500
Materials and Supplies		2,450
Contractual Services		235,747
Equipment		500
Operating Transfer Charges		7,770
Total	***$***	***315,832***
Total Authorized Full-Time Positions 0		
COUNCIL CONTINGENCY		
Contingency	$	225,000
Total	***$***	***225,000***
Total Authorized Full-Time Positions		
EXECUTIVE CONTINGENCY		
Contingency	$	600,000
Total	***$***	***600,000***
Total Authorized Full-Time Positions		
PERSONNEL CONTINGENCY		
Contingency	$	455,000
Total	***$***	***455,000***
Total Authorized Full-Time Positions		
DE PFML INSURANCE PROGRAM CONTINGENCY		
Contingency	$	800,000
Total	***$***	***800,000***
Total Authorized Full-Time Positions		
ONE-TIME CONTINGENCY		
Contingency	$	414,000
Total	***$***	***414,000***

EXHIBIT A6

NEW CASTLE COUNTY		
Salaries and Wages	$	157,132,705
Benefits		83,734,739
Training and Civic Affairs		794,623
Communication and Utilities		40,661,026
Materials and Supplies		7,862,780
Contractual Services		27,465,403
Equipment		4,829,028
Grants and Fixed Charges		18,465,140
Debt Service		48,468,304
Land and Structures		35,000
Contingency		2,549,000
Operating Transfer Charges		17,788,006
Operating Transfer Credits		(22,172,616)
Sub-Total New Castle County	***$***	**387,613,138**
Total Authorized Full-Time Positions 1,692		

RESERVE ACCOUNTS ANTICIPATED BALANCES AS OF JUNE 30, 2026	
Tax Stabilization Reserve Account	35,553,908
Sewer Rate Stabilization Reserve Account	13,410,350
General Fund Budget Reserve Account	46,910,980
Sewer Fund Budget Reserve Account	19,038,698
Total Reserves:	**114,913,935**

EXHIBIT "B"

OPERATING BUDGET COMPONENTS
FISCAL YEAR 2027

General Operating Budget	$	115,711,775
Local Service Function Budget		160,423,947
Sewer Fund		97,288,042
Street Light Fund		9,916,673
Crossing Guard Fund		4,272,701
Recommended Operating Budget	**$**	**387,613,138**

MARCUS A. HENRY
COUNTY EXECUTIVE
ExecutiveOffice@newcastlede.gov

87 Reads Way
New Castle, DE 19720

M E M O R A N D U M

TO: President and Members of County Council

FROM: Marcus Henry
County Executive

DATE: March 31, 2026

SUBJECT: Certification Memorandum

Pursuant to 9 *Del. C.* § 1158(c), I hereby certify to County Council the estimated yield from each item of revenue to be used in balancing the Fiscal Year 2027 Operating Budget.

GENERAL FUND ESTIMATES

REAL ESTATE TAXES	
Initial Annual Levy / Quarterly Adds	$167,104,434
Prior Year Taxes	850,000
Tax Penalties	575,000
Real Estate Taxes	**$168,529,434**
REALTY TRANSFER TAX	**$42,682,500**
HOTEL TAX	**$2,300,000**
SERVICE CHARGES AND FEES	
911 Reporting Fees	$1,111,705
Deeds and Instruments	6,487,000
Emergency Communications Reimbursement	209,400
FOIA Requests, Internet Printing/Copies	67,960
Hope Center Room Rentals	2,300,000
Hope Center Revenue	417,331
Impact Fees	400,000
Library Fines and Fees	109,200
Maintenance Corporation Fees	100,000
Miscellaneous Charges/Fees	327,700
Plan and Subdivision Reviews	1,420,000
Police Reports/Fines	490,228
Property Maintenance Fines/Fees	2,516,500
Recreation	1,358,009
Sheriff	1,855,000
Wills	3,689,546
Zoning Fees/Reviews	537,800
Service Charges and Fees	**$23,397,379**

LICENSES AND PERMITS	
Building Permits	$5,290,000
Business Licenses	750,000
Contractor Licenses	392,000
Marriage Licenses	308,673
Other Permits	672,000
Plumbing Permits	1,150,000
Licenses and Permits	**$8,562,673**
INVESTMENT INCOME, MISCELLANEOUS, RENTALS AND SALE OF ASSETS	
Interest Earnings	$7,120,400
Miscellaneous Fees and Income	3,425,274
Rentals and Sale of Assets	1,085,105
Investment Income, Miscellaneous, Rentals and Sale of Assets	**$11,630,779**
INTERGOVERNMENTAL REVENUES	
Department of Justice	$0
Payment in-lieu of Taxes / Donations	30,000
Realty Transfer Tax Fee	1,132,500
Indirect Cost Recovery	150,000
State Paramedic Reimbursement	8,799,162
RZEDB Interest Reimbursement	68,088
Intergovernmental Revenues	**$10,179,750**
USES OF AVAILABLE CASH BALANCES	$18,416,178
Subtotal: Sources of Funds	**$285,698,693**
LESS: INTERFUND CAPITAL TRANSFER	(9,562,971)
APPROPRIATED GENERAL FUND RESOURCES	***$276,135,722***

SPECIAL FUND ESTIMATES

Sewer Fund	
Sewer Service Charges	$83,623,000
Delinquent Charges	5,000,000
Capital Recovery Fees	8,664,080
F.O.G. Program Fees	120,000
Interest Earnings	1,085,000
Miscellaneous Fees and Income	205,700
Plans Review	428,000
RZEDB Interest Reimbursement	794,611
Septic Waste Hauler Fees	573,000
Stormwater/Groundwater Fees	1,200,000
Stormwater Maintenance Districts	139,844
Survey and Inspection Fees	215,000
Wastewater Discharge Fees	221,000
Subtotal - Sources of Sewer Fund Resources	**$102,269,235**
Use of Available Cash Balances	$667,711
Subtotal - Sources of Sewer Fund Resources	**$102,936,946**
LESS: INTERFUND CAPITAL TRANSFER	(5,648,904)
Subtotal - Appropriated Sewer Fund Resources	**$97,288,042**
Street Light Fund	
Street Light Revenues	$9,610,938
Uses of Available Cash Balance	305,735
Subtotal - Appropriated Street Light Fund Resources	**$9,916,673**
Crossing Guard Fund	
School Crossing Guard Tax	$3,872,701
Uses of Available Cash Balance	400,000
Subtotal - Appropriated Street Light Fund Resources	**$4,272,701**
APPROPRIATED SPECIAL FUND RESOURCES	***$111,477,416***
TOTAL APPROPRIATED OPERATING BUDGET RESOURCES	**$387,613,138**
Reserve Accounts Anticipated Balances as of June 30, 2026	
Tax Stabilization Reserve Account	$35,553,908
Sewer Rate Stabilization Reserve Account	13,410,350
General Fund Budget Reserve Account	46,910,980
Sewer Fund Budget Reserve Account	19,038,698
Total Reserve Accounts	**$114,913,935**

Prime Sponsor: Mr. Sheldon
Requested by: Public Works Department
Date of introduction: April 14, 2026

ORDINANCE NO. 26-039

TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 13 ("STORMWATER MAINTENANCE DISTRICTS") REGARDING STORMWATER MAINTENANCE AND GREEN VALLEY – PHASE V COMMUNITY

WHEREAS, stormwater is an important water resource which supports, among other things, groundwater recharge for drinking water supplies and base-flow of streams; and

WHEREAS, the requirements of the United States Environmental Protection Agency and the Delaware Department of Natural Resources and Environmental Control demand a comprehensive approach to stormwater management by New Castle County; and

WHEREAS, the federal regulations and Delaware state regulations require the County to implement and fund a program of stormwater controls that address discharges from the County's regulated stormwater flows to local water bodies; and

WHEREAS, inadequate management of stormwater runoff throughout a watershed can increase flood depths and velocities, contribute to erosion and sediment, overtax the carrying capacity of existing streams and storm sewers, greatly increase the cost of public facilities to convey and manage stormwater, undermine floodplain management and flood reduction efforts in upstream and downstream communities, reduce groundwater recharge, and impact other related water resource needs and threaten public health and safety; and

WHEREAS, in order to establish, operate, enhance, and maintain an effective and efficient stormwater management, ensure the continued effective operation of the system through installation and best management practices, and to provide other services such as appropriate inspections, asset management, and regulatory oversight associated with stormwater and watershed management, sufficient and stable funding is required to fund these public services; and

WHEREAS, given the above, New Castle County Council determined it to be in the best interests of the County and its residents to create stormwater maintenance districts to accomplish the above and, thereby, promote more attractive, safer, and healthier neighborhoods; and

WHEREAS, County Council enacted *New Castle County Code* Chapter 13, Sections 13.01.001 – 13.01.007 (by means of Ordinance No. 21-144), creating stormwater maintenance districts to provide an alternative to and assist property owners who are responsible for performing maintenance of stormwater management facilities within residential and mixed-use subdivisions, and to relieve property owners of the burden of the actual maintenance; and

WHEREAS, Chapter 13 provides that a maintenance organization responsible for a stormwater management facility within a subdivision established prior to enactment thereof may petition to establish a stormwater maintenance district ("SWD"), using forms established by the Public Works Department (the "Department"); moreover, the Department is authorized to determine whether a SWD should be established based on a maintenance organization's compliance with *New Castle County Code* Chapter 12, Article 6 ("Stormwater Management Facility, Watercourse, and Drainage System Maintenance"); and

WHEREAS, the stormwater management facility in Green Valley - Phase V subdivision falls under the County's jurisdiction, and is, in the opinion of County government, necessary for efficient and economical stormwater management; and

WHEREAS, by way of background, Green Valley – Phase V maintenance corporation timely petitioned the Department in 2025 for creation of a SWD; the petition (attached hereto) reflects the affirmative vote for inclusion in the SWD program by the Green Valley - Phase V community; and

WHEREAS, the petition includes, among other things, the requisite description of the area incorporated in the proposed SWD, a list of the community members and mailing addresses, applicable parcel numbers, signatures of the community members by parcel, and the individual votes, either yes or no, by community members; and

WHEREAS, the Department supports the petition, which awaits the approval of County Council; and

WHEREAS, if County Council enacts this Ordinance, the SWD program will be approved for the Green Valley - Phase V community; subsequent to approval by County Council, all relevant information evidencing the establishment of the SWD will be recorded with the Office of the Recorder of Deeds; and

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

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

Section 1. *New Castle County Code* Chapter 13 ("Stormwater Maintenance Districts") is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below.

…

Sec. 13.01.008. Stormwater maintenance districts - approved.

A. Following are the Stormwater Maintenance Districts approved by County Council:

1. Whispering Woods…

8. Green Valley - Phase V.

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

Adopted by County Council of
New Castle County on:

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

Approved on:

_____
Marcus Henry
County Executive
of New Castle County

SYNOPSIS: By way of this Ordinance, New Castle County Council approves a Stormwater Maintenance District in the Green Valley - Phase V community.

FISCAL NOTE: This Ordinance, if approved, creates a Stormwater Maintenance District and will establish a Stormwater District Maintenance Fee for the Green Valley – Phase V community. The fee will be included on the County tax bills beginning in the 2026 tax year to cover anticipated costs for a period of 15 months (April 2026 – June 2027). After which time, the annual tax bills beginning with the 2027 tax year will cover anticipated costs for a period of 12 months (July – June). There will be no fiscal impact since the fee shall cover the maintenance and operational costs of the stormwater infrastructure.

Acknowledged by the Chief Financial Officer March 26, 2026.

Prime Sponsor(s): Mr. Hollins, Mr. Street
Requested by: Community Services
Date of introduction: April 14, 2026

ORDINANCE NO. 26-040

**AMEND THE GRANTS BUDGET:
APPROPRIATE FUNDS FROM THE FEDERAL HOME LOAN BANK OF PITTSBURGH TO THE HOPE CENTER SHELTER RENOVATIONS - FHLB GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING**

WHEREAS, New Castle County has received documentation certifying that the Federal Home Loan Bank of Pittsburgh has awarded $1,437,437 to New Castle County for the HOPE Center Shelter Renovations – FHLB Grant; and

WHEREAS, the grant funding will be used to renovate approximately 41 of the Hope Center's third-floor units; and

WHEREAS, the County Executive has determined that grants anticipated to be received from the Federal Home Loan Bank of Pittsburgh will be sufficient to cover the increase in the Grants Budget as hereinafter amended; and

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

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

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

Section 2. This Ordinance shall become effective immediately upon its adoption by the 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 December 11, 2025.

Adopted by County Council of
New Castle County on:

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

Approved on:

_____

Marcus Henry
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate $1,437,437 from the Federal Home Loan Bank of Pittsburgh to the HOPE Center Shelter Renovations – FHLB grant. These funds will be used to renovate approximately 41 of the Hope Center's third-floor units.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to December 11, 2025.

FISCAL NOTE: This Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget by $1,437,437. The increase will affect FY2026 and FY2027 since the targeted program completion date for this grant is December 11, 2026. There is no local match requirement for this grant award. There is no anticipated fiscal impact on the Operating and/or Capital Budget.

Acknowledged by the Chief Financial Officer on March 30, 2026.

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

GRANT TITLE: HOPE Center Shelter Renovations - FHLB **Ordinance No.** 26-040

PROGRAM TITLE: HOPE Center Shelter Renovations - FHLB

Revenue	Current	Change	Revised
Federal	$ -	$ -	$ -
State	$ -	$ -	$ -
County	$ -	$ -	$ -
Program Income	$ -	$ -	$ -
Other	$ 1,437,437.00	$ -	$ 1,437,437.00
Total	$ 1,437,437.00	$ -	$ 1,437,437.00

Expense	Current	Change	Revised
Salaries and Wages	$ -	$ -	$ -
Benefits	$ -	$ -	$ -
Training/Civic Affairs	$ -	$ -	$ -
Communication/Utilities	$ -	$ -	$ -
Materials/Supplies	$ -	$ -	$ -
Contractual Services	$ 74,350.00	$ -	$ 74,350.00
Equipment	$ -	$ -	$ -
Grants/Fixed Charges	$ -	$ -	$ -
Land and Structures	$ 1,363,087.00	$ -	$ 1,363,087.00
Contingency	$ -	$ -	$ -
Operating Transfer Charges	$ -	$ -	$ -
Operating Transfer Credits	$ -	$ -	$ -
Total	$ 1,437,437.00	$ -	$ 1,437,437.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation: 12/11/2025

Estimated Program Completion: 12/11/2026

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

Ordinance Passed: **Date Revised:**

PROGRAM DESCRIPTION:

Funding from the Federal Home Loan Bank of Pittsburgh (FHLB) will provide for renovations to the Hope Center.

4/14/2026

Prime Sponsor(s): Mr. Hollins, Mr. Street
Requested by: Community Services
Date of introduction: April 14, 2026

ORDINANCE NO. 26-041

**AMEND THE GRANTS BUDGET:
APPROPRIATE ANTICIPATED ADDITIONAL FEDERAL FUNDS 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**

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

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

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

WHEREAS, anticipated additional federal funds of $615,000.00 from the U.S. Department of Housing and Urban Development (HUD) was previously approved by County Council and appropriated to the Emergency Housing Choice Vouchers Grant via Ordinance 24-176; and

WHEREAS, authorization is being sought to appropriate anticipated additional federal funds of $24,705.04 from the U.S. Department of Housing and Urban Development (HUD) to the Emergency Housing Choice Vouchers Grant; and

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

_____
Marcus Henry
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate anticipated additional federal funds of $24,705.04 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 $24,705.04 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 $24,705.04. This increase will affect FY2026 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.

Acknowledged by the Chief Financial Officer on March 30, 2026.

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

GRANT TITLE: Emergency Housing Choice Vouchers **Ordinance No.** 26-041

PROGRAM TITLE: Emergency Housing Choice Vouchers

Revenue	Current	Change	Revised
Federal	~~$ 1,439,376.00~~	$ 23,477.00	$ 1,462,853.00
State	$ -	$ -	$ -
County	$ -	$ -	$ -
Program Income	$ -	$ -	$ -
Other	~~$ 9,153.66~~	$ 1,228.04	$ 10,381.70
Total	~~$ 1,448,529.66~~	$ 24,705.04	$ 1,473,234.70

Expense	Current	Change	Revised
Salaries and Wages	$ -	$ -	$ -
Benefits	$ -	$ -	$ -
Training/Civic Affairs	$ -	$ -	$ -
Communication/Utilities	$ -	$ -	$ -
Materials/Supplies	$ -	$ -	$ -
Contractual Services	$ 77,300.65	$ -	$ 77,300.65
Equipment	$ -	$ -	$ -
Grants/Fixed Charges	~~$ 1,371,229.01~~	$ 24,705.04	$ 1,395,934.05
Land and Structures	$ -	$ -	$ -
Contingency	$ -	$ -	$ -
Operating Transfer Charges	$ -	$ -	$ -
Operating Transfer Credits	$ -	$ -	$ -
Total	~~$ 1,448,529.66~~	$ 24,705.04	$ 1,473,234.70

SUPPLEMENTAL INFORMATION

Estimated Program Initiation: 6/1/2021

Estimated Program Completion: 9/30/2030

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

Ordinance Passed: **Date Revised:**

21-092	7/27/2021
24-068	5/14/2024
24-159	10/22/2024
24-176	11/26/2024

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.

Prime Sponsor(s): Mr. Hollins, Mr. Street
Requested by: Community Services
Date of introduction: April 14, 2026

ORDINANCE NO. 26-042

REALLOCATE FUNDS IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND BETWEEN PROJECTS TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES

WHEREAS, Ordinance 21-110 established the Affordable Housing Fund to preserve and develop affordable housing within New Castle County (NCC Code 14.01.020); and

WHEREAS, Ordinance 21-111 allocated $15,000,000 from the General Fund Tax Stabilization Fund to the Affordable Housing Fund; and

WHEREAS, New Castle County Department of Community Services held public stakeholder meetings to receive feedback and input on the Affordable Housing Fund created to preserve and create affordable housing in New Castle County; and

WHEREAS, from that feedback, New Castle County Department of Community Services released a public Request for Proposal for eligible applicants to apply for funding through the Affordable Housing Fund; and

WHEREAS, Council previously appropriated $3,000,000 to Setting Properties via Ordinance 22-147. The project did not move forward as was projected in the original application, so in September 2025, the County rescinded the funds; and

WHEREAS, this Ordinance requests Council's approval to reallocate $1,913,600 of those rescinded funds for the purchase of nine tax parcels known as 3014 New Castle Avenue, located next to the New Castle County Route 9 library, to be developed with the Route 9 Library land for mixed commercial and housing; and

WHEREAS, the Housing Trust Fund is a separate fund from the Affordable Housing Fund, and the Housing Trust Fund can only be expended for projects within unincorporated areas of New Castle County, and there are no Housing Trust Funds included in the funding of this Ordinance; and

WHEREAS, the revenue measures heretofore adopted by the County Council are necessary to preserve and develop affordable housing within New Castle County; and

WHEREAS, each contract or purchase order funded through this Affordable Housing Fund appropriation will be submitted on a Resolution for Council's consideration as required by *New Castle County Code* § 2.02.004.

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

Section 1. To preserve and develop an affordable housing project, $1,913,600 in the New Castle County Affordable Housing Fund is hereby reallocated to be administered by the Department of Community Services.

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

Adopted by County Council of
New Castle County on:

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

Approved on:

_____
Marcus Henry
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, reallocates $1,913,600 in the New Castle County Affordable Housing Fund. The available funding in the Affordable Housing Fund was transferred from the General Fund via Ordinance 21-111. There are no Housing Trust Funds included in the funding of this Ordinance. The funds will be administered by the Department of Community Services for the purchase of nine tax parcels known as 3014 New Castle Avenue. The land will be developed with the Route 9 Library land for mixed commercial and housing.

FISCAL NOTE: This Ordinance, if approved, will reallocate $1,913,600 in the New Castle County Affordable Housing Fund. There is no discernible impact to the Operating Budget since this is an appropriation in the Affordable Housing Fund. The intent is to appropriate funds in the Land Budget Line Item. The Affordable Housing Fund balance available for appropriation is $0 as of March 12, 2026.

Acknowledged by the Chief Financial Officer March 30, 2026.

Prime Sponsor(s): Mr. Smiley, Mr. Cartier
Requested by: Administration/Technology
Date of introduction: April 14, 2026

ORDINANCE NO. 26-043

AMEND THE FY2026 APPROVED OPERATING BUDGET: APPROPRIATE FUNDING FROM THE NEW CASTLE COUNTY TECHNOLOGY FEE ACCOUNT WITHIN THE OFFICE OF THE RECORDER OF DEEDS AND RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT TO THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE FOR THE PURCHASE OF BLUE VOICE SOFTWARE

WHEREAS, this Ordinance will amend the FY2026 Approved Operating Budget by appropriating $75,000.00 from the New Castle County Technology Fee Account within the Office of the Recorder of Deeds and $75,000.00 from the Recorder of Deeds Technology Fee Account to the Department of Public Safety, Division of Police; and

WHEREAS, additional funding is needed for the purchase of the Blue Voice software platform for the Department of Public Safety which will be used to provide the Police Division with fast, accurate, and secure access to department policies, laws, procedures, and community resources; and

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

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

Section 1. The Annual Operating Budget for the fiscal year beginning July 1, 2025, is hereby amended by deleting the material stricken and adding the material underscored on the attached “Exhibit A.”

Section 2. The foregoing amendment shall be considered a part of the Annual Operating Budget for the fiscal year beginning July 1, 2025, and shall be effective retroactively as though incorporated initially in the Annual Operating Budget.

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

Adopted by County Council of
New Castle County on:

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

Approved on:

_____

Marcus Henry
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, amends the FY2026 Approved Operating Budget by appropriating $75,000.00 from the New Castle County Technology Fee Account within the Office of the Recorder of Deeds and $75,000.00 from the Recorder of Deeds Technology Fee Account to the Department of Public Safety, Division of Police. These funds are needed for the purchase of Blue Voice Software to provide the Police Division with fast, accurate, and secure access to department policies, laws, procedures, and community resources.

FISCAL NOTE: This Ordinance, if approved, will amend the FY2026 Approved Operating Budget by appropriating $75,000.00 from the New Castle County Technology Fee Account within the Office of the Recorder of Deeds and $75,000.00 from the Recorder of Deeds Technology Fee Account to the Department of Public Safety, Division of Police in the Contractual Service Budget Line Item.

The revised FY2026 Approved Operating Budget will be $376,758,586. This is a two-year contract totaling $150,000. There will be no fiscal impact to FY2027 and FY2028 as the contract runs through June 30, 2028.

The balance in the New Castle County Technology Fee Account after this appropriation will be $180,415.95. The balance in the Recorder of Deeds Technology Fee Account after this appropriation will be $206,495.42.

Acknowledged by the Chief Financial Officer March 30, 2026.

EXHIBIT A1

COUNTY COUNCIL			
Salaries and Wages		$	2,708,793
Benefits			1,525,869
Training and Civic Affairs			74,245
Communication and Utilities			15,674
Materials and Supplies			60,342
Contractual Services			255,729
Equipment			2,363
Grants and Fixed Charges			302,512
Operating Transfer Charges			195,519
Total		***$***	***5,141,046***
Total Authorized Full-Time Positions	***35***		
COUNTY EXECUTIVE			
Salaries and Wages		$	2,305,318
Benefits			1,293,169
Training and Civic Affairs			42,232
Communication and Utilities			19,550
Materials and Supplies			22,136
Contractual Services			254,637
Equipment			1,000
Grants and Fixed Charges			423,175
Contingency			55,000
Operating Transfer Charges			112,454
Total		***$***	***4,528,671***
Total Authorized Full-Time Positions	***17***		
DEPARTMENT OF ADMINISTRATION			
Salaries and Wages		$	14,062,962
Benefits			7,834,901
Training and Civic Affairs			216,948
Communication and Utilities			8,380,342
Materials and Supplies			165,308
Contractual Services			8,800,736
Equipment			464,895
Grants and Fixed Charges			3,972,041
Operating Transfer Charges			1,197,697
Operating Transfer Credits			(14,044,103)
Total		***$***	***31,051,727***
Total Authorized Full-Time Positions	***168***		

EXHIBIT A2

DEPARTMENT OF PUBLIC WORKS		
Salaries and Wages	$	28,756,814
Benefits		16,093,269
Training and Civic Affairs		45,445
Communication and Utilities		27,456,675
Materials and Supplies		4,941,521
Contractual Services		11,150,222
Equipment		510,258
Grants and Fixed Charges		1,529,759
Land and Structures		50,000
Operating Transfer Charges		4,842,323
Operating Transfer Credits		(7,876,371)
Total	***$***	***87,499,915***
Total Authorized Full-Time Positions 389		

DEPARTMENT OF LAND USE		
Salaries and Wages	$	8,986,033
Benefits		5,031,240
Training and Civic Affairs		66,975
Communication and Utilities		113,015
Materials and Supplies		109,127
Contractual Services		1,490,709
Equipment		89,740
Grants and Fixed Charges		56,500
Operating Transfer Charges		1,071,279
Total	***$***	***17,014,618***
Total Authorized Full-Time Positions 113		

DEPARTMENT OF COMMUNITY SERVICES		
Salaries and Wages	$	13,653,916
Benefits		5,874,643
Training and Civic Affairs		33,470
Communication and Utilities		1,494,688
Materials and Supplies		1,512,054
Contractual Services		3,946,768
Equipment		161,898
Grants and Fixed Charges		3,235,149
Operating Transfer Charges		1,396,115
Operating Transfer Credits		(243,749)
Total	***$***	***31,064,952***
Total Authorized Full-Time Positions 162		

EXHIBIT A3

DEPARTMENT OF PUBLIC SAFETY				
Salaries and Wages			$	78,231,240
Benefits				43,444,049
Training and Civic Affairs				224,290
Communication and Utilities				974,289
Materials and Supplies				1,318,795
Contractual Services		~~2,498,038~~		2,648,038
Equipment				2,411,123
Grants and Fixed Charges				11,672,041
Operating Transfer Charges				8,501,518
Total		***~~149,275,383~~***	***$***	***149,425,383***
Total Authorized Full-Time Positions	***729***			
REGISTER OF WILLS				
Salaries and Wages			$	1,219,161
Benefits				669,258
Training and Civic Affairs				34,950
Communication and Utilities				10,257
Materials and Supplies				10,053
Contractual Services				62,715
Equipment				2,800
Operating Transfer Charges				97,749
Total			***$***	***2,106,943***
Total Authorized Full-Time Positions	***20***			
RECORDER OF DEEDS				
Salaries and Wages			$	1,377,085
Benefits				764,405
Training and Civic Affairs				40,170
Communication and Utilities				30,665
Materials and Supplies				12,398
Contractual Services				83,945
Equipment				6,150
Grants and Fixed Charges				18,350
Operating Transfer Charges				172,975
Total			$	***2,506,143***
Total Authorized Full-Time Positions	***23***			

EXHIBIT A4

SHERIFF			
Salaries and Wages		$	1,482,722
Benefits			835,738
Training and Civic Affairs			29,452
Communication and Utilities			12,261
Materials and Supplies			21,259
Contractual Services			55,999
Equipment			5,000
Operating Transfer Charges			150,197
Total		***$***	***2,592,628***
Total Authorized Full-Time Positions	***21***		
CLERK OF THE PEACE			
Salaries and Wages		$	538,617
Benefits			303,592
Training and Civic Affairs			9,600
Communication and Utilities			3,586
Materials and Supplies			7,939
Contractual Services			19,083
Equipment Replacement			0
Operating Transfer Charges			35,085
Total		***$***	***917,502***
Total Authorized Full-Time Positions	***7***		
DEBT SERVICE			
Debt Service		$	47,892,496
Total		***$***	***47,892,496***
Total Authorized Full-Time Positions			
ETHICS COMMISSION			
Salaries and Wages		$	44,477
Benefits			4,092
Training and Civic Affairs			10,500
Communication and Utilities			1,745
Materials and Supplies			2,450
Contractual Services			235,747
Equipment			500
Operating Transfer Charges			6,796
Total		***$***	***306,307***
Total Authorized Full-Time Positions	***0***		

EXHIBIT A5

COUNCIL CONTINGENCY		
Contingency	$	225,000
Total	***$***	***225,000***
Total Authorized Full-Time Positions		
EXECUTIVE CONTINGENCY		
Contingency	$	212,825
Total	***$***	***212,825***
Total Authorized Full-Time Positions		
PERSONNEL CONTINGENCY		
Contingency	$	455,000
Total	***$***	***455,000***
Total Authorized Full-Time Positions		
BENEFITS CONTINGENCY		
Contingency	$	1,763,275
Total	***$***	***1,763,275***
Total Authorized Full-Time Positions		
DE PFML INS PROG CONTINGENCY		
Contingency	$	486,725
Total	***$***	***486,725***
Total Authorized Full-Time Positions		
ATTRITION CONTINGENCY		
Personal Services - Salaries and Wages	$	(6,107,378)
Personal Services - Employee Benefits	$	(3,442,422)
Total	***$***	***(9,549,800)***
Total Authorized Full-Time Positions		
ONE-TIME CONTINGENCY		
Contingency	$	1,117,230
Total	***$***	***1,117,230***

EXHIBIT A6

NEW CASTLE COUNTY				
Salaries and Wages			$	147,259,760
Benefits				80,231,803
Training and Civic Affairs				828,277
Communication and Utilities				38,512,747
Materials and Supplies				8,183,382
Contractual Services		~~28,854,328~~		29,004,328
Equipment				3,655,727
Grants and Fixed Charges				21,209,527
Debt Service				47,892,496
Land and Structures				50,000
Contingency				4,315,055
Operating Transfer Charges				17,779,707
Operating Transfer Credits				(22,164,223)
Sub-Total New Castle County		***~~376,608,586~~***	***$***	**376,758,586**
Total Authorized Full-Time Positions	***1,684***			

RESERVE ACCOUNTS ANTICIPATED BALANCES AS OF MARCH 10, 2026

Tax Stabilization Reserve Account	52,704,771
Sewer Rate Stabilization Reserve Account	15,087,725
General Fund Budget Reserve Account	46,910,980
Sewer Fund Budget Reserve Account	19,038,698
Total Reserves:	**133,742,174**

Prime Sponsor(s): Mr. Sheldon, Mr. Carter
Requested by: Public Works
Date of introduction: April 14, 2026

ORDINANCE NO. 26-044

AMEND THE FY2026 CAPITAL PROGRAM AND BUDGET: APPROPRIATE ADDITIONAL FUNDING RECEIVED FROM THE STATE OF DELAWARE, DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL (DNREC) THROUGH DELAWARE'S NONPOINT SOURCE PROGRAM TO THE DEPARTMENT OF PUBLIC WORKS, GENERAL PARKLAND IMPROVEMENTS 2021 CAPITAL PROJECT

WHEREAS, original allocated funding in the amount of $42,364 from the State of Delaware, Department of Natural Resources and Environmental Control (DNREC) through Delaware's Nonpoint Source Program was previously approved by County Council and appropriated to the Department of Public Works, General Parkland Improvements Capital Project via Ordinance 23-078; and

WHEREAS, authorization is being sought to appropriate additional state funds of $30,800 from DNREC through Delaware's Nonpoint Source Program to the Department of Public Works, General Parkland Improvements 2021 Capital Project; and

WHEREAS, the funding will be used to assist in the riparian forest buffer restoration project at Wiggins Mill Park; and

WHEREAS, this project will provide additional water quality and habitat in the Appoquinimink watershed.

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

Section 1. The Capital Budget Ordinance for the fiscal year beginning July 1, 2025 is hereby amended by deleting the material that is stricken and adding the material that is underscored on the attached Exhibit "A."

Section 2. The Capital Program Resolution for the fiscal year beginning July 1, 2025 is hereby amended by deleting the material that is stricken and adding the material that is underscored on the attached Exhibit "B."

Section 3. State funding in the amount of $30,800 is appropriated to the Department of Public Works, General Parkland Improvements 2021 Capital Project to assist in the riparian forest buffer restoration project at Wiggins Mill Park.

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

Adopted by County Council of
New Castle County on:

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

Approved on:

_____
Marcus Henry
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate $30,800 in additional funding received from the State of Delaware, Department of Natural Resources and Environmental Control (DNREC) through Delaware's Nonpoint Source Program to the General Parkland Improvements 2021 Capital Project to assist in the riparian forest buffer restoration project at Wiggins Mill Park.

FISCAL NOTE: This Ordinance, if approved, will amend the FY2026 Capital Budget by appropriating $30,800 in funding received from the State of Delaware, Department of Natural Resources and Environmental Control (DNREC) through Delaware's Nonpoint Source Program to the General Parkland Improvements 2021 Capital Project to assist in the riparian forest buffer restoration project at Wiggins Mill Park. Matching funds of $20,553 are included in the existing budget. DNREC has approved their application to the FY2026 General Parkland Improvements 2021 Capital Project. As such, there is no fiscal impact to the FY2026 Operating Budget.

The revised FY2026 Capital Budget amount for the General Parkland Improvements 2021 Capital Project will be ($969,200).

The revised FY2026 New Castle County Capital Budget grand total will be $105,265,145.

Acknowledged by the Chief Financial Officer March 30, 2026.

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2026

DEPARTMENT OF ADMINISTRATION		
Human Capital Management Platform	$	600,000
Land Use Information System		1,200,000
Reassessment 2024		2,000,000
Sewer and Tax Billing Replacement		2,300,000
Network Infrastructure Rearchitect and Upgrade		1,150,000
Subtotal	$	7,250,000
DEPARTMENT OF COMMUNITY SERVICES		
Appoquinimink Library Maker Space HVAC	$	200,000
Carousel Park Indoor Arena Footing		100,000
Glasgow Library		150,000
Newark Library		400,000
Surratte Pool Renovations 2026		100,000
Subtotal	$	950,000
DEPARTMENT OF COUNTY EXECUTIVE		
Executive GF Capital Contingency	$	675,000
Subtotal	$	675,000
DEPARTMENT OF PUBLIC SAFETY		
800MgHZ Communications Equipment 2026-2027	$	400,000
Communications Upgrade 2026-2027		250,000
Public Safety Building Renovations		300,000
Public Safety Equipment 2026		136,000
Public Safety Vest Protection Program 2026		302,448
Subtotal	$	1,388,448
DEPARTMENT OF PUBLIC WORKS		
Facilities/Equipment		
Building Rehabilitation 2026-2027	$	3,500,000
Fleet Equipment 2021		(49,929)
Fleet Equipment 2022		(103,797)
Fleet Equipment 2023		(48,900)
Fleet Equipment 2024		(1,700,000)
Fleet Equipment 2026		7,608,658
Garage Renovations		2,500,000
General Roof Renovations		(75,000)
HVAC Replacement		2,800,000
Security 2021		500,000
Vehicle Lift System		56,000
Subtotal	$	14,987,032

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2026

DEPARTMENT OF PUBLIC WORKS *(Continued)*

Parks

Agricultural Preservation		$ 1,000,000
Bechtel Park Improvements		750,000
Carousel Park		150,000
Game Court Improvements 2021		150,000
General Parkland Improvements PRE2021		(650,000)
General Parkland Improvements 2021	~~(1,000,000.00)~~	(969,200)
General Parkland Improvements 2024		800,000
Glasgow Regional Park		1,500,000
Middle Run Valley Reforestation		150,000
Open Space Preservation		1,500,000
Play Area Improvements 2026-2027		1,000,000
Rockwood Park		500,000
Southern Regional Park		1,000,000
Subtotal	~~6,850,000.00~~	$ 6,880,800

Sewer/Stormwater

Airport Road System Rehabilitation		$ 3,000,000
Asset Management		400,000
Christina River Force Main		22,000,000
Countywide Drainage Problems		850,000
DelDOT Coordination Project 2021		2,500,000
General Sewer Improvements		1,250,000
General Stormwater Improvements 2021		471,659
Manhole Rehabilitation		750,000
Market Street Rehab Bridge #9		(1,500,000)
Pump Station Rehab 2026-2027		1,500,000
Richardson Park Pump Station Upgrade		17,679,097
Sewer Fleet Equipment 2023		(22,233)
Sewer Fleet Equipment 2024		(600,000)
Sewer Fleet Equipment 2026		2,755,342
Sewer Repairs and Rehabilitation 2026-2027		4,200,000
Southern Sewer Service Area		6,500,000
Stoney Creek Basin Rehabilitation		600,000
Stormwater Basin Renovation II		2,500,000
Water Quality Improvement Plans		5,000,000
White Clay System Rehabilitation		3,300,000
Subtotal		$ 73,133,865

CAPITAL BUDGET TOTAL	**~~105,234,345~~**	**$ 105,265,145**

EXHIBIT B

PROJECT PROFILES
PUBLIC WORKS - PARKS (continued)

Project Name (Number): General Parkland Improvements 2021 (C302101)

Description: Improvements in parks, including Hann, Banning, Delcastle Quad and Northcrest parks.

Council Districts: All

Funding Schedule

	Bonds	Federal	State	Other	Total
Prior Authorizations	$ 1,670,000		$ 297,056	$ 1,753,000	$ 3,720,056
FY2026	(1,000,000)		-		~~(1,000,000)~~
			30,800		(969,200)
FY2027					
FY2028					
FY2029					
FY2030					
FY2031					
Future Years					
Total	**$ 670,000**	**$ -**	**~~$ 297,056~~**	**$ 1,753,000**	**~~$ 2,720,056~~**
			$ 327,856		**$ 2,750,856**
Available Authorizations:		**$ 1,277,770**			
Available Funding:		**$ 90,675**			
Operating Budget Impact:		**$ 2,200**			

**Available Authorizations / Funding as of February 28, 2025, net of obligations.*

FY2026 Activity:

Payout balance due on project, nearing completion. Increase appropriations from DNREC by $30,800 for Wiggins Mill riparian forest buffer restoration.

Future Activity:

Sunset project as of July 1, 2026.

Prime sponsor(s): Mr. Carter
Co-Sponsors: Mr. Cartier, Ms. Durham
Mr. Tackett, Mr. Caneco
Date of introduction: April 14, 2026

ORDINANCE NO. 26-045

TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 40 ("UNIFIED DEVELOPMENT CODE"), ARTICLE 5 ("SITE CAPACITY AND CONCURRENCY CALCULATIONS") AND APPENDIX 1 ("APPLICATION AND PLAN REQUIREMENTS") TO REQUIRE CERTIFICATION OF ELECTRICAL CAPACITY

WHEREAS, the Unified Development Code requires infrastructure concurrency to ensure that development does not exceed the capacity of public infrastructure necessary to support such development; and

WHEREAS, Article 5 of the Unified Development Code requires that developments demonstrate adequate capacity for infrastructure, including transportation, water, sewer, and schools as part of the site carrying capacity analysis designed to protect the public health, safety, welfare, and quality of life of the citizens of New Castle County; and

WHEREAS, New Castle County has received submissions for land development applications to permit uses that have a high electrical demand including large data centers and other advanced computing facilities, that can significantly impact existing electrical infrastructure, transmission capacity, and regional grid reliability; and

WHEREAS, requiring certification of electrical capacity for developments with exceptionally large power demands is a land use and infrastructure planning measure consistent with the existing concurrency requirements for transportation, water, sewer, and schools; and

WHEREAS, the State of Delaware, pursuant to Title 26 of the Delaware Code, regulates public utilities and oversees electricity generation, transmission, and distribution in coordination with regulated electric utilities, the Delaware Public Service Commission, and regional transmission organizations including PJM Interconnection; and

WHEREAS, Goal 17 of the New Castle County Comprehensive Plan encourages intergovernmental coordination through "development, infrastructure, and change is well-planned and coordinated, achieving sustainable and effective public investment in our communities", and that requiring verification prior to development approval will help ensure that land use and electrical infrastructure planning occurs in coordination to ensure reliable electrical infrastructure and supply is present to accommodate existing and proposed uses; and

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

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

Section 1. *New Castle County Code* Chapter 40 ("Unified Development Code" or "UDC"), Article 5 ("Site Capacity and Concurrency Calculations"), Division 40.05.000 ("Purpose") is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below.

Division 40.05.000. Purpose.

This Article establishes the actual development capacity of individual sites based on current adequacy ("concurrency") of roads, water, sewers, electricity, and schools. Concurrency for these facilities shall be obtained through compliance with this Article, Article 11, Article 12, and Article 14. Concurrency shall be obtained solely through the payment of an impact fee, in accordance with Article 14, for library, emergency medical, fire, parks and police services. Concurrency for drainage shall be achieved by compliance with Article 22.

…

For purposes of this Article, the site's carrying capacity shall be based upon the following:

A. *Transportation capacity.* …

F. *Electrical Capacity.* The electric supplier provides electricity for residential and nonresidential uses in the County certified and further regulated by the Delaware Public Service Commission. For developments of 25 megawatts or greater of peak demand, the supplier must certify that there will be adequate capacity to serve the proposed development and areas being influenced by the development with reliable electrical service. …

Section 2. *New Castle County Code* Chapter 40 ("Unified Development Code" or "UDC"), Article 5 ("Site Capacity and Concurrency Calculations"), Division 40.05.300 ("Water and Sewer Capacity") is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below.

Division 40.05.300. Water, ~~and~~ sewer, and electrical capacity.

All developments shall have adequate electrical capacity and water supply, public or private, or no building or zoning permits will be issued. Sewer service, either public or private, ~~(~~as may be permitted by this Chapter~~)~~, is also required unless septic systems are permitted pursuant to Article 22. The adequacy of water capacity shall be determined by Section 40.05.310 and the adequacy of sewer capacity shall be determined by Section 40.05.320. Developments that propose private on-site (septic) systems for each use or

dwelling unit are exempt from sewer calculations if they can satisfy the septic system standards contained in Article 22. Development that is approved to use well water shall also be exempt from this Division. For all developments projected to require 25 megawatts or more of daily peak electrical demand, a certificate of adequate capacity is required as provided in Section 40.05.330.

Sec. 40.05.330. Electrical Capacity Certification.

Prior to receiving final Record Plan approval from the Department for a land development plan with an estimated daily peak demand of 25 megawatts or more, the developer shall obtain from the electrical supplier a completed Form 40.05.330 Electrical Capacity Certification.

Form 40.05.330 Electrical Capacity Certification				
A. Electrical Demand				
	Residential	Commercial	Office	Industrial
1. Development Daily Peak Estimated Demand				
B. Electrical Supply				
1. Predevelopment Daily Average Peak Load				
2. Existing Peak Electrical Capacity				
3. Will additional infrastructure be needed to accommodate the Development	☐Yes		☐No	
4. Peak Electrical Capacity after additional infrastructure is available				
5. Date that the infrastructure will be Complete				
C. Certification				
1. Site Requirement	That the electrical supply system and proposed development improvements proposed by the subject development has met the service standards in A and B above.			
2. Line Requirement	That the electrical distribution lines directly serving the proposed development can continue to provide service meeting the standards in A and B above within the proposed development and all other existing and proposed areas to be served by those distribution lines. (“Proposed areas” shall mean those areas for which an exploratory plan has been approved.)			

3. Certification (Please Print)	I, (name) _____, (title) _____
	Employee of Electrical Supplier Authorized to sign.
	I have analyzed the area and find that the standards in A and B will be met after this development and any others approved in the area of influence are fully developed and occupied.
	_____ signature
This certification does not regulate the generation or transmission of electricity that is subject to the jurisdiction of the State of Delaware and federal authorities. This certification ensures that the County's land use approvals consider the availability of adequate electrical infrastructure, allowing development approvals only when such electrical capacity has been verified by the appropriate entities.	

Section 3. *New Castle County Code* Chapter 40 ("Unified Development Code" or "UDC"), Article 5 ("Site Capacity and Concurrency Calculations"), Division 40.05.500 is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below.

Division 40.05.500. Site carrying capacity.

The site carrying capacity is the lowest site yield as determined by site resources, school district capacity, transportation capacity, sewer capacity, ~~and~~ water system capacity, and electrical capacity.

Sec. 40.05.510. - Site carrying capacity calculation.

The site carrying capacity shall be determined as provided in Table 40.05.510 below.

Table 40.05.510

SITE CARRYING CAPACITY

Line	Action	Residential Yield (dwelling units)	Nonresidential Yield (floor area in sq. ft.)
Line 1	Enter Results from Traffic Impact Study		
Line 2	Enter Development Capacity of the Site as Determined Under Section 40.05.210 - School Capacity Certification		
Line 3	Enter Development Capacity of the Site as Determined Using Form 40.05.310 - Water Capacity Certification		
Line 4	~~Reserved~~ Enter Development Capacity of the Site as Determined Using Form 40.05.330 – Electrical Capacity Certification This form is only required for developments with peak demand of 25 megawatts or greater, if fewer, enter N/A and move to Line 5		

Line 5	Concurrency Capacity - Select the Lowest Intensity from Lines 1, 2, ~~and~~ 3, and 4		
Line 6	Maximum Resource Capacity Enter Results from Tables 40.05.421 and 40.05.422		
Site Carrying Capacity Enter lowest of Lines 5 and 6			

Section 4. *New Castle County Code* Chapter 40 ("Unified Development Code" or "UDC"), Appendix 1 ("Application Requirements") is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below.

APPENDIX 1. - APPLICATION AND PLAN REQUIREMENTS

1. Land development application submission requirements.

A. *Pre-application sketch plan (planning and engineering).*

…

D. *Record plans (planning).*

1. A completed application form. …

2. The applicable filing fee and the applicable Recorder of Deeds' fee in accordance with Appendix 2.

3. One (1) film reproducible and four (4) folded paper prints. At the applicant's option, submission of the film reproducible may be delayed until final record plan review comments have been received.

4. Letter of approval from DelDOT regarding transportation matters.

5. All current school taxes, County taxes and sewer service fees must be paid or not delinquent at the time of application.

6. ~~Reserved.~~

~~7.~~ Letter of approval from the State Fire Marshal.

~~8~~7. Water capacity certification — Form 40.05.310.

8. Electrical capacity certification, when daily peak demand is estimated to be 25 megawatts or more — Form 40.05.330.

9. Where applicable, any required maintenance agreement …

Section 5. 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 6. 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 7. 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 of being executed in accordance with the County Council's intent. If any provision of this Ordinance or any zoning map or portion thereof is found to be unconstitutional or void, all applicable former ordinances, resolutions, zoning maps or portions thereof shall become applicable and shall be considered as continuations thereof as not as new enactments regardless if severability is possible.

Section 8. Effective Date. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive or as otherwise provided in 9 *Del. C*. § 1156.

Adopted by County Council of
New Castle County on:

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

Approved on:

_____
Marcus A. Henry
County Executive of 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.

Division 40.05.000. This amendment incorporates electrical capacity into this Division.

Division 40.05.300. This amendment updates the Division to include electrical capacity.

Sec. 40.05.330. This amendment requires that land development plans with an estimated daily peak demand of at least 25 megawatts obtain certification from the electrical supplier that adequate capacity will exist to serve the proposed use. This amendment also includes a certification form.

Sec. 40.05.510. This amendment updates Table 40.05.510 Site Carrying Capacity to include Electrical Capacity.

Appendix 1. This amendment updates Appendix 1 to require the submission of an Electrical Capacity Certification as part of Record Plan Submission.

FISCAL NOTE:

Prime Sponsor(s): Council President Williams-Johns
Co-sponsor(s): Mr. Caneco, Mr. Carter
Mr. Cartier, Ms. Durham
Ms. George, Mr. Hollins
Ms. Kilpatrick, Mr. Street
Mr. Smiley, Mr. Sheldon
Mr. Tackett, Mr. Toole

RESOLUTION NO. 26-082

HONORING THE LIFE OF SENATOR NANCY W. COOK AND OFFERING CONDOLENCES TO HER FAMILY AND FRIENDS

WHEREAS, Senator Nancy W. Cook was the longest-serving woman in the Delaware General Assembly, dedicating decades of service to the people of the State of Delaware; and

WHEREAS, Senator Cook made history as the first woman to chair the Delaware Joint Finance Committee, serving in that role for 22 years, where she demonstrated exceptional leadership, fiscal expertise, and a steadfast commitment to bipartisan cooperation; and

WHEREAS, throughout her tenure, Senator Cook treated the responsibility of legislating, and particularly improving the state's finances, as a personal commitment to the citizens of Delaware; and

WHEREAS, she was a strong and consistent advocate for state employees and retirees, ensuring their voices were represented in the legislative process; and

WHEREAS, Senator Cook contributed her time and expertise to numerous committees, including Agriculture; Energy and Transit; Highways and Transportation; Revenue and Taxation; and Adult and Juvenile Corrections, and served as Chair of the Administrative Services Committee; and

WHEREAS, beyond her legislative accomplishments, Senator Cook has remained deeply engaged in her community, continually striving to enhance the quality of life for all Delawareans.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby recognizes and honors Senator Nancy W. Cook for her extraordinary service, leadership, and lasting contributions to the State of Delaware, extends sincere gratitude for her unwavering dedication to the public good, and offers its deepest sympathy to her family and friends.

Adopted by County Council of
New Castle County:

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

SYNOPSIS: Same as title

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

Prime Sponsor(s): Mr. Hollins,
Ms. Williams-Johns
Requested by: Executive Office
Date of introduction: April 14, 2026

RESOLUTION NO. 26-083

CONSENTING TO THE APPOINTMENT OF JON YEARLY TO THE POSITION OF CHIEF OF TECHNOLOGY & ADMINISTRATIVE SERVICES

WHEREAS, pursuant to 9 *Del. C.* § 1120(b), the County Executive, upon the advice and the consent of the County Council, shall appoint a Chief of Technology & Administrative Services, who shall serve at the pleasure of the County Executive; and

WHEREAS, the County Executive has nominated Jon Yearly to serve as the Chief of Technology & Administrative Services for New Castle County; and

WHEREAS, Mr. Yearly brings over 25 years of extensive experience in government and technology, including his tenure as Acting Chief of Technology & Administrative Services, where he has successfully overseen strategic planning, budgeting, and all aspects of information technology and administrative services operations; and

WHEREAS, Mr. Yearly has previously served New Castle County as Deputy Chief of Technology, IS Manager, and Senior Network Engineer, where he has been instrumental in modernizing and securing New Castle County's information systems; and

WHEREAS, New Castle County Council has given due consideration to the qualifications and professional accomplishments of Mr. Yearly and finds him well suited to serve as the Chief of Technology & Administrative Services.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby consents to the appointment of Jon Yearly as the Chief of Technology & Administrative Services for New Castle County.

Adopted by County Council of
New Castle County on:

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

SYNOPSIS: Same as title

FISCAL NOTE: There will be no discernible fiscal impact upon the adoption of this Resolution.

Prime Sponsor(s): Ms. Kilpatrick
Date of Introduction: April 14, 2026

FLOOR AMENDMENT NO. 1 TO RESOLUTION NO. 26-084

Resolution No. 26-084 is amended at lines 14 – 24, by adding the material that is underlined and bold yellow and by deleting the material with strikethroughs and bold red, as follows.

14.1.1. Assuming sufficient funds exist, the Clerk of Council is authorized to ~~Financial Advisor shall approve all~~ undertake expenditures up to $1,000 for day-to-day operations (~~i.e.~~ e.g. reimbursements from petty cash, the purchase of office supplies, etc.) and shall send notification within 30 days to all of Council of expenditures of $250 or more. **~~and~~ The Council President shall approve all expenditures up to $1,000~~.00~~ for non- day-to-day expenditures (i.e. travel, service, minor maintenance, etc.).** Council expenditures of $1,000~~.00~~ and over shall be approved by the Finance Committee. Expenditures for goods not provided for in the operating budget shall be approved by a majority of members of Council (~~i.e.~~ e.g. specialty goodwill and award items).

Definitions:
***Day-to-day operations expenditures* means routine activities, tasks and processes performed to ensure smooth functioning of body.**

***Non day-to-day expenditures* means infrequent occurrences not directly related to core business.**

SYNOPSIS: This floor amendment to Resolution 26-084 restores approval of *non day-to-day expenditures* to the Council President up to $1,000. It also defines *day-to-day and non day-to-day expenditures*.

Prime Sponsor(s): Ms. Durham, Mr. Smiley
Date of introduction: April 14, 2026

RESOLUTION NO. 26-084

TO AMEND NEW CASTLE COUNTY COUNCIL PROCEDURAL RULE NO. 14.1 ("EXPENDITURES; NECESSARY APPROVALS") RELATING TO EXPENDITURE APPROVALS

WHEREAS, this proposed amendment to the Procedural Rules of County Council provides improved clarity as related to expenditures of New Castle County Council; and

WHEREAS, the proposed revisions provide updated guidelines regarding County Council expenditures.

NOW, THEREFORE, BE IT RESOLVED that New Castle County Council recognizes the importance of improved guidelines that are easy to comply with and, thus, amends Rule No. 14.1 of County Council's Procedural Rules by adding language as indicated by underlines below and deleting language as indicated by strike throughs.

14.1. Expenditures; Necessary Approvals.

14.1.1. Assuming sufficient funds exist, the Clerk of Council is authorized to ~~Financial Advisor shall approve all~~ undertake expenditures up to $1,000 for day-to-day operations (~~i.e.~~ e.g. reimbursements from petty cash, the purchase of office supplies, etc.) and shall send notification within 30 days to all of Council of expenditures of $250 or more. ~~and the Council President shall approve all expenditures up to $1,000.00 for non- day-to-day expenditures (i.e. travel, service, etc.).~~ Council expenditures of $1,000.00 and over shall be approved by the Finance Committee. Expenditures for goods not provided for in the operating budget shall be approved by a majority of members of Council (~~i.e.~~ e.g. specialty goodwill and award items).

Adopted by County Council
of New Castle County on:

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

SYNOPSIS: Same as title.

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

Prime Sponsor(s): Mr. Smiley, Mr. Cartier
Requested by: Administration/Finance
Date of introduction: April 14, 2026

RESOLUTION NO. 26-085

ADOPTING THE NEW CASTLE COUNTY CAPITAL PROGRAM FOR FISCAL YEAR 2027 THROUGH 2032

WHEREAS, the projects listed on Exhibit "A" are submitted for continuance in accordance with Key Financial Policy (KFP) #1 and accordingly are included in the Fiscal Year 2027 Capital Program; and

WHEREAS, the projects listed on Exhibit "B" will sunset in accordance with KFP #1 on June 30, 2026. All such projects will no longer be active projects and accordingly are deleted from the Fiscal Year 2027 Capital Program.

NOW, THEREFORE, BE IT RESOLVED, by and for the County Council of New Castle County that County Council hereby approves the Capital Program for New Castle County for the Fiscal Years 2027 through 2032, beginning July 1, 2026, per the attached capital program and budget book entitled "New Castle County Capital Program and Budget: Fiscal Year 2027-2032."

Adopted by County Council of
New Castle County on:

_____
Monique Williams-Johns

President of County Council
of New Castle County

SYNOPSIS: This Resolution adopts a six-year capital program for the fiscal period beginning July 1, 2026.

FISCAL NOTE: This Resolution would approve the Capital Program of New Castle County for the six fiscal years from July 1, 2026 through June 30, 2032 as required by the State Code. The "New Castle County Capital Program and Budget – Fiscal Year 2027-2032 – Approved" provides detail for these projects and projects previously authorized.

Additionally, this Resolution would sunset 10 projects which will no longer be active projects and accordingly are deleted from the Fiscal Year 2027 Capital Program.

The Capital Program for FY2027 through FY2032 as submitted indicates that planned capital uses/sources of funds for the years FY2027 through FY2032 would be:

USES:	FY2027	$ 75,702,105	**SOURCES:**	Bonds	$405,013,719
	FY2028	$105,279,577		Federal	$ -
	FY2029	$141,008,668		State	$ 2,000,000
	FY2030	$ 84,586,562		Other	$104,192,049
	FY2031	$ 53,402,526			
	FY2032	$ 51,227,330			
	TOTAL	**$511,205,768**		**TOTAL**	**$511,205,768**

Acknowledged by the Chief Financial Officer March 31, 2026.

EXHIBIT "A"
NEW CASTLE COUNTY
Projects for Continuance
Fiscal Year 2027

PROJECT	PROJECT NUMBER
COUNTY EXECUTIVE	
Executive GF Capital Contingency	C118933
Executive SF Capital Contingency	C112301
DEPARTMENT OF ADMINISTRATION	
Human Capital Management Platform	C122610
Land Use Information System	C122401
Reassessment 2024	C122101
Sewer and Tax Billing Replacement	C122611
Register of Wills System	C122203
DEPARTMENT OF COMMUNITY SERVICES	
Appoquinimink Library	C400329
Carousel Park Outdoor Arena Footing	C402720
Claymont Library	C400905
Glasgow Library	C402501
Hope Center	C402703
Newark Library	C402301
Public Arts	C402701
Rockwood Museum	C402502
Rockwood Wheelchair Lift	C402702
Surratte Pool Renovations II	C402004
Surratte Pool Renovations 2026	C402604
DEPARTMENT OF PUBLIC SAFETY	
800MgHZ Communications Equipment	C209229
800MgHZ Communications Equipment 2026-2027	C202629
Communications Upgrade	C201108
Communications Upgrade 2026-2027	C202608
EMS Realignment and Building	C202201
EMS Stations	C200710
Overlook Colony Security Cameras	C202202
Police Range / EVOC	C201306
Public Safety Building Renovations	C201505
Public Safety Equipment	C201607
Public Safety Equipment 2026	C202607
Public Safety Equipment 2027	C202707
Public Safety Southern Facility	C202620
Public Safety Trailer	C202701
Public Safety Vest Protection Program	C201509
Public Safety Vest Protection Program 2026	C202609
Public Safety Vest Protection Program 2027	C202709

EXHIBIT "A"
NEW CASTLE COUNTY
Projects for Continuance
Fiscal Year 2027

PROJECT	PROJECT NUMBER
DEPARTMENT OF PUBLIC WORKS	
Facilities/Equipment	
Army Creek Landfill Upgrade	C300126
Brandywine Library HVAC Upgrade	C302107
Building Rehabilitation	C300401
Building Rehabilitation 2021	C302103
Building Rehabilitation 2026-2027	C302601
City/County Building Rehabilitation	C301401
Electric Vehicle Infrastructure	C302421
Fleet Equipment 2024	C302403
Fleet Equipment 2025	C302503
Fleet Equipment 2026	C302603
Fleet Equipment 2027	C302703
Garage Renovations	C301601
General Paving	C309808
General Roof Renovations	C309909
Government Center Electrical Upgrade	C302105
Government Center Parking Lot	C300711
Hazardous Substances and Asbestos Abatement	C309035
HVAC Replacement	C302422
Inspection of Tanks Environmental Control	C308919
PAL Building Rehabilitation	C301713
Security 2021	C302104
Vehicle Lift System	C301204
Parks	
ADA Improvements in Parks	C302710
Agricultural Preservation	C300330
Banning Park Improvements	C302202
Bechtel Park Improvements	C302424
Brandywine Springs Park Rehabilitation	C300115
Carousel Park	C301408
Community Redevelopment and Reinvestment 2023	C302302
Delcastle Park Improvements	C302110
District Park #5	C300117
Game Court Improvements 2021	C302108
General Parkland Improvements 2021	C302101
General Parkland Improvements 2024-2025	C302404
Glasgow Regional Park	C309916
Greenbank Park Improvements	C302711
Greenway Systems	C300515
Historic Structure Rehabilitation	C301701
Jester Walking Path	C301608
Maintenance Base Renovations	C309809

EXHIBIT "A"
NEW CASTLE COUNTY
Projects for Continuance
Fiscal Year 2027

PROJECT	PROJECT NUMBER
DEPARTMENT OF PUBLIC WORKS *(Continued)*	
Parks *(Continued)*	
Middle Run Valley Reforestation	C301402
Open Space Preservation	C302201
Paper Mill Park Improvements	C302712
Park Bridge Replacements	C302425
Parkland Acquisition	C300331
Pavilion Renovations	C309815
Play Area Improvements 2021	C302109
Play Area Improvements 2024-2025	C302402
Play Area Improvements 2026-2027	C302602
Powell Ford Park Improvements	C302716
Rockwood Park	C301409
Route 9 TAP Bicycle/Pedestrian Improvements	C302002
Southern Regional Park	C300336
Sports Lighting	C300121
Weiss Park Improvements	C302426
Sewer/Stormwater	
Airport Road System Rehabilitation	C301702
Asset Management	C300220
Backwater Valve Improvement	C300101
Brandywine Interceptor Renovation	C301603
Christina River Force Main	C300705
Countywide Drainage Problems	C300413
Delaware City Industrial Sewer Expansion	C301716
Delaware City System Rehabilitation	C301705
DelDOT Coordination Project 2021	C302112
Edgemoor System Rehabilitation	C301708
General Sewer Improvements	C300622
General Stormwater Improvements 2021	C302115
Kirkwood Trunkline Interceptor	C301004
Lea Eara Farms Treatment Plant Closure	C301712
Major Pump Stations Electrical Upgrades	C302714
Manhole Rehabilitation	C302620
Market Street System Rehabilitation	C301703
North Delaware Interceptor System	C300612
Port Penn System Rehabilitation	C301709
Public Works Complex	C300107
Pump Station Rehabilitation 2022-2023	C302214
Pump Station Rehabilitation 2024-2025	C302414
Pump Station Rehabilitation 2026-2027	C302614
Richardson Park Pump Station Upgrade	C300618

EXHIBIT "A"
NEW CASTLE COUNTY
Projects for Continuance
Fiscal Year 2027

PROJECT	PROJECT NUMBER
DEPARTMENT OF PUBLIC WORKS *(Continued)*	
Sewer/Stormwater *(Continued)*	
Richardson Park System Rehabilitation	C301704
Septage Receiving Station Upgrade	C300708
Sewer Fleet Equipment 2024	C302413
Sewer Fleet Equipment 2025	C302513
Sewer Fleet Equipment 2026	C302613
Sewer Fleet Equipment 2027	C302713
Sewer Repairs and Rehabilitation 2022-2023	C302211
Sewer Repairs and Rehabilitation 2024-2025	C302411
Sewer Repairs and Rehabilitation 2026-2027	C302611
Sewer System Expansion	C302003
Southern Sewer Service Area	C309603
Stoney Creek Basin Rehabilitation	C301604
Stormwater Basin Renovation II	C301305
Terminal Avenue System Rehabilitation	C301707
Turkey Run Interceptor Rehabilitation	C300224
Water Farm 1 System Rehabilitation	C301714
Water Fill Stations	C302715
Water Quality Improvement Plans	C301903
White Clay System Rehabilitation	C301710
Wilmington System Rehabilitation	C301711

EXHIBIT "B"
NEW CASTLE COUNTY
Projects to Sunset Fiscal Year End 2026

DEPARTMENT OF ADMINISTRATION

C122501	Firewall Replacement	Complete
C121606	Information Systems Expansion II	Complete
C122612	Network Infrastructure Rearchitect and Upgrade	Complete

DEPARTMENT OF COMMUNITY SERVICES

C402404	Absalom Jones Senior Center Kiln	Complete
C402610	Appoquinimink Library Maker Space HVAC	Complete
C402620	Carousel Park Indoor Arena Footing	Complete

DEPARTMENT OF PUBLIC WORKS

Facilities/Equipment

C302303	Fleet Equipment 2023	Complete

Parks

C300509	General Parkland Improvements	Complete

Sewer/Stormwater

C301303	DelDOT Coordination Project II	Complete
C302301	Market Street System Rehabilitation Bridge #9	Complete

Prime Sponsor(s): Ms. Williams-Johns
Date of introduction: April 14, 2026

RESOLUTION NO. 26-086

HONORING AUTISM DELAWARE IN RECOGNITION OF AUTISM AWARENESS MONTH

WHEREAS, Autism Awareness Month is recognized each April to increase understanding, acceptance, and support for individuals on the autism spectrum, while promoting inclusion and celebrating the unique strengths and contributions of individuals with autism; and

WHEREAS, Autism Delaware was founded in 1998 when a small group of parents of children with autism gathered in the gymnasium at the Brennen School, seeking connection, shared experiences, resources, advocacy, and support during a time when autism services were limited; and

WHEREAS, over the past 28 years, Autism Delaware has grown from a small, volunteer-run advocacy group into a professional, statewide nonprofit organization and the leading autism-serving organization in the First State, providing comprehensive services and support to thousands of individuals and families; and

WHEREAS, as a lifespan organization, Autism Delaware provides vital resources and services to individuals and families from early childhood diagnosis through adulthood, ensuring continuity of care, support, and opportunity at every stage of life; and

WHEREAS, the organization's Family Services team responds to more than 8,400 requests for support annually, offering parent education, family navigation, advocacy assistance, and connections to essential community-based resources, therapies, and services; and

WHEREAS, Autism Delaware's adult employment program, POW&R (Providing Opportunities for Work and Recreation), is a nationally recognized initiative that currently supports 180 participants working or volunteering with nearly 100 employers across the State of Delaware, helping individuals with autism achieve independence, purpose, and meaningful community engagement; and

WHEREAS, the organization also creates inclusive social and recreational opportunities by offering sensory-friendly, community-based events that foster acceptance, belonging, and meaningful engagement for individuals on the autism spectrum and their families; and

WHEREAS, since Autism Delaware's founding, autism prevalence has increased significantly, from approximately 1 in 500 children to 1 in 31 births, resulting in a growing and urgent demand for critical services, trained professionals, advocacy, and accessible resources; and

WHEREAS, this rising need underscores the importance of continued local, state, and federal support to ensure individuals with autism and their families have equitable access to education, employment, healthcare, and community life; and

WHEREAS, Autism Delaware's unwavering dedication, leadership, and advocacy continue to strengthen communities across New Castle County and throughout the State of Delaware, while inspiring greater awareness, compassion, and inclusion.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby recognizes and honors Autism Delaware for its outstanding contributions to the community and its steadfast commitment to supporting individuals with autism and their families; and

BE IT FURTHER RESOLVED that County Council proudly joins in recognizing April as Autism Awareness Month and encourages all residents to promote understanding, acceptance, inclusion, and respect for individuals on the autism spectrum; and

BE IT FURTHER RESOLVED that County Council calls upon community members, businesses, educators, and leaders to support initiatives that empower individuals with autism to reach their fullest potential and to build a more inclusive and supportive community for all.

Adopted by County Council of
New Castle County on:

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

SYNOPSIS: Same as title.

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

Prime Sponsor(s): Ms. Williams-Johns
Date of introduction: April 14, 2026

RESOLUTION NO. 26-087

HONORING AND RECOGNIZING THE HOWARD HIGH SCHOOL OF TECHNOLOGY BOYS' BASKETBALL TEAM FOR THEIR 2026 DIAA STATE CHAMPIONSHIP AND OUTSTANDING ATHLETIC ACHIEVEMENTS

WHEREAS, Howard High School of Technology, located in Wilmington, Delaware, was founded in 1867 and named after General Oliver Otis Howard, and holds the distinction of being the first secondary school for Black students in the State of Delaware; and

WHEREAS, the school continues its legacy today as a comprehensive career and technical institution, with its original building recognized as a National Historic Landmark; and

WHEREAS, the Howard High School Wildcats basketball program is one of Delaware's most storied athletic programs, highlighted by an undefeated state championship team in 1973 and additional state titles in 1996 and 2013; and

WHEREAS, in March 2026, the Wildcats secured their fifth DIAA Boys' Basketball State Championship, further cementing their legacy as one of the premier programs in the state; and

WHEREAS, from the 2022–2023 through the 2025–2026 seasons, the team compiled an impressive 68–28 overall record, including a dominant 30–1 record in Flight B conference play, along with four Elite Eight appearances and two Final Four appearances; and

WHEREAS, under the leadership of Head Coach Rahsaan Matthews, Sr., who previously served as an assistant coach during the 2013 championship season, the team achieved a remarkable championship run that reflects dedication, discipline, and excellence; and

WHEREAS, this historic season was further distinguished by the achievements of senior student-athletes Nicholas Baysah and Bryson Lane, who each surpassed 1,000 career points while leading their team to a state championship victory; and

WHEREAS, the New Castle County Council recognizes the importance of athletic programs that foster teamwork, leadership, perseverance, and pride within our communities.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby honors and congratulates the Howard High School of Technology Boys' Basketball Team for winning the 2026 DIAA State Championship, commends the players, coaches, and supporters for their commitment to excellence both on and off the court, and recognizes this era as one of the most successful in the program's history and celebrates its lasting impact on the school and community.

Adopted by County Council of
New Castle County on:

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

SYNOPSIS: Same as title.

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

Prime Sponsor(s): Ms. Williams-Johns
Date of introduction: April 14, 2026

RESOLUTION NO. 26-088

A RESOLUTION HONORING AND RECOGNIZING OMEGA PSI PHI FRATERNITY, INC., GAMMA MU NU CHAPTER, FOR THEIR OUTSTANDING SERVICE AND COMMITMENT TO THE COMMUNITY

WHEREAS, Omega Psi Phi Fraternity, Inc. is an international organization founded upon the cardinal principles of Manhood, Scholarship, Perseverance, and Uplift; and

WHEREAS, on October 9, 2013, six dedicated men, Dr. Christopher Curry, Clarence Jarrett, Ivan Holland, Javar Simpson, Jason Hunt, and Antoine De Loach, committed themselves to establishing the Gamma Mu Nu Chapter in the Middletown/Newark, Delaware area; and

WHEREAS, since its founding, the Gamma Mu Nu Chapter has emerged as a prominent and impactful chapter within Delaware, exemplifying the highest standards of leadership and service; and

WHEREAS, the chapter has faithfully served the communities of Middletown and Newark through meaningful initiatives, including mentoring programs such as Omega Manhood Bridge Building, youth literacy efforts like Reading with the Ques, and various community outreach activities; and

WHEREAS, the Gamma Mu Nu Chapter has demonstrated an unwavering commitment to strengthening the community by partnering with local organizations, empowering youth, and promoting education, mentorship, and civic engagement; and

WHEREAS, their work continues to inspire positive change and reflects a deep dedication to uplifting individuals and families throughout New Castle County and beyond.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby recognizes and honors Omega Psi Phi Fraternity, Inc., Gamma Mu Nu Chapter, for their exceptional service, leadership, and commitment to community empowerment; and

BE IT FURTHER RESOLVED that County Council extends its sincere gratitude and appreciation for their continued efforts to educate, mentor, and uplift the next generation.

Adopted by County Council of
New Castle County on:

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

SYNOPSIS: Same as title.

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

Prime Sponsor(s): Mr. Hollins, Mr. Street
Requested by: Community Services
Date of introduction: March 24, 2026

ORDINANCE NO. 26-027

**AMEND THE GRANTS BUDGET:
APPROPRIATE ADDITIONAL FEDERAL FUNDS OF $143,979 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT PASSED THROUGH FROM THE CITY OF WILMINGTON FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT TO THE LEAD-BASED PAINT HAZARD REDUCTION - CITY OF WILMINGTON GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES**

WHEREAS, original allocated funding in the amount of $450,000 from the City of Wilmington's Federal Community Development Block Grant to the Lead-Based Paint Hazard Reduction – City of Wilmington Grant was previously approved by County Council and appropriated to the FY2025 Lead-Based Paint Hazard Reduction – City of Wilmington Grant administered by the Department of Community Services via Ordinance 25-060; and

WHEREAS, authorization is being sought for the appropriation of an additional $143,979 from the City of Wilmington's Federal Community Development Block Grant to the Lead-Based Paint Hazard Reduction – City of Wilmington Grant, which is administered by the Department of Community Services; and

WHEREAS, the Lead-Based Paint Hazard Reduction Programs are funded through HUD to mitigate lead-based paint in households with children under the age of six from low-income to very low-income households in New Castle County within specific zip codes; and

WHEREAS, these funds will be used for the construction costs to mitigate lead in a minimum of 20 housing units; and

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

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

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

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

Section 2. This Ordinance shall become effective immediately upon its adoption by the 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 July 1, 2024.

Adopted by County Council of
New Castle County on:

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

Approved on:

_____
Marcus Henry
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate an additional $143,979 from the U.S. Department of Housing and Urban Development, passed through from the City of Wilmington Federal Community Development Block Grant to the Lead-Based Paint Hazard Reduction – City of Wilmington Grant, which is administered by the Department of Community Services. These funds will be used for the construction costs to mitigate lead in a minimum of 20 housing units for families with children under the age of six from low-income to very low-income households in New Castle County within specific zip codes.

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

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating additional federal funds of $143,979 from the U.S. Department of Housing and Urban Development, passed through from the City of Wilmington Federal Community Development Block Grant.

This increase will affect FY2026 since the estimated program completion date is March 31, 2026.

Acknowledged by the Chief Financial Officer on March 12, 2026.

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

GRANT TITLE: Lead Based Paint Hazard Reduction - City of Wilmington 2025 **Ordinance No.** 26-027

PROGRAM TITLE: Lead Based Paint Hazard Reduction - City of Wilmington 2025

Revenue	Current	Change	Revised
Federal	~~$ 450,000.00~~	$ 143,979.00	$ 593,979.00
State	$ -	$ -	$ -
County	$ -	$ -	$ -
Program Income	$ -	$ -	$ -
Other	$ -	$ -	$ -
Total	~~$ 450,000.00~~	$ 143,979.00	$ 593,979.00

Expense	Current	Change	Revised
Salaries and Wages	$ -	$ -	$ -
Benefits	$ -	$ -	$ -
Training/Civic Affairs	$ -	$ -	$ -
Communication/Utilities	$ -	$ -	$ -
Materials/Supplies	$ -	$ -	$ -
Contractual Services	~~$ 450,000.00~~	$ 143,979.00	$ 593,979.00
Equipment	$ -	$ -	$ -
Grants/Fixed Charges	$ -	$ -	$ -
Land and Structures	$ -	$ -	$ -
Contingency	$ -	$ -	$ -
Operating Transfer Charges	$ -	$ -	$ -
Operating Transfer Credits	$ -	$ -	$ -
Total	~~$ 450,000.00~~	$ 143,979.00	$ 593,979.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation: 7/1/2024

Estimated Program Completion: 3/31/2026

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

Ordinance Passed: 25-060

Date Revised: 5/13/2025

PROGRAM DESCRIPTION:

The Lead Based Paint Hazard Reduction Programs are funded from HUD to mitigate lead-based paint in households with children under the age of six. Families served are low-income to very low-income households in New Castle County within specific zip codes Most of the budget will be used for construction costs to mitigate lead in a minimum of 20 housing units.

~~5/13/2025~~ 3/24/2026

Prime Sponsor(s): Mr. Hollins, Mr. Street
Requested by: Community Services
Date of introduction: March 24, 2026

ORDINANCE NO. 26-028

REALLOCATE $1,856,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND BETWEEN PROJECTS TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES

WHEREAS, Ordinance 21-110 established the Affordable Housing Fund to preserve and develop affordable housing within New Castle County (NCC Code 14.01.020); and

WHEREAS, Ordinance 21-111 allocated $15,000,000 from the General Fund Tax Stabilization Fund to the Affordable Housing Fund; and

WHEREAS, New Castle County Department of Community Services held public stakeholder meetings to receive feedback and input on the Affordable Housing Fund created to preserve and create affordable housing in New Castle County; and

WHEREAS, from that feedback, New Castle County Department of Community Services released a public Request for Proposal for eligible applicants to apply for funding through the Affordable Housing Fund; and

WHEREAS, Council previously appropriated $3,000,000 to Setting Properties via Ordinance 22-147. The project did not move forward as was projected in the original application, so in September 2025 the County rescinded the funds; and

WHEREAS, this Ordinance requests Council's approval to reallocate $1,856,000 of those rescinded funds for the purchase of nine tax parcels known as 3014 New Castle Avenue, located next to the New Castle County Route 9 library, to be developed with the Route 9 Library land for mixed commercial and housing; and

WHEREAS, the Housing Trust Fund is a separate fund from the Affordable Housing Fund, and the Housing Trust Fund can only be expended for projects within unincorporated areas of New Castle County, and there are no Housing Trust Funds included in the funding of this Ordinance; and

WHEREAS, the revenue measures heretofore adopted by the County Council are necessary to preserve and develop affordable housing within New Castle County; and

WHEREAS, each contract or purchase order funded through this Affordable Housing Fund appropriation will be submitted on a Resolution for Council's consideration as required by *New Castle County Code* § 2.02.004.

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

Section 1. To preserve and develop an affordable housing project, $1,856,000 in the New Castle County Affordable Housing Fund is hereby reallocated to be administered by the Department of Community Services.

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

Adopted by County Council of
New Castle County on:

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

Approved on:

_____
Marcus Henry
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, reallocates $1,856,000 in the New Castle County Affordable Housing Fund. The available funding in the Affordable Housing Fund was transferred from the General Fund via Ordinance 21-111. There are no Housing Trust Funds included in the funding of this Ordinance. The funds will be administered by the Department of Community Services for the purchase of nine tax parcels known as 3014 New Castle Avenue. The land will be developed with the Route 9 Library land for mixed commercial and housing.

FISCAL NOTE: This Ordinance, if approved, will reallocate $1,856,000 in the New Castle County Affordable Housing Fund. There is no discernible impact to the Operating Budget since this is an appropriation in the Affordable Housing Fund. The intent is to appropriate funds in the Land Budget Line Item. The Affordable Housing Fund balance available for appropriation is $0 as of March 12, 2026.

Acknowledged by the Chief Financial Officer on March 13, 2026.

Prime Sponsor(s): Mr. Hollins, Mr. Street
Requested by: Community Services
Date of introduction: March 24, 2026

ORDINANCE NO. 26-029

REALLOCATE $1,000,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND BETWEEN EXISTING CONTRACTS WITH THE DELAWARE VALLEY DEVELOPMENT CORPORATION PROJECTS CURRENTLY ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES

WHEREAS, Ordinance 21-110 established the Affordable Housing Fund to preserve and develop affordable housing within New Castle County (NCC Code 14.01.020); and

WHEREAS, Ordinance 21-111 allocated $15,000,000 from the General Fund Tax Stabilization Fund to the Affordable Housing Fund; and

WHEREAS, New Castle County Department of Community Services held public stakeholder meetings to receive feedback and input on the Affordable Housing Fund created to preserve and create affordable housing in New Castle County; and

WHEREAS, from that feedback, New Castle County Department of Community Services released a public Request for Proposal for eligible applicants to apply for funding through the Affordable Housing Fund; and

WHEREAS, Council previously approved allocating $5,000,000 to the Carolyn Center Project (former developer was Delaware Center for Homeless Veterans) via Ordinance 22-123 and $3,500,000 to the Manor at 6060 Limestone project via Ordinance 23-109; and

WHEREAS, this Ordinance requests Council's approval of the reallocation of $1,000,000 from the Delaware Valley Development Corporation's Carolyn Project to its Manor at 6060 Project. The reason for the request is that the Manor at 6060 Project is moving forward prior to the Carolyn Center project. The Affordable Housing Fund Committee has approved this reallocation; and

WHEREAS, the Housing Trust Fund is a separate fund from the Affordable Housing Fund, and the Housing Trust Fund can only be expended for projects within unincorporated areas of New Castle County, and there are no Housing Trust Funds included in the funding of this Ordinance; and

WHEREAS, the revenue measures heretofore adopted by the County Council are necessary to preserve and develop affordable housing within New Castle County; and

WHEREAS, each contract or purchase order funded through this Affordable Housing Fund appropriation will be submitted on a Resolution for Council's consideration as required by *New Castle County Code* § 2.02.004.

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

Section 1. To preserve and develop an affordable housing project, $1,000,000 in the New Castle County Affordable Housing Fund is hereby reallocated between projects to be administered by the Department of Community Services.

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

Adopted by County Council of
New Castle County on:

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

Approved on:

_____
Marcus Henry
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will reallocate $1,000,000 in the New Castle County Affordable Housing Fund from the Delaware Valley Development Corporation's Carolyn Center Project to its Manor at 6060 Limestone project. The available funding in the Affordable Housing Fund was transferred from the General Fund via Ordinance 21-111. There are no Housing Trust Funds included in the funding of this Ordinance. The funds will be administered by the Department of Community Services for Delaware Valley Development Corporation's Manor at 6060 Limestone project. This project will assist with the acquisition and new construction of 80 units of affordable elderly housing located at 6060 Limestone Road, Hockessin, DE. Of the 80 units, 56 units will be offered to households earning at or below 60% Area Median Income (AMI).

FISCAL NOTE: This Ordinance, if approved, will reallocate $1,000,000 in the New Castle County Affordable Housing Fund from the Delaware Valley Development Corporation's Carolyn Center Project to its Manor at 6060 Limestone project. There is no discernible impact to the Operating Budget since this is an appropriation in the Affordable Housing Fund. After the reallocation, the balance in the Carolyn Center project will be $2,770,217, and the balance in the Manor at 6060 project will be $4,500,000. The Affordable Housing Fund balance available for appropriation is $0 as of March 12, 2026.

Acknowledged by the Chief Financial Officer on March 13, 2026.

Prime Sponsor(s): Mr. Sheldon, Mr. Carter
Requested by: Public Works
Date of introduction: March 24, 2026

ORDINANCE NO. 26-030

**AMEND THE GRANTS BUDGET:
APPROPRIATE $142,800 IN FUNDING RECEIVED FROM THE STATE OF DELAWARE, DEPARTMENT OF TRANSPORTATION THROUGH THE COMMUNITY TRANSPORTATION FUND TO THE DEPARTMENT OF PUBLIC WORKS, SILVERSIDE ROAD RETAINING WALL MURAL GRANT**

WHEREAS, New Castle County has received documentation certifying that the State of Delaware Fiscal Year 2026 Bond and Capital Improvements Act (153rd General Assembly, Senate Bill 200, signed into law July 1, 2025) has appropriated $142,800 to New Castle County, Department of Public Works from the State of Delaware, Department of Transportation (DelDOT) through the Community Transportation Fund (CTF) for a miscellaneous transportation streetscape beautification project; and

WHEREAS, the funding is for the installation of a mural on the retaining wall of Silverside Road located in New Castle County, Delaware, within a State of Delaware right of way.

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

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

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

Section 3. It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to March 5, 2026.

Adopted by County Council of
New Castle County on:

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

Approved on:

_____
Marcus Henry
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate $142,800 in funding received from the State of Delaware Fiscal Year 2026 Bond and Capital Improvements Act (153rd General Assembly, Senate Bill 200, signed into law July 1, 2025) to the Department of Public Works, Silverside Road Retaining Wall Mural Grant. This project is for the installation of a mural on the retaining wall of Silverside Road located in New Castle County, Delaware, within a State of Delaware right of way.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to March 5, 2026.

FISCAL NOTE: This Ordinance, if approved, will amend the FY2026 Grants Budget by appropriating $142,800 in funding received from the State of Delaware Fiscal Year 2026 Bond and Capital Improvements Act (153rd General Assembly, Senate Bill 200, signed into law July 1, 2025) to the Department of Public Works, Silverside Road Retaining Wall Mural Grant.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget by $142,800. This increase will impact FY2026 through FY2030, since the targeted program completion date of this award is June 30, 2030.

Acknowledged by the Chief Financial Officer March 13, 2026.

DEPARTMENT: Public Works **EXHIBIT:** "A"

GRANT TITLE: Silverside Road Retaining Wall Mural **Ordinance No.** 26-030

PROGRAM TITLE: Silverside Road Retaining Wall Mural

Revenue	Current	Change	Revised
Federal	$ -	$ -	$ -
State	$ 142,800.00	$ -	$ 142,800.00
County	$ -	$ -	$ -
Program Income	$ -	$ -	$ -
Other	$ -	$ -	$ -
Total	$ 142,800.00	$ -	$ 142,800.00

Expense	Current	Change	Revised
Salaries and Wages	$ -	$ -	$ -
Benefits	$ -	$ -	$ -
Training/Civic Affairs	$ -	$ -	$ -
Communication/Utilities	$ -	$ -	$ -
Materials/Supplies	$ -	$ -	$ -
Contractual Services	$ 142,800.00	$ -	$ 142,800.00
Equipment	$ -	$ -	$ -
Grants/Fixed Charges	$ -	$ -	$ -
Land and Structures	$ -	$ -	$ -
Contingency	$ -	$ -	$ -
Operating Transfer Charges	$ -	$ -	$ -
Operating Transfer Credits	$ -	$ -	$ -
Total	$ 142,800.00	$ -	$ 142,800.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation: 3/5/2026

Estimated Program Completion: 6/30/2030

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

Ordinance Passed: **Date Revised:**

PROGRAM DESCRIPTION:

Funding from the State of Delaware FY26 Bond Bill will provide for improvements to transportation related projects such as the Silverside Road Retaining Wall Mural.

3/24/2026

Prime Sponsor(s): Mr. Tackett
Date of Introduction: April 14, 2026

FLOOR AMENDMENT NO. 1 TO SUBSTITUTE NO. 1 TO ORDINANCE NO. 25-121

Substitute No. 1 to Ordinance No. 25-121 is hereby amended as follows:

At line numbers 121-122 by the addition of the language highlighted in yellow and bold:

D. On sites with more than twenty-five (25) loading bays the development must include the following amenities **only for drivers who are conducting business on the site**, **and** accessible at all times:

At line numbers 172-173 by the addition of the language highlighted in yellow and bold:

E. On sites with more than twenty-five (25) loading bays the development must include the following amenities **only for drivers who are conducting business on the site**, **and** accessible at all times:

At line numbers 128-131 by the deletion of the language highlighted in yellow and bold with strike throughs:

2. The site shall include a minimum of one (1) bathroom stall within a ~~**permanent**~~ structure, connected to a wastewater disposal system, and an additional one (1) bathroom stall for every twenty-five (25) loading bays up to a maximum of ten (10).

At line numbers 133-136 by the deletion of the language highlighted in yellow and bold with strike throughs:

3. The site shall include a minimum of one (1) shower stall within a ~~**permanent**~~ structure, connected to a wastewater disposal system, and an additional (1) shower stall for every fifty (50) loading bays up to a maximum of five (5).

At line numbers 189-192 by the deletion of the language highlighted in yellow and bold with strike throughs:

5. The site shall include a minimum of one (1) bathroom stall within a ~~**permanent**~~ structure, connected to a wastewater disposal system, and an additional one (1) bathroom stall for every twenty-five (25) loading bays up to a maximum of ten (10).

At line numbers 194-197 by the deletion of the language highlighted in yellow and bold with strike throughs:

6. The site shall include a minimum of one (1) shower stall within a ~~**permanent**~~ structure, connected to a wastewater disposal system, and an additional (1) shower stall for every fifty (50) loading bays up to a maximum of five (5).

SYNOPSIS: This floor amendment proposes that the language currently appearing be amended as reflected in yellow.

Prime Sponsor(s): Mr. Tackett, Ms. Kilpatrick
Requested by: Department of Land Use
Date of introduction: October 14, 2025

SUBSTITUTE NO. 1 TO ORDINANCE NO. 25-121

TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 40 ("UNIFIED DEVELOPMENT CODE" OR "UDC"), ARTICLE 3 ("USE REGULATIONS"), ARTICLE 4 ("DISTRICT AND BULK STANDARDS"), ARTICLE 11 ("TRANSPORTATION IMPACT"), AND ARTICLE 33 ("DEFINITIONS"), REGARDING TRUCK TERMINALS, WAREHOUSES, FULFILLMENT CENTERS AND DISTRIBUTION CENTERS

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

WHEREAS, the State of Delaware adopted the *2022 Delaware State Freight Plan*, which is incorporated by reference in the New Castle County Comprehensive Development Plan, that identified the need for safe truck parking spaces and staging areas; and

WHEREAS, the Federal Highway Administration's *2022 Truck Parking Development Handbook* identifies the importance of proximity of safe truck parking spaces to major roadway corridors; and

WHEREAS, the Federal Highway Administration's *2022 Truck Parking Development Handbook* identifies recommended truck parking spaces, truck staging spaces, and bathroom facilities for Fulfillment and Distribution Centers; and

WHEREAS, the safe truck parking spaces, accessible at all times, with appropriate bathroom facilities provides an opportunity for truck drivers to comply with the Federal Hours of Service Regulations, making the roads safer for all New Castle County residents; and

WHEREAS, absent on site safe truck parking spaces with appropriate bathroom facilities and truck staging spaces, truck drivers park on local roads; and

WHEREAS, land development applications for warehousing facilities have increased in size and operational intensity beyond that which was anticipated when the Unified Development Code was adopted in 1997; and

WHEREAS, recent land use and transportation trends have demonstrated the need to clearly define fulfillment and distribution centers and differentiate them from general warehousing to assure proper distancing from residential uses and to assure that appropriate infrastructure is present to support the use.

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

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

WHEREAS, County 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. *New Castle County Code* Chapter 40 (Unified Development Code or "UDC"), Article 3 ("Use Regulations"), Division 40.03.100 ("Use Regulations"), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.03.110. Use Table.

Table 40.03.110 lists the type of uses…

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[1]	ST	MM	ON	OR	CR	BP	I		CN	S[3]	SE	NC[2]	HI	EX	SR		Parking	Limited & Special Use Standards
Industrial Uses										**Industrial Uses**								**Industrial Uses**	
Compost operations	N	N	N	N	N	N	N	L		N	N	N	N	L	L	S		Table 40.03.522	Section 40.03.336
Extraction	N	N	N	N	N	N	N	N		N	N	N	N	N	L	N		Table 40.03.522	Section 40.03.324 and Table 40.03.210
Heavy industry	N	N	N	N	N	N	N	N		N	N	N	N	S	N	N		Table 40.03.522	Section 40.03.323
Light industry	N	N	N	N	L	[~~S~~]L	L	Y		N	N	N	N	Y	Y	N		Table 40.03.522	Section 40.03.333 for OR, BP and CR Zoned Land Table 40.03.210 [~~for BP Zoned Land~~]
Recycling or storage	N	N	N	N	L	N	L	L		N	N	N	N	L	N	N		Table 40.03.522	Table 40.03.210
Utilities, maintenance facilities	N	N	N	N	Y	L	Y	Y		N	N	N	N	Y	N	N		Table 40.03.522	Section 40.03.312

Utility, minor	L	L	L	L	L	L	L	L		L	L	L	L	Y	Y	L		Table 40.03.522	Section 40.03.334
Utility, major	S	S	S	S	S	S	S	L		S	S	S	S	L	S	S		Table 40.03.522	Section 40.03.312
Solar energy system, large-scale	N	N	L	L	L	L	L	L		N	L	N	N	L	N	L		na.	Section 40.03.337
Fulfillment or Distribution Centers	N	N	N	N	N	N	N	L		N	N	N	N	L	L	N		Table 40.03.522	Table 40.03.210 Section 40.03.344
Truck Terminal	N	N	N	N	N	N	N	L		N	N	N	N	L	L	N		Table 40.03.522	Table 40.03.210 Section 40.03.345
Warehouse	N	N	N	N	A	A	A	Y		N	N	N	N	Y	Y	N		Table 40.03.522	Section 40.03.430…

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Section 2. *New Castle County Code* Chapter 40 (Unified Development Code or "UDC"), Article 3 ("Use Regulations"), Division 40.03.200 ("Additional limited and special use standards"), is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below:

Sec. 40.03.210. Buffering, location, bulk and scale standards.

Table 40.03.210 provides standards that increase the degree of buffering…

Table 40.03.210A. Limited and Special Use Standards							Table 40.03.210B. Limited and Special Use Standards							Table 40.03.210C. Limited and Special Use Standards
	Buffer Standards						Locational or Dimensional Standards							Additional Standards
	Bufferyards			Separation			Minimum				Maximum			
Land Use	Location	Increase Opacity or Width	Fence or Berm	Use Protected	Distance from Use to protected parcel		Spacing	Site Area	Road Access	Open Space	Lot Area	Height		Other
Industrial Uses							**Industrial Uses**							**Industrial Uses**
Compost operations														Section 40.03.336
Extraction	All	0.8 (150 ft.)	8 ft. berm	Residential	100 ft.*			25 ac.						Section 40.03.324 * 100′ for Recreation, High Intensity Uses
Heavy industry														
Light industry	Within 1,000 feet of a Residentially zoned parcel [~~and~~]	0.3	Minimum 8 ft. berm	Residential and Schools	500 ft.*									Requirements for OR, BP, and CR Zoned Land

	or parcel with an established daycare center or School[s]													See Section 40.03.333 *500 ft. as measured to any Light Industrial building or structure
Recycling or storage	All exterior storage	0.3	8 ft. fence or 4 ft. berm											The use is a limited use in the OR and BP zoning districts only where there is no exterior storage, and all material is stored inside the buildings with impervious floors.
Utilities, minor														
Utilities, major	All exterior storage of heavy equipment and materials	0.3	4 ft. berm											
Utilities, maintenance facilities														
Fulfillment or Distribution Centers	Within 1,000 feet of a Residentially zoned parcel or parcel with an	0.4	Minimum 8 ft. berm	Residential and Schools	500 ft.*									See Section 40.03.344 *500 ft. as measured to any building or structure

	established daycare center or School													
Truck Terminal	Within 1,000 feet of a Residentially zoned parcel or parcel with an established daycare center or School	0.4	Minimum 8 ft. berm	Residential and Schools	500 ft.*									See Section 40.03.345 *500 ft. as measured to any building or structure

Section 3. *New Castle County Code* Chapter 40 (Unified Development Code or "UDC"), Article 3 ("Use Regulations"), Division 40.03.300 ("Additional limited and special use standards"), is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below:

Sec. 40.03.333. Light Industry uses in OR, BP, and CR zoning districts.

A. Light Industry uses as defined in Subsection 40.33.270.D are considered Limited Uses in the BP, CR, and OR zoning districts, except that the following uses require a special use permit:

Marijuana cultivation facility (NAICS 111419, NAICS 424590)…

…[~~Warehousing and storage facilities, including logistics services related to the distribution of goods~~ (NAICS 493)]

[~~B. The only Light Industry use as defined in Section 40.33.270.D that is permitted in the CR zoning district is warehousing and storage facilities (NAICS 493). This use requires a special use permit and is subject to the following standards:~~

~~1. Property must be developed in accordance with Section 40.08.130.B.6.~~

~~2. The gross site area must be a minimum of forty (40) acres.~~

~~3. Where a warehousing and storage facility is adjacent to an existing residential use or residential zoning district, lighting shall be designed so that there is zero (0) footcandle at the property line of the residential area.~~

~~4. A noise study shall be completed and submitted as part of the special use application to evaluate potential noise impact on adjacent properties.~~

~~5. The special use application shall include a narrative identifying how the proposal addresses Table 2 of Appendix 7 with respect to the design principles for the applicable Character Area.~~]

Sec. 40.03.344. Fulfillment and Distribution Centers.

Fulfillment and Distribution Centers are subject to the following standards:

A. Shall meet the requirements for large industrial structures in Section 40.26.260.

B. Shall only take direct access from arterial or collector streets that have a minimum of sixty (60) feet of right-of-way. Fulfillment and Distribution Centers may take access from roads or accessways within an industrial park or business park, provided that the industrial park takes access from an arterial or collector street meeting the requirements of this subsection.

C. In addition to meeting all the requirements of Article 11, anticipated trip generation for fulfilment and distribution centers shall be based on latest published ITE manual calculations:

1. Fulfillment centers are considered High-Cube Fulfillment-Sort.
2. Distribution Centers are considered High-Cube Parcel Hub Warehouse.

D. On sites with more than twenty-five (25) loading bays the development must include the following amenities, accessible at all times:

1. The site shall include a minimum of one (1) truck parking space a minimum of ten (10) feet by eighty (80) feet in dimension, and one (1) additional truck parking space for every five (5) loading bays.

2. The site shall include a minimum of one (1) bathroom stall within a permanent structure, connected to a wastewater disposal system, and an additional one (1) bathroom stall for every twenty-five (25) loading bays up to a maximum of ten (10).

3. The site shall include a minimum of one (1) shower stall within a permanent structure, connected to a wastewater disposal system, and an additional (1) shower stall for every fifty (50) loading bays up to a maximum of five (5).

Sec. 40.03.345. Truck Terminal.

Truck Terminals are subject to the following standards:

A. Shall only take direct access from arterial or collector streets that have a minimum of sixty (60) feet of right-of-way. Truck terminals may take access from roads or accessways within an industrial park or business park, provided that the industrial park takes access from an arterial or collector street meeting the requirements of this subsection.

B. Where truck terminals are proposed to be within one thousand (1,000) feet to an existing residential use or residential zoning district the following design standards apply:

1. Lighting shall be designed so that there is zero (0) footcandle at the property line of the residential area.

2. Except for along lot lines internal to an existing office or industrial park or adjacent to existing industrial uses the bufferyards, street trees, berming, and on-lot landscaping must be upgraded, where appropriate, to mask the development.

3. The site shall be designed so that parking, loading, and circulation minimize the glare from vehicular lights visible to neighboring residential properties.

C. The site must be designed to minimize noise impact on neighboring properties. A noise study must be submitted to evaluate this impact and to verify consistency with Chapter 22 of the New Castle County Code.

D. In addition to meeting all the requirements of Article 11, anticipated trip generation for fulfilment and distribution centers shall be based on latest published ITE manual calculations for Intermodal Truck Terminal.

E. On sites with more than twenty-five (25) loading bays the development must include the following amenities, accessible at all times:

1. The site shall include a minimum of one (1) truck parking space a minimum of ten (10) feet by eighty (80) feet in dimension, and one (1) additional truck parking space for every five (5) loading bays.

2. A minimum of five (5) percent of the required total tractor-trailer parking spaces shall be reserved for outbound trucks required to layover or rest due to federal hours of service regulations.

3. Parked trucks shall not leave engines idling unless required for safety or weather-related reasons.

4. Electrical outlets shall be included in parking areas available for trucks to utilize.

5. The site shall include a minimum of one (1) bathroom stall within a permanent structure, connected to a wastewater disposal system, and an additional one (1) bathroom stall for every twenty-five (25) loading bays, up to a maximum of ten (10).

6. The site shall include a minimum of one (1) shower stall within a permanent structure, connected to a wastewater disposal system, and an additional (1) shower stall for every fifty (50) loading bays up to a maximum of five (5).

Section 4. *New Castle County Code* Chapter 40 (Unified Development Code or "UDC"), Article 3 ("Use Regulations"), Division 40.03.400 ("Individual use standards"), is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below:

Sec. 40.03.430. Accessory uses, nonresidential.

Nonresidential uses (not including agricultural uses) may have a variety of accessory uses within the principal structure or in separate structures, provided they meet the following standards:

A. *Uses.* …

B. *General.* …

C. *Fences.* A fence may not exceed eight (8) feet in height in a nonresidential zoning district. To account for installation on sloping ground and any necessary space between the ground and the bottom of the fence panels or materials, the top of the fence panels, materials, and posts may not exceed nine (9) feet in height when measured from the ground.

1. Where barbed or razor wire fence is used in a nonresidential zoning district, a minimum three-tenths (0.3) opacity bufferyard shall be provided between the fence and any street or residential use.

2. Notwithstanding the above, any fence or barrier required pursuant to a provision of State or Federal law shall be constructed to meet the applicable rule or standard.

D. [~~*Reserved*~~]*Warehouse.* A warehouse shall be no larger than thirty thousand (30,000 SF) or thirty (30) percent of the built GFA for the principal use of the site, whichever is greater.

E. *Community recycling bins.* …

Section 5. *New Castle County Code* Chapter 40 (Unified Development Code or "UDC"), Article 4 ("District and Bulk Standards"), Division 40.04.100 ("District and Bulk Standards"), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.04.110. District and bulk standards.

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

A. *Minimum open space ratio*. …

B. Site area …

C. Maximum building height. …

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 (%)	Build-ing Height (feet)	Percent of Lot Area	
…Industrial (I)								**Industrial (I)**								**Industrial (I)**	
Offices	0.20	na.	na.	0.50	0.83	P	5 ac.	1 ac.	100	40	0*	0**	40/10	na.	65/ 140***	5	* Minimum 20 foot side yard adjacent to residential uses or districts ** Minimum 50 foot rear yard adjacent to residential uses or districts *** For buildings over 65 feet, see Section 40.04.110 C. **** Minimum lot area not required in an approved business park or industrial park
Commercial lodging	0.35	na.	na.	0.60	0.94	P	25 ac.	3 ac.	100	40	0*	0**	40/10	na.	50/ 140***	5	
Restaurants	0.15	na.	na.	0.16	0.20	P	25 ac.	1 ac.	100	40	0*	0**	40/10	na.	30	5	
Heavy retail and service	0.15	na.	na.	0.32	0.37	P	1 ac.	1 ac.	100	40	0*	0**	40/10	na.	60	50	
Industrial	0.15	na.	na.	0.48	0.57	P	1 ac.	1 ac.	100	40	0*	0**	40/10	na.	60/ 140***	50	
Fulfillment, Distribution Centers or Warehouses	0.15	na.	na.	0.48	0.57	P	20 ac.	5 ac.****	100	40	0*	0**	40/10	na.	60/ 140***	50	
Truck Terminal	0.15	na.	na.	0.30	0.38	P	10 ac.	1 ac.	100	40	20	20	40/10	na.	60/ 140***	50	
Other permitted uses	0.20	na.	na.	0.30	0.38	P	10 ac.	1 ac.	100	40	20	20	40/10	na.	60/ 140***	50	
Heavy Industrial (HI)								**Heavy Industrial (HI)**								**Heavy Industrial (HI)**	
Heavy industry	0.10	na.	na.	0.62	0.69	P	20 ac.	5 ac.	300	40	0*	0**	40/10	na.	90	no limit	* Minimum 20 foot side yard adjacent to residential uses or
Fulfillment, Distribution Centers or Warehouses	0.15	na.	na.	0.48	0.57	P	20 ac.	5 ac.***	100	40	0*	0**	40/10	na.	60/ 140***	50	

Truck Terminal	0.15	na.	na.	0.30	0.38	P	10 ac.		1 ac.	100	40	20	20	40/10	na.	60/ 140***		50	districts ** Minimum 50 foot rear yard adjacent to residential uses or districts *** Minimum lot area not required in an approved business park or industrial park
Other industrial	0.10	na.	na.	0.51	0.57	P	20 ac.		5 ac.	300	40	0*	0**	40/10	na.	70		no limit	
Other permitted uses	0.10	na.	na.	0.34	0.38	P	5 ac.		2 ac.	150	40	20	20	40/10	na.	70		100	…

Sec. 40.04.111. Landscape and illumination standards.

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

Table 40.04.111 A. USE AND LOT STANDARDS							Table 40.04.111 B. USE AND LOT STANDARDS															Table 40.04.111 C. USE AND LOT STANDARDS			
Zoning District & Development Type	Landscaping Plant Units per (See Division 40.23.100)			Bufferyard Opacity Standards			Bufferyard Opacity Standards (See Section 40.23.140)															Street Tree Spacing (feet)	Max. Illumination/Height		Notes
				Adjoining Streets			Adjoining District or Use (1) (No bufferyard shall be required where like zoning district and like developments options are adjacent)																Illumination	Height	
	Lot	Acre Open Space	Parking Spaces	Arterial	Collector	Minor	SR	SE NC 2a	S	NC 40-10	ST	TN	MM	NC 6.5 or less*	ON	OR	CN	CR	BP	I	HI	EX	C=Cutoff fc=footcandles S=Semi-Cutoff	C=Cutoff ft=feet S=Semi-Cutoff	*NC6.5 or less includes NC5, NCap, NCga, NCth, NCsd, CNmm, and NCpud
Suburban Reserve (SR)							Suburban Reserve (SR)																Suburban Reserve (SR)…			
…Industrial (I)							Industrial (I)																Industrial (I)			
Offices Industrial Restaurants Heavy retail and service Fulfillment, Distribution Centers or Warehouses Other permitted uses	6/ac	5	1/30	0.5	0.5	0.5	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.2	0.2	0.3	0.2	0.2	- 0.2	-	-	50	C=12 fc S=10 fc	C=40 ft S=35 ft	
Heavy Industrial (HI)							Heavy Industrial (HI)																Heavy Industrial (HI)			
Heavy industry Other industrial Other permitted uses	6/ac	10	1/40	0.6	0.6	0.6	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.4	0.4	0.4	0.4	0.4	0.2	- 0.2	-	50	C=20 fc S=20 fc	C=50 ft S=45 ft	
Extraction (EX)							Extraction (EX)																Extraction (EX)			
Extractive use and recreation high intensity	See Section 40.03.324						See Section 40.03.324																50	C=20 fc S=20 fc	C=50 ft S=45 ft	
Other permitted uses	6/ac	10	1/40	0.6	0.6	0.6	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.4	0.4	0.4	0.4	0.2	0.2	-				

(1)In the event a proposed use adjoins another municipality, the bufferyard requirement shall be equal to the same opacity required as the most similar New Castle County Zoning District.

Section 6. *New Castle County Code* Chapter 40 (Unified Development Code or "UDC"), Article 11 ("Transportation Impact"), Division 40.11.130 ("Transportation capacity"), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.11.130. - Traffic impact study requirements.

A. A traffic impact study shall be prepared by individuals or firms that perform traffic engineering and the study shall be reviewed and sealed by a professional engineer. The content and format of the study shall be as prescribed by Chapter 2 of DelDOT's Development Coordination Manual, or any amendments thereto, and include all of the following additional requirements:

1. The anticipated trip generation of the land use including vehicle trips and truck trips per day during the week and the weekend, and the a.m., p.m., and weekend peak hour trips generated by the proposed development.

2. New traffic counts will be required for all intersections in the area of influence of the proposed development. If other traffic impact studies have been done in the area within one (1) year, the traffic counts from these traffic impact studies or other traffic counts may be used with the approval of the Department and DelDOT. …

Section 7. *New Castle County Code* Chapter 40 (Unified Development Code or "UDC"), Article 33 ("Definitions"), Division 40.33.100 ("Word Usage"), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.33.130. Abbreviations.

The following abbreviations are used in this Chapter:

AASHTO	American Association of State Highway and Transportation …
…GFAR	gross floor area ratio
ITE	Institute of Transportation Engineers
LDIA	Land Development Improvement Agreement….

Section 8. *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. 40.33.270. Industrial uses.

A. *Compost operations (NAICS 325314). …*

B. *Distribution Center.* Facilities designed to process large quantities of goods and distribute them to various locations including retailers, often in bulk (ITE 156). Distribution Centers do not ship directly to consumers.

C. *Extraction.* …

D. *Fulfillment Center.* Facilities designed to process individual customer orders (sort), large box items (non-sort) including picking, packing, and shipping directly to the consumer (ITE 155).

E[~~C~~]. *Heavy industry.* …

F[~~D~~]. *Light industry.* This category is designed to accommodate limited intensity levels of manufacturing and assembly activities, storage, warehousing, services, associated offices and similar uses. This includes the following uses:

Construction of buildings (NAICS 236) …
[~~Warehousing and storage facilities, including logistics services related to the distribution of goods (NAICS 493)~~]…

G[~~E~~]. *Recycling or storage.* …

H[~~F~~]. *Solar energy system, large scale.* …

I. *Truck Terminal*. Structures and facilities used primarily to accommodate the transfer of goods or chattels from trucks or truck trailers to other trucks or truck trailers or to vehicles of other types, in order to facilitate the transportation of such goods or chattels as origin or destination point of goods being transported, for the purpose of storing, transferring, loading, and unloading goods as well as for the dispatching, coordination, preparation; or for truck or truck-trailer parking or storage. (NAICS 4887490)

J[~~G~~]. *Utility, major.* …

K[~~H~~]. *Utility, minor.* …

L[~~I~~]. *Utilities, maintenance facilities.* …

M. *Warehouse*. A building or part of a building used or intended to be used primarily for the storage of goods or chattels that are to be sold retail or wholesale from other premises and excludes Fulfillment and Distribution Centers. These establishments provide facilities to store goods and control the incoming flow of goods (received from suppliers, production centers, etc.) and the outgoing flow of goods. (NAICS 493)

Section 9. *New Castle County Code* Chapter 40 (Unified Development Code or "UDC"), Article 33 ("Definitions"), Division 40.33.300 ("General definitions"), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Division 40.33.300. General definitions.

This Division contains the definition of words used in this Chapter. …

… *Bulletin board.* See Sign, bulletin board.

Business Park. A development on a tract of land that contains a number of separate buildings and uses, accessory and supporting uses, and open space designed, planned, constructed, and managed on an integrated and coordinated basis.

…Hydrophytic vegetation. Those plants which are adapted to life in saturated soil conditions.

Industrial Park. A development on a tract of land that contains a number of separate Industrial buildings and uses, accessory and supporting uses, and open space designed, planned, constructed, and managed on an integrated and coordinated basis.

Impervious surface ratio (ISR). The proportion of a development that is impervious surface. It is determined by dividing the area in impervious surface by the base site area. …

Section 9. 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 10. 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 11. 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 of being executed in accordance with the County Council's intent. If any provision of this Ordinance or any zoning map or portion thereof is found to be unconstitutional or void, all applicable former ordinances, resolutions, zoning maps or portions thereof shall become applicable and shall be considered as continuations thereof as not as new enactments regardless if severability is possible.

Section 12. Effective Date. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive or as

otherwise provided in 9 Del. C. § 1156 and shall only apply to Land Use applications submitted after such date(s) unless the applicant by written request agrees to submit to 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:

_____
Marcus A. Henry
County Executive of 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 designates which zoning districts permit Truck Terminals, Fulfillment Centers, Distribution Centers, and warehouses. This amendment also revises light industry uses in the CR zoning district.

Sec. 40.03.210. This amendment revises Table 40.03.210 to include limited use standards for Truck Terminals, Fulfillment Centers and Distribution Centers.

Sec. 40.03.333. This amendment removes special use standards for warehousing and storage facilities in the OR and CR zoning district.

Sec. 40.03.344. This amendment provides limited and special use standards for Fulfillment and Distribution Centers.

Sec. 40.03.345. This amendment provides limited and special use standards for Truck Terminals.

Sec. 40.03.430. This amendment provides accessory use standards for warehouses.

Sec. 40.04.110. This amendment provides district and bulk standards for Fulfillment Centers, Distribution Centers, Truck Terminals and Warehouses.

Sec. 40.04.111. This amendment provides landscape and illumination standards for Fulfillment and Distribution Centers.

Sec. 40.11.130. This amendment requires that a TIS includes truck trips per day.

Sec. 40.33.270. This amendment defines Truck Terminals, Fulfillment Centers, Distribution Centers and Warehouses and removes logistic services from the definition of light industrial use.

Sec. 40.33.300. This amendment defines business and industrial park and revises the definitions of subdivision regulations and zoning regulations.

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

Sec. 40.03.344. This amendment eliminates the minimum average annual daily traffic rate and permits allows Fulfillment and Distribution Centers to take access from roads within a business park and an industrial park.

Sec. 40.03.345. This amendment eliminates the minimum average annual daily traffic rate and permits allows Truck Terminals to take access from roads within a business park and an industrial park.

Sec. 40.04.110. This amendment reduces the proposed minimum lot size for Fulfillment Centers, Distribution Centers and Truck Terminals from 20 acres to 5 acres. This amendment also provides the same minimum lot provisions for business parks as industrial parks.

Prime Sponsor(s): Mr. Tackett, Ms. Kilpatrick
Requested by: Department of Land Use
Date of introduction: October 14, 2025

ORDINANCE NO. 25-021

TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 40 ("UNIFIED DEVELOPMENT CODE" OR "UDC"), ARTICLE 3 ("USE REGULATIONS"), ARTICLE 4 ("DISTRICT AND BULK STANDARDS"), ARTICLE 11 ("TRANSPORTATION IMPACT"), AND ARTICLE 33 ("DEFINITIONS"), REGARDING TRUCK TERMINALS, WAREHOUSES, FULFILLMENT CENTERS AND DISTRIBUTION CENTERS

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

WHEREAS, the State of Delaware adopted the *2022 Delaware State Freight Plan*, which is incorporated by reference in the New Castle County Comprehensive Development Plan, that identified the need for safe truck parking spaces and staging areas; and

WHEREAS, the Federal Highway Administration's *2022 Truck Parking Development Handbook* identifies the importance of proximity of safe truck parking spaces to major roadway corridors; and

WHEREAS, the Federal Highway Administration's *2022 Truck Parking Development Handbook* identifies recommended truck parking spaces, truck staging spaces, and bathroom facilities for Fulfillment and Distribution Centers; and

WHEREAS, the safe truck parking spaces, accessible at all times, with appropriate bathroom facilities provides an opportunity for truck drivers to comply with the Federal Hours of Service Regulations, making the roads safer for all New Castle County residents; and

WHEREAS, absent on site safe truck parking spaces with appropriate bathroom facilities and truck staging spaces, truck drivers park on local roads; and

WHEREAS, land development applications for warehousing facilities have increased in size and operational intensity beyond that which was anticipated when the Unified Development Code was adopted in 1997; and

WHEREAS, recent land use and transportation trends have demonstrated the need to clearly define fulfillment and distribution centers and differentiate them from general warehousing to assure proper distancing from residential uses and to assure that appropriate infrastructure is present to support the use.

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

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

WHEREAS, County 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. *New Castle County Code* Chapter 40 (Unified Development Code or "UDC"), Article 3 ("Use Regulations"), Division 40.03.100 ("Use Regulations"), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.03.110. Use Table.

Table 40.03.110 lists the type of uses…

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[1]	ST	MM	ON	OR	CR	BP	I		CN	S[3]	SE	NC[2]	HI	EX	SR		Parking	Limited & Special Use Standards
Industrial Uses										**Industrial Uses**								**Industrial Uses**	
Compost operations	N	N	N	N	N	N	N	L		N	N	N	N	L	L	S		Table 40.03.522	Section 40.03.336
Extraction	N	N	N	N	N	N	N	N		N	N	N	N	N	L	N		Table 40.03.522	Section 40.03.324 and Table 40.03.210
Heavy industry	N	N	N	N	N	N	N	N		N	N	N	N	S	N	N		Table 40.03.522	Section 40.03.323
Light industry	N	N	N	N	L	[~~S~~]L	L	Y		N	N	N	N	Y	Y	N		Table 40.03.522	Section 40.03.333 for OR, BP and CR Zoned Land Table 40.03.210 [~~for BP Zoned Land~~]
Recycling or storage	N	N	N	N	L	N	L	L		N	N	N	N	L	N	N		Table 40.03.522	Table 40.03.210
Utilities, maintenance facilities	N	N	N	N	Y	L	Y	Y		N	N	N	N	Y	N	N		Table 40.03.522	Section 40.03.312

Utility, minor	L	L	L	L	L	L	L	L		L	L	L	L	Y	Y	L		Table 40.03.522	Section 40.03.334
Utility, major	S	S	S	S	S	S	S	L		S	S	S	S	L	S	S		Table 40.03.522	Section 40.03.312
Solar energy system, large-scale	N	N	L	L	L	L	L	L		N	L	N	N	L	N	L		na.	Section 40.03.337
Fulfillment or Distribution Centers	N	N	N	N	N	N	N	L		N	N	N	N	L	L	N		Table 40.03.522	Table 40.03.210 Section 40.03.344
Truck Terminal	N	N	N	N	N	N	N	L		N	N	N	N	L	L	N		Table 40.03.522	Table 40.03.210 Section 40.03.345
Warehouse	N	N	N	N	A	A	A	Y		N	N	N	N	Y	Y	N		Table 40.03.522	Section 40.03.430…

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Section 2. *New Castle County Code* Chapter 40 (Unified Development Code or "UDC"), Article 3 ("Use Regulations"), Division 40.03.200 ("Additional limited and special use standards"), is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below:

Sec. 40.03.210. Buffering, location, bulk and scale standards.

Table 40.03.210 provides standards that increase the degree of buffering…

Table 40.03.210A. Limited and Special Use Standards							Table 40.03.210B. Limited and Special Use Standards							Table 40.03.210C. Limited and Special Use Standards
	Buffer Standards						Locational or Dimensional Standards							Additional Standards
	Bufferyards			Separation			Minimum				Maximum			
Land Use	Location	Increase Opacity or Width	Fence or Berm	Use Protected	Distance from Use to protected parcel		Spacing	Site Area	Road Access	Open Space	Lot Area	Height		Other
Industrial Uses							**Industrial Uses**							**Industrial Uses**
Compost operations														Section 40.03.336
Extraction	All	0.8 (150 ft.)	8 ft. berm	Residential	100 ft.*			25 ac.						Section 40.03.324 * 100′ for Recreation, High Intensity Uses
Heavy industry														
Light industry	Within 1,000 feet of a Residentially zoned parcel [~~and~~]	0.3	Minimum 8 ft. berm	Residential and Schools	500 ft.*									Requirements for OR, BP, and CR Zoned Land

	or parcel with an established daycare center or School[s]													See Section 40.03.333 *500 ft. as measured to any Light Industrial building or structure
Recycling or storage	All exterior storage	0.3	8 ft. fence or 4 ft. berm											The use is a limited use in the OR and BP zoning districts only where there is no exterior storage, and all material is stored inside the buildings with impervious floors.
Utilities, minor														
Utilities, major	All exterior storage of heavy equipment and materials	0.3	4 ft. berm											
Utilities, maintenance facilities														
Fulfillment or Distribution Centers	Within 1,000 feet of a Residentially zoned parcel or parcel with an	0.4	Minimum 8 ft. berm	Residential and Schools	500 ft.*									See Section 40.03.344 *500 ft. as measured to any building or structure

	established daycare center or School													
Truck Terminal	Within 1,000 feet of a Residentially zoned parcel or parcel with an established daycare center or School	0.4	Minimum 8 ft. berm	Residential and Schools	500 ft.*									See Section 40.03.345 *500 ft. as measured to any building or structure

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Section 3. *New Castle County Code* Chapter 40 (Unified Development Code or "UDC"), Article 3 ("Use Regulations"), Division 40.03.300 ("Additional limited and special use standards"), is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below:

Sec. 40.03.333. Light Industry uses in OR, BP, and CR zoning districts.

A. Light Industry uses as defined in Subsection 40.33.270.D are considered Limited Uses in the BP, CR, and OR zoning districts, except that the following uses require a special use permit:

Marijuana cultivation facility (NAICS 111419, NAICS 424590)…

…[~~Warehousing and storage facilities, including logistics services related to the distribution of goods~~ (NAICS 493)]

[~~B. The only Light Industry use as defined in Section 40.33.270.D that is permitted in the CR zoning district is warehousing and storage facilities (NAICS 493). This use requires a special use permit and is subject to the following standards:~~

~~1. Property must be developed in accordance with Section 40.08.130.B.6.~~

~~2. The gross site area must be a minimum of forty (40) acres.~~

~~3. Where a warehousing and storage facility is adjacent to an existing residential use or residential zoning district, lighting shall be designed so that there is zero (0) footcandle at the property line of the residential area.~~

~~4. A noise study shall be completed and submitted as part of the special use application to evaluate potential noise impact on adjacent properties.~~

~~5. The special use application shall include a narrative identifying how the proposal addresses Table 2 of Appendix 7 with respect to the design principles for the applicable Character Area.~~]

Sec. 40.03.344. Fulfillment and Distribution Centers.

Fulfillment and Distribution Centers are subject to the following standards:

A. Shall meet the requirements for large industrial structures in Section 40.26.260.

B. Shall only take direct access from arterial or collector streets that have a minimum of sixty (60) feet of right-of-way and that can accommodate a minimum average annual daily traffic rate of 7,000 vehicles per day. Fulfillment and Distribution Centers may take access from roads or accessways within an industrial park provided that the industrial park takes access from an arterial or collector street meeting the requirements of this subsection.

C. In addition to meeting all the requirements of Article 11, anticipated trip generation for fulfilment and distribution centers shall be based on latest published ITE manual calculations:

1. Fulfillment centers are considered High-Cube Fulfillment-Sort.
2. Distribution Centers are considered High-Cube Parcel Hub Warehouse.

D. On sites with more than twenty-five (25) loading bays the development must include the following amenities, accessible at all times:

1. The site shall include a minimum of one (1) truck parking space a minimum of ten (10) feet by eighty (80) feet in dimension, and one (1) additional truck parking space for every five (5) loading bays.

2. The site shall include a minimum of one (1) bathroom stall within a permanent structure, connected to a wastewater disposal system, and an additional one (1) bathroom stall for every twenty-five (25) loading bays up to a maximum of ten (10).

3. The site shall include a minimum of one (1) shower stall within a permanent structure, connected to a wastewater disposal system, and an additional (1) shower stall for every fifty (50) loading bays up to a maximum of five (5).

Sec. 40.03.345. Truck Terminal.

Truck Terminals are subject to the following standards:

A. Shall only take direct access from arterial or collector streets that have a minimum of sixty (60) feet of right-of-way can accommodate a minimum average annual daily traffic rate of 7,000 vehicles per day. Truck terminals may take access from roads or accessways within an industrial park provided that the industrial park takes access from an arterial or collector street meeting the requirements of this subsection.

B. Where truck terminals are proposed to be within one thousand (1,000) feet to an existing residential use or residential zoning district the following design standards apply:

1. Lighting shall be designed so that there is zero (0) footcandle at the property line of the residential area.

2. Except for along lot lines internal to an existing office or industrial park or adjacent to existing industrial uses the bufferyards, street trees, berming, and on-lot landscaping must be upgraded, where appropriate, to mask the development.

3. The site shall be designed so that parking, loading, and circulation minimize the glare from vehicular lights visible to neighboring residential properties.

C. The site must be designed to minimize noise impact on neighboring properties. A noise study must be submitted to evaluate this impact and to verify consistency with Chapter 22 of the New Castle County Code.

D. In addition to meeting all the requirements of Article 11, anticipated trip generation for fulfilment and distribution centers shall be based on latest published ITE manual calculations for Intermodal Truck Terminal.

E. On sites with more than twenty-five (25) loading bays the development must include the following amenities, accessible at all times:

1. The site shall include a minimum of one (1) truck parking space a minimum of ten (10) feet by eighty (80) feet in dimension, and one (1) additional truck parking space for every five (5) loading bays.

2. A minimum of five (5) percent of the required total tractor-trailer parking spaces shall be reserved for outbound trucks required to layover or rest due to federal hours of service regulations.

3. Parked trucks shall not leave engines idling unless required for safety or weather-related reasons.

4. Electrical outlets shall be included in parking areas available for trucks to utilize.

5. The site shall include a minimum of one (1) bathroom stall within a permanent structure, connected to a wastewater disposal system , and an additional one (1) bathroom stall for every twenty-five (25) loading bays, up to a maximum of ten (10).

6. The site shall include a minimum of one (1) shower stall within a permanent structure, connected to a wastewater disposal system, and an additional (1) shower stall for every fifty (50) loading bays up to a maximum of five (5).

Section 4. *New Castle County Code* Chapter 40 (Unified Development Code or "UDC"), Article 3 ("Use Regulations"), Division 40.03.400 ("Individual use standards"), is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below:

Sec. 40.03.430. Accessory uses, nonresidential.

Nonresidential uses (not including agricultural uses) may have a variety of accessory uses within the principal structure or in separate structures, provided they meet the following standards:

A. *Uses.* …

B. *General.* …

C. *Fences.* A fence may not exceed eight (8) feet in height in a nonresidential zoning district. To account for installation on sloping ground and any necessary space between the ground and the bottom of the fence panels or materials, the top of the fence panels, materials, and posts may not exceed nine (9) feet in height when measured from the ground.

1. Where barbed or razor wire fence is used in a nonresidential zoning district, a minimum three-tenths (0.3) opacity bufferyard shall be provided between the fence and any street or residential use.

2. Notwithstanding the above, any fence or barrier required pursuant to a provision of State or Federal law shall be constructed to meet the applicable rule or standard.

D. [~~*Reserved*~~]*Warehouse.* A warehouse shall be no larger than thirty thousand (30,000 SF) or thirty (30) percent of the built GFA for the principal use of the site, whichever is greater.

E. *Community recycling bins.* …

Section 5. *New Castle County Code* Chapter 40 (Unified Development Code or "UDC"), Article 4 ("District and Bulk Standards"), Division 40.04.100 ("District and Bulk Standards"), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.04.110. District and bulk standards.

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

A. *Minimum open space ratio*. …

B. Site area …

C. Maximum building height. …

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 (%)	Build-ing Height (feet)	Percent of Lot Area	
…Industrial (I)								**Industrial (I)**								**Industrial (I)**	
Offices	0.20	na.	na.	0.50	0.83	P	5 ac.	1 ac.	100	40	0*	0**	40/10	na.	65/ 140***	5	* Minimum 20 foot side yard adjacent to residential uses or districts ** Minimum 50 foot rear yard adjacent to residential uses or districts *** For buildings over 65 feet, see Section 40.04.110 C. **** Minimum lot area not required in an approved Industrial Park
Commercial lodging	0.35	na.	na.	0.60	0.94	P	25 ac.	3 ac.	100	40	0*	0**	40/10	na.	50/ 140***	5	
Restaurants	0.15	na.	na.	0.16	0.20	P	25 ac.	1 ac.	100	40	0*	0**	40/10	na.	30	5	
Heavy retail and service	0.15	na.	na.	0.32	0.37	P	1 ac.	1 ac.	100	40	0*	0**	40/10	na.	60	50	
Industrial	0.15	na.	na.	0.48	0.57	P	1 ac.	1 ac.	100	40	0*	0**	40/10	na.	60/ 140***	50	
Fulfillment, Distribution Centers or Warehouses	0.15	na.	na.	0.48	0.57	P	20 ac.	20 ac.****	100	40	0*	0**	40/10	na.	60/ 140***	50	
Truck Terminal	0.15	na.	na.	0.30	0.38	P	10 ac.	1 ac.	100	40	20	20	40/10	na.	60/ 140***	50	
Other permitted uses	0.20	na.	na.	0.30	0.38	P	10 ac.	1 ac.	100	40	20	20	40/10	na.	60/ 140***	50	
Heavy Industrial (HI)								**Heavy Industrial (HI)**								**Heavy Industrial (HI)**	
Heavy industry	0.10	na.	na.	0.62	0.69	P	20 ac.	5 ac.	300	40	0*	0**	40/10	na.	90	no limit	* Minimum 20 foot side yard adjacent to residential uses or
Fulfillment, Distribution Centers or Warehouses	0.15	na.	na.	0.48	0.57	P	20 ac.	20 ac.***	100	40	0*	0**	40/10	na.	60/ 140***	50	

Truck Terminal	0.15	na.	na.	0.30	0.38	P	10 ac.		1 ac.	100	40	20	20	40/10	na.	60/ 140***		50	districts ** Minimum 50 foot rear yard adjacent to residential uses or districts *** Minimum lot area not required in an approved Industrial Park
Other industrial	0.10	na.	na.	0.51	0.57	P	20 ac.		5 ac.	300	40	0*	0**	40/10	na.	70		no limit	
Other permitted uses	0.10	na.	na.	0.34	0.38	P	5 ac.		2 ac.	150	40	20	20	40/10	na.	70		100	…

Sec. 40.04.111. Landscape and illumination standards.

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

Table 40.04.111 A. USE AND LOT STANDARDS							Table 40.04.111 B. USE AND LOT STANDARDS															Table 40.04.111 C. USE AND LOT STANDARDS			
Zoning District & Development Type	Landscaping Plant Units per (See Division 40.23.100)			Bufferyard Opacity Standards			Bufferyard Opacity Standards (See Section 40.23.140)															Street Tree Spacing (feet)	Max. Illumination/Height		Notes
				Adjoining Streets			Adjoining District or Use (1) (No bufferyard shall be required where like zoning district and like developments options are adjacent)																Illumination	Height	
	Lot	Acre Open Space	Parking Spaces	Arterial	Collector	Minor	SR	SE NC 2a	S	NC 40-10	ST	TN	MM	NC 6.5 or less*	ON	OR	CN	CR	BP	I	HI	EX	C=Cutoff fc=footcandles S=Semi-Cutoff	C=Cutoff ft=feet S=Semi-Cutoff	*NC6.5 or less includes NC5, NCap, NCga, NCth, NCsd, CNmm, and NCpud
Suburban Reserve (SR)							Suburban Reserve (SR)																Suburban Reserve (SR)…			
…Industrial (I)							Industrial (I)																Industrial (I)			
Offices Industrial Restaurants Heavy retail and service Fulfillment, Distribution Centers or Warehouses Other permitted uses	6/ac	5	1/30	0.5	0.5	0.5	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.2	0.2	0.3	0.2	0.2	- 0.2	-	-	50	C=12 fc S=10 fc	C=40 ft S=35 ft	
Heavy Industrial (HI)							Heavy Industrial (HI)																Heavy Industrial (HI)			
Heavy industry Other industrial Other permitted uses	6/ac	10	1/40	0.6	0.6	0.6	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.4	0.4	0.4	0.4	0.4	0.2	- 0.2	-	50	C=20 fc S=20 fc	C=50 ft S=45 ft	
Extraction (EX)							Extraction (EX)																Extraction (EX)			
Extractive use and recreation high intensity	See Section 40.03.324						See Section 40.03.324																50	C=20 fc S=20 fc	C=50 ft S=45 ft	
Other permitted uses	6/ac	10	1/40	0.6	0.6	0.6	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.4	0.4	0.4	0.4	0.2	0.2	-				
(1)In the event a proposed use adjoins another municipality, the bufferyard requirement shall be equal to the same opacity required as the most similar New Castle County Zoning District.																										

Section 6. *New Castle County Code* Chapter 40 (Unified Development Code or "UDC"), Article 11 ("Transportation Impact"), Division 40.11.130 ("Transportation capacity"), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.11.130. - Traffic impact study requirements.

A. A traffic impact study shall be prepared by individuals or firms that perform traffic engineering and the study shall be reviewed and sealed by a professional engineer. The content and format of the study shall be as prescribed by Chapter 2 of DelDOT's Development Coordination Manual, or any amendments thereto, and include all of the following additional requirements:

1. The anticipated trip generation of the land use including vehicle trips and truck trips per day during the week and the weekend, and the a.m., p.m., and weekend peak hour trips generated by the proposed development.

2. New traffic counts will be required for all intersections in the area of influence of the proposed development. If other traffic impact studies have been done in the area within one (1) year, the traffic counts from these traffic impact studies or other traffic counts may be used with the approval of the Department and DelDOT. …

Section 7. *New Castle County Code* Chapter 40 (Unified Development Code or "UDC"), Article 33 ("Definitions"), Division 40.33.100 ("Word Usage"), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.33.130. Abbreviations.

The following abbreviations are used in this Chapter:

AASHTO	American Association of State Highway and Transportation …
…GFAR	gross floor area ratio
ITE	Institute of Transportation Engineers
LDIA	Land Development Improvement Agreement….

Section 8. *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. 40.33.270. Industrial uses.

A. *Compost operations (NAICS 325314). …*

B. *Distribution Center.* Facilities designed to process large quantities of goods and distribute them to various locations including retailers, often in bulk (ITE 156). Distribution Centers do not ship directly to consumers.

C. *Extraction.* …

D. *Fulfillment Center.* Facilities designed to process individual customer orders (sort), large box items (non-sort) including picking, packing, and shipping directly to the consumer (ITE 155).

E[~~C~~]. *Heavy industry.* …

F[~~D~~]. *Light industry.* This category is designed to accommodate limited intensity levels of manufacturing and assembly activities, storage, warehousing, services, associated offices and similar uses. This includes the following uses:

Construction of buildings (NAICS 236) …
[~~Warehousing and storage facilities, including logistics services related to the distribution of goods (NAICS 493)~~]…

G[~~E~~]. *Recycling or storage.* …

H[~~F~~]. *Solar energy system, large scale.* …

I. *Truck Terminal*. Structures and facilities used primarily to accommodate the transfer of goods or chattels from trucks or truck trailers to other trucks or truck trailers or to vehicles of other types, in order to facilitate the transportation of such goods or chattels as origin or destination point of goods being transported, for the purpose of storing, transferring, loading, and unloading goods as well as for the dispatching, coordination, preparation; or for truck or truck-trailer parking or storage. (NAICS 4887490)

J[~~G~~]. *Utility, major.* …

K[~~H~~]. *Utility, minor.* …

L[~~I~~]. *Utilities, maintenance facilities.* …

M. *Warehouse*. A building or part of a building used or intended to be used primarily for the storage of goods or chattels that are to be sold retail or wholesale from other premises and excludes Fulfillment and Distribution Centers. These establishments provide facilities to store goods and control the incoming flow of goods (received from suppliers, production centers, etc.) and the outgoing flow of goods. (NAICS 493)

Section 9. *New Castle County Code* Chapter 40 (Unified Development Code or "UDC"), Article 33 ("Definitions"), Division 40.33.300 ("General definitions"), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Division 40.33.300. General definitions.

This Division contains the definition of words used in this Chapter. …

… *Bulletin board.* See Sign, bulletin board.

Business Park. A development on a tract of land that contains a number of separate buildings and uses, accessory and supporting uses, and open space designed, planned, constructed, and managed on an integrated and coordinated basis.

…Hydrophytic vegetation. Those plants which are adapted to life in saturated soil conditions.

Industrial Park. A development on a tract of land that contains a number of separate Industrial buildings and uses, accessory and supporting uses, and open space designed, planned, constructed, and managed on an integrated and coordinated basis.

Impervious surface ratio (ISR). The proportion of a development that is impervious surface. It is determined by dividing the area in impervious surface by the base site area. …

Section 9. 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 10. 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 11. 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 of being executed in accordance with the County Council's intent. If any provision of this Ordinance or any zoning map or portion thereof is found to be unconstitutional or void, all applicable former ordinances, resolutions, zoning maps or portions thereof shall become applicable and shall be considered as continuations thereof as not as new enactments regardless if severability is possible.

Section 12. Effective Date. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive or as

otherwise provided in 9 Del. C. § 1156 and shall only apply to Land Use applications submitted after such date(s) unless the applicant by written request agrees to submit to 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:

_____
Marcus A. Henry
County Executive of 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 designates which zoning districts permit Truck Terminals, Fulfillment Centers, Distribution Centers, and warehouses. This amendment also revises light industry uses in the CR zoning district.

Sec. 40.03.210. This amendment revises Table 40.03.210 to include limited use standards for Truck Terminals, Fulfillment Centers and Distribution Centers.

Sec. 40.03.333. This amendment removes special use standards for warehousing and storage facilities in the OR and CR zoning district.

Sec. 40.03.344. This amendment provides limited and special use standards for Fulfillment and Distribution Centers.

Sec. 40.03.345. This amendment provides limited and special use standards for Truck Terminals.

Sec. 40.03.430. This amendment provides accessory use standards for warehouses.

Sec. 40.04.110. This amendment provides district and bulk standards for Fulfillment, Distribution Centers and Warehouses.

Sec. 40.04.111. This amendment provides landscape and illumination standards for Fulfillment and Distribution Centers.

Sec. 40.11.130. This amendment requires that a TIS includes truck trips per day.

Sec. 40.33.270. This amendment defines Truck Terminals, Fulfillment Centers, Distribution Centers and Warehouses and removes logistic services from the definition of light industrial use.

Sec. 40.33.300. This amendment defines business and industrial park and revises the definitions of subdivision regulations and zoning regulations.

DEPARTMENT OF LAND USE
RECOMMENDATION REPORT

Ordinance 25-121
Application 2025-0606-T
Truck Terminals, Warehouses, Fulfillment Centers and Distribution Centers

January 20, 2026

Sponsor: Councilman David Tackett (District 11) and Councilwoman Janet Kilpatrick (District 3)

Description: To amend the New Castle County Code Chapter 40 ("Unified Development Code" or "UDC"), Article 3 ("Use Regulations"), Article 4 ("District and Bulk Standards"), Article 11 ("Transportation Impact"), and Article 33 ("Definitions"), regarding Truck Terminals, Warehouses, Fulfillment Centers and Distribution Centers

EXECUTIVE SUMMARY

Zoning regulations in the New Castle County Code have long had provisions addressing warehouse uses, however have not included specific standards for Truck Terminals, Warehouses, Fulfillment Centers and Distribution Centers. As these uses have become more prevalent, it is important that appropriate regulations are adopted to protect adjacent residential neighborhoods from incompatible uses, and to provide predictability for development moving forward.

Application 2025-0606-T (Ordinance 25-121), is a text amendment to amend New Castle County Code to specifically define Truck Terminals, Warehouses, Fulfillment Centers and Distribution Centers and included specific zoning and subdivision standards for each use. These standards propose to:

- Make a Warehouse use permitted principal use in the Industrial (I), Heavy Industry (HI), and Extractive Use (EX) districts, and as accessory uses to a principal use in the Office Regional (OR), Commercial Regional (CR), and Business Park (BP) districts, as opposed to Limited or Special Uses as they are in the UDC today.

- Permit fulfillment centers, distribution centers, and truck terminals as Limited Uses in the Industrial (I), Heavy Industry (HI), and Extractive Use (EX) districts with standards that build upon those adopted by Ordinance 23-104 to better protect residential uses by enhancing setbacks and buffering, while ensuring access from roads designed for their needs. Amenities will also enhance the safety of truck drivers arriving during off hours and remove parked tractor trailers from local roads.

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 25-121 with the condition that County Council considers amending the ordinance to:

1. Reduce the minimum lot size from 20 acres to 5 acres;
2. To make approved Business Parks eligible for the same minimum lot area exemptions in Table 40.04.110.C and access requirements in Section 40.03.344 and 40.03.345 as Industrial Parks in eligible zoning districts;
3. Revise proposed language for Section 40.03.344.B and Section 40.03.345.A and allow Truck Terminals, Warehouses, Fulfillment Centers and Distribution Centers on Arterial and Collector streets; and to
4. Work with the Department to reevaluate the total number of bathroom and shower stalls for Fulfillment Centers, Distribution Centers and Truck Terminals

DESCRIPTION

Application 2025-0606-T (Ordinance 25-121), is a text amendment to amend New Castle County Code to specifically define Truck Terminals, Warehouses, Fulfillment Centers and Distribution Centers and included specific zoning and subdivision standards for each use.

BACKGROUND

Zoning regulations in the New Castle County Code have long had provisions addressing warehouse uses, however have not included specific standards for Truck Terminals, Warehouses, Fulfillment Centers and Distribution Centers. As these uses have become more prevalent, it is important that appropriate regulations are adopted to protect adjacent residential neighborhoods from incompatible uses, and to provide predictability for development moving forward.

Former Code (December 31, 1997)

Prior to the adoption of the Unified Development Code, warehousing was defined as:

> *Warehouse means any structure or room, attached or unattached to a retail or wholesale sales area, for the storage of merchandise or commodities, from which such merchandise or commodities are sold to customers.*

It was permitted in all Manufacturing Districts (M-1, M-2, and M-3) per Section 40-160. As indicated the definition above the focus of the use was storage of commodities for sale to consumers.

Ordinance 97-172 Unified Development Code

On December 31, 1997, New Castle County adopted the Unified Development Code (UDC) (Ordinance 97-172) categorizing Trucking and Warehousing (NAICS 484) as a Heavy Industrial Use (only permitted in the Heavy Industry district). The definition centered on the transportation of goods as opposed to the storing products. The North American Classification System defined NAICS 484 (Truck Transportation) as:

> *Industries in the Truck Transportation subsector provide over-the-road transportation of cargo using motor vehicles, such as trucks and tractor trailers. The subsector is subdivided into general freight trucking and specialized freight trucking. This distinction reflects differences in equipment used, type of load carried, scheduling, terminal, and other networking services. General freight*

> *transportation establishments handle a wide variety of general commodities, generally palletized, and transported in a container or van trailer. Specialized freight transportation is the transportation of cargo that, because of size, weight, shape, or other inherent characteristics require specialized equipment for transportation.*
>
> *Each of these industry groups is further subdivided based on distance traveled. Local trucking establishments primarily carry goods within a single metropolitan area and its adjacent nonurban areas. Long distance trucking establishments carry goods between metropolitan areas. ...*[1]

Warehousing and Storage facilities as considered under the *Former Code* were folded into freight trucking uses.

Ordinance 98-080 Omnibus

On September 22, 1998, New Castle County adopted Ordinance 98-080 amended the industrial uses to correctly return Warehousing and Storage Facilities (NAICS 493) as a Light Industry use, while eliminating the definition for Freight Trucking (NAICS 484).

Ordinance 99-075 Omnibus

On December 14, 1999, New Castle County adopted Ordinance 99-075 which created Limited Use standards (Section 40.03.333) for Light Industry uses limiting the types of Light Industry uses which are permitted within OR zoning districts.

Ordinance 08-096 Consolidation of Employment Related Uses within the OR, BP, and I Zoning Districts

On December 9, 2008, New Castle County adopted Ordinance 08-096 which redefined specific Light Industry uses as Special Uses within Section 40.03.333 of the UDC and establishing maximum height limitations on specific buildings within 100 feet of residential property lines (Section 40.04.110.C).

Ordinance 21-065 Substitute No.1 to Ordinance No. 21-065

On September 9, 2021, New Castle County adopted Substitute No.1 to Ordinance 21-065 which limited Light Industry uses within CR zoning districts to warehousing and storage facilities (NAICS 493) as a Special Use and additional standards set pursuant to Section 40.03.333.B of the UDC.

Ordinance 23-104 Regarding Development, Redevelopment, Large Industrial Structures and Heavy Retail and Service Uses

On January 25, 2024, New Castle County adopted Substitute No. 1 to Ordinance 23-104 which set Limited Use standards for Light Industry uses within BP zoning including distance requirements and design elements when located adjacent to residential uses pursuant to Tables 40.03.110 and 40.03.210 of the UDC. Standards around large industrial structures (Section 40.26.260) changed to apply to a lower gross floor area (GFA) threshold of proposed large industrial structures. These design elements included but were not limited to: landscaping and berm requirements along non-industrial uses, lighting

[1] 1997 NAICS 484: https://www.census.gov/naics/resources/archives/sect48-49.html (Accessed 01/12/26)

requirements along residential uses, reduction of noise impacts, building design, and other associated improvements.

Ordinance 25-121 Truck Terminals, Warehouses, Fulfillment Centers and Distribution Centers

Ord. 25-121 was introduced on October 14, 2025, proposing specific use definitions for Truck Terminals, Warehouses, Fulfillment Centers and Distribution Centers, limited use standards, as well as distinct classifications for each as industrial uses in Table 40.03.110 of the UDC.

PRELIMINARY LAND USE SERVICE (PLUS) REVIEW

The proposed text amendment was reviewed at the PLUS meeting held on October 29, 2025.

The PLUS Review Letter, dated November 18, 2025, includes comments from the Office of State Planning and Coordination, who had no objections. DNREC's Division of Air Quality voiced support for the changes proposed by the ordinance, while recommending that the County consider additional language pertaining to idling of heavy-duty vehicles. All other State agencies had no comment or objections to ordinance.

PLANNING BOARD PUBLIC HEARING – *December 2, 2025*
*Please note, the below is a summary. A recording and transcripts of the public hearing are available at the Department of Land Use. [2]

Matthew Rogers, Planner for the Department of Land Use presented Ordinance 25-121 at the December 2, 2025, Joint New Castle County Department of Land Use and Planning Board Public Hearing. During his presentation, he discussed proposed amendments to the UDC and how they were derived from recommendations in USDOT Truck Parking Development Handbook, the Institute of Transportation Engineers (ITE Manual), planning studies including Hidden and in Plain Sight: Impacts of E-Commerce by the Metropolitan Area Planning Council (MAPC - Massachusetts), the Delaware State Freight Plan, and neighboring jurisdictions.

Questions from the Planning Board:

Robert Snowden inquired about enforcement of unnecessary idling and noise violations. Mr. Rogers explained that such violations would likely result from complaints filed with Code Enforcement. Mr. Snowden remarked that the required electrical outlets for Truck Terminals would reduce the need for idling.

Public Comment:

Dale Swain, representing the Citizens Alliance for Responsible Land Use and Alison West voiced support for the ordinance. Ms. West recommended that air quality provisions be included in the ordinance. No other comments were voiced at the Public Hearing.

[2] December 2, 2025 Planning Board Public Hearing: https://www.newcastlede.gov/agendacenter

***The Department of Land Use requested that the record be held open until December 19, 2025. The Planning Board approved the request.

While the record was open the Department of Land Use received correspondence from Dan Gorman in support of the ordinance, and from Matt Dougherty Executive Director for the Committee of 100 in opposition of the ordinance.

ANALYSIS

Ordinance 25-121 has two (2) primary objectives; (1) to ensure that development of fulfillment centers, distribution centers, truck terminals, and warehouses occur in a manner sensitive to neighboring development patterns, while adequately accounting for their impact on the transportation infrastructure, and (2) provide safe and available onsite amenities for truck drivers arriving at the site to rest as required by federal regulations.

Defining Uses and Setting Standards

Prior to the adoption of the Unified Development Code warehousing was a permitted use permitted in all manufacturing districts focusing on the storage of goods. With the adoption of the unified development code, the definition shifted to a focus on the logistics and fulfillment natured operations, as evidenced by the NAICS code, and making it a Heavy Industry use. About nine months later, with the adoption of Ordinance 98-080 the definition of warehousing was revised to be a Light Industry use and the NAICS code was changed to be consistent with the definition in the Former Code.

The differing definitions are indicative of the fact that the nature of the uses are inherently different and have differing impacts on neighboring properties. While fulfillment centers, distribution centers, and trucking terminals, existed in the 1990s, they were not prevalent in New Castle County. Modern fulfillment centers, distribution centers, and trucking terminals differ greatly in their size, traffic generation and nature of operation from general warehousing operations. As such it is important that individual use definitions are established to assure proper siting of those uses where supporting infrastructure is either present or planned to support the use. This provides applicants with predictability while also protecting residential neighborhoods from incompatible land uses.

1. Warehousing

Ordinance 25-121 defines a Warehouse use as:

> *A building or part of a building used or intended to be used primarily for the storage of goods or chattels that are to be sold retail or wholesale from other premises and excludes Fulfillment and Distribution Centers. These establishments provide facilities to store goods and control the incoming flow of goods (received from suppliers, production centers, etc.) and the outgoing flow of goods. (NAICS 493).*

The ordinance proposes to make a Warehouse use permitted principal use in the Industrial (I), Heavy Industry (HI), and Extractive Use (EX) districts. Warehouse uses are proposed to be permitted accessory to a principal use in the Office Regional (OR), Commercial Regional (CR), and Business Park

(BP) districts, as opposed to Limited or Special Uses as they are in the UDC today. To assure that the warehousing portion of the site serves in an accessory capacity, while acknowledging that larger principal uses may require increased storage area to a use that is in character with intent of the zoning districts the size of the warehousing use is scaled to the **greater of either 30,000 SF or 30% of the built Gross Floor Area on the site**.

2. Fulfillment Centers, Distribution Centers and Truck Terminals

While Warehouse uses center on the storage of goods, Fulfillment Centers, Distribution Centers and Truck Terminals primary function and impact are the transportation of goods, whether from the facility directly to the customer (final mile) or to other facilities serving as a hub.

Fulfillment Centers are those that primarily function in *final mile* delivery of products to consumers. These facilities usually receive shipments by tractor trailers and usually deliver orders by smaller vehicles. Ordinance 25-121 derives the definition for Fulfillment Centers from the Institute of Transportation Engineers definition of High-Cube Fulfillment Center Warehouse (ITE 155) as follows:

Facilities designed to process individual customer orders (sort), large box items (non-sort) including picking, packing, and shipping directly to the consumer (ITE 155).

Distribution Centers are those that primarily function in the logistical operations of distributing goods to retailers or other facilities. These facilities do not function in *final mile* delivery of products to customers. Ordinance 25-121 derives the definition for Distribution Centers from the Institute of Transportation Engineers definition of High-Cube Parcel Hub Warehouse (ITE 156) as follows:

> *Facilities designed to process large quantities of goods and distribute them to various locations including retailers, often in bulk (ITE 156). Distribution Centers do not ship directly to consumers.*

Trucking Terminals are facilities where goods are transferred between trucks, between trucks and railroads, or between trucks and ports. Ordinance 25-121 derives the definition for Truck Terminals to be consistent with both the Institute of Transportation Engineers definition of Intermodal Truck Terminal (ITE 030) and the NAICS 4887490 as follows:

> *Structures and facilities used primarily to accommodate the transfer of goods or chattels from trucks or truck trailers to other trucks or truck trailers or to vehicles of other types, in order to facilitate the transportation of such goods or chattels as origin or destination point of goods being transported, for the purpose of storing, transferring, loading, and unloading goods as well as for the dispatching, coordination, preparation; or for truck or truck-trailer parking or storage. (NAICS 4887490)*

Ordinance 25-121 proposes that these uses are permitted as Limited Uses in the I, HI, and EX zoning districts. As identified in Division 40.03.100, Limited Use review is appropriate to determine if a specific use is appropriate on a property based on criteria designed to accommodate the use while protecting neighboring uses (Section 40.01.015).

Protections for Residential Uses (When within 1,000 ft of Residential Use or Zoning)		
	Fulfillment & Distribution Centers	**Truck Terminals**
Enhanced Buffering adjacent to residential use or zoning district	0.4 Opacity & 8' berm	
Enhanced Setbacks	500' from property line to structure	
Lighting	-	Zero (0) footcandle at the property line of the residential area.
Enhanced Street Yard Buffering	-	Except for along lot lines internal to an existing office or industrial park or adjacent to existing industrial uses the bufferyards, street trees, berming, and on-lot landscaping must be upgraded, where appropriate, to mask the development.
Glare	-	The site shall be designed so that parking, loading, and circulation minimize the glare from vehicular lights visible to neighboring residential properties.

Additionally, Fulfillment Centers, Distribution Centers and Truck Terminals must meet the requirements for large industrial structures established in Section 40.26.260 and shall only take direct access from arterial or collector streets. Fulfillment and Distribution Centers may take access from roads or accessways within an industrial park provided that the industrial park takes access from an arterial or collector street meeting those requirements.

Safety & Amenities

Since 2021, the Department of Land Use has actively collaborated with the Freight Working Group, which comprises WILMAPCO, DVRPC, DelDOT, MDOT, USDOT, and other counties and municipalities. This collaboration has been instrumental in the development of the First and Final Mile Study and the Delaware State Freight Plan. The Department, along with representatives from WILMAPCO and DelDOT, have consistently been concerned about the adverse effects of an insufficient supply of safe truck parking spaces and amenities (both on-site and at public truck parking facilities) on nearby streets and neighborhoods, as well as on the truck drivers themselves.

Recommendations from this group as well as engineers, industry professionals, and representatives for truck drivers that participated at recent freight summits and the planning processes were an important part of the conversation regarding State and County legislative and facility improvement initiatives. While DelDOT is actively working on expanding public truck parking facilities, facilities providing available truck parking spaces and amenities for trucks arriving at the site are key to mitigating the impact that these facilities have on neighboring developments and truck driver safety.

The United States Department of Transportation, Federal Highway Administration published the Truck Parking Development Handbook in September of 2022. The handbook is intended to serve as

> *…a resource for entities that develop and operate truck parking facilities* ***or facilities that create trucking activity that may require truck drivers to park for safety, regulatory, or work duty reasons.*** *This Handbook presents tools, design guidance, and case studies suggesting how truck parking can be viewed as a development opportunity and key element of sound local land use practices.*

Furthermore, the handbook provides guidance and case studies that:

> *…identifies some of the factors used by retail, commercial, and industrial site developers to locate facilities that will generate significant truck traffic and demand for truck parking. The section also explores land use considerations for siting and integrating truck parking into local communities through several case studies. These case studies address* ***new development as well as examples of how truck parking can be integrated at existing facilities****.*

Essentially, the intent of the handbook is to provide guidance for creating offsite truck parking facilities as well as truck parking facilities that are integrated into development that create trucking activity. The Department evaluated case studies and recommendations and adapted them considering development within the county. Ordinance 25-121 includes the following amenities:

	Fulfillment & Distribution Centers	Truck Terminals
Truck Parking	1 + 1 space for every 5 loading bays	1 + 1 space for every 5 loading bays 5% reserved for outbound trucks (layover or required rest)
Bathrooms (always accessible)	1 + 1 stall per 25 loading bays (10 maximum)	1 + 1 stall per 25 loading bays (10 maximum)
Shower Stalls (always accessible)	1 + 1 stall per 50 loading bays (5 maximum)	1 + 1 stall per 50 loading bays (5 maximum)
Additional	-	Electrical outlets shall be included in parking areas available for trucks to utilize Parked trucks shall not leave engines idling unless required for safety or weather-related reasons.

Traffic Analysis

As discussed above Ordinance 25-121 differentiates definitionally warehousing from the more traffic intensive uses of fulfillment centers, distribution centers and trucking terminals. It also specifically addresses the impact that those uses have on the transportation infrastructure by clearly informing developers of how traffic should be modeled based on a proposed development:

- Truck Terminals - ITE 030
- General Warehousing - ITE 150
- Fulfillment Centers - ITE 155
- Distribution Centers - ITE 156

The previous practice of evaluating all these uses based on General Warehousing (ITE 150) could in some instances result in only accounting for 1/7th of the truck traffic generated by a site. Additionally, Traffic Impact Studies will be required to distinctly identify the number of truck trips generated by a development, acknowledging the fact that trucks have a weightier impact on the transportation system.

Committee of 100 Comments

The Department received written comment from the Committee of 100, voicing their concerns with respect to standards proposed by the ordinance. Most of those comments were addressed in the text above. They inquired about the rationale for setting 7,000 ADT as a minimum threshold for Arterial and Collector Roads. This standard is intended to permit sites along Major Arterials, most Minor Arterials and some Major Collector roads to potentially permit Fulfillment Centers, Distribution Centers and Truck Terminals, based on road standards set in the FHWA's Highway Functional Classifications; Concepts, Criteria and Procedures.[3] The Committee of 100 also voiced concerns about sites not being able to meet the requirements and their ability to seek relief as well as their ability to benefit from redevelopment provisions in the code. Like all nonresidential uses, those that qualify for Redevelopment (Section 40.08.130) would be eligible for the benefits if they meet the 400% improvement requirement in Table 40.08.130.C. Additionally, these sites are eligible to seek relief from the Board of Adjustment from zoning regulations, and the Planning Board for subdivision regulations.

Summation

Ordinance 25-121 proposes important enhancements to the Unified Development Code clearly defining and differentiating Warehouse uses from Fulfillment Centers, Distribution Centers and Truck Terminals, while tailoring specific standards for each use.

Warehouse uses, which primarily focus on the storage of goods, remain permitted uses in industrial zoning districts (I, HI, and EX) without additional standards. In districts where warehousing was a Limited or Special Use (CR, OR, and BP), they would be permitted as Accessory Nonresidential Uses, with standards that the principal use is consistent with the intent of the zoning district. For instance, a 200,000 commercial use could consist of 140,000 square feet of retail space and 60,000 square feet of warehouse space.

Fulfillment Centers, Distribution Centers and Truck Terminals, are primarily focused on distribution and transportation of goods to other modes of transport, facilities, or to customers (final mile). The standards proposed by this ordinance build upon those adopted by Ordinance 23-104 to better protect residential uses through further enhanced setbacks and buffering, while assuring that these facilities take access from roads designed to handle their needs. Amenities required also enhance the safety for truck drivers arriving at the site during off hours, while removing parked tractor trailers from local roads. While most sites will likely only make the amenities available to trucks arriving at the site, they can avail them to other truckers.

The Department has considered four potential revisions to Ordinance 25-121; (1) expanding the exemption in Table 40.04.110.C include Business Parks size, (2) reducing the Minimum Lot Area, (3) revise proposed language for Section 40.03.344.B and Section 40.03.345.A and allow Truck Terminals, Warehouses, Fulfillment Centers and Distribution Centers on Arterial and Collector streets and (4) consider revising the total number of bathroom and shower stalls required for a site. Ordinance 25-121 formally defines Business Parks and Industrial Parks as follows:

---

[3] FHWA's Highway Functional Classifications; Concepts, Criteria and Procedures: https://www.govinfo.gov/content/pkg/GOVPUB-TD2-PURL-gpo76739/pdf/GOVPUB-TD2-PURL-gpo76739.pdf (Accessed 1/14/2026)

> Business Park. A development on a tract of land that contains a number of separate buildings and uses, accessory and supporting uses, and open space designed, planned, constructed, and managed on an integrated and coordinated basis.
>
> Industrial Park. A development on a tract of land that contains a number of separate Industrial buildings and uses, accessory and supporting uses, and open space designed, planned, constructed, and managed on an integrated and coordinated basis.

The differentiation between the two is the presence of Industrial uses. There are instances where an Industrial or Heavy Industry zoned parcel may have a Business Park and therefore should, as Industrial Parks are, be eligible for the exemption from the minimum lot size and access requirements in Section 40.03.344 and 40.03.345. The Department has also considered reducing the minimum lot size for Fulfilment and Distribution Centers from 20 acres to 5 acres. This would permit the siting smaller facilities, on sites that could accommodate just over 100,000 sf of GFA based on site capacity considerations. While the Department has not received a submission for a Fulfillment or Distribution Center less than 200,000 SF in GFA, there is potential that future changes in the sector may make smaller sized developments viable. Additionally, concurrency requirements in Article 11 paired with the currently proposed limitation to take access from Arterial and Collector streets do not necessitate a limitation on existing ADT levels to assure that adequate transportation infrastructure will be present to support the use.

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

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

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

> The 2022 Comprehensive Development Plan recommends incentivizing strong economic development policies, including in emerging industries, as a means for achieving and maintaining economic stability for New Castle County residents, expanding access to living-wage jobs. The Comprehensive Plan also calls for economic development to occur in a manner sensitive to neighboring communities. These policy recommendations are not inherently in conflict with each other. Scenario planning that underpins the overall vision for the plan, that evaluated economic and community development, relies on achieving this balance for the county to achieve the economic development and quality of life that it aspires to.[4]
>
> Ordinance 25-121 accomplishes this by providing tailored standards to the specifically defined uses of Warehouses, Fulfillment Centers, Distribution Centers and Truck Terminals with enhancements to site design that better protect residential uses from incompatible uses. Additionally, the ordinance includes specific and clear standards ensuring predictability in the process.

[4] 2022 New Castle County Comprehensive Plan (pp. 15-16, 470-482)

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

Ordinance 25-121 is an important step in achieving several Goals of the 2022 New Castle County Comprehensive Development Plan, by use specific definitions and standards for Warehouses, Fulfillment Centers, Distribution Centers and Truck Terminals. This will help the County achieve Goals 10 & 15:

> 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.
>
> Goal 15 - New Castle County's infrastructure and economic and social systems are strong, and our communities are prepared for future climate-related and man-made/natural events; all residents will live in neighborhoods that are protected from negative impacts of incompatible non-residential land uses/ activity and other hazards such as flooding (discrete and cumulative); and economic growth, prosperity and change in New Castle County is equitable and accessible by all.

Enhanced site design provisions proposed by Ordinance 25-121 will better protect neighboring residential developments from incompatible uses, while accounting for traffic generation based on more specific definitions of Warehouses, Fulfillment Centers, Distribution Centers and Truck Terminals tied to specific ITE classifications will better ensure that our transportation systems are improved to support all New Castle County residents.

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

Site design improvements proposed in Ordinance 25-121 build on those adopted for Large Industrial Structures in Ordinance 23-101, while differentiating between Warehouses, Fulfillment Centers, Distribution Centers and Truck Terminals.

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 protect the interests of both current and future County residents and neighbors from the potential adverse impacts of land uses..."*

> *"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:

> *Prohibiting uses, buildings, or structures that are incompatible with the character of established zoning districts and providing suitable transitions between different community character areas to minimize the amount of incompatible land use and adverse impacts on property value;*
>
> *Providing protection from noise, glare, odor, or vibration through buffers and other regulations;*

As discussed above Ordinance 25-121 will expand protections for adjacent residential properties that will minimize the amount of incompatible land use and adverse impacts on residents and neighbors and their property value by providing use specific provisions for Warehouses, Fulfillment Centers, Distribution Centers and Truck Terminals.

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 25-121 with the condition that County Council considers amending the ordinance to:

1. Reduce the minimum lot size from 20 acres to 5 acres;
2. To make approved Business Parks eligible for the same minimum lot area exemptions in Table 40.04.110.C and access requirements in Section 40.03.344 and 40.03.345 as Industrial Parks in eligible zoning districts;
3. Revise proposed language for Section 40.03.344.B and Section 40.03.345.A and allow Truck Terminals, Warehouses, Fulfillment Centers and Distribution Centers on Arterial and Collector streets; and to
4. Work with the Department to reevaluate the total number of bathroom and shower stalls for Fulfillment Centers, Distribution Centers and Truck Terminals.

PLANNING BOARD RECOMMENDATION

At a business meeting held on December 16, 2025, 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 Robert Ott and seconded by Neal Cantrell, the Board voted to recommend **CONDITIONAL APPROVAL** of Ordinance 25-121 subject to the conditions recommended by the Department of Land Use. The motion was adopted by a vote of 6-0-0-2 (In Favor: Cantrell, Drake, Gray, Ott, Snowden, Visvardis; In Opposition: None; Abstention None; Absent: Cochran, Daigle).

Prior to the vote, the following discussion occurred:

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

Mr. Snowden inquired if existing fulfillment centers had bathrooms or other amenities that are included in the ordinance. Mr. Rogers responded that fulfillment centers in New Castle County do not include such amenities, however that there are a number of areas, including some municipalities in Pennsylvania that have included requirements for always accessible bathrooms and showers for arriving truck drivers. He stated that such facilities paired with truck parking spaces will help deter trucks from parking on neighborhood streets when they arrive at a facility during off hours, while providing them with needed amenities, thereby addressing concerns voiced by the freight community. Mr. Snowden referred to the public comment received from Shawn Tucker regarding the effective date language, stating that in his opinion, that it is better considered by County Council as opposed to the Planning Board. Mr. Rogers remarked that the same effective date language has been in ordinances dating back to a decade. Mary Jacobson, Esq., Attorney for the Planning Board, informed the Board that they can consider effective date language if they are inclined to do so. Mr. Cantrell agreed with Mr. Snowden that the effective date is best considered by County Council. Mr. Ott inquired if condition #3 that would permit Truck Terminals, Warehouses, Fulfillment Centers and Distribution Centers on Arterial and Collector streets would preempt DelDOT requirements. Mr. Rogers explained that the condition only removes the 7,000 average annual daily trip threshold, and that it does not impact Level of Service/concurrency requirements. Ms. Visvardis asked if there are parking requirements for onsite employees. Mr. Rogers explained those parking requirements are already existing in the UDC and will remain unaltered. He further explained that the ordinance will tie Fulfilment Centers, Distribution Centers and Trucking Terminals to the correct ITE classification, thereby better assessing the traffic impact of the use. David Culver, General Manager for the Department of Land Use further explained that historically these facilities have been evaluated under General Warehousing, which generated significantly less truck traffic than Fulfilment Centers, Distribution Centers and Trucking Terminals. Mr. Ott inquired about the rationale for not requiring electrical outlets at fulfillment centers. Mr. Rogers explained that vehicles arriving and departing from a Fulfillment Center do not tend to have long idling times. Mr. Culver further explained that the intent is to address the tendency at Truck Terminals for drivers to have down time and remain idling, thereby reducing noise and pollution. Ms. Gray asked if the ordinance would apply to truck stops. Mr. Rogers explained that truck stops are typically owned and run by the State, within their rights-of-way and therefore would not be addressed by the code.

STATUTORY GUIDELINES

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

2-12-26

David M. Culver date
General Manager
Department of Land Use

2/9/26

Robert B. Snowden date
Acting Chair
New Castle County Planning Board

Primary Sponsor(s): Ms. George
Requested by: Land Use
Date of introduction: November 18, 2025

ORDINANCE NO. 25-146

REVISE PREVIOUSLY APPROVED EXPLORATORY MINOR LAND DEVELOPMENT PLAN WITH REZONING FOR PIKE EXCAVATING, INC.; PENCADER HUNDRED; EAST SIDE OF SR 72 (SUNSET LAKE ROAD), APPROXIMATELY 800 FEET SOUTH OF OLD BALTIMORE PIKE; TAX PARCEL NO. 11-014.00-048 (2016 SUNSET LAKE RD.) & 11-014.00-083, (2020 SUNSET LAKE RD., PIKE EXCAVATING INC)

(The plan for **Sunset Lake Properties, LLC & Christiana Excavating Company** proposes to revise the previously approved design of the exploratory minor land development plan by combining tax parcels 11-014.00-048 and 11-014.00-083 to allow for the development of two proposed warehouse buildings and associated site improvements. This new plan will supersede the previously approved minor land development plan and rezoning. Section 40.31.113 of the *New Castle County Code* requires that the submitted record plan be in general conformance with the development on the approved exploratory plan that was relied upon by County Council when it granted the rezoning. County Council adopted Ordinance 09-094 in February 2010. I (Industrial) zoning district. **App. 2022-0823-S/Z**.)

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

Section 1. The revised plan for Sunset Lake Properties, LLC & Christiana Excavating Company (area shown on Exhibits A and L, dated August 12, 2025) is approved and shall supersede the previously approved exploratory plan associated with the rezoning that was approved in February 2010 by Ordinance 09-094.

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

Adopted by County Council of
New Castle County on:

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

Approved on:

_____

Marcus A. Henry
County Executive
New Castle County

SYNOPSIS: Same as Title.

FISCAL NOTE: None.

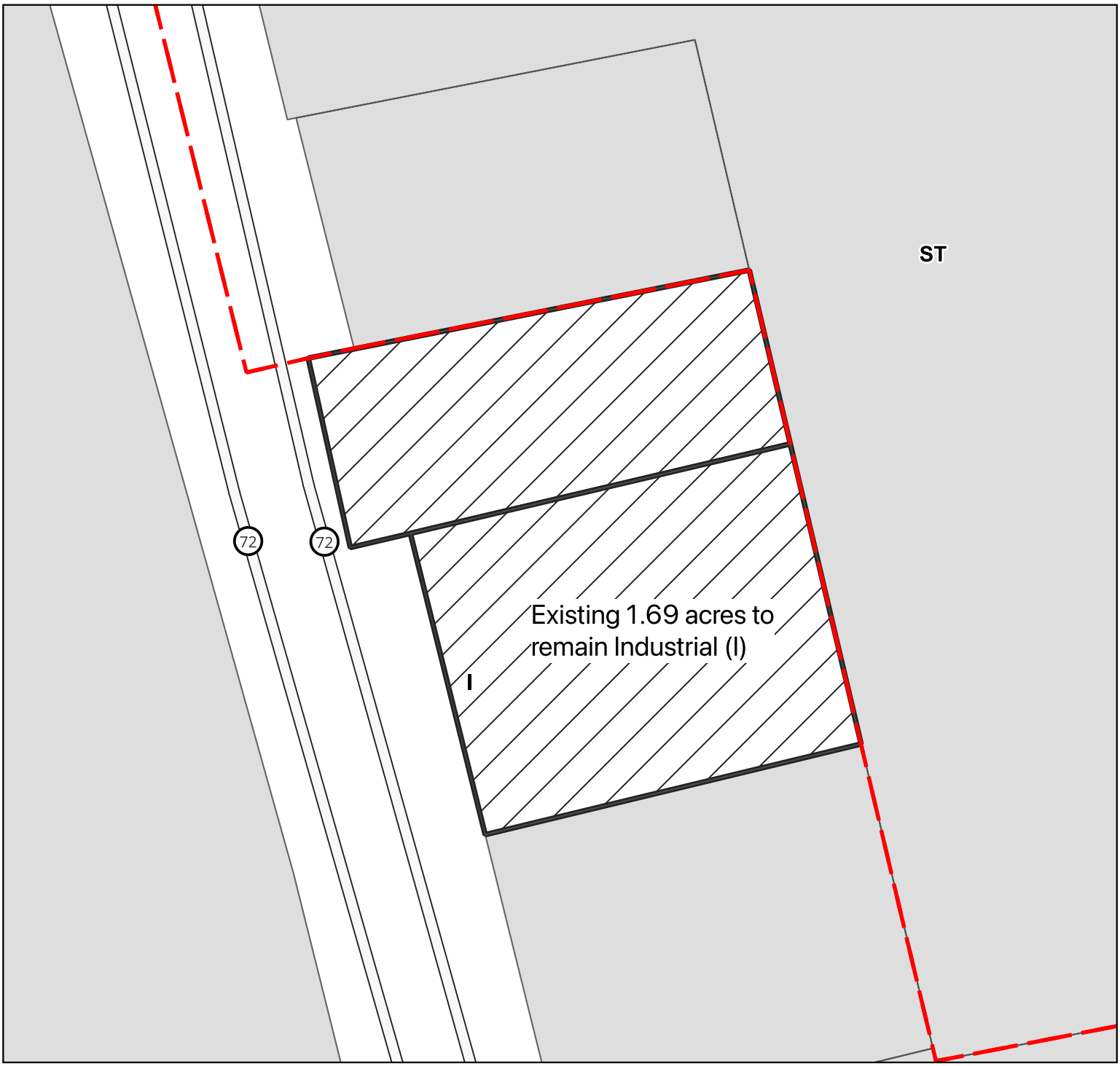
PROPERTY MAP

EXHIBIT A
ZONING ORDINANCE AS INTRODUCED

APPLICANT: SUNSET LAKE PROPERTIES, LLC &
CHRISTIANA EXCAVATING COMPANY

APPLICATION NO. 2022-0823-S/Z
TAX PARCEL NO: 11-014.00-048 &
11-014.00-083

PROPOSED REZONING: EXISTING INDUSTRIAL (I)
TO REMAIN INDUSTRIAL (I)



HUNDRED: PENCADER HUNDRED
NEW CASTLE COUNTY, DELAWARE

N

PERMANENT ORDINANCE NO. 25-_____
Date Adopted by County Council:
Date Approved by County Executive:

Scale: 1:1011
Prepared by: Matthew Rogers

Date: 8/12/2025

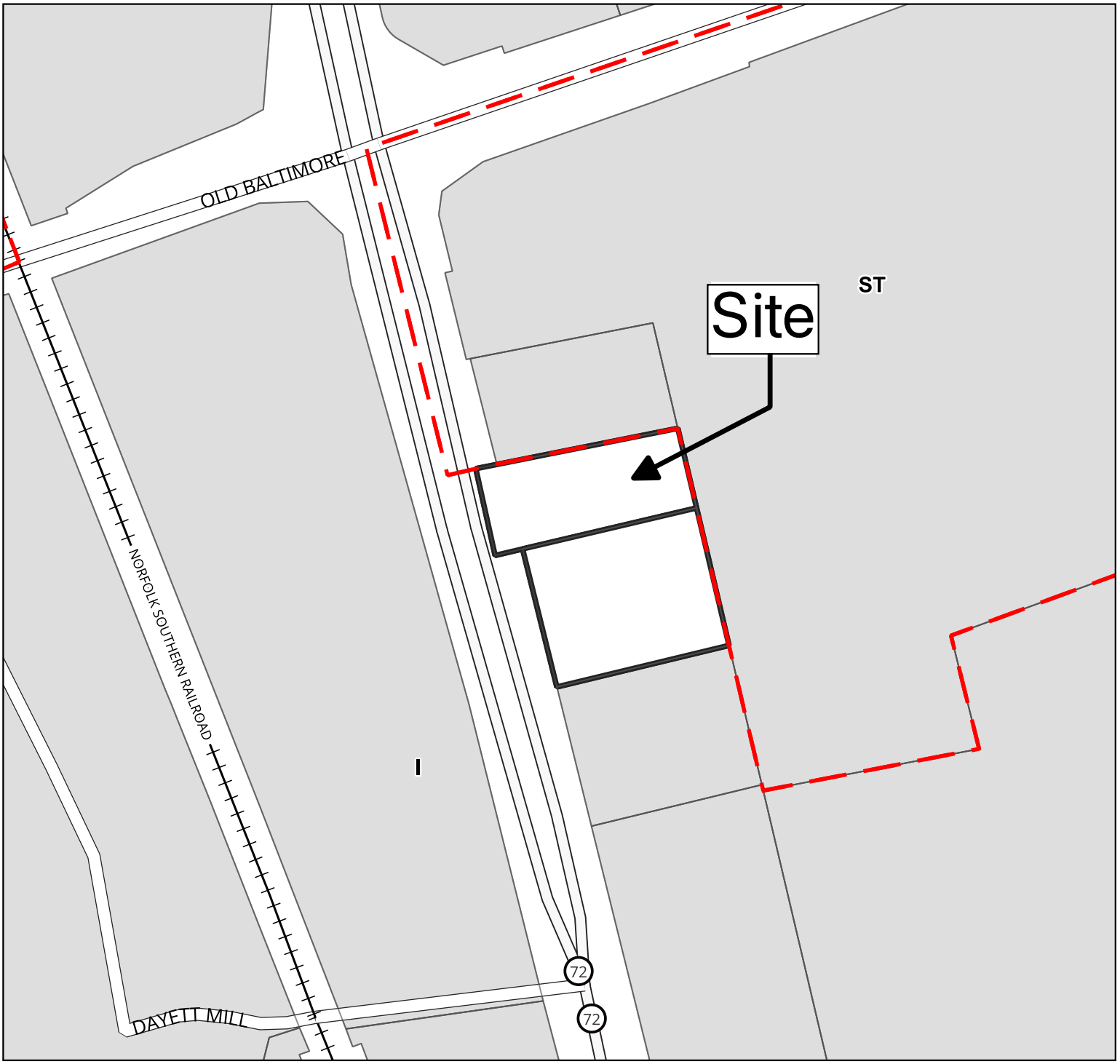
PROPERTY MAP

EXHIBIT L
ZONING ORDINANCE AS INTRODUCED

APPLICANT: SUNSET LAKE PROPERTIES, LLC &
CHRISTIANA EXCAVATING COMPANY

APPLICATION NO. 2022-0823-S/Z
TAX PARCEL NO: 11-014.00-048 &
11-014.00-083

PROPOSED REZONING: EXISTING INDUSTRIAL (I)
TO REMAIN INDUSTRIAL (I)



HUNDRED: PENCADER HUNDRED
NEW CASTLE COUNTY, DELAWARE

N

PERMANENT ORDINANCE NO. 25-_____

Date Adopted by County Council:
Date Approved by County Executive:

Scale: 1:2205
Prepared by: Matthew Rogers

Date: 8/12/2025

JOINT DEPARTMENT OF LAND USE / PLANNING BOARD RECOMMENDATION

Ordinance No. 25-146
Application No. 2022-0823-SZ
Sunset Lake Properties LLC (Rezoning)

February 17, 2026

Sponsor: Councilwoman George (District 5)

Description: Revise Zoning Map: East side of Sunset Lake Road, 500 feet south of Old Baltimore Pike. Combine tax parcel 11-014.00-048 and 11-014.00-083 into one lot, rezone from ST to I and construct two proposed warehouse buildings with associated improvements. I and ST Zoning. CD 5. Pencader Hundred.

EXECUTIVE SUMMARY

The Sunset Lake Properties LLC (App. 2022-0823-S/Z) site is located along the east side of Sunset Lake Road approximately 500 feet south of the Old Baltimore Pike intersection. The applicant is proposing to combine two parcels, construct two new warehouse buildings, and rezone a portion of the site from Suburban Transition (ST) to Industrial (I).

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

DESCRIPTION

Ordinance 25-146 proposes rezoning tax parcel 11-014.00-048 (Parcel #4) from "ST" (Suburban Transition) to "I" (Industrial) and combine with tax parcel 11-014.00-083 (Parcel #1) to facilitate the development of two additional warehouses and associated site improvements.

BACKGROUND

Site History

Owned by Sunset Lake Properties LLC, RCK Land Investments LCC, and Apostolic Church International Inc, the 5.11 acre site historically served as farmland until the development of church in 2001 (11-014.00-049) and a warehouse in 2004 (11-014.00-082). Parcel 11-014.00-083 had operated as

an exterior storage area associated with the adjacent industrial use since the early 2000s. A ranch house was built in 1957 (11-014.00-048) on the most northerly lot, which remains today and serves as a contractor's office.

Pre-UDC & Post UDC

Before the Unified Development Code was adopted, parcels 11-014.00-047, 11-014.00-083, and 11-014.00-049 held a Residential (R2) zoning designation, reflecting the area's predominantly rural character at that time. In 1997, with the adoption of the UDC parcel 11-014.00-047 as well as 11-010.00-162 (World Life Christian Center) were rezoned Suburban Transition, while the remainder of the site as well as properties to the south and east of the site were rezoned to Industrial (I).

Early 2000s Development
While plans and operations for Pike Excavating date back to the mid 1990s (App. 1994-0467-S), formal development of the site didn't occur until the early 2000s (App. 2000-0561-S), which included both office and warehousing uses. The office located on parcel 11-014.00-049 was later converted to a church in 2012 (App. 2012-0196-S).

Ordinance 09-094

County Council rezoned parcel 11-014.00-048 from Suburban Transition (ST) to Industrial (I) as part of Application 2008-0755-S/Z and proposed two (2) 9,350 SF warehouse buildings with associated site improvements. While the rezoning was approved, the plan expired prior to recordation.

Ordinance 25-146

Councilwoman Valerie George introduced Ordinance 25-146 on November 18, 2025, proposing to rezone the site from Suburban Transition (ST) zoned land to Industrial (I) to facilitate the proposed development.

PLUS REVIEW (Preliminary Land Use Service)

The rezoning proposed by Ordinance 25-146 along with the proposed project (App. 2022-0823-SZ) received comments in a PLUS Report, dated March 27, 2024, containing relevant comments from State agencies. The Office of State Planning Coordination (OSPC) reiterated their support for the ordinance as the proposed rezoning and development is located within a Level 1 Investment Area which is consistent with the 2026 Strategies for State Policies and Spending. The Department of Transportation (DelDOT) provided several comments outlining requirements pursuant to the Development Coordination Manual.

The Delaware State Fire Marshall's Office listed requirements in accordance with Delaware State Fire Prevention Regulation. All other agencies had no comment on the application.[1]

PLANNING BOARD PUBLIC HEARING – *January 6, 2026*
*Please note, the below is a summary. A recording and transcripts of the public hearing are available at the Department of Land Use and hyperlinked below.[2]

Presentation

Ron Sutton and Rosanna Tassone from Civil Engineering Associates presented the application for Sunset Lake Properties LLC detailing the project's proposed construction of two warehouses along with a rezoning of one parcel (parcel no. 11-014.00-048) from "ST" (Suburban Transition) to "I" (Industrial).

Neal Cantrell asked about the applicants for the project to which Ron Sutton clarified the applicant is Sunset Lake Properties which is owned by Christiana Excavating. Mr. Sutton stated the warehouses will be used to store equipment. Robert Snowden inquired about the overall scope of the project and whether the warehouse would be public or private. Mr. Cantrell questioned where the applicant is currently storing their equipment and Mr. Sutton stated the applicant currently rents the adjacent warehouse. Discussion then occurred regarding the existing stormwater retention pond on site.

Public Comment

Dale Swain inquired about the need for a rezoning to industrial.

Rebuttal

Ron Sutton responded that the adjacent properties within the plan are zoned "I" (Industrial) and that the surrounding properties while zoned "ST" (Suburban Transition) are mostly non-residential uses.

ANALYSIS

The subject properties, situated on the east side of Sunset Lake Road (Rt. 72) and south of the intersection with Old Baltimore Pike, was previously designated as R2 under Former Code and is currently zoned I (Industrial). Directly west of the site lies the historic Dayett Mill and surrounding properties which were historically zoned M1 and M2 and are currently zoned I (Industrial). The site was largely developed in the early 2000's to accommodate an office building (T.P. No. 11-014.00-049) and a warehouse (T.P. No. 11-014.00-082). As discussed above, in 2010, parcel 11-014.00-048 to Industrial

[1] PLUS Report:
https://www3.newcastlede.gov/PDFDocument/default.aspx?DocumentID=80:FC40FF5826FBF7107D10260598B6C0724428DD1196872F86C5E68CE881F951C29859CB524175FF1D9BA6A77EBC1D8FEB&x=temp.pdf

[2] January 6, 2026, Planning Board Public Hearing: https://www.newcastlede.gov/agendacenter

(I), to support two (2) 9,350 SF warehouse buildings, however the plan expired prior to recordation. In 2012, the office building on parcel 11-014.00-049 was converted to a church. The proposed rezoning and land development application are consistent with the preliminary plan considered by County Council when the property was rezoned in 2010, and development aligns with the 2026 Strategies for State Policies and Spending which categorized it as a Level 1 Investment Area and the Future Land Use Map, which designated the site as a Business Flex.

Standards of Review

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

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

The Future Land Use Map designates parcels 11-014.00-049, 11-014.00-082, 11-014.00-083, and 11-014.00-048 as Business Flex which are "*areas of existing and potential nonresidential development*". The Future Land Use Element further stresses the County Code needs to accommodate changes in form and function of these sites to promote continued economic viability.

> Objective 5.1 recommends that the County "*promote business clusters by focusing resources and policies toward retaining and growing businesses in discrete sectors…* including *supporting emerging businesses where market demand is growing...*"

The proposed development and rezoning to "I" (Industrial) is consistent with the Future Land Use Map and Goals, Objectives, and Strategies of the 2022 Comprehensive Plan allowing for expanding business opportunities along with existing adjacent nonresidential uses.

B. *Consistency with the character of the neighborhood.*

The subject properties are located along Sunset Lake Road (Rt. 72), which transitions from a mix of commercial uses south of the City of Newark to more suburban/rural in nature. The subject properties are in close proximity to other non-residential uses. Rezoning parcel 11-014.00-048 from "ST" (Suburban Transition) to "I" (Industrial) will facilitate development of the site more consistent with the adjacent parcels.

C. *Consistency with zoning and use of nearby properties.*

While some remaining residential properties exist nearby, a majority of this portion of Rt. 72 near Old Baltimore Pike are existing non-residential uses (warehousing and churches).

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

The rezoning of the property will facilitate the development of two small warehouses adjacent to an existing warehouse built in 2004.

E. *Effect on nearby properties.*

The proposed warehouses are anticipated to have a negligible impact on the neighboring properties. To the north, the property is bordered by a residential dwelling and will have a landscaping buffer provided along with a proposed stormwater management area between the adjacent property and the proposed warehouses. To the east, the property is adjacent to the Word of Life Christian Center. A similar landscaping buffer will be provided along this property boundary.

DEPARTMENT OF LAND USE RECOMMENDATION

The Department of Land Use has considered the Standards for Zoning Map Amendment in Section 40.31.410, A through E of the *Unified Development Code*, the Future Land Use Map, comments received from outside agencies, and comments received from the public. Based on this analysis, the Department is of the opinion that the standards are met by this proposal. Therefore, the Department of Land Use recommends **APPROVAL** of Ordinance 25-146.

PLANNING BOARD RECOMMENDATION

At a business meeting held on February 17, 2026, 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 Robert Ott and seconded by Ruth Visvardis, the Board voted to recommend **APPROVAL** of application 2022-0823-SZ as recommended by the Department of Land Use. The motion was adopted by a vote of 5-0-1-3 (In Favor: Cantrell, Drake, Ott, Snowden, Visvardis; In Opposition: None; Abstention: Brutus; Absent: Chamblee, Cochran, Daigle).

Prior to the vote, the following discussion occurred:

Alec Davis read the Department of Land Use recommendation into the record.

There were no questions from the Planning Board.

STATUTORY GUIDELINES

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

2-27-26

David M. Culver date
General Manager
Department of Land Use

Robert B Snowden 2/25/2026

Robert B. Snowden date
Acting Chair
New Castle County Planning Board

Prime Sponsor(s): Mr. Tackett
Requested by: Land Use Department
Date of introduction: December 9, 2025

ORDINANCE NO. 25-159

COUNTY INITIATED REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 11 REGARDING THE FOLLOWING TAX PARCELS: NEW CASTLE HUNDRED: 09-041.10-303 (42 Charles Ct, River Walk), 10-043.20-155 (0 Canary Dr, Raven Glen at Wellin), 10-043.20-156 (0 Canary Dr, Raven Glen at Wellin) **PENCADER HUNDRED:** 09-040.10-015 (8 Woodland Run Dr, Woodland Run), 11-015.00-011 (624 Salem Church Rd, Millers Post), 11-015.10-045 (295 E Flagstone Dr, Gray Acres), 11-019.00-013 (0 Salem Church Rd,), 11-019.00-055 (0 Salem Church Rd, Olenderski Subd), 11-019.30-169 (0 Becks Woods Dr, Village Of Becks Pond), 11-019.40-047 (28 Bradley Dr, Becks Landing), 11-022.00-014 (2199 Pulaski Hwy, Glasgow Regional Park), 11-027.00-027 (219 A Forrestal Dr, New Castle County), 11-031.00-004 (54 Stardust Dr, Melody Meadows II), 11-031.00-216 (54 Stardust Dr, Melody Meadows II), 11-032.00-001 (210 Benjamin Blvd,), 11-032.00-259 (209 Benjamin Blvd, New Castle County), 11-033.00-276 (6 Mabel Ln, Caravel Academy), 11-038.00-247 (0 Off Clifton Dr, Hickory Woods Sec 4), 11-042.20-147 (13 Viscaya Ct, Mansion Farm Ph 1) **WHITE CLAY CREEK HUNDRED:** 09-029.10-380 (0 Regal Ct, Sherwood Forest Sc 2), 09-029.10-475 (14 Spectrum Dr, Elmwood Sec 1), 09-034.00-015 (0 Off Old Baltimore Pike, Woodshade Sec 1), 09-034.00-042 (99 Woodshade Dr, Woodshade Sec 2), 09-034.20-058 (8 Screven Pl, Varlano), 09-040.10-015 (8 Woodland Run Dr, Woodland Run), 09-040.40-020 (115 Creekside Ct, Country Creek), 09-041.10-277 (48 Birchgrove Rd, Christina Hollow), 09-041.10-303 (42 Charles Ct, River Walk), 11-015.00-011 (624 Salem Church Rd, Millers Post)

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

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

WHEREAS, Strategy 1.1.6 of the 2022 New Castle County Comprehensive Plan reiterates that the County should consider the addition of a preservation zoning category, and defines “Protected Open Space” as privately or publicly held land that has been protected from future development; and

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

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

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

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

Section 1. The Zoning Maps of New Castle Hundred, Pencader Hundred, and White Clay Creek Hundred are hereby amended by changing the zoning classification of the land shown on attached Exhibit "A", Maps 1-10 dated November 18, 2025, as set forth therein.

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

Adopted by County Council of
New Castle County on:

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

Approved on:

_____
Marcus Henry
County Executive
New Castle County

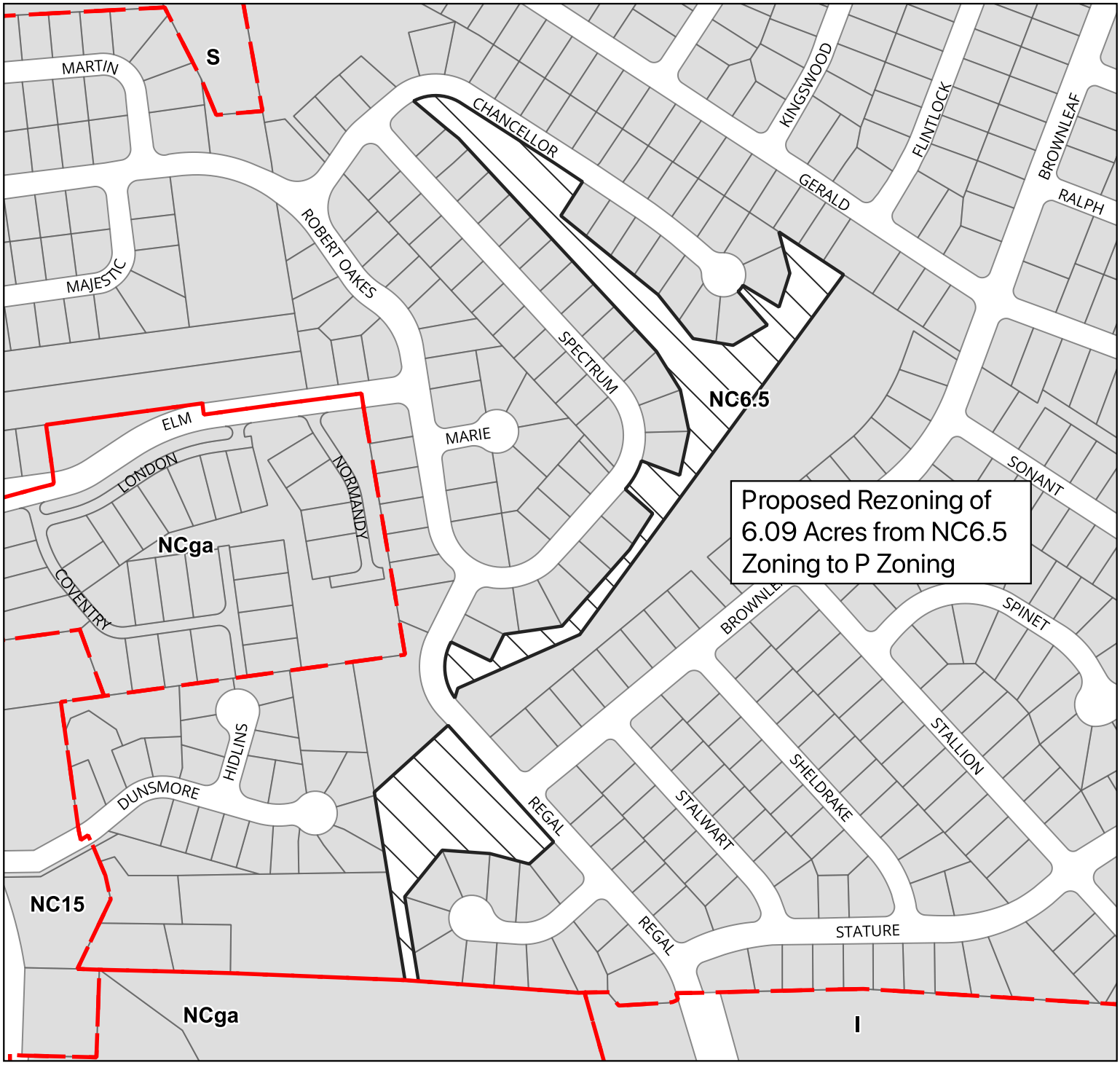
SYNOPSIS: Same as title.

FISCAL IMPACT: None

PROPERTY MAP

EXHIBIT A MAP 1
ZONING ORDINANCE AS INTRODUCED
APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 09-029.10-380, 09-029.10-475

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NC6.5) TO PUBLICLY CONSERVED LANDS & PARKS (P)



HUNDRED: WHITE CLAY CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:3826
Prepared by: Matthew Rogers

Date: 11/18/2025

N

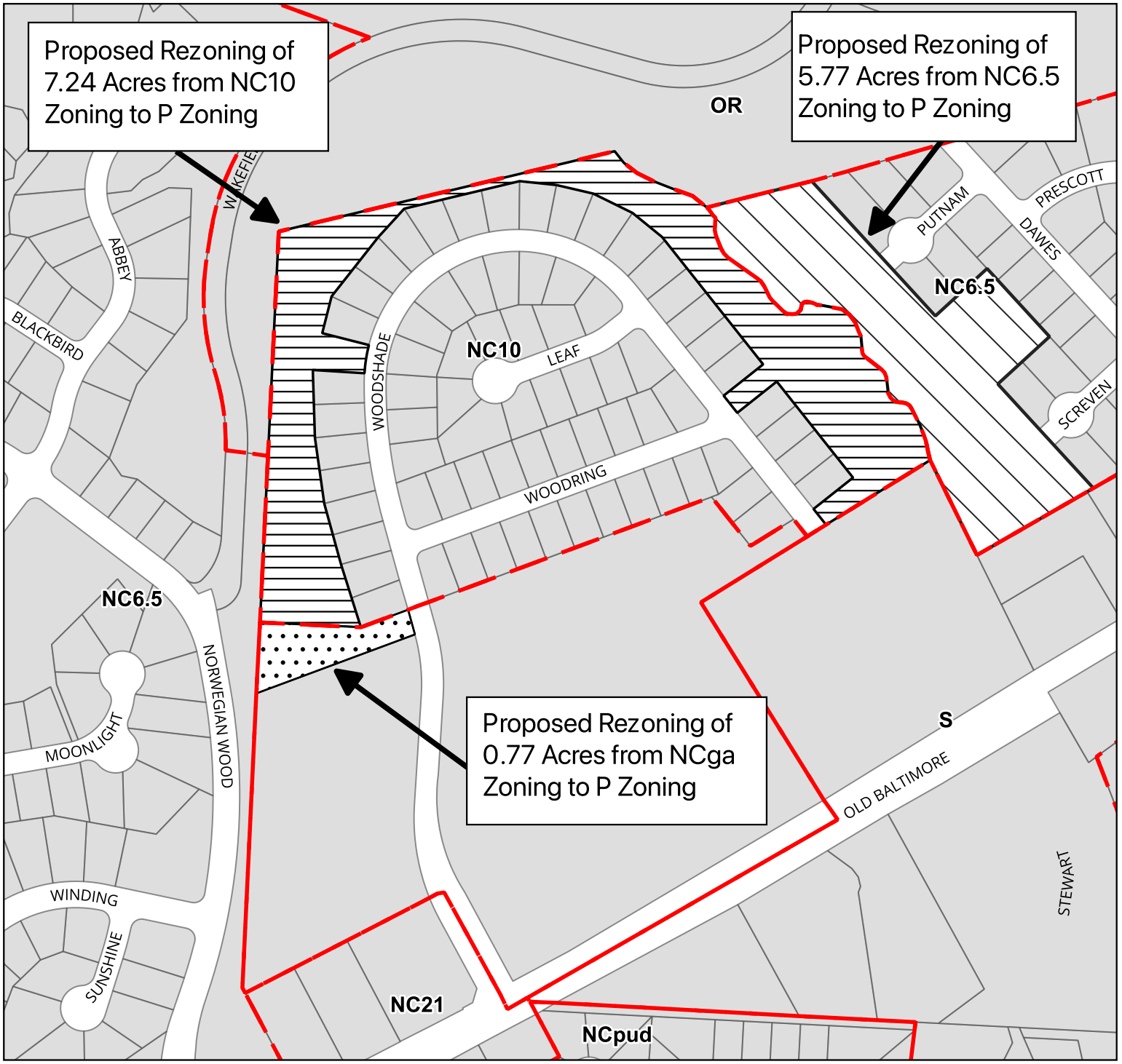
PERMANENT ORDINANCE NO. 25-159
Date Adopted by County Council:
Date Approved by County Executive:

PROPERTY MAP

EXHIBIT A MAP 2
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NCga NC6.5, & NC10) TO PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 09-034.00-015, 09-034.00-042, 09-034.20-058



HUNDRED: WHITE CLAY CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:3826
Prepared by: Matthew Rogers

Date: 11/18/2025

PERMANENT ORDINANCE NO. 25-159
Date Adopted by County Council:
Date Approved by County Executive:

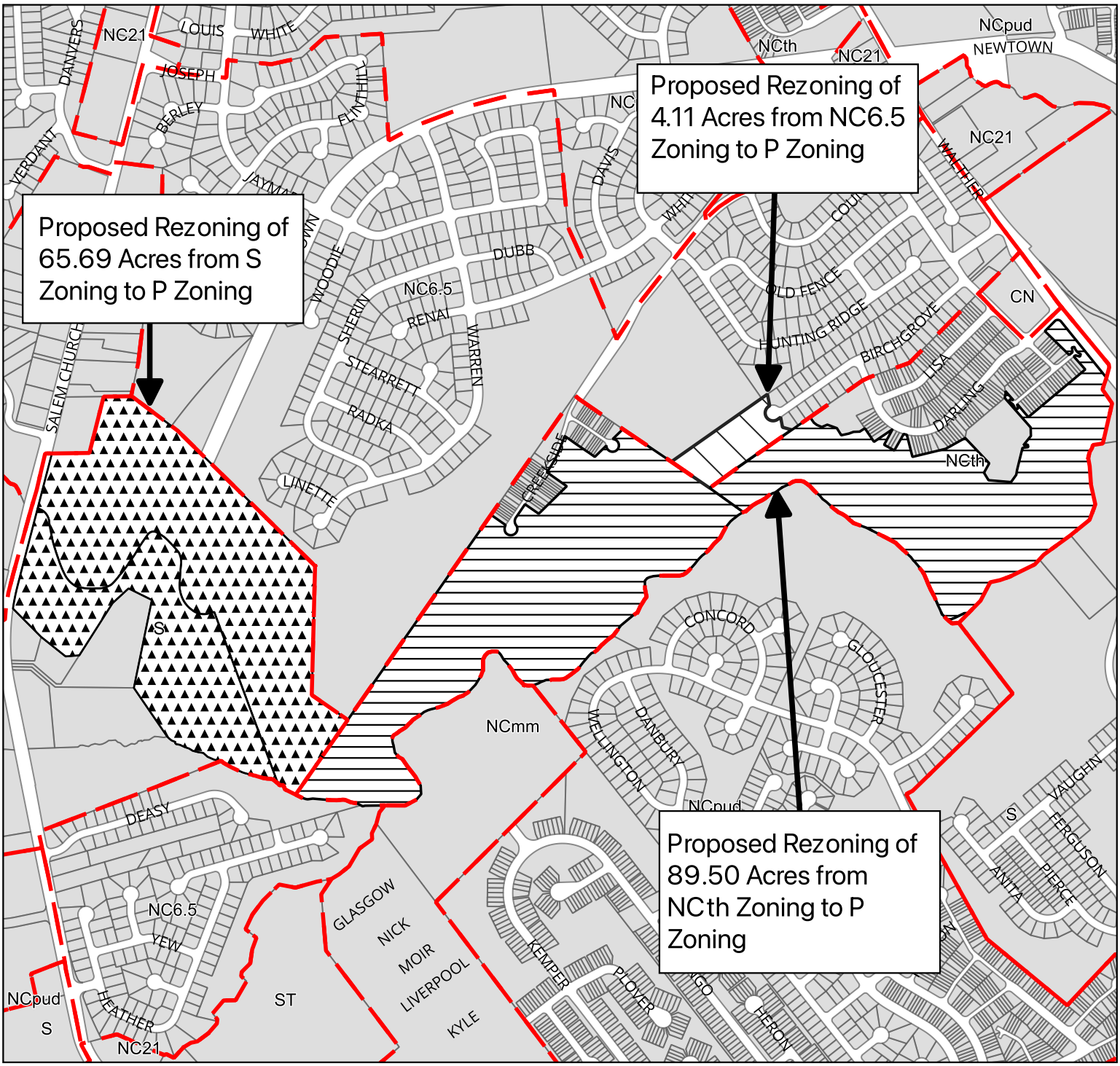
NC10 to P
NCga to P
NC6.5 to P

PROPERTY MAP

EXHIBIT A MAP 3
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NC6.5 & NCth) AND SUBURBAN (S) to PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 09-040.40-020, 09-041.10-277, 09-041.10-303, 11-015.00-011



HUNDRED: PENCADER HUNDRED, NEW CASTLE HUNDRED, AND WHITE CLAY CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:10653
Prepared by: Matthew Rogers

Date: 11/18/2025

N

PERMANENT ORDINANCE NO. 25-159
Date Adopted by County Council:
Date Approved by County Executive:

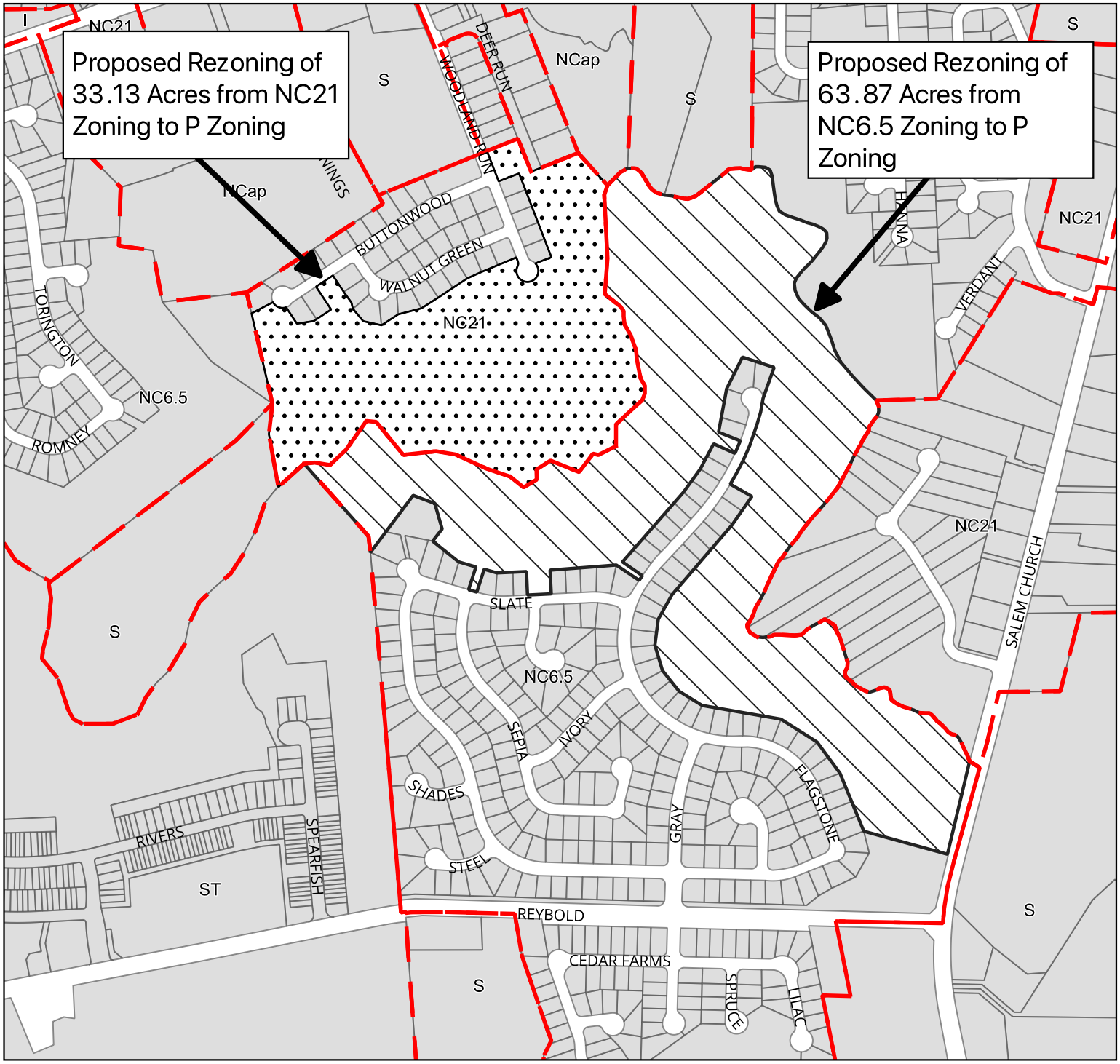
NC6.5 to P
NCth to P
S to P

PROPERTY MAP

EXHIBIT A MAP 4
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NC6.5 & NC21) TO PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 09-040.10-015, 11-015.10-045



HUNDRED: PENCADER HUNDRED &
WHITE CLAY CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:7653
Prepared by: Matthew Rogers

Date: 11/18/2025

N

PERMANENT ORDINANCE NO. 25-159
Date Adopted by County Council:
Date Approved by County Executive:

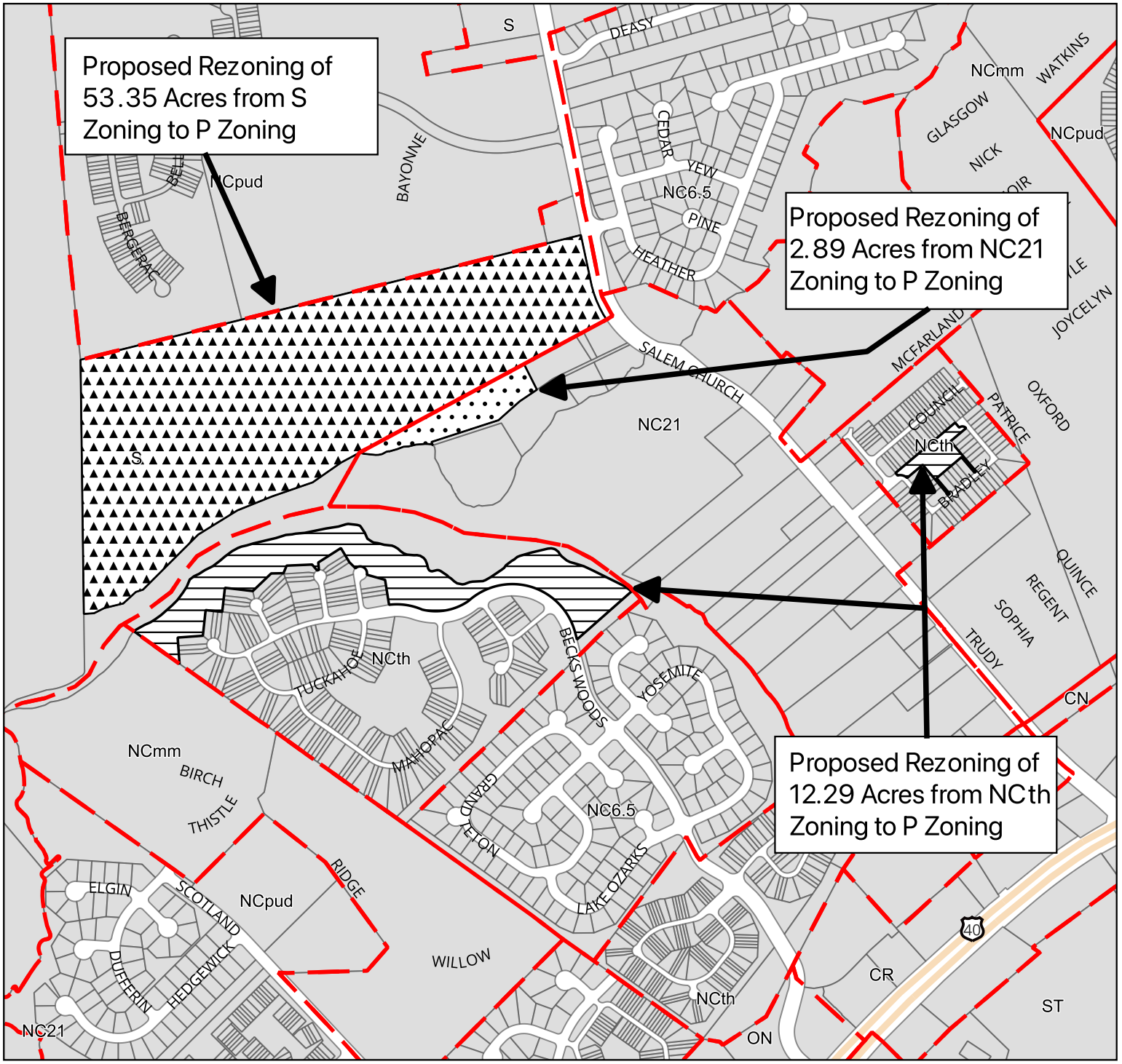
NC21 to P
NC6.5 to P

PROPERTY MAP

EXHIBIT A MAP 5
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NCth & NC21) & SUBURBAN (S) TO PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 11-019.00-013, 11-019.00-055, 11-019.30-169, 11-019.40-047



HUNDRED: PENCADER HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:8653
Prepared by: Matthew Rogers

Date: 11/18/2025

N

PERMANENT ORDINANCE NO. 25-159
Date Adopted by County Council:
Date Approved by County Executive:

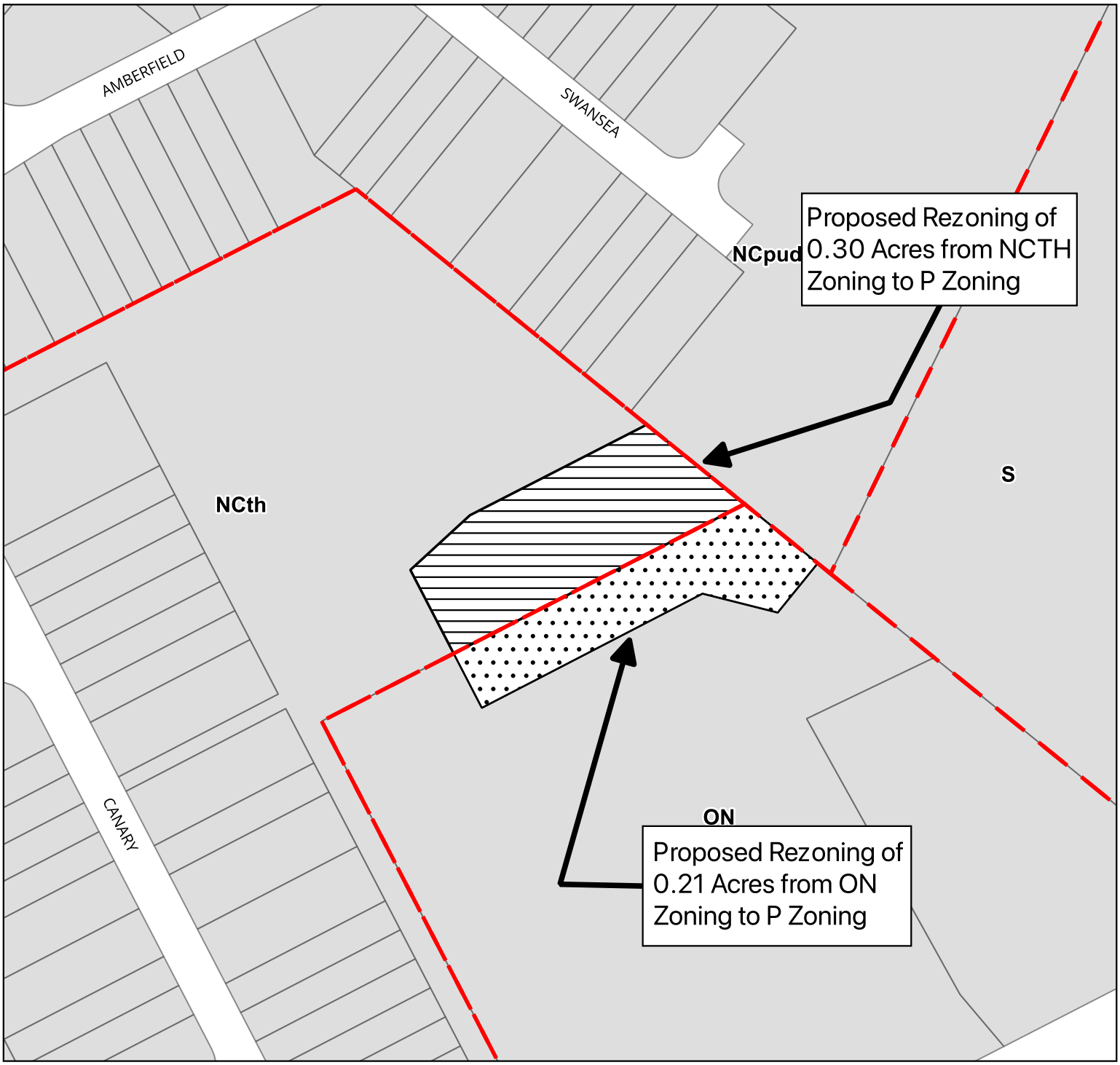
NC21 to P
NCth to P
S to P

PROPERTY MAP

EXHIBIT A MAP 6
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NCTH) & OFFICE NEIGHBORHOOD (ON) TO PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 10-043.20-155, 10-043.20-156



HUNDRED: NEW CASTLE HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:1026
Prepared by: Matthew Rogers

Date: 11/18/2025

N

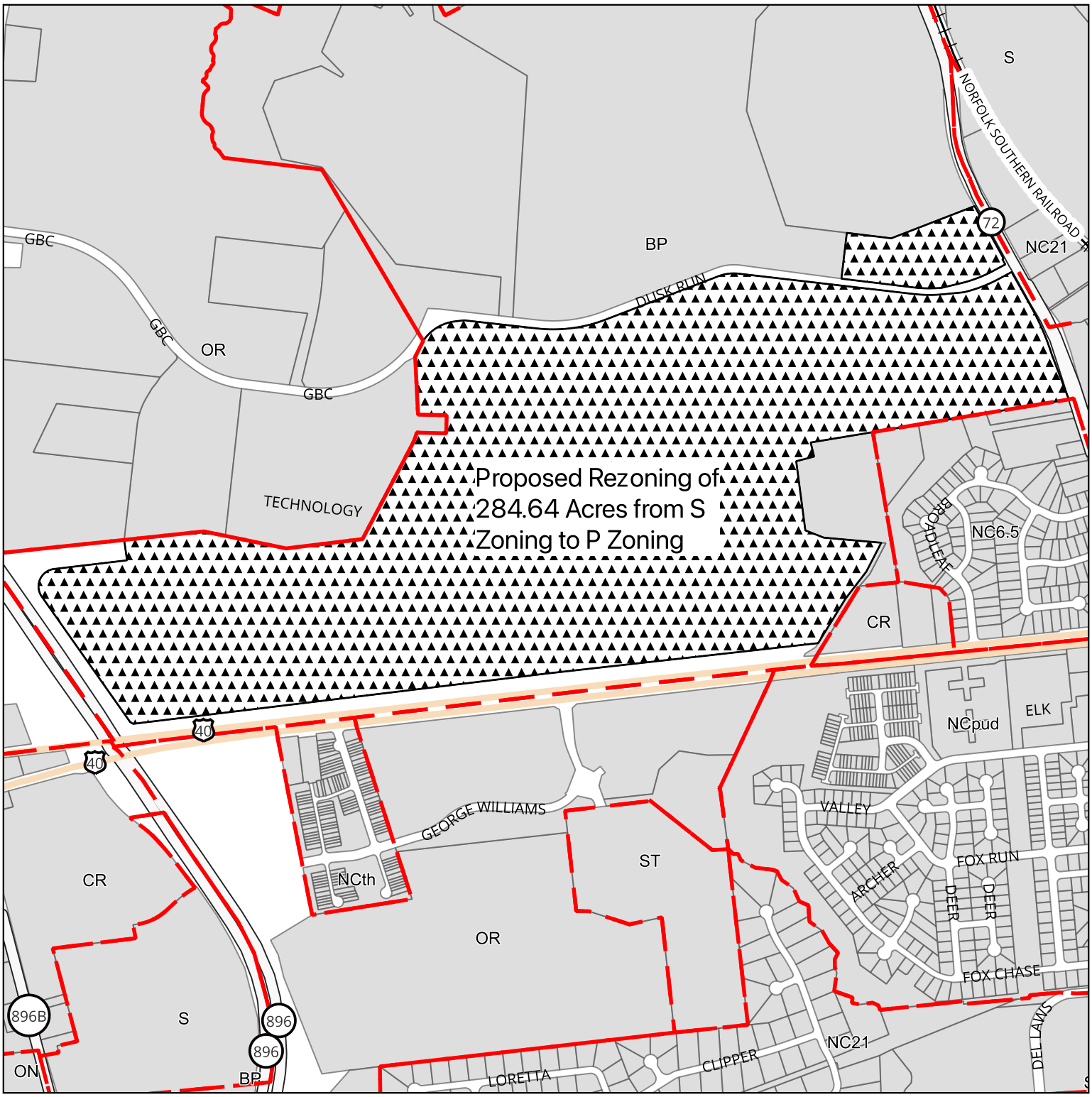
PERMANENT ORDINANCE NO. 25-159
Date Adopted by County Council:
Date Approved by County Executive:

PROPERTY MAP

EXHIBIT A MAP 7
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: SUBURBAN (S) TO
PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 11-022.00-014



HUNDRED: PENCADER HUNDRED
NEW CASTLE COUNTY, DELAWARE

N

PERMANENT ORDINANCE NO. 25-159
Date Adopted by County Council:
Date Approved by County Executive:

Scale: 1:11653
Prepared by: Matthew Rogers

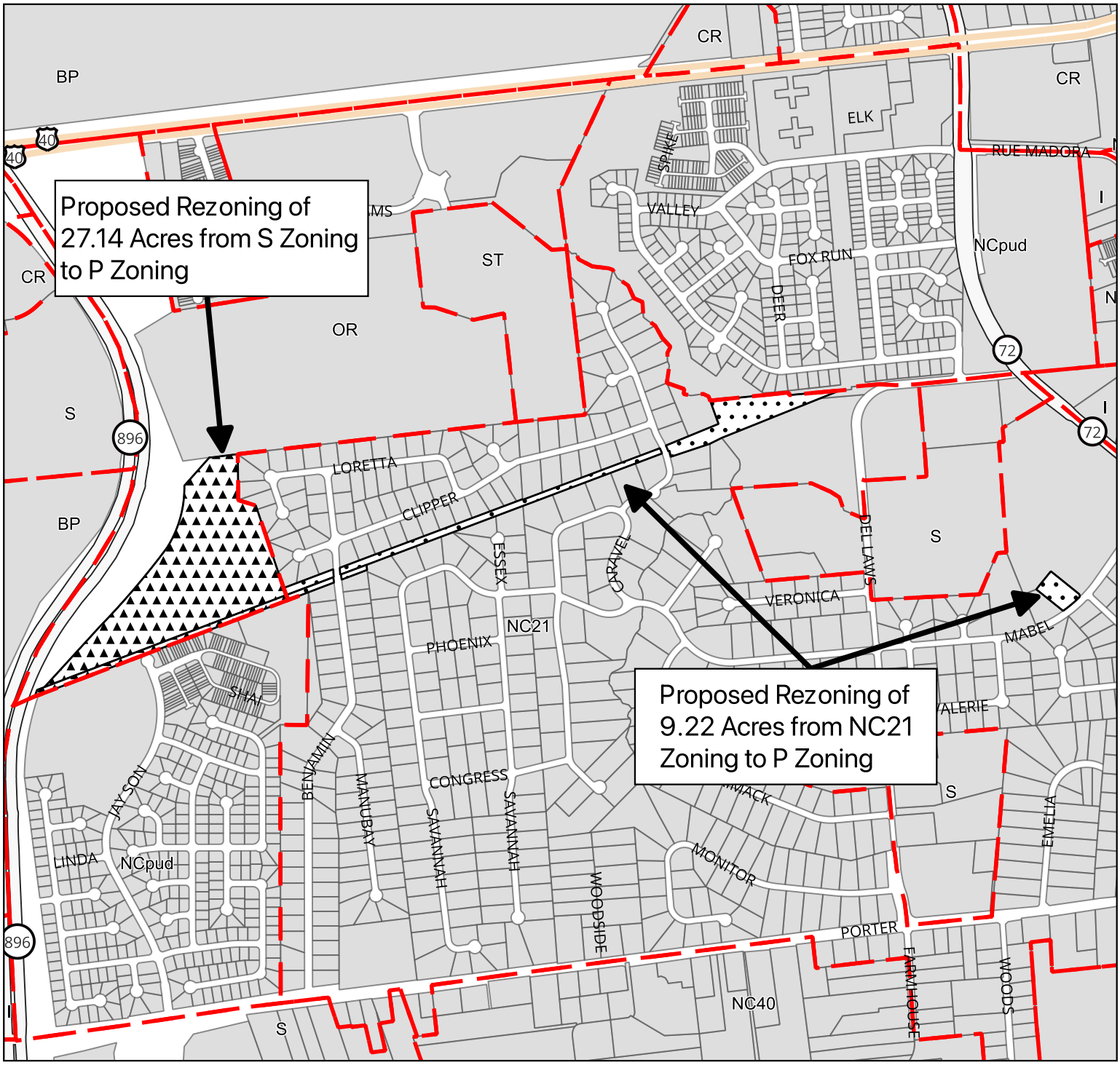
Date: 11/18/2025

PROPERTY MAP

EXHIBIT A MAP 8
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NC21) & SUBURBAN (S) TO PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 11-027.00-027, 11-032.00-001, 11-033.00-276, 11-032.00-259



HUNDRED: PENCADER HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:12653
Prepared by: Matthew Rogers

Date: 11/18/2025

N

PERMANENT ORDINANCE NO. 25-159
Date Adopted by County Council:
Date Approved by County Executive:

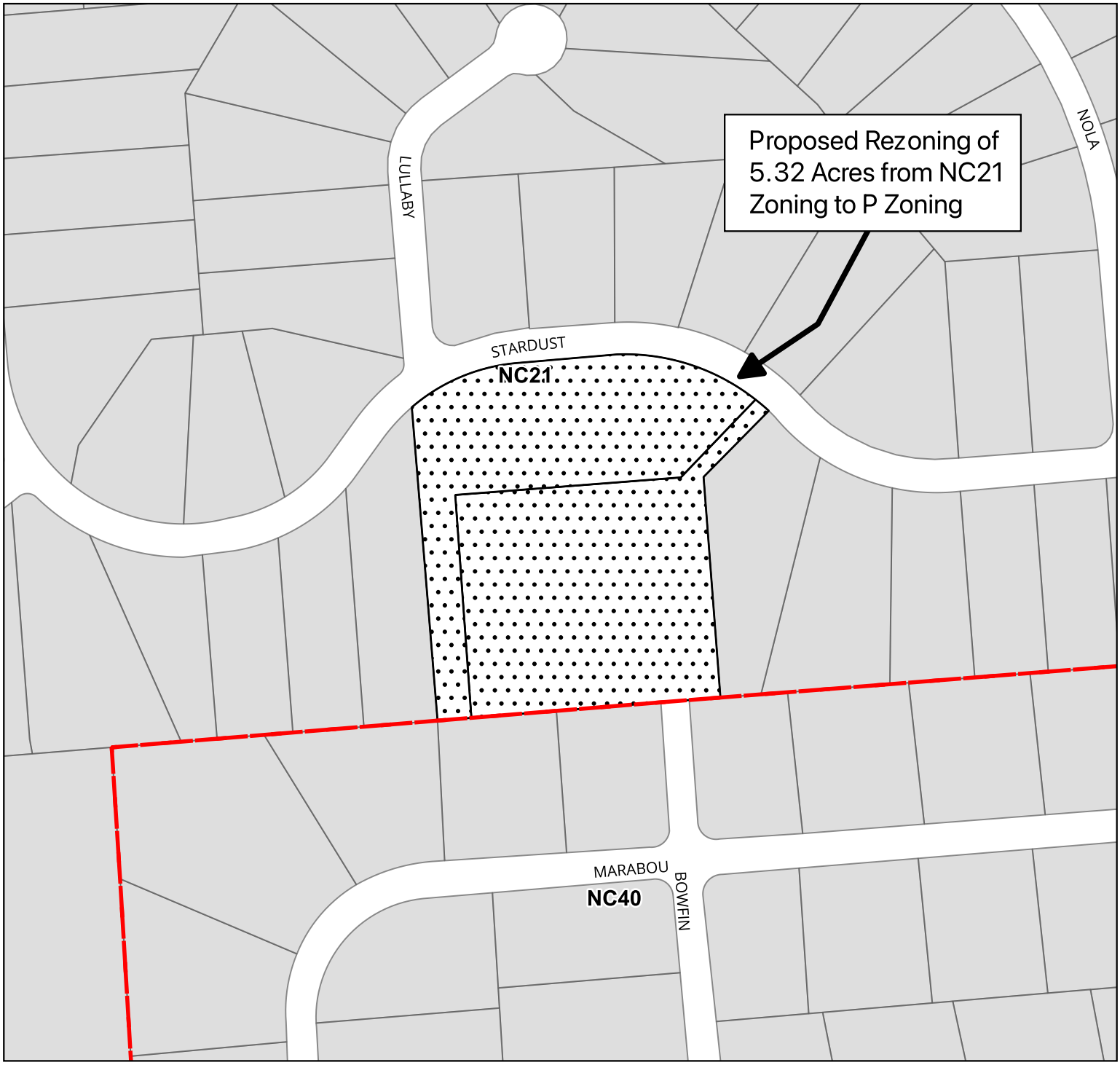
NC21 to P
S to P

PROPERTY MAP

EXHIBIT A MAP 9
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NC21) to PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 11-031.00-216, 11-031.00-004



HUNDRED: PENCADER HUNDRED
NEW CASTLE COUNTY, DELAWARE

N

PERMANENT ORDINANCE NO. 25-159
Date Adopted by County Council:
Date Approved by County Executive:

Scale: 1:2526
Prepared by: Matthew Rogers

Date: 11/18/2025

PROPERTY MAP

EXHIBIT A MAP 10
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NC6.5 & NC21) TO PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 11-038.00-247, 11-042.20-147



HUNDRED: PENCADER HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:10653
Prepared by: Matthew Rogers

Date: 11/18/2025

N

PERMANENT ORDINANCE NO. 25-159
Date Adopted by County Council:
Date Approved by County Executive:

NC21 to P
NC6.5 to P

New Castle County Department of Land Use

JOINT DEPARTMENT OF LAND USE / PLANNING BOARD RECOMMENDATION

Ordinance No. 25-159
Application No. 2025-0723-Z
County Council District 11 – Rezoning of County-owned Land to P-Zoning

February 17, 2026

Sponsor: Councilman Tackett (District 11)

Description: Revise the New Castle County Zoning Maps in County Council District 11 regarding county-owned land

EXECUTIVE SUMMARY

Adopted in March of 2025, Ordinance 24-130 established a new zoning district, Publicly Conserved Lands & Parks District (P). This zoning district designation would be required for County Owned properties, and available for governmentally owned properties (at the request of the owner) that are publicly protected and identified as protected in perpetuity for the public benefit. The district's intent is to provide a clearer picture of permanently protected, publicly conserved lands and parks in New Castle County.

Application 2025-0723-Z (Ordinance 25-159) proposes to amend the County's official zoning map to rezone County-owned parks and open space in County Council District 11 to the newly established P Zoning District. The subject 30 parcels are:

09-041.10-303 (42 Charles Ct, River Walk)
10-043.20-155 (0 Canary Dr, Raven Glen at Wellin)
10-043.20-156 (0 Canary Dr, Raven Glen at Wellin)
09-040.10-015 (8 Woodland Run Dr, Woodland Run)
11-015.00-011 (624 Salem Church Rd, Millers Post)
11-015.10- 045 (295 E Flagstone Dr, Gray Acres)
11-019.00-013 (0 Salem Church Rd,)
11- 019.00-055 (0 Salem Church Rd, Olenderski Subd)
11-019.30-169 (0 Becks Woods Dr, Village Of Becks Pond)
11-019.40-047 (28 Bradley Dr, Becks Landing)
11-022.00-014 (2199 Pulaski Hwy, Glasgow Regional Park)
11-027.00-027 (219 A Forrestal Dr, New Castle County)
11-031.00-004 (54 Stardust Dr, Melody Meadows II)
11-031.00-216 (54 Stardust Dr, Melody Meadows II)

11-032.00-001 (210 Benjamin Blvd,)
11-032.00- 259 (209 Benjamin Blvd, New Castle County)
11-033.00-276 (6 Mabel Ln, Caravel Academy)
11-038.00-247 (0 Off Clifton Dr, Hickory Woods Sec 4)
11-042.20-147 (13 Viscaya Ct, Mansion Farm Ph 1)
09-029.10-380 (0 Regal Ct, Sherwood Forest Sc 2)
09-029.10-475 (14 Spectrum Dr, Elmwood Sec 1)
09-034.00-015 (0 Off Old Baltimore Pike, Woodshade Sec 1)
09-034.00-042 (99 Woodshade Dr, Woodshade Sec 2)
09-034.20-058 (8 Screven Pl, Varlano)
09-040.10- 015 (8 Woodland Run Dr, Woodland Run)
09-040.40-020 (115 Creekside Ct, Country Creek)
09-041.10-277 (48 Birchgrove Rd, Christina Hollow)
09-041.10-303 (42 Charles Ct, River Walk)
11-015.00-011 (624 Salem Church Rd, Millers Post)

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

DESCRIPTION

Application 2025-0723-Z (Ordinance 25-159) proposes to amend the County's official zoning map to rezone County-owned parks and open space in County Council District 11 to the newly established P Zoning District. A list of subdivisions with parks and open space proposed to be rezoned to P Zoning in this rezoning are as follows (a full list of parcels can be found above):

BECKS LANDING	NEW CASTLE COUNTY
CARAVEL ACADEMY	OLENDERSKI SUBD
CHRISTINA HOLLOW	RAVEN GLEN AT WELLIN
COUNTRY CREEK	RIVER WALK
ELMWOOD SEC 1	SHERWOOD FOREST SC 2
GLASGOW REGIONAL PARK	VARLANO
GRAY ACRES	VILLAGE OF BECKS PND
HICKORY WOODS SEC 4	WOODLAND RUN
MANSION FARM PH 1	WOODSHADE SEC 1
MELODY MEADOWS II	WOODSHADE SEC 2
MILLERS POST	

BACKGROUND

The history of rezoning processes dates to the 1950s. Subsequent sections examine how State and County codes evolved over time.

Establishment of Zoning & the Rezoning Process

The process and set of standards established in Delaware State Code for rezonings has largely been unchanged since 1951. On June 5, 1951, the State of Delaware granted the Levy Court of New Castle County the authority to adopt zoning regulations and provided a process and legal notice requirements for the establishment and amendment of zoning maps. The process required that the Levy Court establish a Zoning Plan, have a public hearing with the Zoning Commission with notice at least 15 days prior to the hearing in the newspaper of general circulation in the County and adoption by the Levy Court. The process for amendments to the zoning map largely mirrored that of establishing zoning, except for reducing the notice requirement to seven days prior to the Zoning Commission hearing.[1] New Castle County adopted zoning regulations in September of 1954.

Rezonings in New Castle County

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

2022 Update to the New Castle County Comprehensive Plan

The 2022 Update to the New Castle County Comprehensive Plan (The Plan)[2] was the product of more than two years of extensive public outreach. During that process, the Department made extensive efforts to reach out and garner public feedback on not only the overall Goals/Objectives/Strategies expressed in the plan, but also the Future Land Use map and Element. As a result of these efforts, Strategy 1.1.6 was created to consider the establishment of a preservation zoning category.

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

[2] New Castle County Comprehensive Plan 2050: https://ssl02.nccde.org/gisfiles/Images/NCC2050/Comp%20Plan%20Final%20Draft/Complete%20Plan%20Final%20Draft%20%2006272022.pdf

Ordinance 24-130 Zoning District for Publicly Owned Conserved Land and Public Parks

Adopted in March of 2025, Ordinance 24-130 established a new zoning district, Publicly Conserved Lands & Parks District (P). This zoning district designation would be required for properties that are publicly protected and identified as protected in perpetuity for the public benefit. The district's intent is to provide a clearer picture of permanently protected, publicly conserved lands and parks in New Castle County.

Ordinance 25-161 County Council District 11 – Rezoning of County-owned Land to P-Zoning

The proposed ordinance would rezone 30 parcels located within County Council District 11 consisting of County-owned parks and open space to the Publicly Conserved Lands & Parks District (P) established in Ordinance 24-130.

PLUS REVIEW (Preliminary Land Use Service)

The text amendment that established P Zoning (Ord. 24-130) was reviewed at a PLUS meeting held on August 28, 2024.

The PLUS Review Letter, dated September 23, 2024, includes comments from the Office of State Planning and Coordination, who commended New Castle County for their continued work on establishing the Publicly Conserved Lands & Parks District (P) and requested a collaboration with DNREC regarding concerns over State-Owned public lands.[3] The Department of Natural Resources and Environmental Control (DNREC) additionally commended New Castle County's effort to preserve natural open space through the establishment of the proposed zoning district. DNREC listed concerns regarding potential restrictions in DNREC operations on state-owned lands and asked that state-owned lands are explicitly exempt from the changes outlined in Table 40.03.110 of the Unified Development Code. The State Historic Preservation Office (SHPO) recommended that the ordinance consider making the proposed zoning district apply to publicly owned land that includes areas of cultural or heritage preservation. DelDOT, DEMA and DE State Fire Marshal noted that they did not have any comments or objection to approval of the proposed ordinance.

PLANNING BOARD PUBLIC HEARING – *January 6, 2026*
*Please note, the below is a summary. A recording and transcripts of the public hearing are available at the Department of Land Use and hyperlinked below.[4]

Presentation

---

[3] PLUS Report:
https://www3.newcastlede.gov/PDFDocument/default.aspx?DocumentID=80:FC40FF5826FBF7107D10260598B6C0724428DD1196872F86C5E68CE881F951C2C65831502A6D587F61602538894DF47B&x=temp.pdf

[4] January 6, 2026, Planning Board Public Hearing: https://www.newcastlede.gov/agendacenter

Alec Davis, Planner for the Department of Land Use, presented the *Ordinance 25-161*, discussing parcels located in County Council District 11 proposed for rezoning to the Publicly Conserved Lands & Parks District (P) designation. He mentioned that the Ordinance 24-130 first established the P Zoning District and was adopted on March 25th, 2025. He proceeded to show the exhibit maps for all of the affected properties and explained the neighborhoods and locations of each cluster of parcels.

There were no questions from the Planning Board.

Public Comment

There was no public comment on the application.

ANALYSIS

Application 2025-0723-Z (Ordinance 25-159) proposes to amend the County's official zoning map to rezone County-owned parks and open space in County Council District 11 to the newly established P Zoning District, consistent with Ordinance 24-130 (adopted in March of 2025) which established the Publicly Conserved Lands & Parks District (P), and require County owned properties that are publicly protected and identified as protected in perpetuity for the public benefit to be rezoned to P.

These parcels[5] are all located within County Council District 11. District 11 encompasses parts of Rt. 896 south of Glasgow, along Rt. 40 (Pulaski Highway), and ending along Old Baltimore Pike and Christiana Road. The area is characterized by a number of subdivisions developed prior to 1997 (adoption of the UDC) with some open space areas owned and maintained by New Castle County.

Standards of Review

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

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

This ordinance implements Strategy 1.1.6 of the 2022 Comprehensive Development Plan by proposing the subject 30 parcels be rezoned to the Publicly Conserved Lands & Parks District

[5] Ordinance 25-159 (Including Exhibit Maps):
https://www3.newcastlede.gov/PDFDocument/default.aspx?DocumentID=80:FC40FF5826FBF7107D10260598B6C0724428DD1196872F86C5E68CE881F951C2E9E84C026BE79338AEEECB942100595B&x=temp.pdf

(P). The establishment of P Zoning on these parcels will better identify and emphasize the protection and preservation of these existing open space and park parcels.

B. *Consistency with the character of the neighborhood.*

All 30 parcels identified in the rezoning are currently public parks and open space. The P Zoning designation will not change the use of these parcels.

C. *Consistency with zoning and use of nearby properties.*

These properties were initially designed to serve as parks and open space areas within the communities they are located. P Zoning designation will not change the residential open space or parkland nature of the areas.

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

These properties were initially designed to serve as parks and open space areas within the communities they are located. P Zoning designation will not change the residential open space or parkland nature of the areas.

E. *Effect on nearby properties.*

These properties were initially designed to serve as parks and open space areas within the communities they are located. P Zoning designation will not change the residential open space or parkland nature of the areas.

DEPARTMENT OF LAND USE RECOMMENDATION

The Department of Land Use has considered the Standards for Zoning Map Amendment in Section 40.31.410, A through E *of the Unified Development Code*, the Future Land Use Map, the comments received from outside agencies, and the comments received by the public. Based on this analysis, the Department is of the opinion that the standards are met by this proposal. Therefore, the Department of Land Use recommends **APPROVAL** of Ordinance 25-159.

PLANNING BOARD RECOMMENDATION

At a business meeting held on February 17, 2026, 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 Neal Cantrell and seconded by Kiana Drake, the Board voted to recommend **APPROVAL** of application 2025-0723-Z as recommended by the Department of Land Use. The motion was adopted by a vote of 5-0-1-3 (In Favor: Cantrell, Drake, Ott, Snowden, Visvardis; In Opposition: None; Abstention: Brutus; Absent: Chamblee, Cochran, Daigle).

Prior to the vote, the following discussion occurred:

Alec Davis read the Department of Land Use recommendation into the record.

There were no questions from the Planning Board.

STATUTORY GUIDELINES
In the phraseology of 9 Delaware Code Section 2603(a), the Department finds that this rezoning will promote the convenience, order and welfare of the present and future inhabitants of this State.

2-27-26

David M. Culver date
General Manager
Department of Land Use

Robert B Snowden 2/25/2026

Robert B. Snowden date
Acting Chair
New Castle County Planning Board

Prime Sponsor(s): Ms. Kilpatrick
Requested by: Land Use Department
Date of introduction: December 9, 2025

ORDINANCE NO. 25-160

COUNTY INITIATED REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 3 REGARDING THE FOLLOWING TAX PARCELS: MILL CREEK HUNDRED: 08-007.00-042 (1023 Valley Rd, Hockessin Public Library), 08-007.00-049 (4338 Mill Creek Rd, Buck Subdivision), 08-007.40-124 (623 Yorklyn Rd, Hockessin Center), 08-008.30-100 (7259 Lancaster Pike, Hockessin Park), 08-008.30-102 (7259 Lancaster Pike, 17-41 Co Subdivision), 08-012.20-121 (513 Hemingway Dr, Hickory Hill), 08-013.20-046 (0 Deergrass Rd, Bon Ayre), 08-013.20-083 (32 Basil Ct., Brackenville Woods), 08-013.30-013 (4129 Mill Creek Rd Hickory Hill), 08-013.30-039 (4089 Mill Creek Rd, Gateway Farms Sec 2), 08-013.40-038 (47 Staten Dr, Stuyvesant Hills), 08-013.40-048 (27 Staten Dr, Stuyvesant Hills), 08-017.30-004 (3 Welwyn Rd, Hillstream), 08-019.10-074 (100 Ramunno Cir, Belle Terre), 08-012.00-041 (740 Evanson Rd), 08-012.30-001 (188 A Thompson Dr, Hockessin Valley Fal), 08-020.00-150 (0 Off Hobson Dr, West Riding), 08-020.30-032 (115 Westgate Dr, Westgate Farms), 08-013.30-074 (1800 Brackenville Rd), 08-024.10-121 (9 Jarrell Farms Dr, Jarrell Farms III), 08-025.00-008 (0 Mill Creek Rd), 08-025.00-011 (3850 Mill Creek Rd), 08-020.40-021 (104 Oldbury Dr, Westgate Farms), 08-020.40-028 (112 Alexis Ct, Canterbury Hills), 08-026.30-127 (200 Whitekirk Dr, Highland West), 08-026.30-176 (200 Whitekirk Dr), 08-036.20-001 (4901 Mermaid Blvd, Linden Heath), 08-037.30-015 (5134 New Kent Rd, Linden Hill Village), 08-042.10-236 (9 Ware Rd, Deacons Walk), 08-042.20-029 (9 Ware Rd, Preserve At Deacons Walk), 08-047.00-072 (170 Possum Hollow Rd, Tri State Bird Rescue), 08-042.40-255 (0 Upper Pike Creek Rd, Linden Way), 08-053.40-011 (16 St Regis Dr, Chapel Hill), 08-053.40-049 (21 St Regis Dr, Chapel Hill), 08-047.00-124 (0 Briggs Ln, Chanterelle)

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

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

WHEREAS, Strategy 1.1.6 of the 2022 New Castle County Comprehensive Plan reiterates that the County should consider the addition of a preservation zoning category, and defines “Protected Open Space” as privately or publicly held land that has been protected from future development; and

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

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

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

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

Section 1. The Zoning Maps of Mill Creek Hundred are hereby amended by changing the zoning classification of the land shown on attached Exhibit “A”, Maps 1-10 dated November 18, 2025, as set forth therein.

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

Adopted by County Council of
New Castle County on:

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

Approved on:

_____
Marcus Henry
County Executive
New Castle County

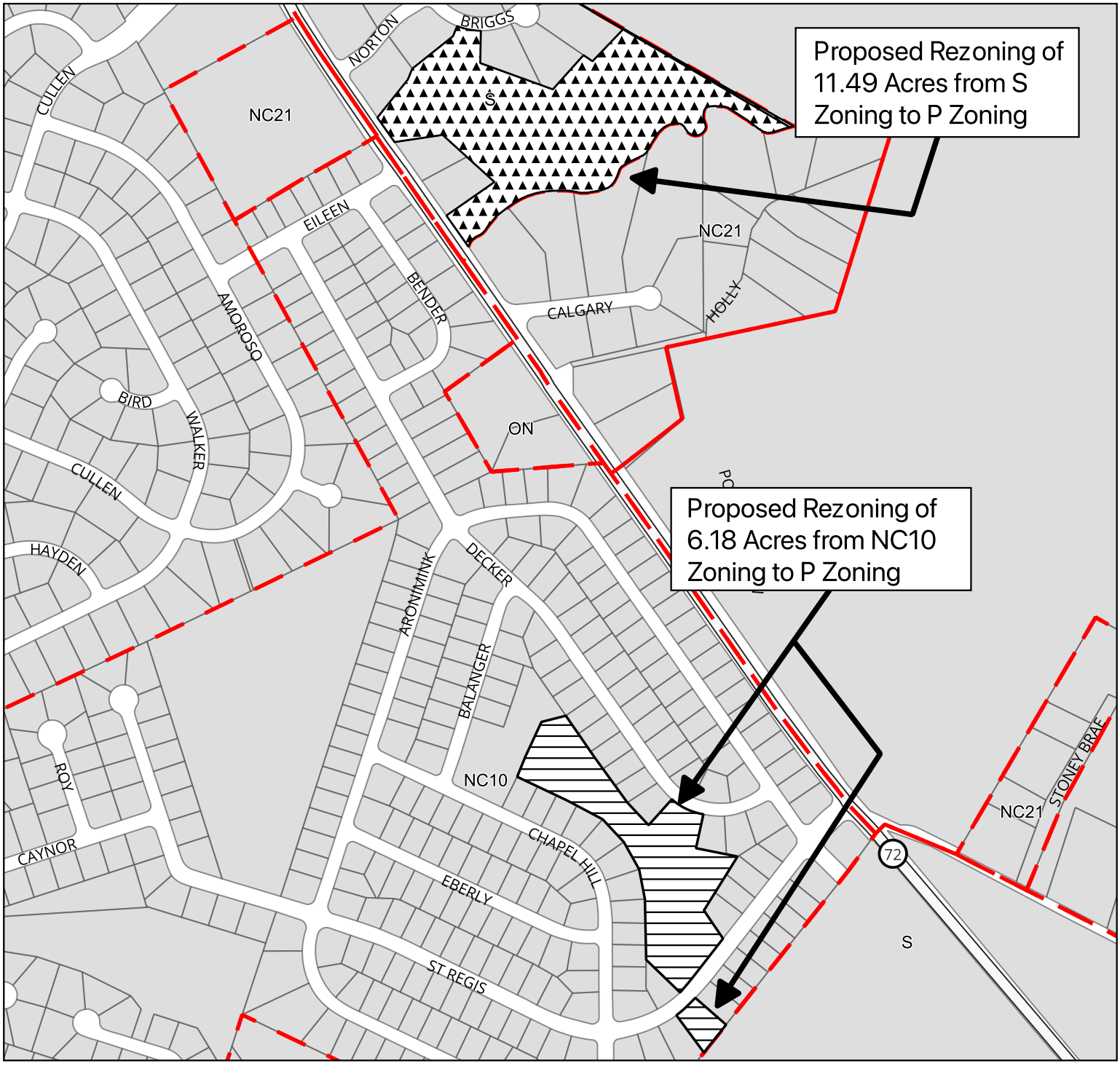
SYNOPSIS: Same as title.

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

PROPERTY MAP

EXHIBIT A MAP 1
ZONING ORDINANCE AS INTRODUCED
APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 08-047.00-072,
08-047.00-124, 08-053.40-011, 08-053.40-049

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NC10) AND SUBURBAN (S) TO PUBLICLY CONSERVED LANDS & PARKS (P)



HUNDRED: MILL CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:6203
Prepared by: Matthew Rogers

Date: 11/18/2025

N

PERMANENT ORDINANCE NO. 25-160
Date Adopted by County Council:
Date Approved by County Executive:

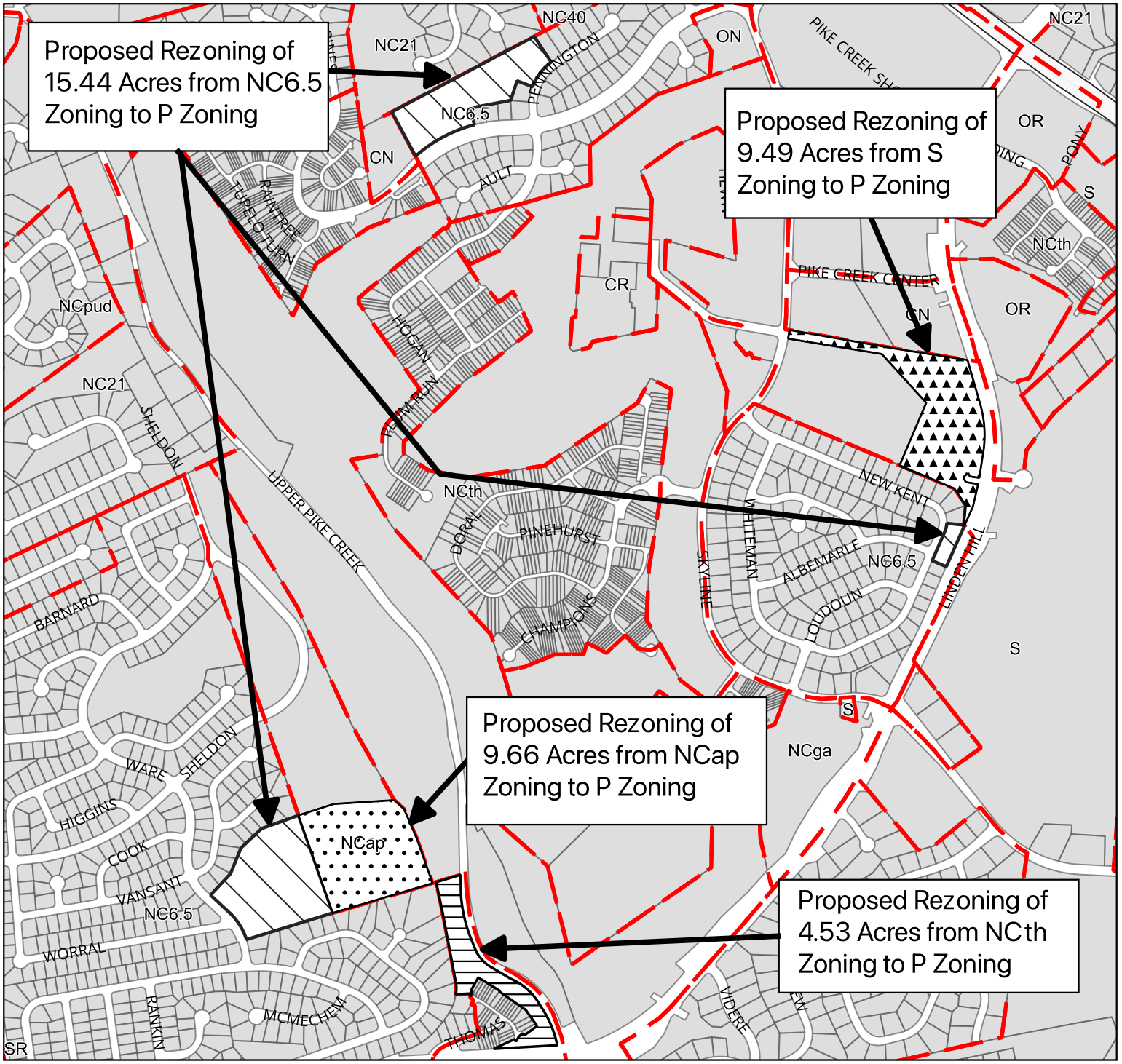
NC10 to P
S to P

PROPERTY MAP

EXHIBIT A MAP 2
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NCth NCap, & NC6.5), AND SUBURBAN (S) TO PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 08-036.20-001, 08-037.30-015, 08-042.10-236, 08-042.20-029, 08-042.40-255



HUNDRED: MILL CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:10763
Prepared by: Matthew Rogers

Date: 11/18/2025

PERMANENT ORDINANCE NO. 25- 160
Date Adopted by County Council:
Date Approved by County Executive:

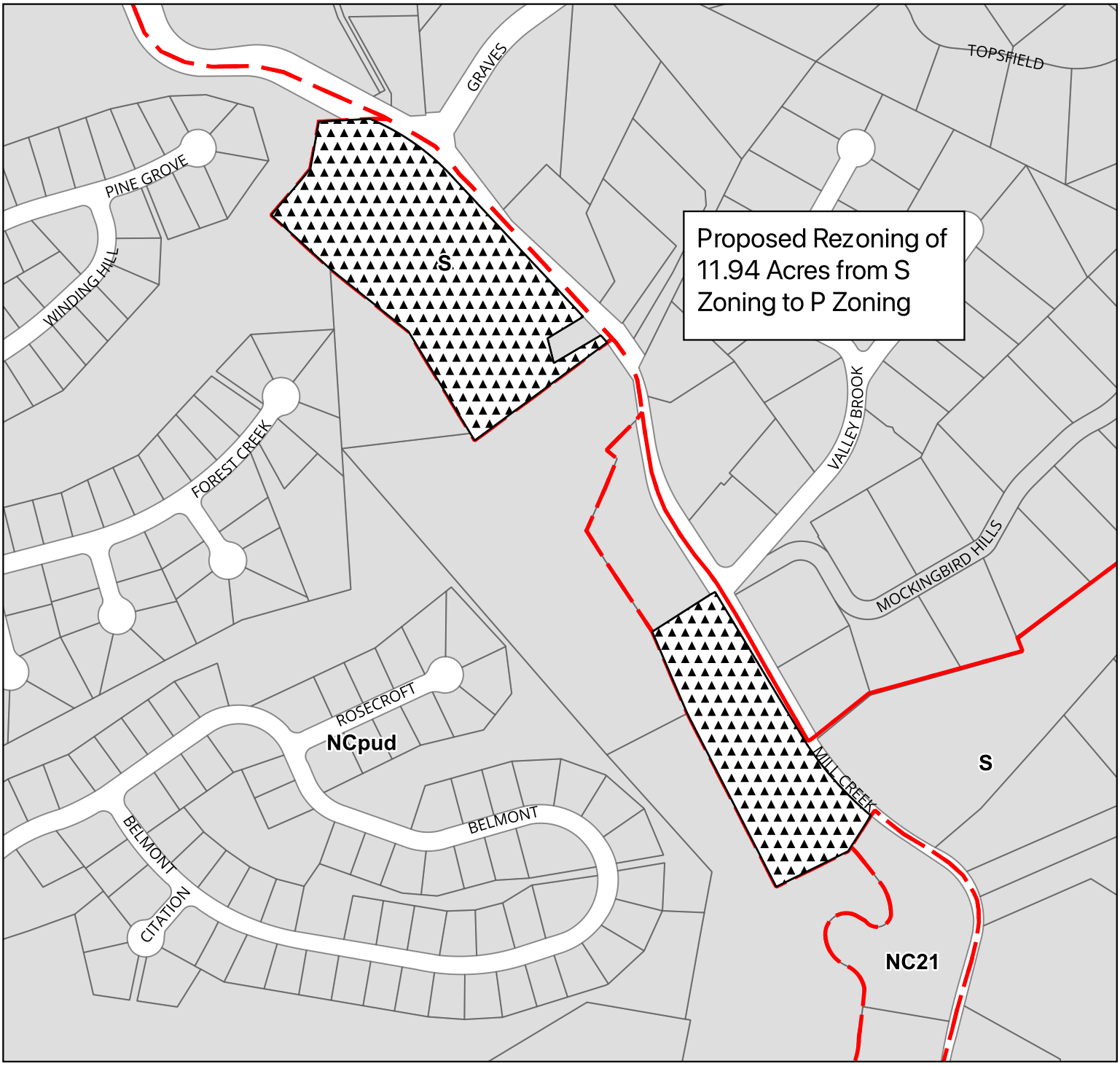
NC6.5 to P
NCth to P
S to P
NCap to P

PROPERTY MAP

EXHIBIT A MAP 3
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: SUBURBAN (S) to
PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 08-025.00-008,
08-025.00-011



HUNDRED: MILL CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:4469
Prepared by: Matthew Rogers

Date: 11/18/2025

N

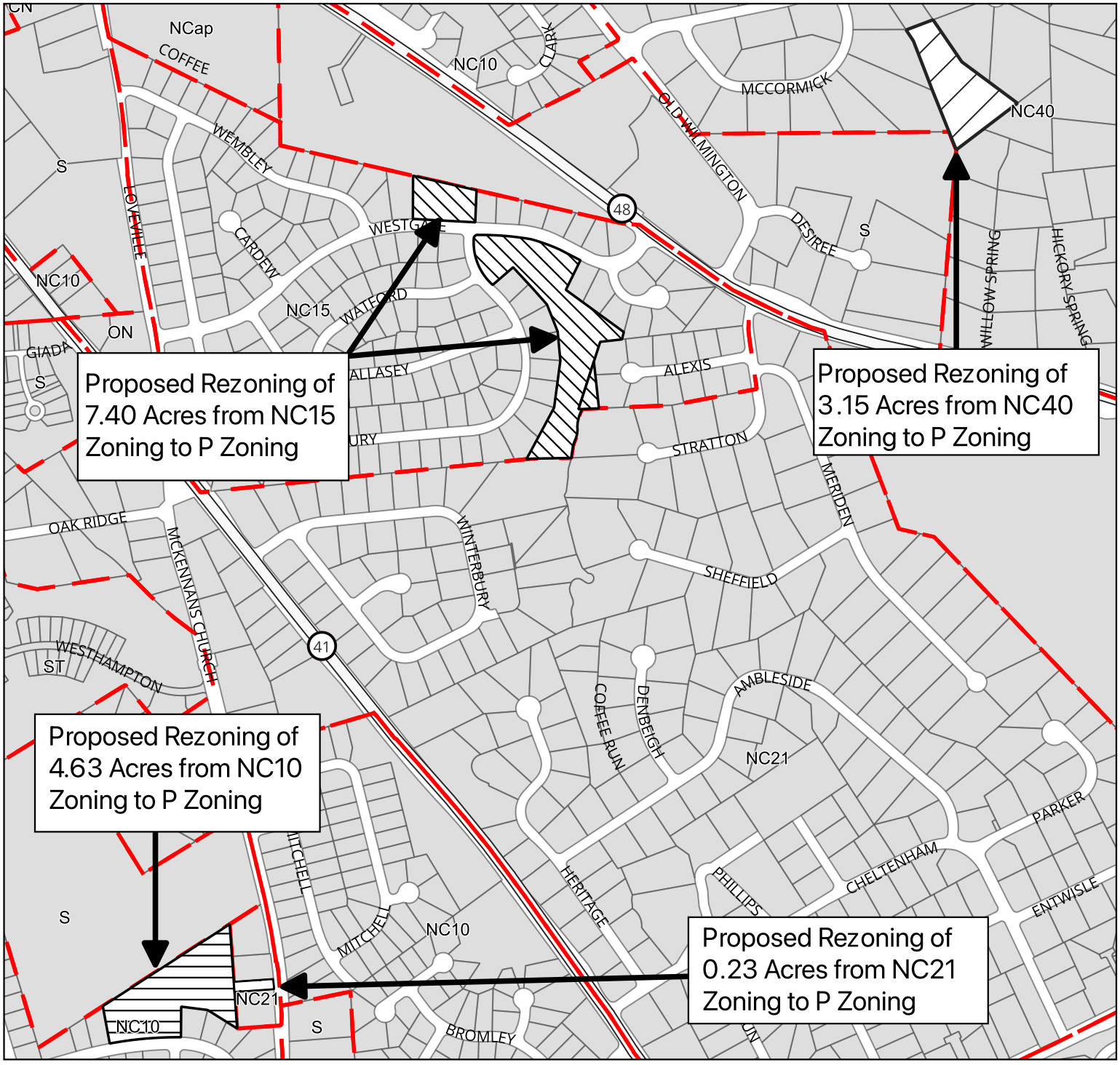
PERMANENT ORDINANCE NO. 25-160
Date Adopted by County Council:
Date Approved by County Executive:

PROPERTY MAP

EXHIBIT A MAP 4
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NC10, NC15, NC21 & NC40) TO PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 08-020.00-150, 08-020.30-032, 08-020.40-021, 08-020.40-028, 08-026.30-127, 08-026.30-176



HUNDRED: MILL CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:8234
Prepared by: Matthew Rogers
Date: 11/18/2025

N

PERMANENT ORDINANCE NO. 25-160
Date Adopted by County Council:
Date Approved by County Executive:

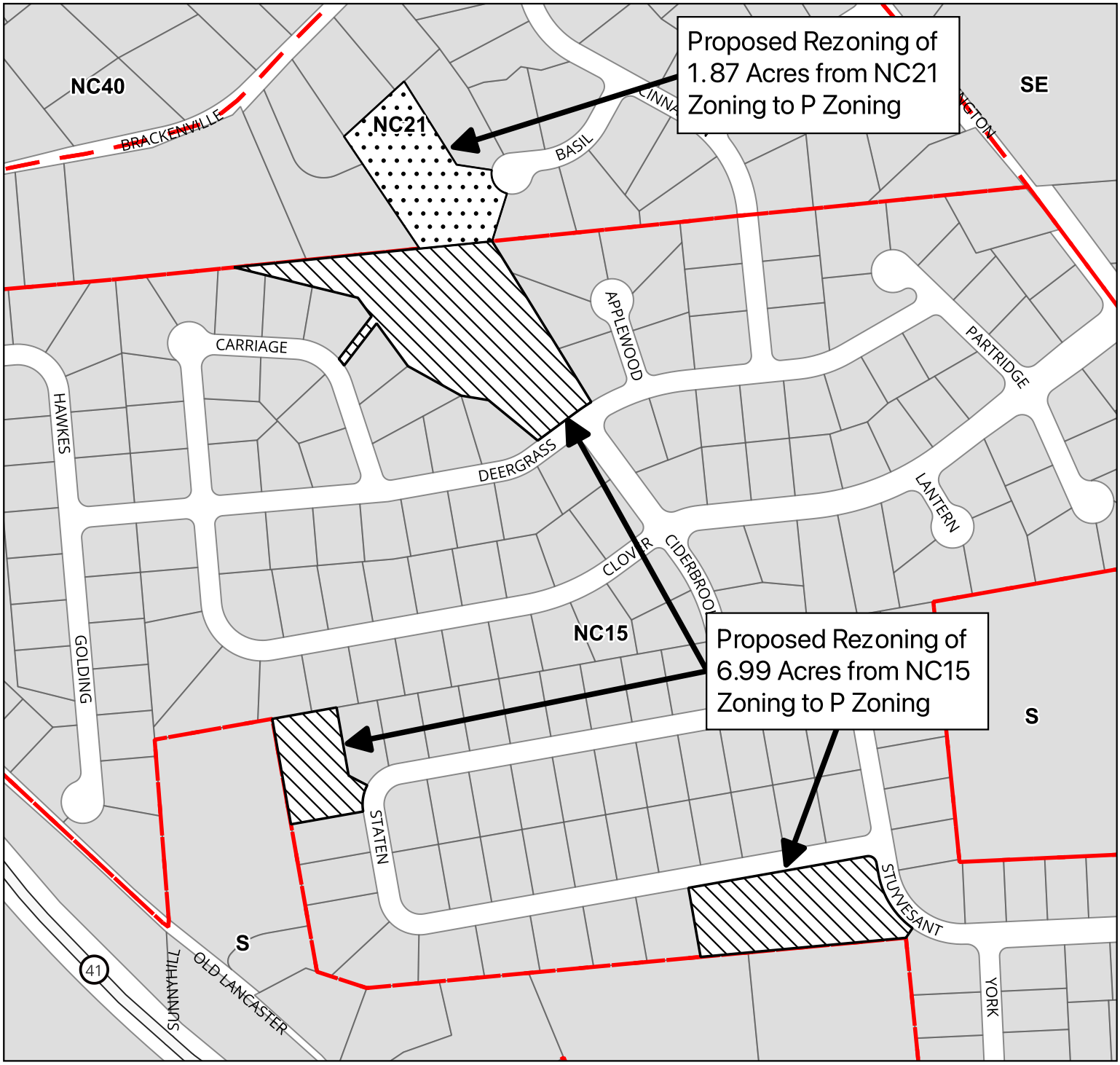
NC10 to P
NC21 to P
NC15 to P
NC40 to P

PROPERTY MAP

EXHIBIT A MAP 5
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NC15 & NC21) TO PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 08-013.20-046, 08-013.20-083, 08-013.40-038, 08-013.40-048



HUNDRED: MILL CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:4072
Prepared by: Matthew Rogers

Date: 11/18/2025

N

PERMANENT ORDINANCE NO. 25-160
Date Adopted by County Council:
Date Approved by County Executive:

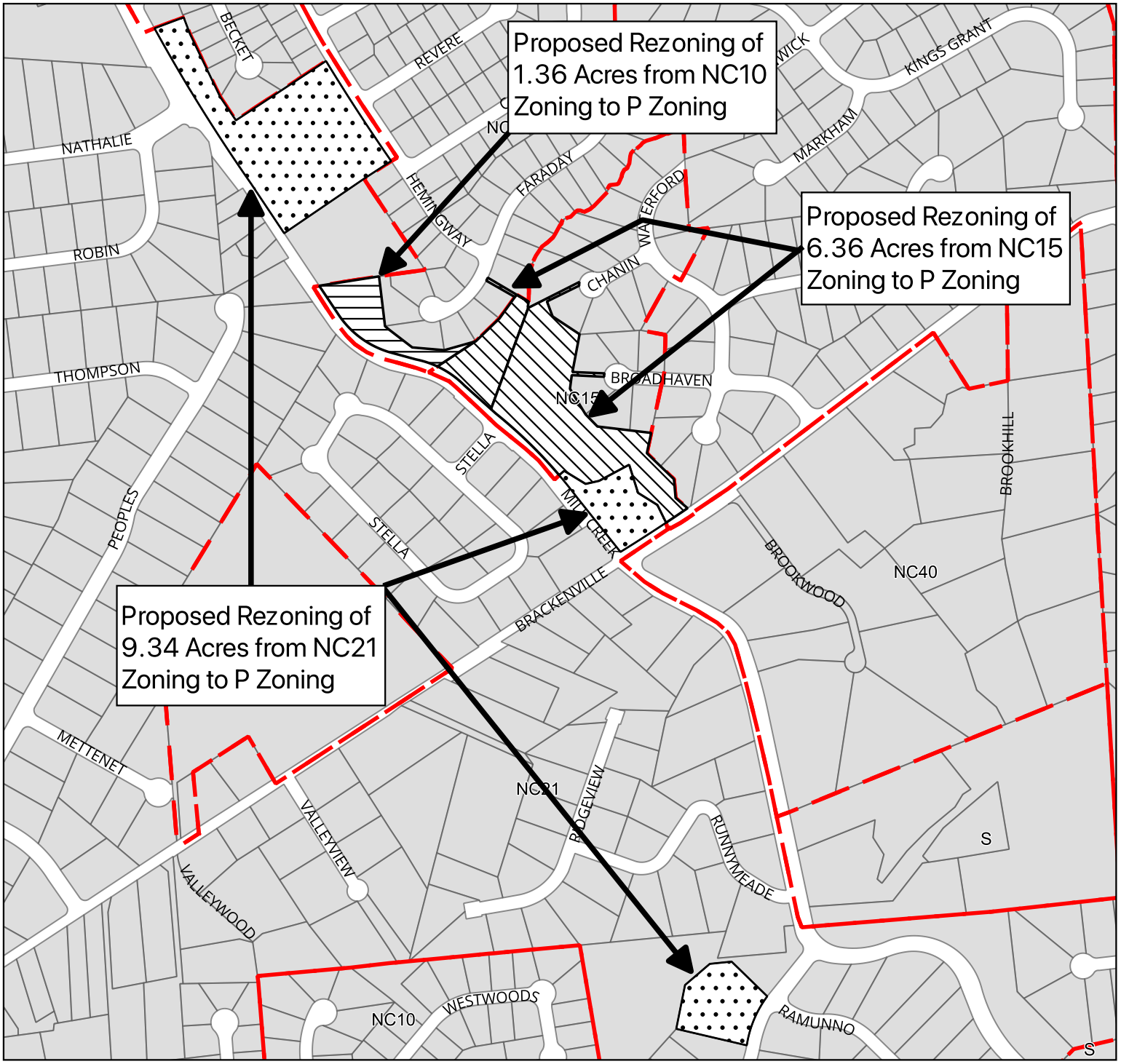
NC15 to P
NC21 to P

PROPERTY MAP

EXHIBIT A MAP 6
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NC10, NC15, & NC21) TO PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 08-012.20-121, 08-013.30-013, 08-013.30-039, 08-013.30-074



HUNDRED: MILL CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:6409
Prepared by: Matthew Rogers

Date: 11/18/2025

N

PERMANENT ORDINANCE NO. 25-160
Date Adopted by County Council:
Date Approved by County Executive:

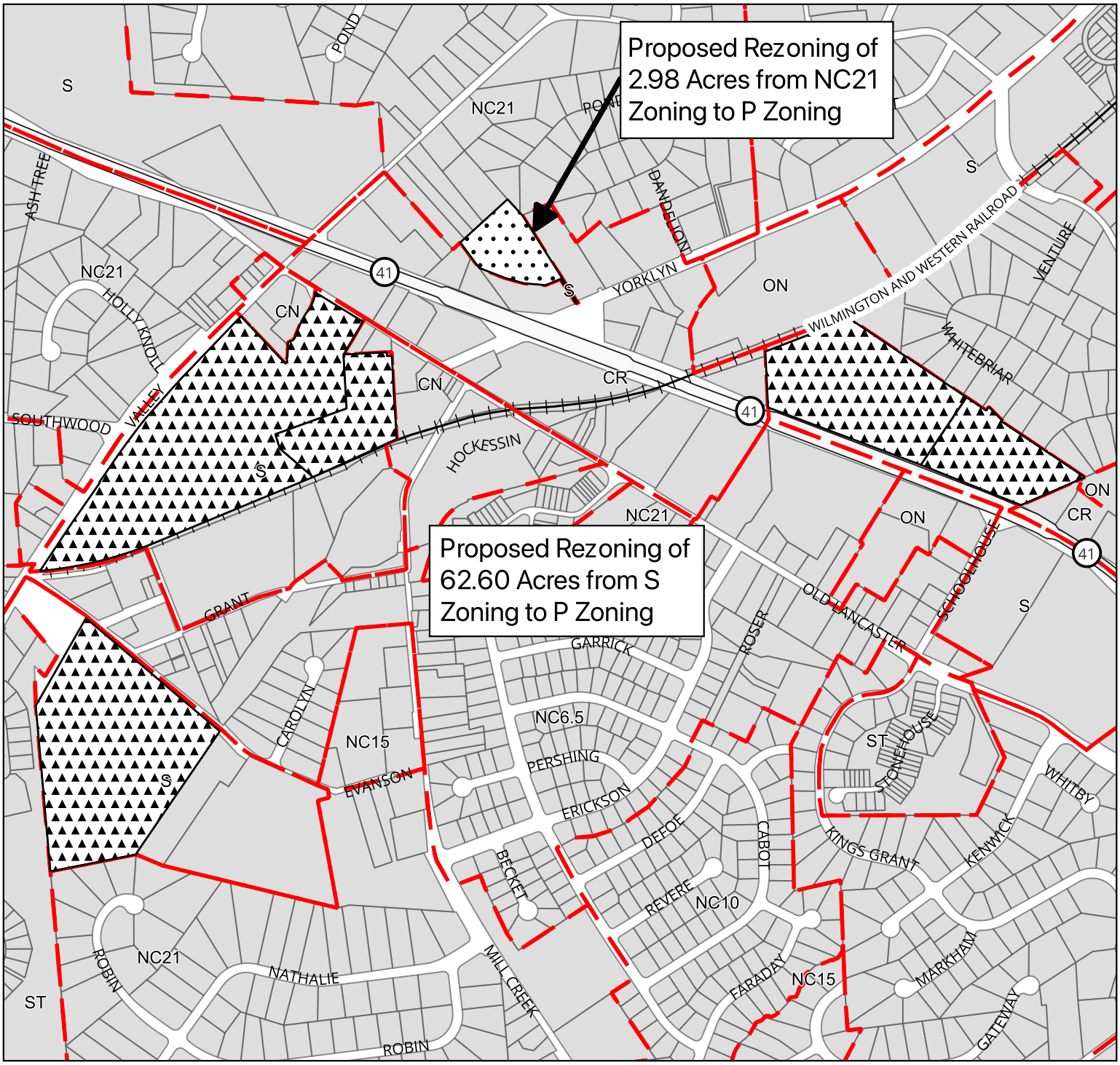
NC10 to P
NC21 to P
NC15 to P

PROPERTY MAP

EXHIBIT A MAP 7
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NC21), & SUBURBAN (S) TO PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 08-007.00-042, 08-007.00-049, 08-007.40-124, 08-008.30-100, 08-008.30-102, 08-012.00-041



HUNDRED: MILL CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:8827
Prepared by: Matthew Rogers

Date: 11/18/2025

N

PERMANENT ORDINANCE NO. 25-160
Date Adopted by County Council:
Date Approved by County Executive:

NC21 to P

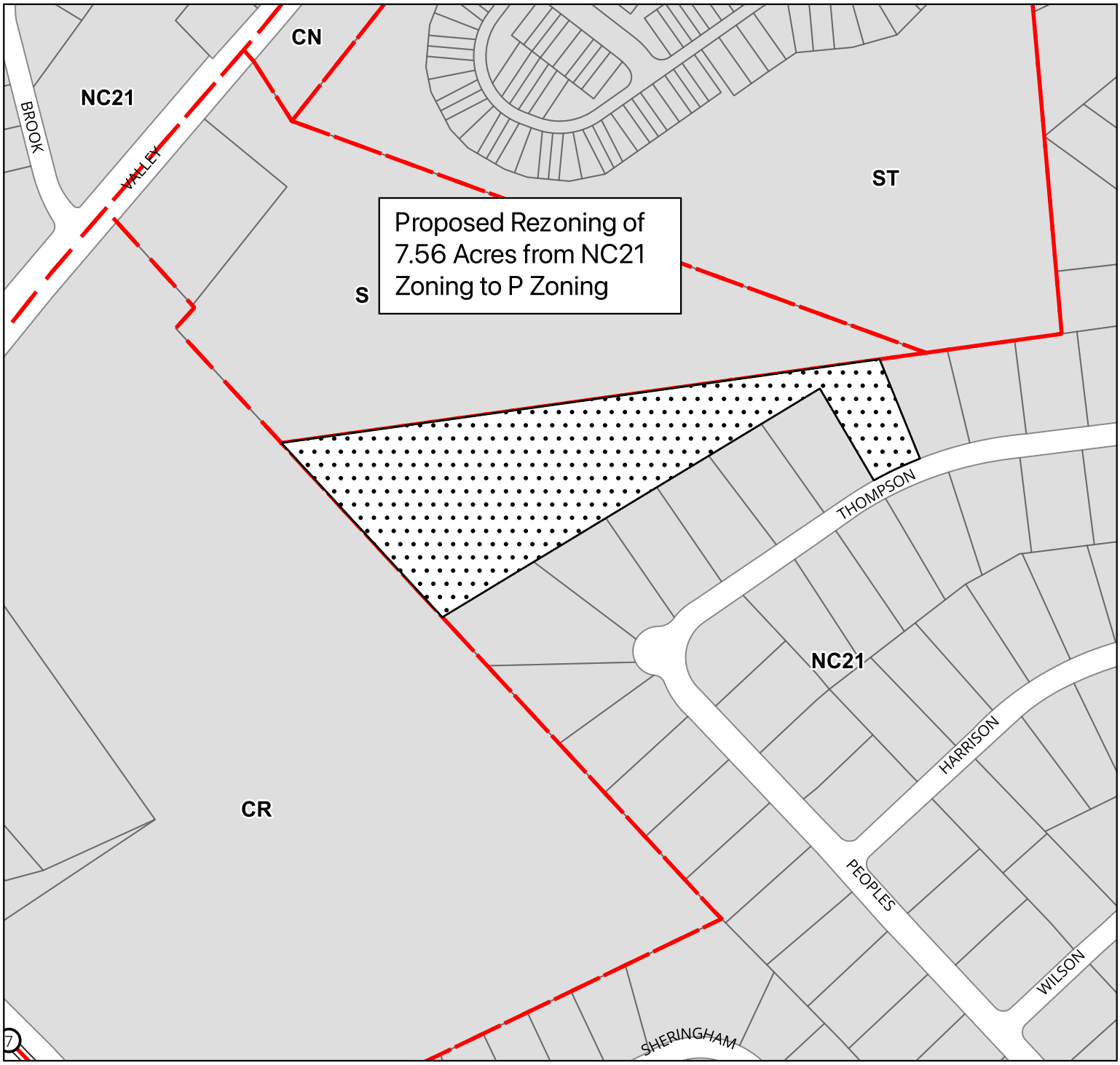
S to P

PROPERTY MAP

EXHIBIT A MAP 8
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NC21) TO PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 08-012.30-001



HUNDRED: MILL CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:3810
Prepared by: Matthew Rogers

Date: 11/18/2025

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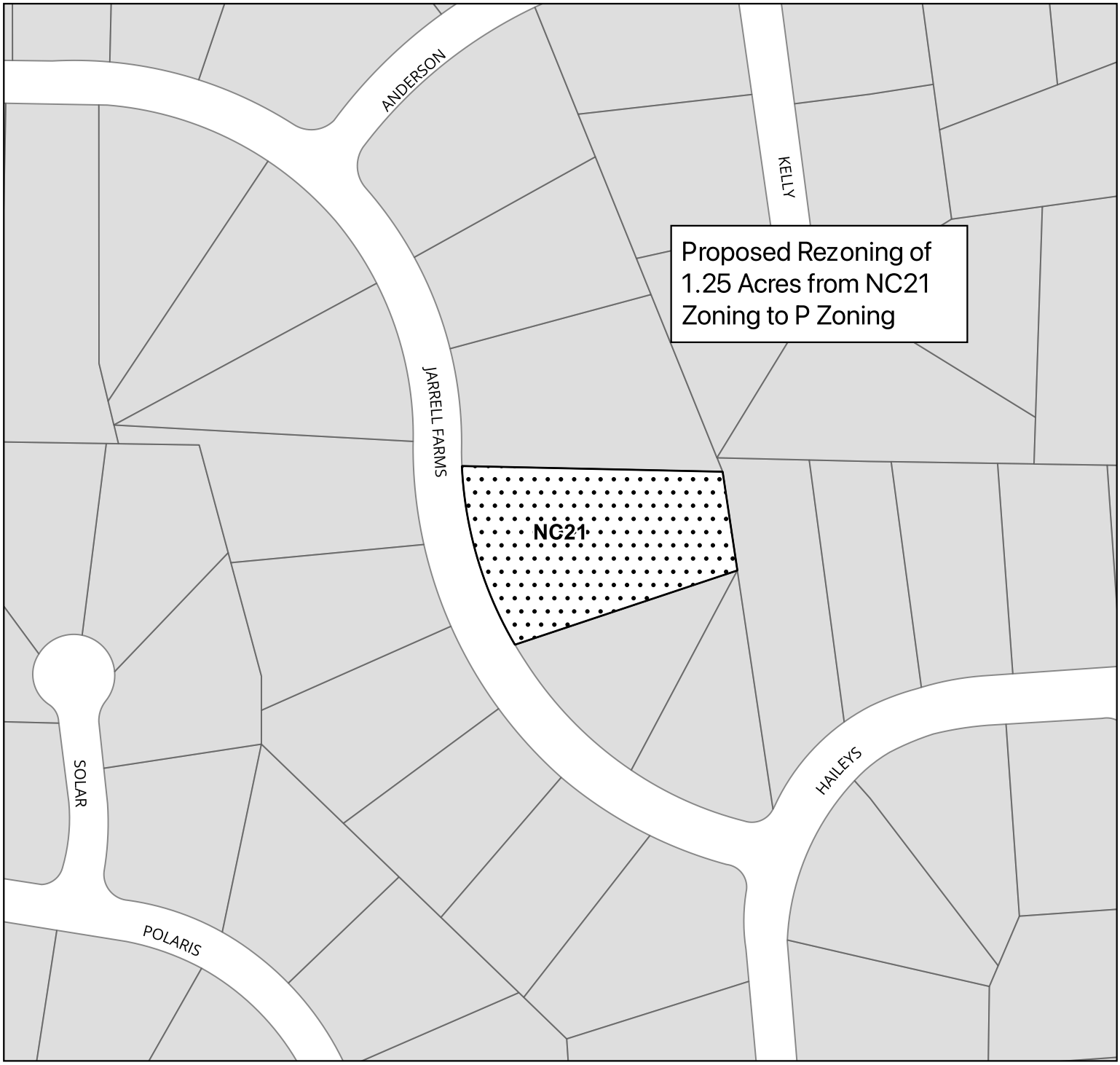
PERMANENT ORDINANCE NO. 25- 160
Date Adopted by County Council:
Date Approved by County Executive:

PROPERTY MAP

EXHIBIT A MAP 9
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NC21) to PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 08-024.10-121



HUNDRED: MILL CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

N

PERMANENT ORDINANCE NO. 25-160
Date Adopted by County Council:
Date Approved by County Executive:

Scale: 1:2059
Prepared by: Matthew Rogers

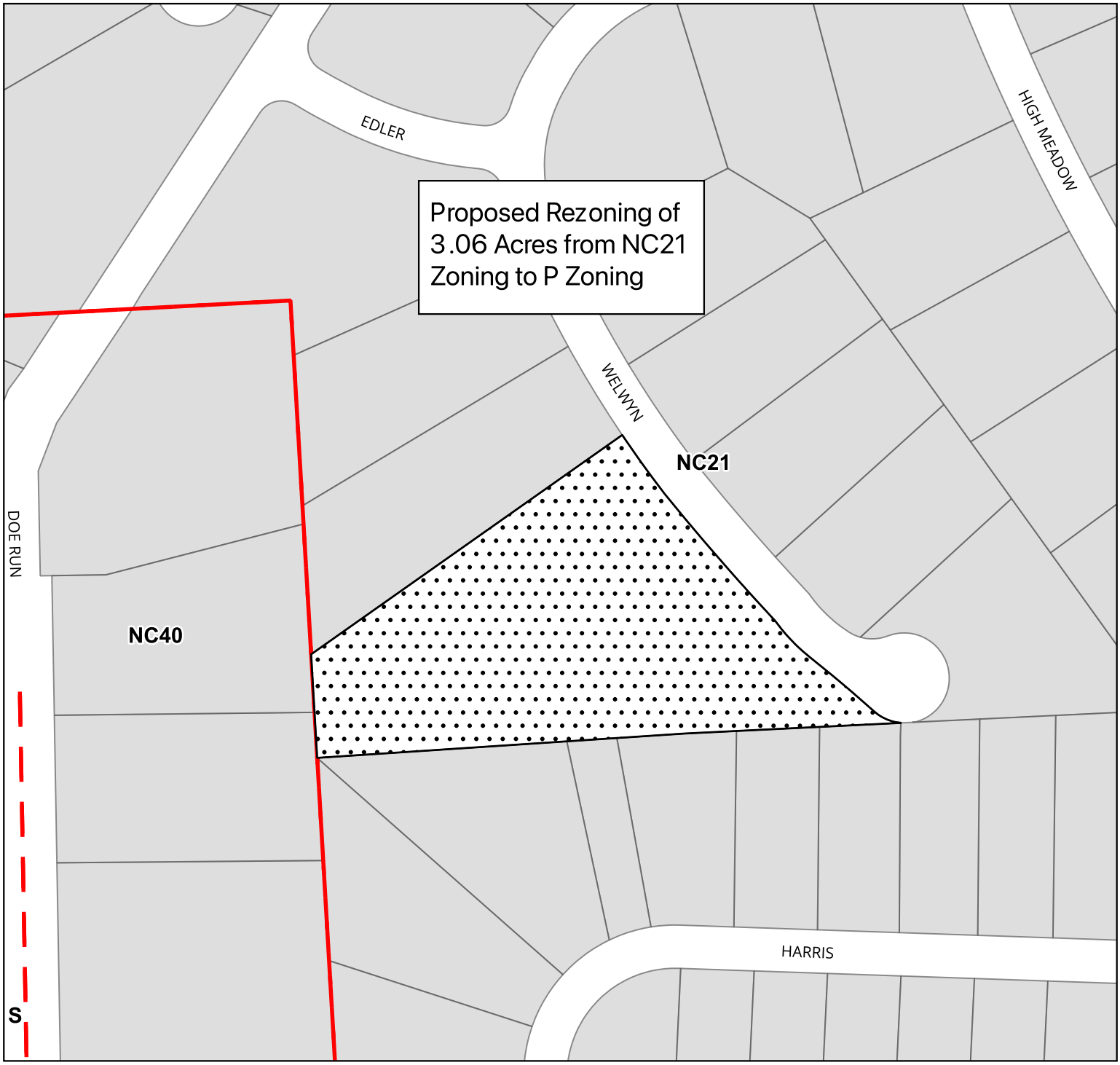
Date: 11/18/2025

PROPERTY MAP

EXHIBIT A MAP 10
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NC21) TO PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 08-017.30-004



HUNDRED: MILL CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:1941
Prepared by: Matthew Rogers

Date: 11/18/2025

N

PERMANENT ORDINANCE NO. 25-160
Date Adopted by County Council:
Date Approved by County Executive:

Marcus A. Henry
County Executive

David M. Culver
General Manager

New Castle County Department of Land Use

JOINT DEPARTMENT OF LAND USE / PLANNING BOARD RECOMMENDATION

Ordinance No. 25-160
Application No. 2025-0721-Z
County Council District 3 – Rezoning of County-owned Land to P-Zoning

February 17, 2026

Sponsor: Councilwoman Kilpatrick (District 3)

Description: Revise the New Castle County Zoning Maps in County Council District 3 regarding county-owned land

EXECUTIVE SUMMARY

Adopted in March of 2025, Ordinance 24-130 established a new zoning district, Publicly Conserved Lands & Parks District (P). This zoning district designation would be required for County Owned properties, and available for governmentally owned properties (at the request of the owner) that are publicly protected and identified as protected in perpetuity for the public benefit. The district's intent is to provide a clearer picture of permanently protected, publicly conserved lands and parks in New Castle County.

Application 2025-0721-Z (Ordinance 25-160) proposes to amend the County's official zoning map to rezone County-owned parks and open space in County Council District 3 to the newly established P Zoning District. The subject 38 parcels are:

08-007.00-042 (1023 Valley Rd, Hockessin Public Library)
08-007.00-049 (4338 Mill Creek Rd, Buck Subdivision)
08-007.40-124 (623 Yorklyn Rd, Hockessin Center)
08-008.30-100 (7259 Lancaster Pike, Hockessin Park)
08-008.30-102 (7259 Lancaster Pike, 17-41 Co Subdivision)
08-012.20-121 (513 Hemingway Dr, Hickory Hill)
08-013.20-046 (0 Deergrass Rd, Bon Ayre)
08-013.20-083 (32 Basil Ct., Brackenville Woods)
08-013.30-013 (4129 Mill Creek Rd Hickory Hill)
08-013.30-039 (4089 Mill Creek Rd, Gateway Farms Sec 2)
08-013.40-038 (47 Staten Dr, Stuyvesant Hills)
08-013.40-048 (27 Staten Dr, Stuyvesant Hills)
08-017.30-004 (3 Welwyn Rd, Hillstream)
08-019.10-074 (100 Ramunno Cir, Belle Terre)

08-012.00-041 (740 Evanson Rd)
08-012.30-001 (188 A Thompson Dr, Hockessin Valley Fal)
08-020.00-150 (0 Off Hobson Dr, West Riding)
08-020.30-032 (115 Westgate Dr, Westgate Farms)
08-013.30-074 (1800 Brackenville Rd)
08-024.10-121 (9 Jarrell Farms Dr, Jarrell Farms III)
08-025.00-008 (0 Mill Creek Rd)
08-025.00-011 (3850 Mill Creek Rd)
08-020.40-021 (104 Oldbury Dr, Westgate Farms)
08-020.40-028 (112 Alexis Ct, Canterbury Hills)
08-026.30-127 (200 Whitekirk Dr, Highland West)
08-026.30-176 (200 Whitekirk Dr)
08-036.20-001 (4901 Mermaid Blvd, Linden Heath)
08-037.30-015 (5134 New Kent Rd, Linden Hill Village)
08-042.10-236 (9 Ware Rd, Deacons Walk)
08-042.20-029 (9 Ware Rd, Preserve At Deacons Walk)
08-047.00-072 (170 Possum Hollow Rd, Tri State Bird Rescue)
08-042.40-255 (0 Upper Pike Creek Rd, Linden Way)
08-053.40-011 (16 St Regis Dr, Chapel Hill)
08-053.40-049 (21 St Regis Dr, Chapel Hill)
08-047.00-124 (0 Briggs Ln, Chanterelle)

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

DESCRIPTION

Application 2025-0721-Z (Ordinance 25-160) proposes to amend the County's official zoning map to rezone County-owned parks and open space in County Council District 3 to the newly established P Zoning District. A list of subdivisions with parks and open space proposed to be rezoned to P Zoning in this rezoning are as follows (a full list of parcels can be found above):

17-41 CO SUBD	HOCKESSIN CENTER
BELLE TERRE	HOCKESSIN PARK
BON AYRE	HOCKESSIN PUBLIC LIB
BRACKENVILLE WOODS	HOCKESSIN VALLEY FAL
BUCK SUBD	JARRELL FARMS III
CANTERBURY HILLS	LINDEN HEATH

CHANTERELLE	LINDEN HILL VILLAGE
CHAPEL HILL	LINDEN WAY
DEACONS WALK	PRESERVE AT DEACONS WALK
GATEWAY FARMS SEC 2	STUYVESANT HILLS
HICKORY HILL	TRI STATE BIRD RESCUE
HIGHLAND WEST	WEST RIDING
HILLSTREAM	WESTGATE FARMS

BACKGROUND

The history of rezoning processes dates to the 1950s. Subsequent sections examine how State and County codes evolved over time.

Establishment of Zoning & the Rezoning Process

The process and set of standards established in Delaware State Code for rezonings has largely been unchanged since 1951. On June 5, 1951, the State of Delaware granted the Levy Court of New Castle County the authority to adopt zoning regulations and provided a process and legal notice requirements for the establishment and amendment of zoning maps. The process required that the Levy Court establish a Zoning Plan, have a public hearing with the Zoning Commission with notice at least 15 days prior to the hearing in the newspaper of general circulation in the County and adoption by the Levy Court. The process for amendments to the zoning map largely mirrored that of establishing zoning, except for reducing the notice requirement to seven days prior to the Zoning Commission hearing.[1] New Castle County adopted zoning regulations in September of 1954.

Rezonings in New Castle County

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

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

2022 Update to the New Castle County Comprehensive Plan

The 2022 Update to the New Castle County Comprehensive Plan (The Plan)[2] was the product of more than two years of extensive public outreach. During that process, the Department made extensive efforts to reach out and garner public feedback on not only the overall Goals/Objectives/Strategies expressed in the plan, but also the Future Land Use map and Element. As a result of these efforts, Strategy 1.1.6 was created to consider the establishment of a preservation zoning category.

Ordinance 24-130 Zoning District for Publicly Owned Conserved Land and Public Parks

Adopted in March of 2025, Ordinance 24-130 established a new zoning district, Publicly Conserved Lands & Parks District (P). This zoning district designation would be required for properties that are publicly protected and identified as protected in perpetuity for the public benefit. The district's intent is to provide a clearer picture of permanently protected, publicly conserved lands and parks in New Castle County.

Ordinance 25-160 County Council District 3 – Rezoning of County-owned Land to P-Zoning

The proposed ordinance would rezone 38 parcels located within County Council District 3 consisting of County-owned parks and open space to the Publicly Conserved Lands & Parks District (P) established in Ordinance 24-130.

PLUS REVIEW (Preliminary Land Use Service)

The text amendment that established P Zoning (Ord. 24-130) was reviewed at a PLUS meeting held on August 28, 2024.

The PLUS Review Letter, dated September 23, 2024, includes comments from the Office of State Planning and Coordination, who commended New Castle County for their continued work on establishing the Publicly Conserved Lands & Parks District (P) and requested a collaboration with DNREC regarding concerns over State-Owned public lands.[3] The Department of Natural Resources and Environmental Control (DNREC) additionally commended New Castle County's effort to preserve natural open space through the establishment of the proposed zoning district. DNREC

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[2] New Castle County Comprehensive Plan 2050:
https://ssl02.nccde.org/gisfiles/Images/NCC2050/Comp%20Plan%20Final%20Draft/Complete%20Plan%20Final%20Draft%20%2006272022.pdf

[3] PLUS Report:
https://www3.newcastlede.gov/PDFDocument/default.aspx?DocumentID=80:FC40FF5826FBF7107D10260598B6C0724428DD1196872F86C5E68CE881F951C2C65831502A6D587F61602538894DF47B&x=temp.pdf

listed concerns regarding potential restrictions in DNREC operations on state-owned lands and asked that state-owned lands are explicitly exempt from the changes outlined in Table 40.03.110 of the Unified Development Code. The State Historic Preservation Office (SHPO) recommended that the ordinance consider making the proposed zoning district apply to publicly owned land that includes areas of cultural or heritage preservation. DelDOT, DEMA and DE State Fire Marshal noted that they did not have any comments or objection to approval of the proposed ordinance.

PLANNING BOARD PUBLIC HEARING – *January 6, 2026*
*Please note, the below is a summary. A recording and transcripts of the public hearing are available at the Department of Land Use and hyperlinked below.[4]

Presentation

Alec Davis, Planner for the Department of Land Use, presented the *Ordinance 25-160*, discussing parcels located in County Council District 3 proposed for rezoning to the Publicly Conserved Lands & Parks District (P) designation. He mentioned that the Ordinance 24-130 first established the P Zoning District and was adopted on March 25th, 2025. He proceeded to show the exhibit maps for all of the affected properties and explained the neighborhoods and locations of each cluster of parcels.

There were no questions from the Planning Board.

Public Comment

Eric Ennis, president of the Brackenville Woods Civic Association, stated that the information provided in the presentation could have been provided in the mailings. Roopa Bhat, a resident of Hockessin Valley Falls, brought up concerns over the loss of trees associated with a sewer improvement project nearby their home. Dale Swain supports the ordinance and feels the P-zoning is a good thing for the community. Liz Carlisle expressed concerns over the development around Middle Run Park. Michele Puzio supports Roopa Baht's statements regarding the tree removal nearby her home. General Manager of Land Use, David Culver, confirmed that the Department would verify with Public Works regarding the referenced sewer project. Prasad Khansana agreed with the statements from Michele Puzio and Roopa Baht.

ANALYSIS

Application 2025-0721-Z (Ordinance 25-160) proposes to amend the County's official zoning map to rezone County-owned parks and open space in County Council District 3 to the newly established P Zoning District, consistent with Ordinance 24-130 (adopted in March of 2025) which established the Publicly Conserved Lands & Parks District (P), and require County owned

[4] January 6, 2026, Planning Board Public Hearing: https://www.newcastlede.gov/agendacenter

properties that are publicly protected and identified as protected in perpetuity for the public benefit to be rezoned to P.

These parcels[5] are all located within County Council District 3, which encompasses parts of White Clay Creek State Park, through Pike Creek and Hockessin, ending at Auburn Valley State Park. The area is characterized by a number of subdivisions developed prior to 1997 (adoption of the UDC) with some open space areas owned and maintained by New Castle County.

Standards of Review

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

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

   This ordinance implements Strategy 1.1.6 of the 2022 Comprehensive Development Plan by proposing the subject 38 parcels be rezoned to the Publicly Conserved Lands & Parks District (P). The establishment of P Zoning on these parcels will better identify and emphasize the protection and preservation of these existing open space and park parcels.

B. *Consistency with the character of the neighborhood.*

   All 38 parcels identified in the rezoning are currently public parks and open space. The P Zoning designation will not change the use of these parcels.

C. *Consistency with zoning and use of nearby properties.*

   These properties were initially designed to serve as parks and open space areas within the communities they are located. P Zoning designation will not change the residential open space or parkland nature of the areas.

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

   These properties were initially designed to serve as parks and open space areas within the communities they are located. P Zoning designation will not change the residential open space or parkland nature of the areas.

E. *Effect on nearby properties.*

---

[5] Ordinance 25-160 (Including Exhibit Maps):
https://www3.newcastlede.gov/PDFDocument/default.aspx?DocumentID=80:FC40FF5826FBF7107D10260598B6C0724428DD1196872F86C5E68CE881F951C2E9E84C026BE79338E92E8E5A27047F27&x=temp.pdf

These properties were initially designed to serve as parks and open space areas within the communities they are located. P Zoning designation will not change the residential open space or parkland nature of the areas.

DEPARTMENT OF LAND USE RECOMMENDATION

The Department of Land Use has considered the Standards for Zoning Map Amendment in Section 40.31.410, A through E *of the Unified Development Code*, the Future Land Use Map, the comments received from outside agencies, and the comments received by the public. Based on this analysis, the Department is of the opinion that the standards are met by this proposal. Therefore, the Department of Land Use recommends **APPROVAL** of Ordinance 25-160.

PLANNING BOARD RECOMMENDATION

At a business meeting held on February 17, 2026, 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 Neil Cantrell and seconded by Kiana Drake, the Board voted to recommend **APPROVAL** of application 2025-0721-Z as recommended by the Department of Land Use. The motion was adopted by a vote of 5-0-1-3 (In Favor: Cantrell, Drake, Ott, Snowden, Visvardis; In Opposition: None; Abstention: Brutus; Absent: Chamblee, Cochran, Daigle).

Prior to the vote, the following discussion occurred:

Alec Davis read the Department of Land Use recommendation into the record.

There were no questions from the Planning Board.

STATUTORY GUIDELINES

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

2-27-26

David M. Culver date
General Manager
Department of Land Use

2/25/2026

Robert B. Snowden date
Acting Chair
New Castle County Planning Board

Prime Sponsor(s): Ms. Kilpatrick, Mr. Sheldon
Requested by: Land Use Department
Date of introduction: December 9, 2025

ORDINANCE NO. 25-161

COUNTY INITIATED REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 3 AND COUNTY COUNCIL DISTRICT 9 REGARDING THE FOLLOWING TAX PARCELS: CHRISTIANA HUNDRED: 07-034.30-070 (0 Newell Dr, Historic Red Clay Valley), 07-034.40-236 (2161 Elder Dr, New Castle County), 07-034.40-293 (2101 Inman Dr, Faulkland Heights Sec A), 07-034.40-534 (2130 Faulkland Rd, Davis Terrace), 07-034.40-537 (613 Armstrong Ave, Brookland Terrace), 07-035.10-042 (2130 Faulkland Rd, Woodland), 07-035.10-042 (2130 Faulkland Rd, Woodland), 07-037.20-001 (2161 Elder Dr, New Castle County), 07-037.20-250 (250 Greenbank Rd, New Castle County), 07-037.20-251 (323 Greenbank Rd, New Castle County), 07-037.20-257 (319 Greenbank Rd, New Castle County), 08-033.00-008 (3300 Faulkland Rd, Brandywine Convalescent), 08-033.00-012 (0 Faulkland Rd)**; MILL CREEK HUNDRED:** 08-026.40-042 (2518 Mill Creek Rd, Crossgates), 08-032.00-013 (2920 Duncan Rd, Delcastle Tennis Center), 08-032.10-064 (2626 Mill Creek Rd, Crossgates), 08-032.20-111 (212 Lister Dr, Hyde Park), 08-032.40-014 (2815 Duncan Rd, Hyde Park), 08-033.00-008 (3300 Faulkland Rd, Brandywine Convalescent), 08-033.00-012 (0 Faulkland Rd), 08-033.30-098 (2400 Cedar Ave, Cedars), 08-035.20-079 (585 Polly Drummond Hill Rd, Middle Run Crossing), 08-035.20-080 (103 Wren Way, Middle Run Crossing), 08-035.40-003 (0 Mourning Dove Dr, Middle Run Crossing), 08-035.40-071 (0 Mourning Dove Dr, Middle Run Crossing), 08-035.40-073 (0 Wren Way, Middle Run Crossing), 08-035.40-124 (0 Mourning Dove Dr, Middle Run Crossing), 08-037.00-035 (3700 Limestone Rd, New Castle County Carousel Park), 08-037.20-105 (1225 Arundel Dr, Arundel Sec 2), 08-037.20-106 (1401 Arundel Dr, Arundel Sec 1), 08-037.20-329 (19 A Ascension Dr, Winding Bridge), 08-038.10-001 (1230 Arundel Dr, Arundel Sec 1), 08-038.10-127 (1103 A Highgate Rd, Sherwood Park II), 08-038.20-045 (2609 Sherwood Dr, Sherwood Park Sec 2), 08-038.20-290 (55 A St John Dr (Dunlinden Acres), 08-038.20-328 (48 A St John Dr (Dunlinden Acres), 08-038.30-388 (2446 W Eric Dr ,Limestone Gardens), 08-041.00-026 (101 Fox Den Rd, Middle Run Crossing), 08-041.20-092 (391 Polly Drummond Hil Rd (Middle Run Crossing), 08-042.00-013 (273 Polly Drummond Hil Rd, Delaware Hospice), 08-043.10-041 (3007 Ridgevale Rd, Hills of Skyline), 08-043.20-178 (1802 Milltown Rd, Village of Lindell), 08-043.30-005 (5439 Crestline Rd, Hills of Skyline), 08-043.30-019 (5434 Crestline Rd, Hills of Skyline), 08-043.30158 (2660 Longfellow Dr, Highlands of Heritage), 08-043.40-014 (2660 Longfellow Dr, Heritage Farm), 08-043.40-015 (2661 Longfellow Dr, Grendon Farms), 08-043.40-320 (2010 Marlboro Dr, Montclare), 08-043.40-377 (2510 Grendon Dr, Grendon Farms), 08-044.10-278 (2446,W Eric Dr ,Sheridan Square), 08-044.30-382 (4998, E Woodmill Dr, Woodmill), 08-047.00-072 (170 Possum Hollow Rd, Tri State Bird Rescue), 08-048.00-045 (0 Upper Pike Creek Rd), 08-048.20-231 (7 Creek Xing, Creek Landing), 08-048.20-247 (19 Taylors Mill Ln, Taylors Mill), 08-049.20-013 (2616 A Whitman Dr, Heritage Farm), 08-049.20-045 (2609 Whitman Dr, Heritage Farm), 08-049.30-008 (122

Rockrose Dr, Meadowood Sec 1), 08-053.00-050 (331 Delaplane Ave, Delaplane Manor Iii), 08-060.00-007 (148 Fairway Rd, Red Mill Farms), 08-060.10-018 (1600 Melrose Place Dr, Country Squire Apts), 08-060.20-090 (315 Darwin Dr, Sycamore Gardens), 08-060.20-116 (132 Longview Dr, Peoples Subd), 08-060.20-118 (120 Longview Dr, Newkirk Estates Sc 2), 08-060.20-119 (122 Longview Dr, Newkirk Estates Sc 2), 08-060.20-120 (134 Longview Dr, Peoples Subd), 08-060.20-121 (121 Longview Dr, Newkirk Estates Sc 2), 08-060.20-146 (115 Phyllis Dr (Newkirk Estates Sc 2), 08-060.20-148 (127 Longview Dr), 08-060.20-149 (125 Longview Dr, Peoples Subd), 08-060.20-150 (123 Longview Dr, Peoples Subd), 08-060.20-152 (0 Off Longview Dr), 08-060.30-005 (21 Mary Ella Dr, Millrace), 09-010.30-001 (0 Sheffield Manor Dr, Sheffield Manor), 09-010.30-066 (74 Green Ridge Rd, Brookhaven), 09-017.00-028 (0 Tamara Cir, Harmony Hills Sec 2); **PENCADER HUNDRED:** 11-006.20-166 (0 Scottfield Dr, Scottfield Sec 3)**; WHITE CLAY CREEK HUNDRED:** 08-060.00-007 (148 Fairway Rd, Red Mill Farms), 08-060.10-018 (1600 Melrose Place Dr, Country Squire Apts), 08-060.20-146 (115 Phyllis Dr, Newkirk Estates Sec 2), 08-060.30-005 (21 Mary Ella Dr, Millrace), 09-010.30-001 (0 Sheffield Manor Dr, Sheffield Manor), 09-010.30-066 (74 Green Ridge Rd, Brookhaven), 09-015.20-027 (136 N Dillwyn Rd, Windy Hills Sec 1), 09-016.20-028 (52 A Millwright Dr, Old Mill Manor), 09-016.20-091 (22 A Gristmill Ln, Old Mill Manor), 09-016.30-167 (136 N Dillwyn Rd, Windy Hills Sec 2), 09-016.40-017 (27 A Old Manor Rd, Old Mill Manor), 09-017.00-028 (0 Tamara Cir (Harmony Hills Sec 2), 09-017.30-046 (139 W Rutherford Dr, Rutherford Sec 3), 09-017.301-87 (0 Harmony Crest Dr (Harmony Crest Sc III), 09-017.40-149 (121 E Rutherford Dr, Rutherford Sec 1), 09-021.40-069 (110 Old Newark Rd, Greenbridge), 09-021.40-256 (50 Durham Ct (New Castle County Police Academy), 09-022.30-411 (0 Lisbeth Rd, Chestnut Hill Estates 2), 09-022.30-412 (0 E Cherokee Dr, Cherokee Woods), 09-022.30-422 (0 E Cherokee Dr, Cherokee Woods), 09-023.10-203 (801 Prides Xing, Harmony Crest Sc II), 09-023.10-232 (801 Prides Xing, Harmony Crest Sec II), 09-028.10-220 (127 Garrett Rd, Todd Estates Sec 4), 09-033.00-033 (24 Upland Ct, Breezewood Sec II), 09-033.20-073 (499 Gender Rd, Gender Woods), 09-033.20-074 (545 Gender Rd, Gender Woods)

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

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

WHEREAS, Strategy 1.1.6 of the 2022 New Castle County Comprehensive Plan reiterates that the County should consider the addition of a preservation zoning category, and defines “Protected Open Space” as privately or publicly held land that has been protected from future development; and

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

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

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

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

Section 1. The Zoning Maps of Christiana Hundred, Mill Creek Hundred, Pencader Hundred, and White Clay Creek Hundred are hereby amended by changing the zoning classification of the land shown on attached Exhibit "A", Maps 1-15 dated November 18, 2025, as set forth therein.

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

Adopted by County Council of
New Castle County on:

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

Approved on:

_____
Marcus Henry
County Executive
New Castle County

SYNOPSIS: Same as title.

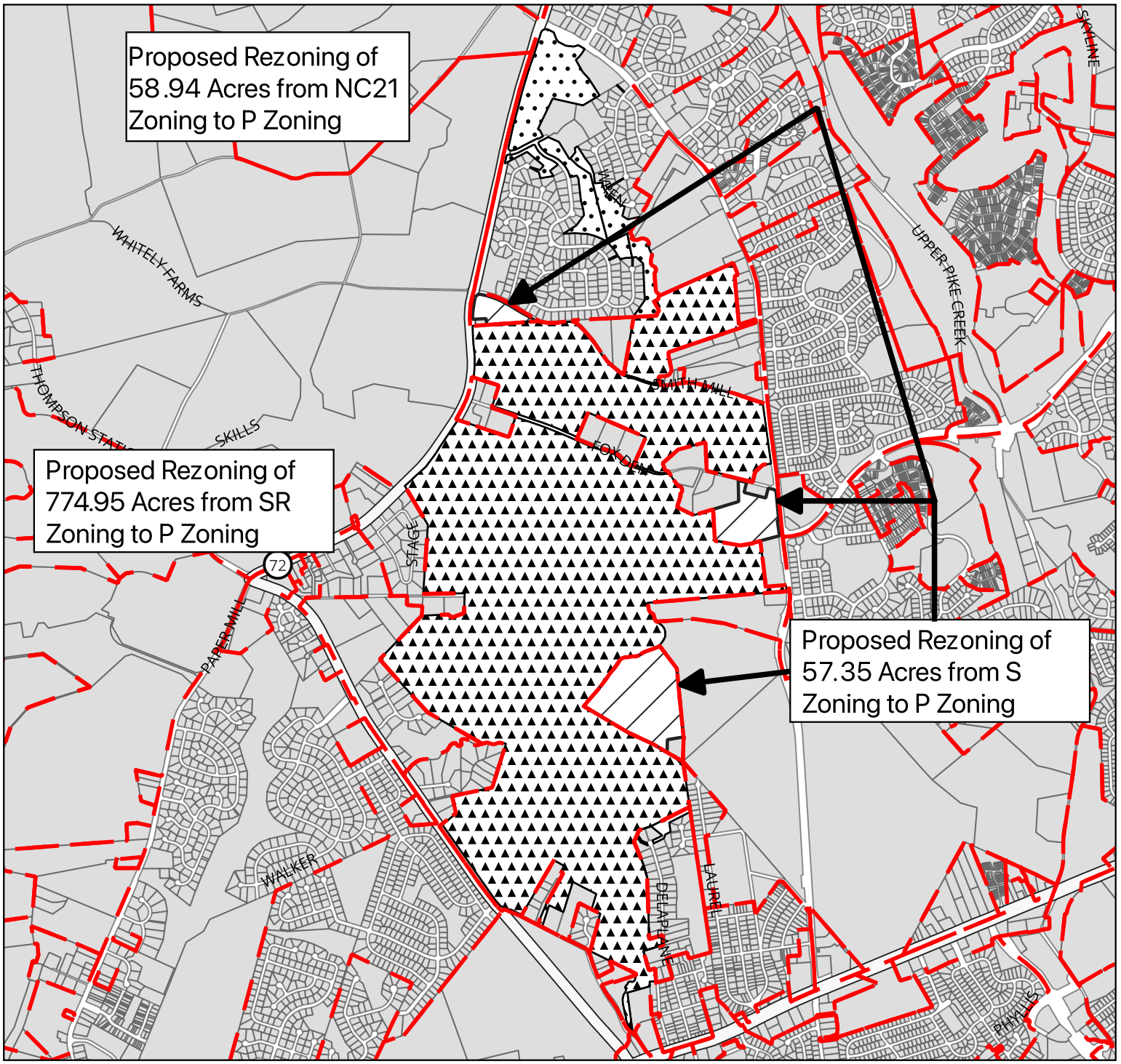
FISCAL IMPACT: There is no discernible fiscal impact with the adoption of this ordinance.

PROPERTY MAP

EXHIBIT A MAP 1
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NC21), SUBURBAN (S) AND SUBURBAN RESERVE (SR) TO PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 08-035.20-079, 08-035.20-080, 08-035.40-003, 08-035.40-071,08-035.40-073, 08-035.40-124, 08-041.00-026, 08-041.20-092, 08-042.00-013, 08-047.00-072, 08-053.00-050



HUNDRED: MILL CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:26157
Prepared by: Matthew Rogers

Date: 11/18/2025

N

PERMANENT ORDINANCE NO. 25-161
Date Adopted by County Council:
Date Approved by County Executive:

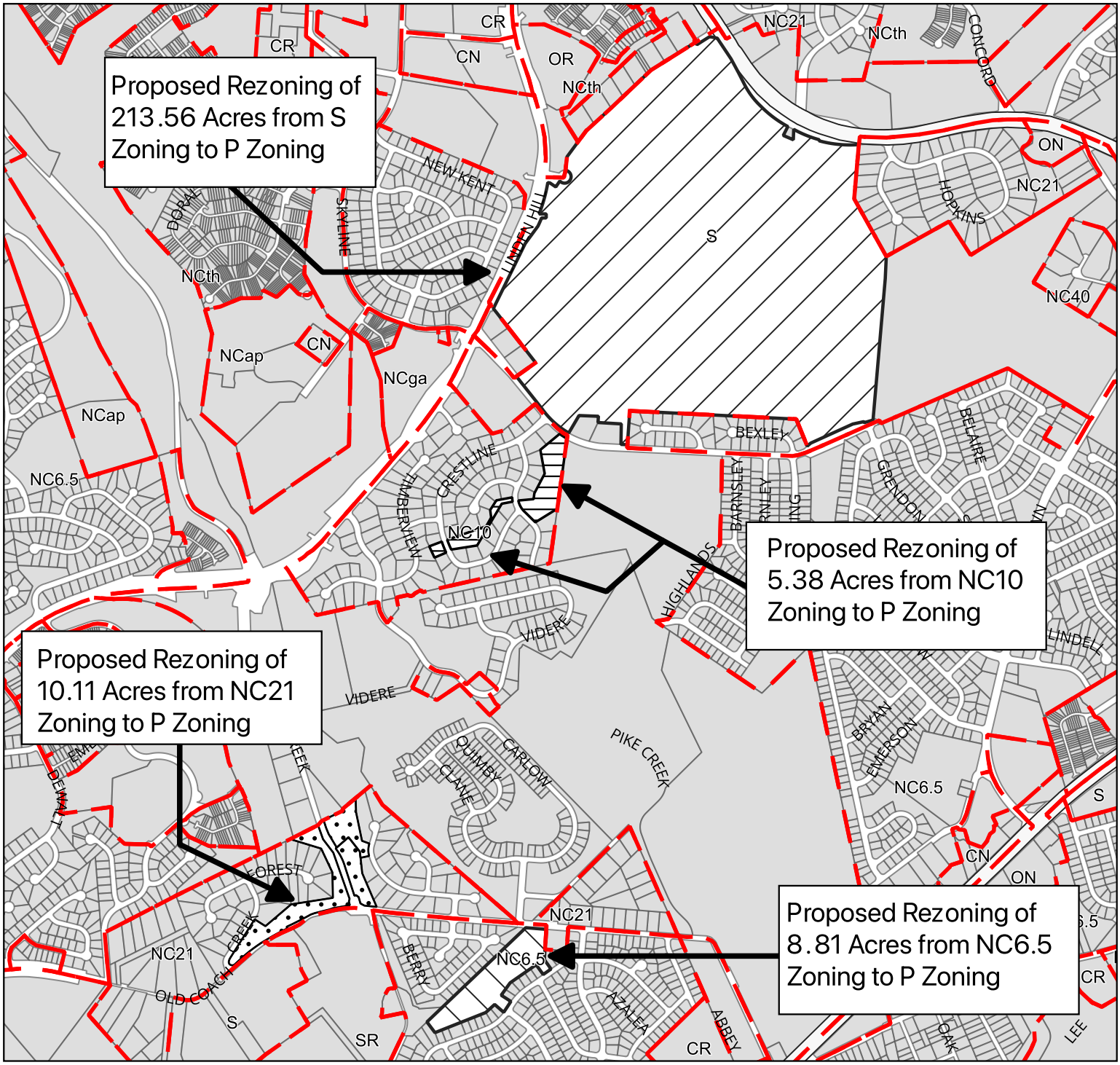
NC21 to P
S to P
SR to P

PROPERTY MAP

EXHIBIT A MAP 2
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NC6.5 NC10, & NC21), AND SUBURBAN (S) TO PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 08-037.00-035, 08-043.10-041, 08-043.30-005, 08-043.30-019, 08-048.00-045, 08-048.20-231, 08-048.20-247, 08-049.30-008



HUNDRED: MILL CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:15566
Prepared by: Matthew Rogers

Date: 11/18/2025

N

PERMANENT ORDINANCE NO. 25-161
Date Adopted by County Council:
Date Approved by County Executive:

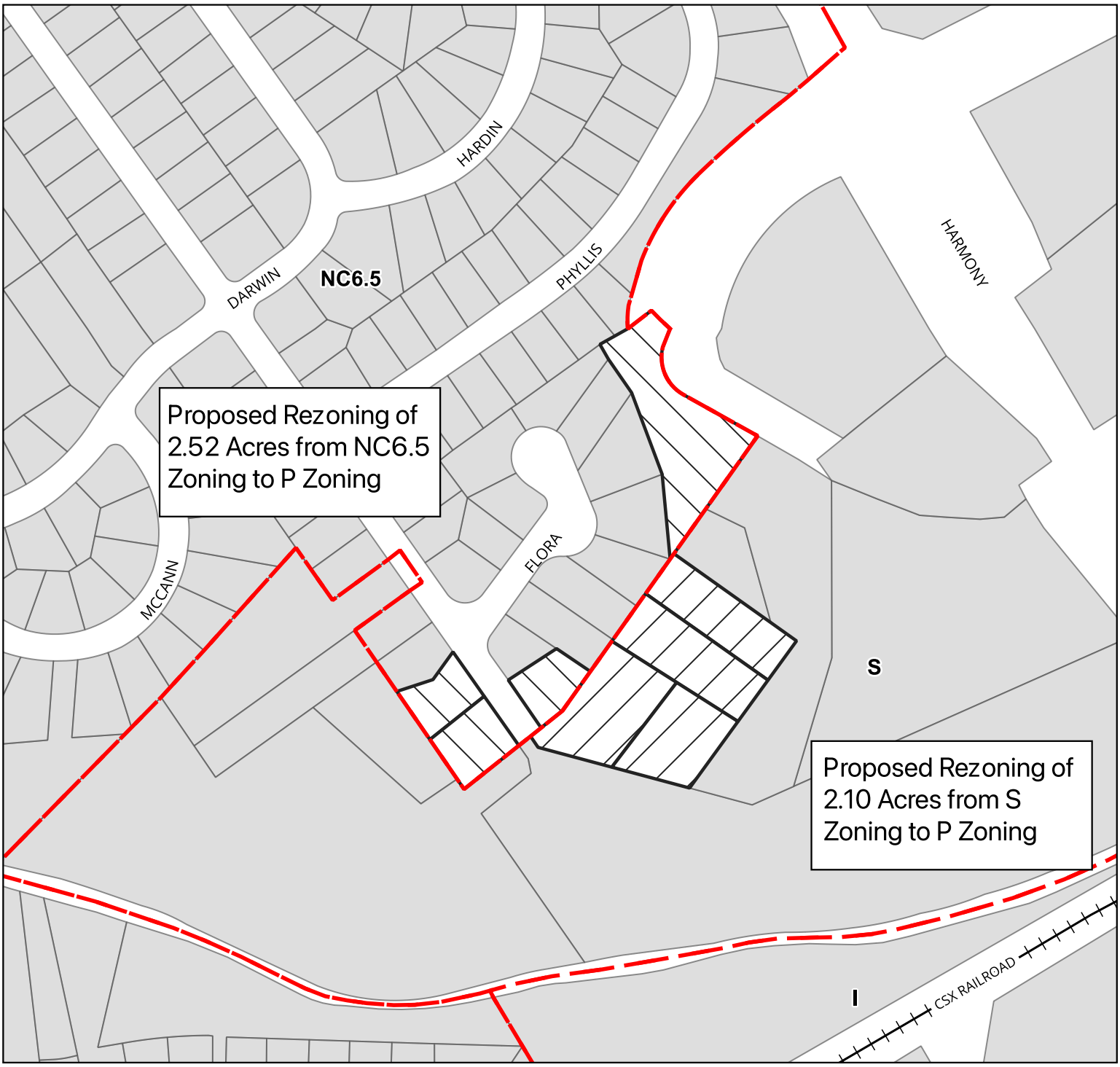
NC10 to P
NC6.5 to P
NC21 to P
S to P

PROPERTY MAP

EXHIBIT A MAP 3
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NC6.5), & SUBURBAN (S) TO PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 08-060.20-118, 08-060.20-119, 08-060.20-121, 08-060.20-146, 08-060.20-148, 08-060.20-149, 08-060.20-150, 08-060.20-152



HUNDRED: MILL CREEK HUNDRED &
WHITE CLAY CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:2855
Prepared by: Matthew Rogers

Date: 11/18/2025

N

PERMANENT ORDINANCE NO. 25-161
Date Adopted by County Council:
Date Approved by County Executive:

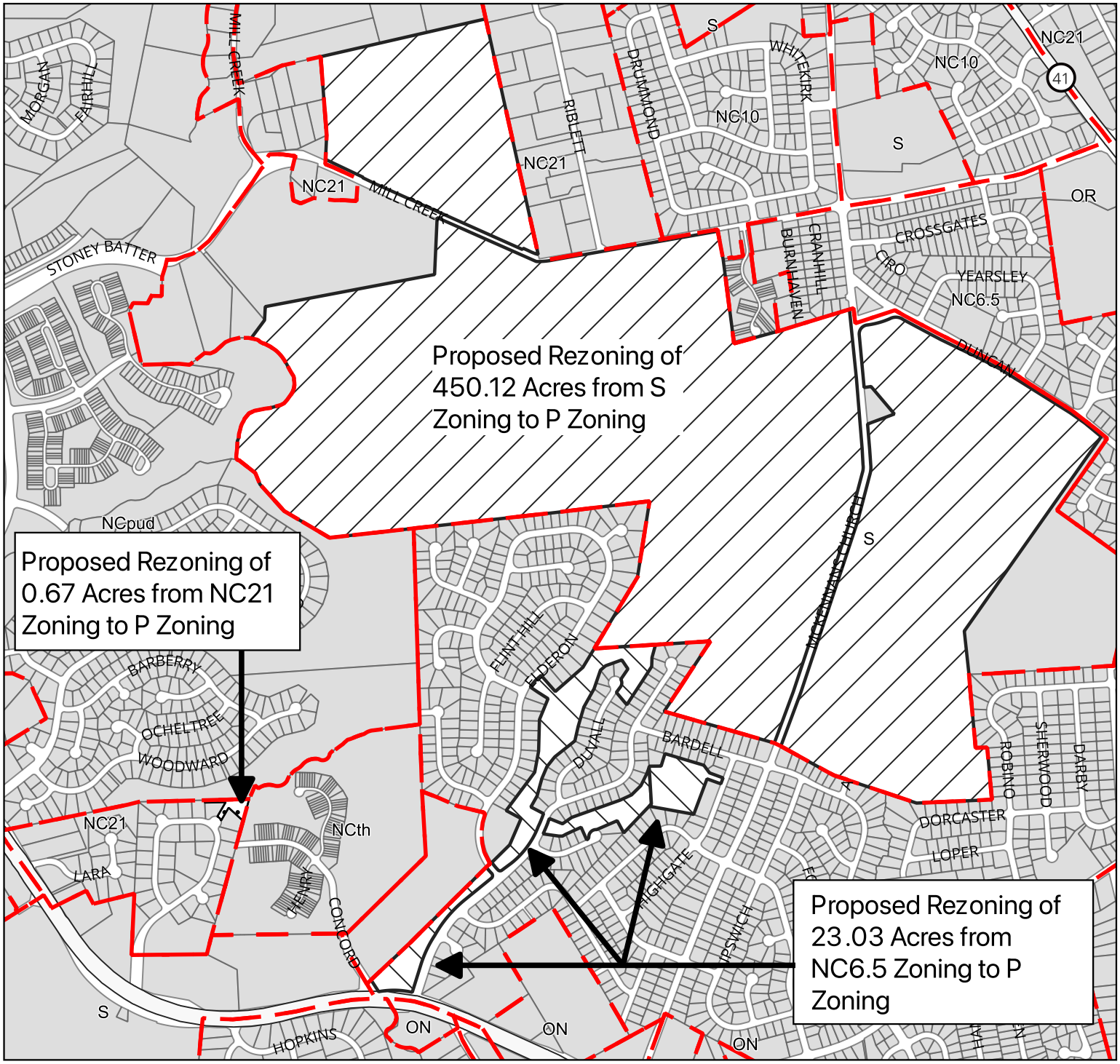
NC6.5 to P
S to P

PROPERTY MAP

EXHIBIT A MAP 4
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NC6.5 & NC21) AND SUBURBAN (S) TO PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 08-032.00-013, 08-037.20-105, 08-037.20-106, 08-037.20-329, 08-038.10-001, 08-038.10-127



HUNDRED: MILL CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:13783
Prepared by: Matthew Rogers

Date: 11/18/2025

N

PERMANENT ORDINANCE NO. 25-161
Date Adopted by County Council:
Date Approved by County Executive:

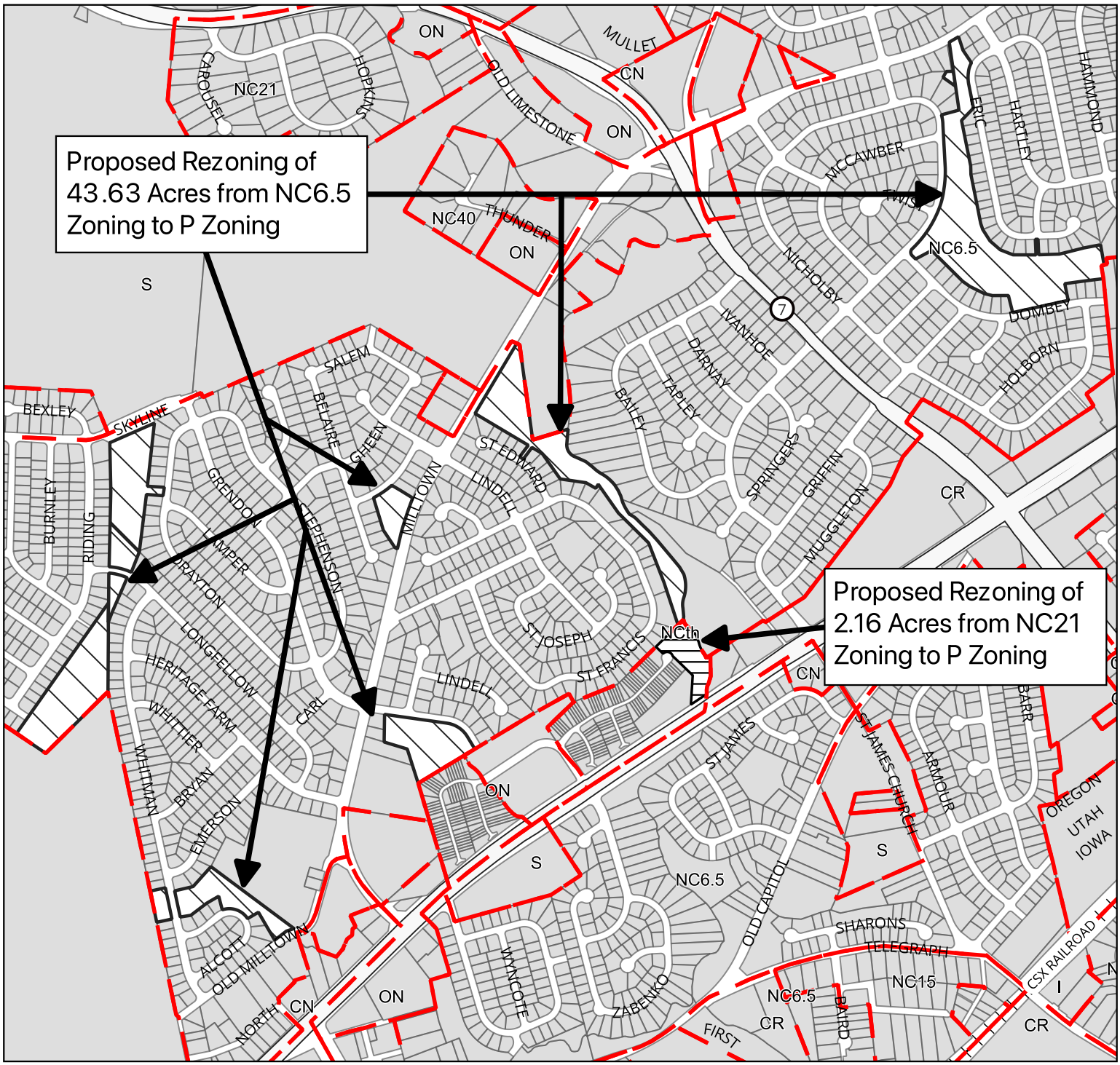
NC21 to P
NC6.5 to P
S to P

PROPERTY MAP

EXHIBIT A MAP 5
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NCTH & NC6.5) TO PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 08-038.30-388, 08-043.20-178, 08-043.30-158, 08-043.40-014, 08-043.40-015, 08-043.40-320, 08-043.40-377, 08-044.10-278, 08-044.30-382, 08-049.20-013, 08-049.20-045



HUNDRED: MILL CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:11783
Prepared by: Matthew Rogers

Date: 11/18/2025

N

PERMANENT ORDINANCE NO. 25-161
Date Adopted by County Council:
Date Approved by County Executive:

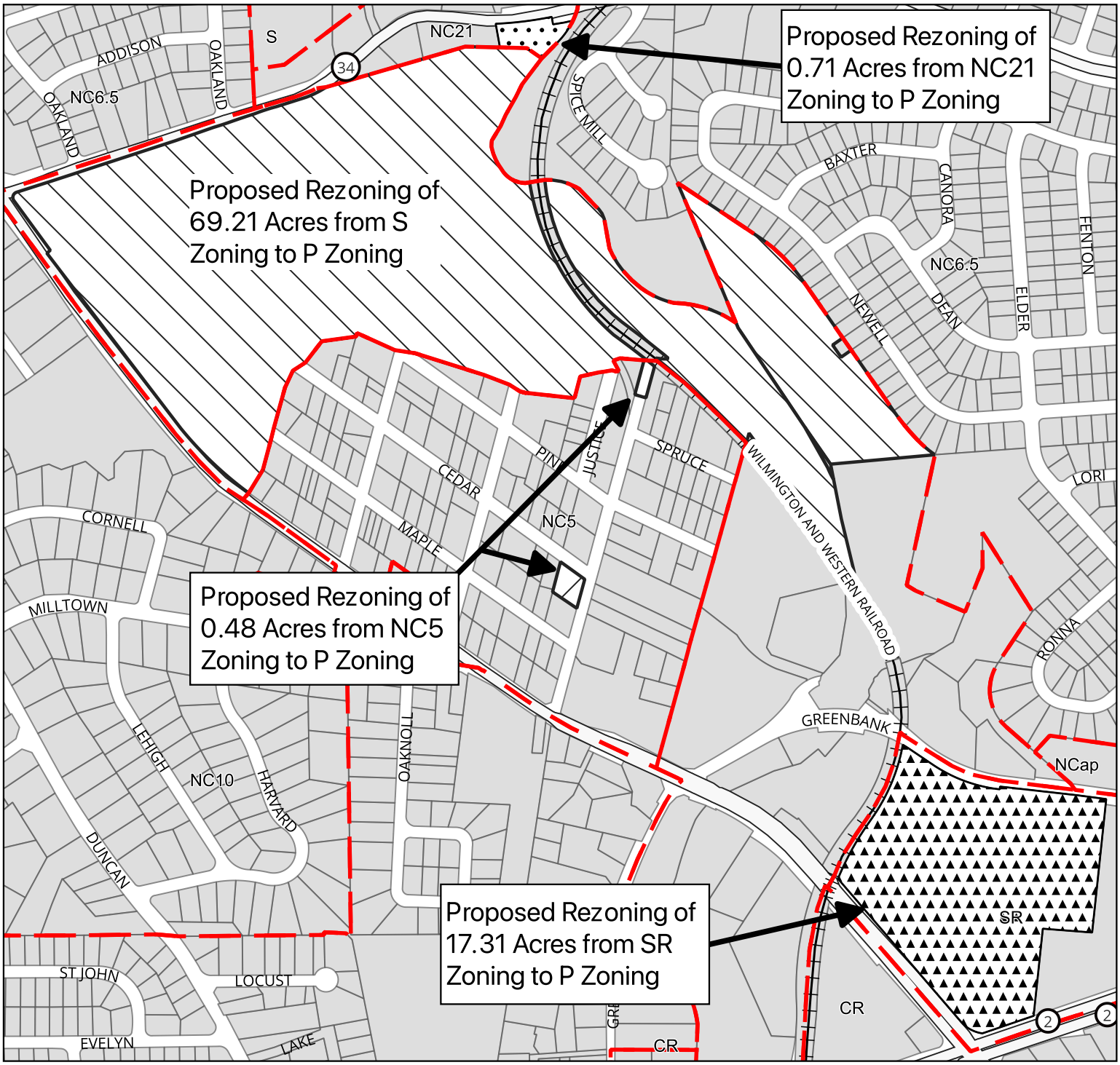
NC6.5 to P
NCth to P

PROPERTY MAP

EXHIBIT A MAP 6
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NC5 & NC21), SUBURBAN (S) AND SUBURBAN RESERVE (SR) TO PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 07-034.30-070, 07-037.20-250, 08-033.00-008,08-033.00-012, 08-033.30-098



HUNDRED: MILL CREEK HUNDRED & CHRISTIANA HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:6783
Prepared by: Matthew Rogers

Date: 11/18/2025

N

PERMANENT ORDINANCE NO. 25-161
Date Adopted by County Council:
Date Approved by County Executive:

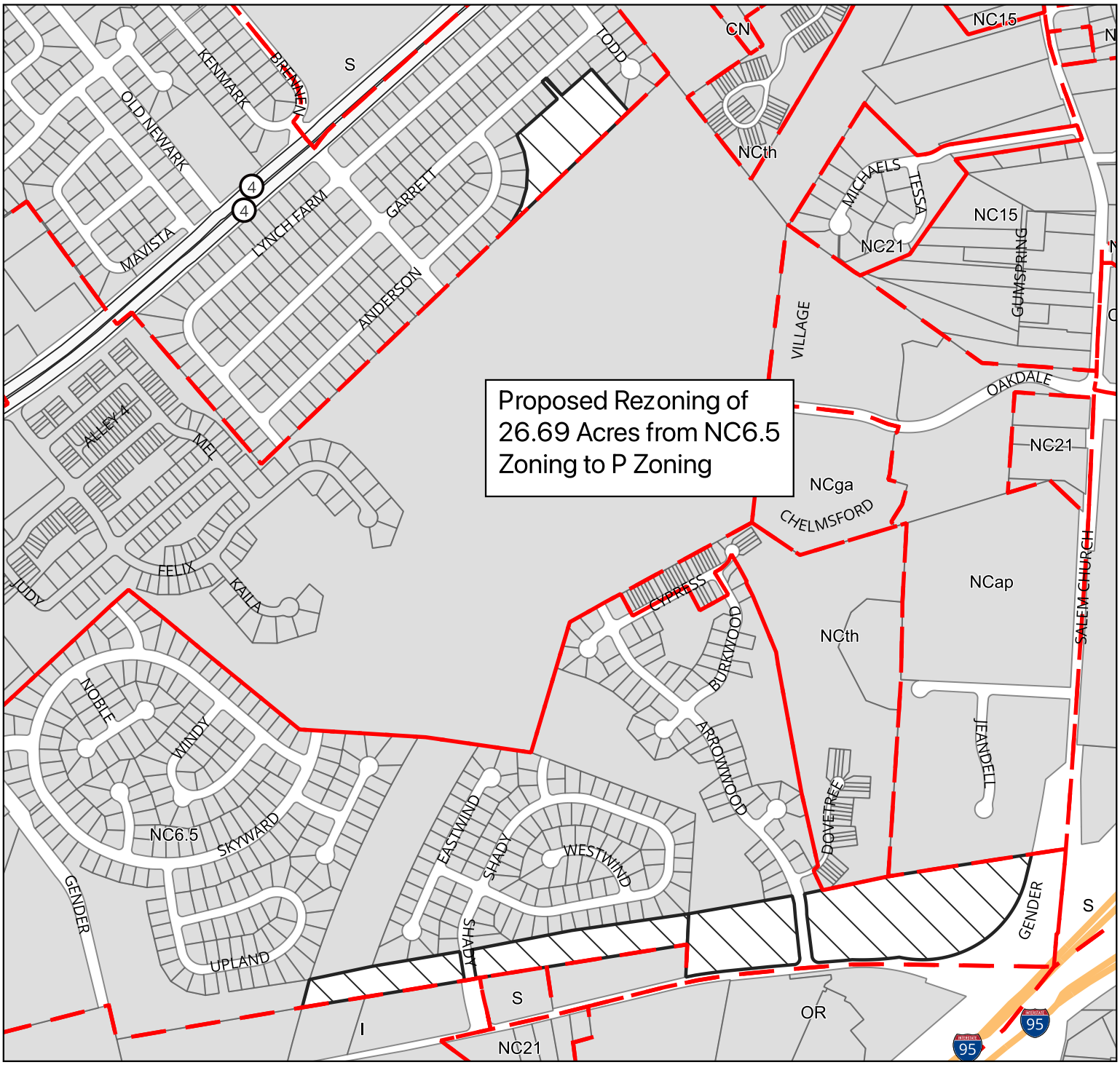
NC21 to P
S to P
NC5 to P
SR to P

PROPERTY MAP

EXHIBIT A MAP 7
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NC6.5) TO PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 09-028.10-220, 09-033.00-033, 09-033.20-073, 09-033.20-074, 11-006.20-166



HUNDRED: PENCADER HUNDRED &
WHITE CLAY CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

N

PERMANENT ORDINANCE NO. 25-161
Date Adopted by County Council:
Date Approved by County Executive:

Scale: 1:8673
Prepared by: Matthew Rogers

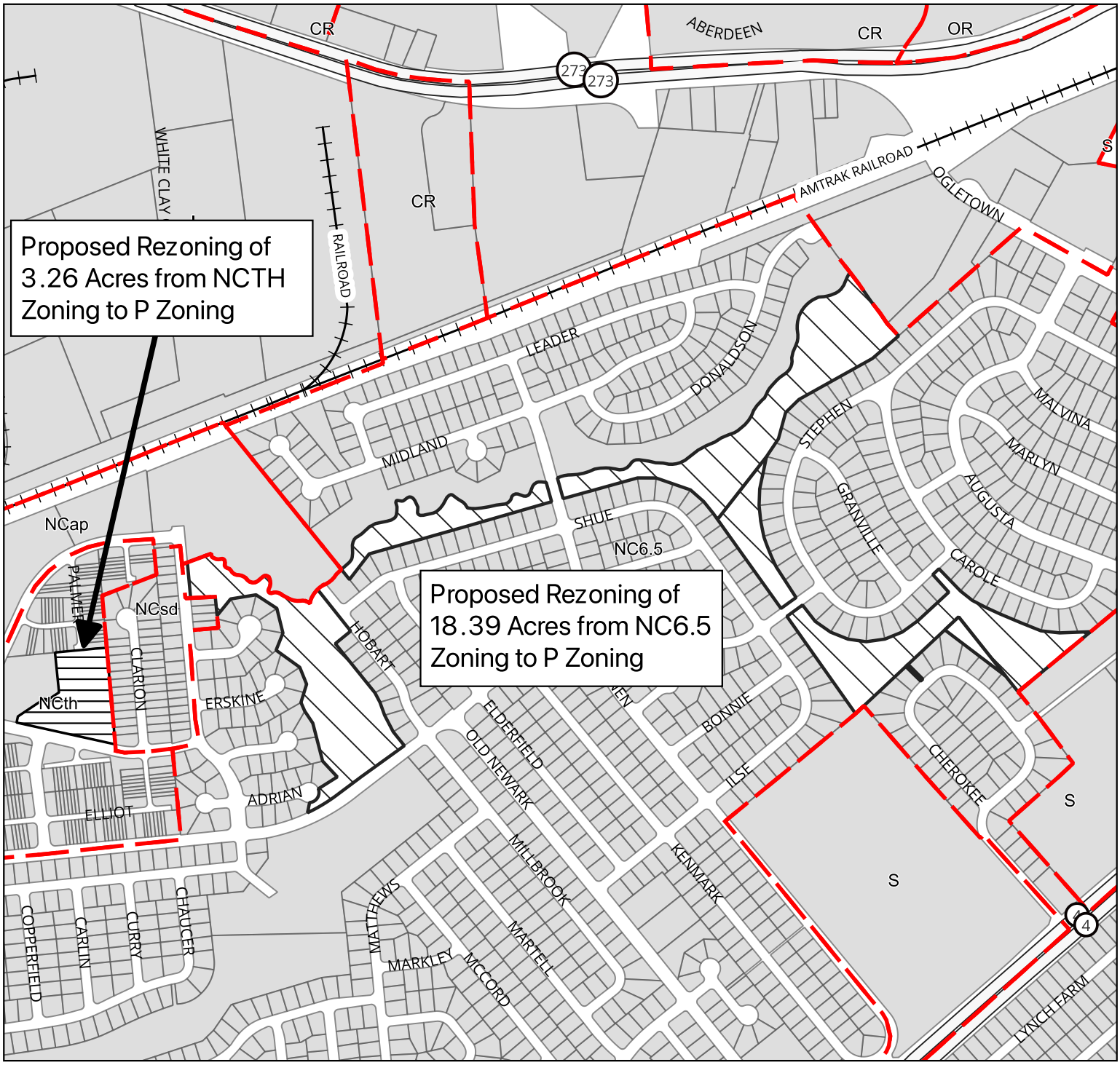
Date: 11/18/2025

PROPERTY MAP

EXHIBIT A MAP 8
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NC6.5 & NCTH) TO PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 09-021.40-069, 09-021.40-256, 09-022.30-411, 09-022.30-412, 09-022.30-422



HUNDRED: WHITE CLAY CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:8421
Prepared by: Matthew Rogers

Date: 11/18/2025

N

PERMANENT ORDINANCE NO. 25-161
Date Adopted by County Council:
Date Approved by County Executive:

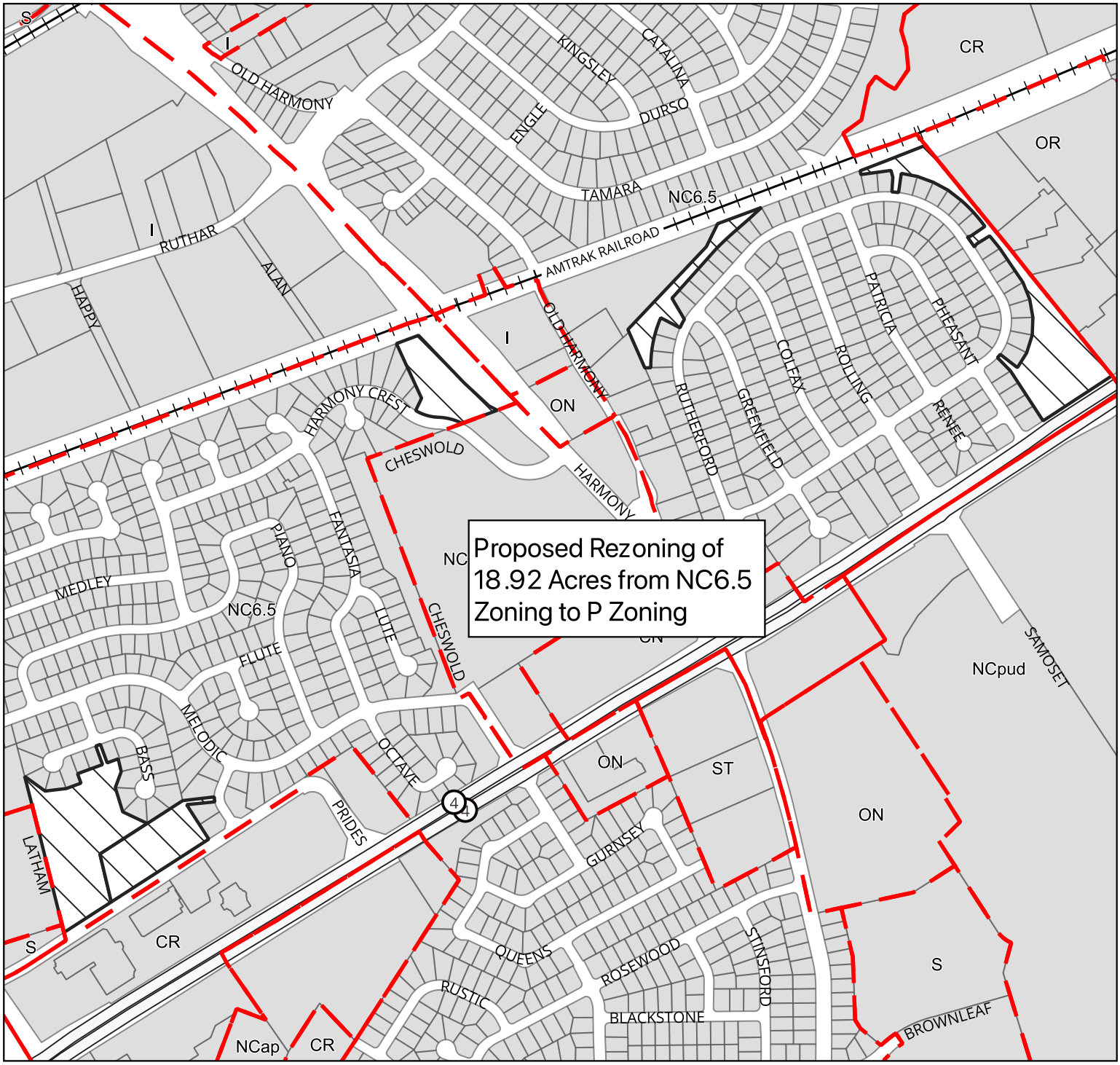
NC6.5 to P
NCth to P

PROPERTY MAP

EXHIBIT A MAP 9
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NC6.5) to PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 09-017.30-046, 09-017.30-187, 09-017.40-149, 09-023.10-203, 09-023.10-232



HUNDRED: WHITE CLAY CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:8511
Prepared by: Matthew Rogers

Date: 11/18/2025

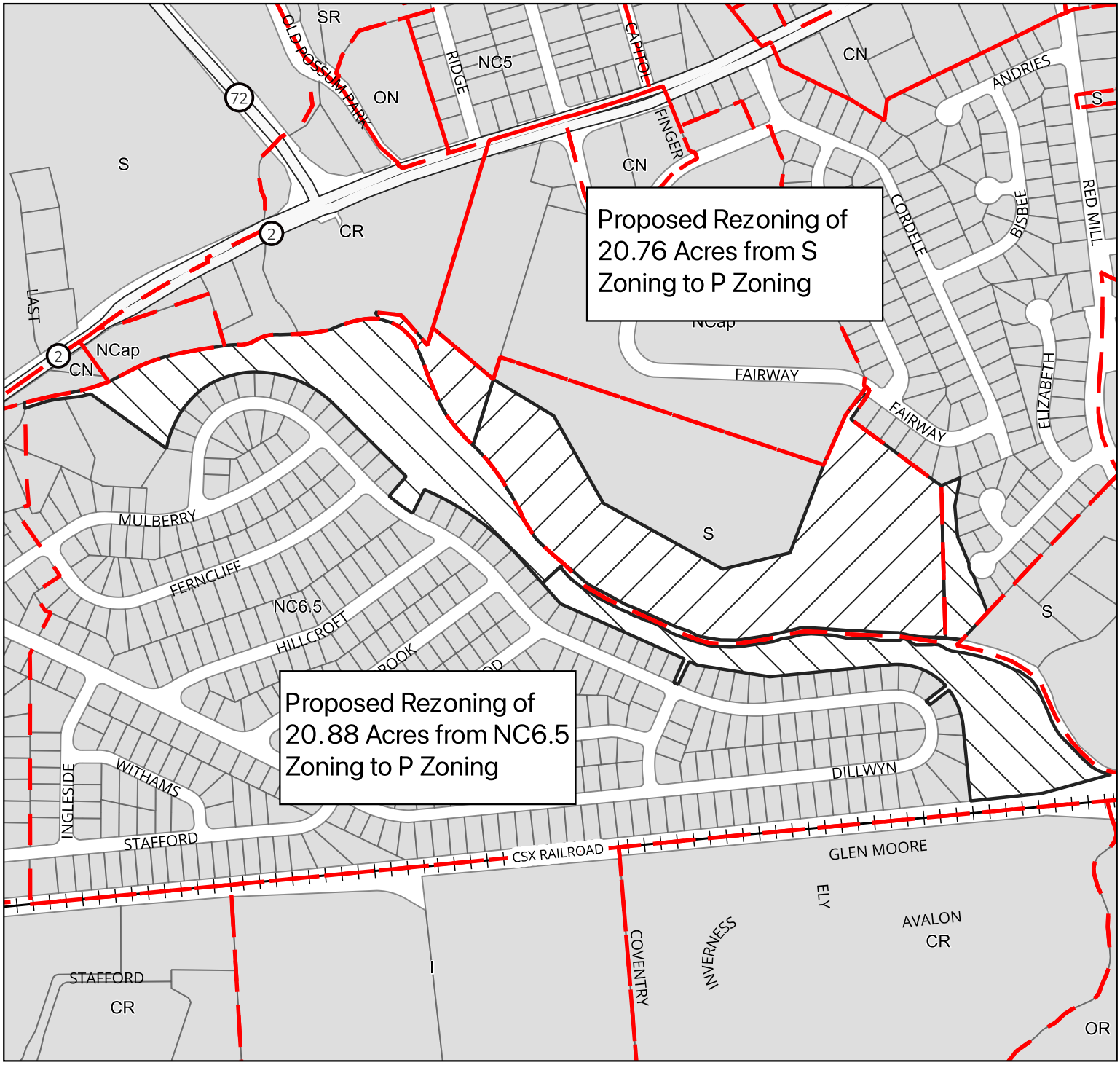
PERMANENT ORDINANCE NO. 25-161
Date Adopted by County Council:
Date Approved by County Executive:

PROPERTY MAP

EXHIBIT A MAP 10
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NC6.5) & SUBURBAN (S) TO PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 08-060.00-007, 08-060.10-018, 08-060.30-005, 09-015.20-027, 09-016.30-167



HUNDRED: MILL CREEK HUNDRED & WHITE CLAY CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:6524
Prepared by: Matthew Rogers

Date: 11/18/2025

PERMANENT ORDINANCE NO. 25-161
Date Adopted by County Council:
Date Approved by County Executive:

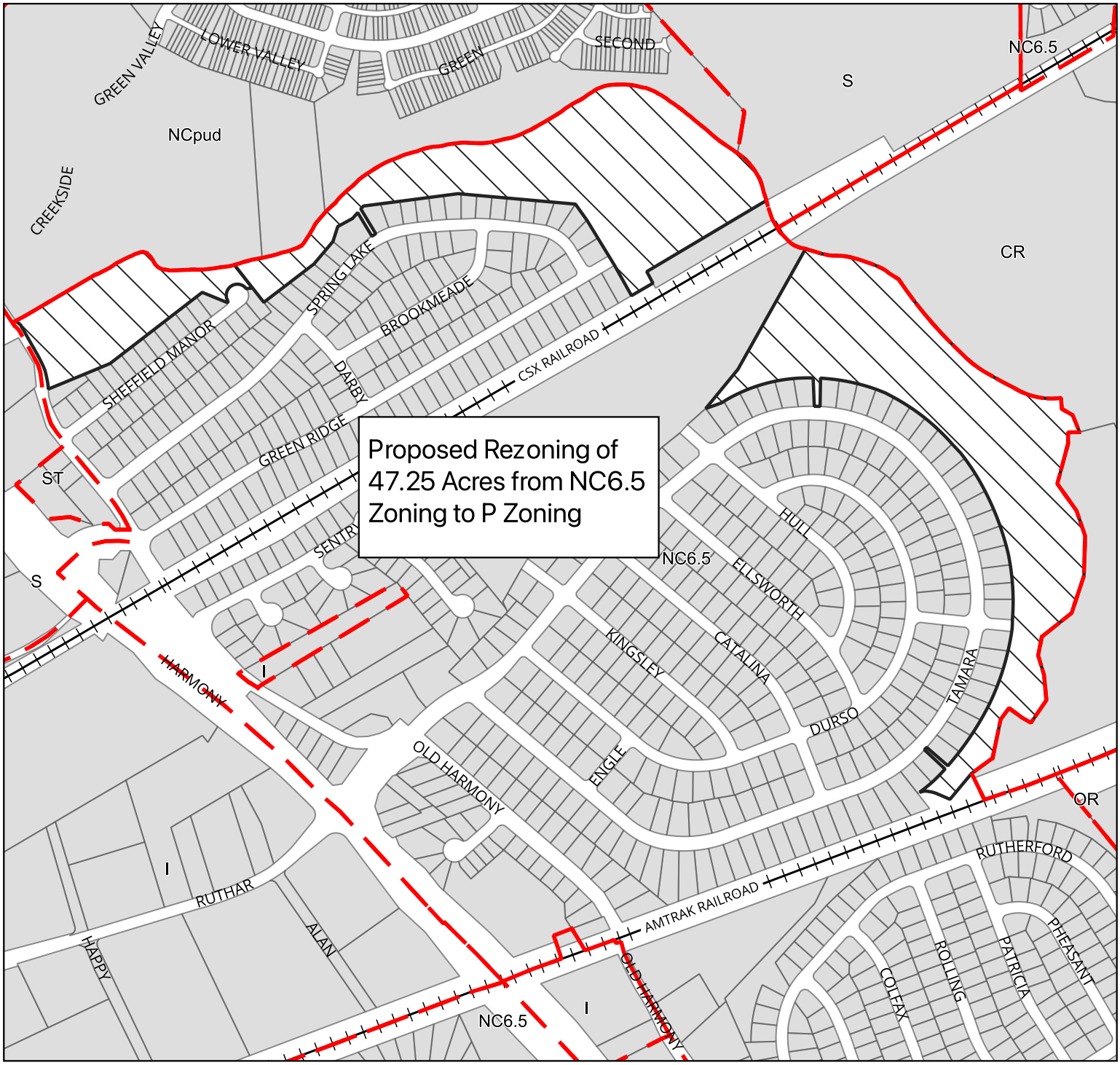
NC6.5 to P
S to P

PROPERTY MAP

EXHIBIT A MAP 11
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NC6.5) TO PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 09-010.30-001, 09-010.30-066, 09-017.00-028



HUNDRED: MILL CREEK HUNDRED &
WHITE CLAY CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

N

PERMANENT ORDINANCE NO. 25-161
Date Adopted by County Council:
Date Approved by County Executive:

Scale: 1:7421
Prepared by: Matthew Rogers

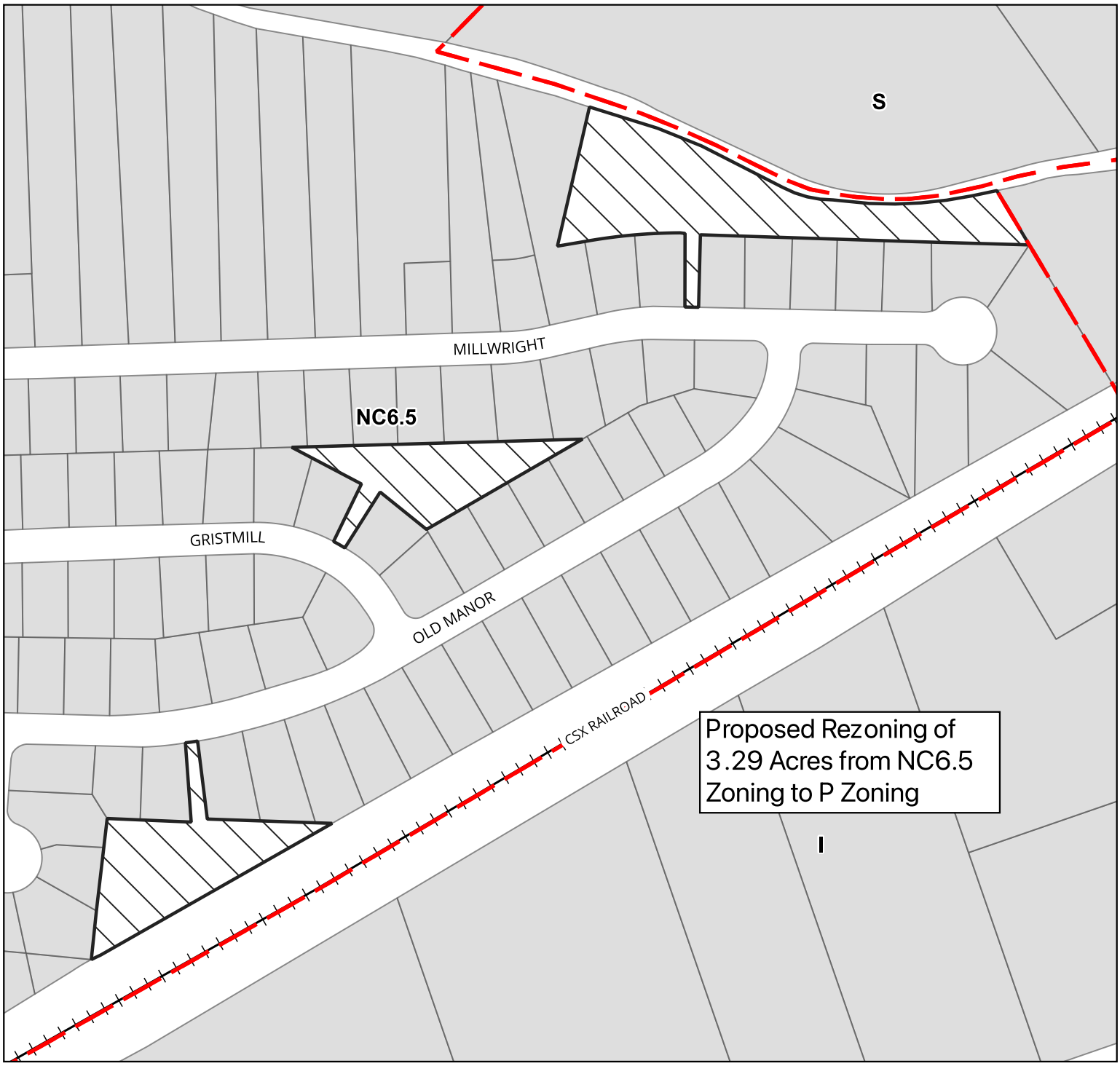
Date: 11/18/2025

PROPERTY MAP

EXHIBIT A MAP 12
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NC6.5) TO PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 09-016.20-028, 09-016.20-091, 09-016.40-017



HUNDRED: WHITE CLAY CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:2568
Prepared by: Matthew Rogers

Date: 11/18/2025

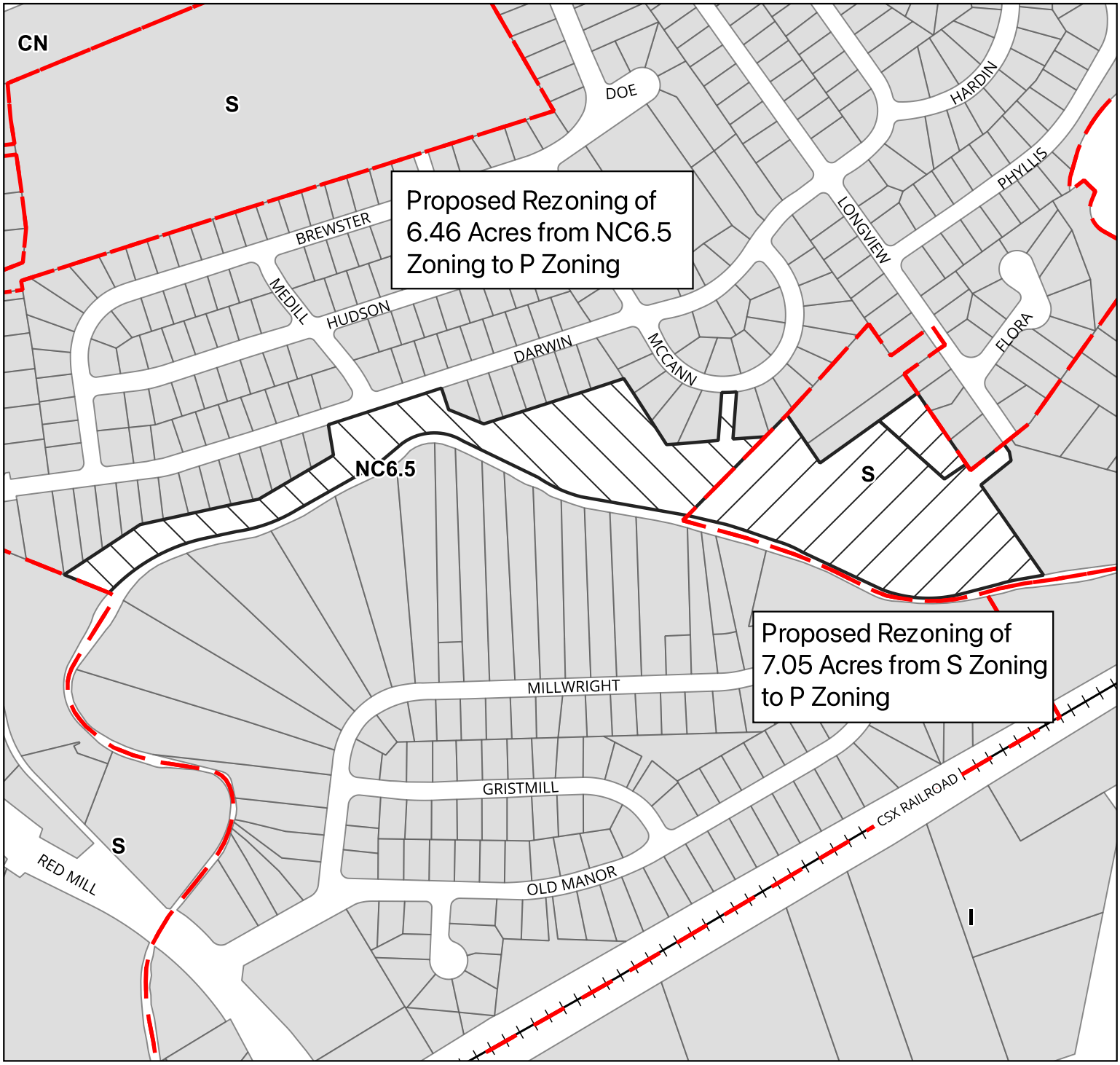
PERMANENT ORDINANCE NO. 25-161
Date Adopted by County Council:
Date Approved by County Executive:

PROPERTY MAP

EXHIBIT A MAP 13
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NC6.5) & SUBURBAN (S) TO PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 08-060.20-090, 08-060.20-116, 08-060.20-120



HUNDRED: MILL CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:4711
Prepared by: Matthew Rogers

Date: 11/18/2025

N

PERMANENT ORDINANCE NO. 25-161
Date Adopted by County Council:
Date Approved by County Executive:

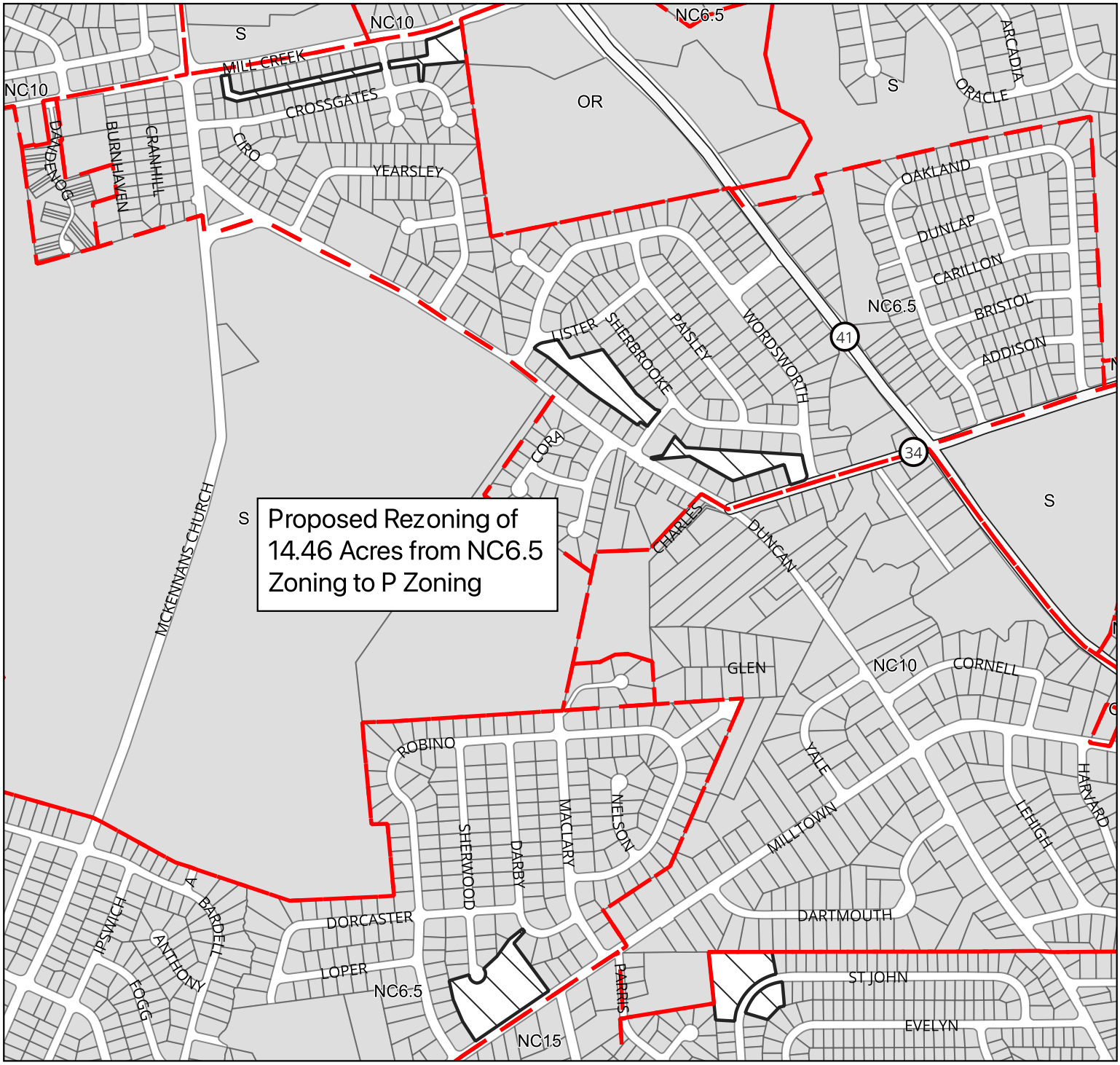
NC6.5 to P
S to P

PROPERTY MAP

EXHIBIT A MAP 14
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NC6.5) TO PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 08-026.40-042, 08-032.10-064, 08-032.20-111, 08-032.40-014, 08-038.20-045, 08-038.20-290, 08-038.20-328



HUNDRED: MILL CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:9957
Prepared by: Matthew Rogers

Date: 11/18/2025

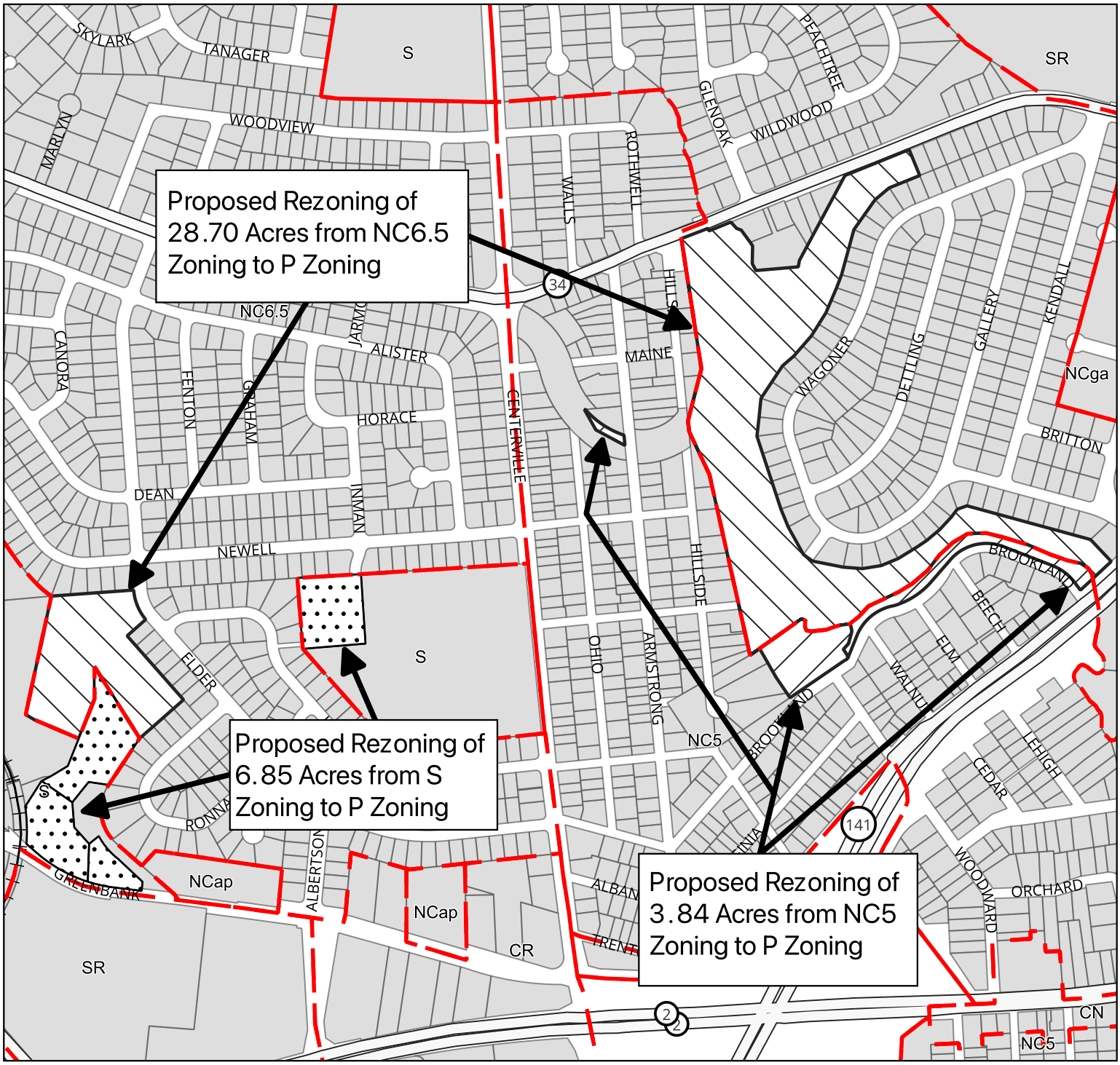
PERMANENT ORDINANCE NO. 25-161
Date Adopted by County Council:
Date Approved by County Executive:

PROPERTY MAP

EXHIBIT A MAP 15
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD CONSERVATION (NC5 & NC6.5) & SUBURBAN (S) TO PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 07-034.40-236, 07-034.40-293, 07-034.40-534, 07-034.40-537, 07-035.10-042, 07-037.20-001, 07-037.20-251, 07-037.20-257



HUNDRED: CHRISTIANA HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:7478
Prepared by: Matthew Rogers

Date: 11/18/2025

N

PERMANENT ORDINANCE NO. 25-161
Date Adopted by County Council:
Date Approved by County Executive:

NC5 to P
S to P
NC6.5 to P

JOINT DEPARTMENT OF LAND USE / PLANNING BOARD RECOMMENDATION

Ordinance No. 25-161
Application No. 2025-0722-Z
County Council District 3 & 9 – Rezoning of County-owned Land to P-Zoning

February 17, 2026

Sponsor: Councilwoman Kilpatrick (District 3), Councilman Sheldon (District 9)

Description: Revise the New Castle County Zoning Maps in County Council District 3 & 9 regarding county-owned land

EXECUTIVE SUMMARY

Adopted in March of 2025, Ordinance 24-130 established a new zoning district, Publicly Conserved Lands & Parks District (P). This zoning district designation would be required for County Owned properties, and available for governmentally owned properties (at the request of the owner) that are publicly protected and identified as protected in perpetuity for the public benefit. The district's intent is to provide a clearer picture of permanently protected, publicly conserved lands and parks in New Castle County.

Application 2025-0722-Z (Ordinance 25-161) proposes to amend the County's official zoning map to rezone County-owned parks and open space in County Council District 3 to the newly established P Zoning District. The subject 106 parcels are:

07-034.30-070 (0 Newell Dr, Historic Red Clay Valley)
07-034.40-236 (2161 Elder Dr, New Castle County)
07-034.40-293 (2101 Inman Dr, Faulkland Heights Sec A)
07-034.40-534 (2130 Faulkland Rd, Davis Terrace)
07-034.40-537 (613 Armstrong Ave, Brookland Terrace)
07-035.10-042 (2130 Faulkland Rd, Woodland)
07-035.10-042 (2130 Faulkland Rd, Woodland)
07-037.20-001 (2161 Elder Dr, New Castle County)
07-037.20-250 (250 Greenbank Rd, New Castle County)
07-037.20-251 (323 Greenbank Rd, New Castle County)
07-037.20-257 (319 Greenbank Rd, New Castle County),
08-033.00-008 (3300 Faulkland Rd, Brandywine Convalescent)
08-033.00-012 (0 Faulkland Rd)
08-026.40-042 (2518 Mill Creek Rd, Crossgates)

08-032.00-013 (2920 Duncan Rd, Delcastle Tennis Center)
08-032.10-064 (2626 Mill Creek Rd, Crossgates)
08-032.20-111 (212 Lister Dr, Hyde Park),
08-032.40-014 (2815 Duncan Rd, Hyde Park)
08-033.00-008 (3300 Faulkland Rd, Brandywine Convalescent)
08-033.00-012 (0 Faulkland Rd)
08-033.30-098 (2400 Cedar Ave, Cedars)
08-035.20-079 (585 Polly Drummond Hill Rd, Middle Run Crossing)
08-035.20-080 (103 Wren Way, Middle Run Crossing)
08-035.40-003 (0 Mourning Dove Dr, Middle Run Crossing)
08-035.40-071 (0 Mourning Dove Dr, Middle Run Crossing)
08-035.40-073 (0 Wren Way, Middle Run Crossing)
08-035.40-124 (0 Mourning Dove Dr, Middle Run Crossing)
08-037.00-035 (3700 Limestone Rd, New Castle County Carousel Park)
08-037.20-105 (1225 Arundel Dr, Arundel Sec 2)
08-037.20-106 (1401 Arundel Dr, Arundel Sec 1)
08-037.20-329 (19 A Ascension Dr, Winding Bridge)
08-038.10-001 (1230 Arundel Dr, Arundel Sec 1)
08-038.10-127 (1103 A Highgate Rd, Sherwood Park II)
08-038.20-045 (2609 Sherwood Dr, Sherwood Park Sec 2)
08-038.20-290 (55 A St John Dr (Dunlinden Acres)
08-038.20-328 (48 A St John Dr (Dunlinden Acres)
08-038.30-388 (2446 W Eric Dr ,Limestone Gardens)
08-041.00-026 (101 Fox Den Rd, Middle Run Crossing)
08-041.20-092 (391 Polly Drummond Hil Rd (Middle Run Crossing)
08-042.00-013 (273 Polly Drummond Hil Rd, Delaware Hospice)
08-043.10-041 (3007 Ridgevale Rd, Hills of Skyline)
08-043.20-178 (1802 Milltown Rd, Village of Lindell)
08-043.30-005 (5439 Crestline Rd, Hills of Skyline)
08-043.30-019 (5434 Crestline Rd, Hills of Skyline)
08-043.30158 (2660 Longfellow Dr, Highlands of Heritage)
08-043.40-014 (2660 Longfellow Dr, Heritage Farm),
08-043.40-015 (2661 Longfellow Dr, Grendon Farms)
08-043.40-320 (2010 Marlboro Dr, Montclare)
08-043.40-377 (2510 Grendon Dr, Grendon Farms)
08-044.10-278 (2446,W Eric Dr ,Sheridan Square)
08-044.30-382 (4998, E Woodmill Dr, Woodmill)
08-047.00-072 (170 Possum Hollow Rd, Tri State Bird Rescue)
08-048.00-045 (0 Upper Pike Creek Rd)
08-048.20-231 (7 Creek Xing, Creek Landing)

08-048.20-247 (19 Taylors Mill Ln, Taylors Mill)
08-049.20-013 (2616 A Whitman Dr, Heritage Farm)
08-049.20-045 (2609 Whitman Dr, Heritage Farm)
08-049.30-008 (122 Rockrose Dr, Meadowood Sec 1)
08-053.00-050 (331 Delaplane Ave, Delaplane Manor Iii)
08-060.00-007 (148 Fairway Rd, Red Mill Farms)
08-060.10-018 (1600 Melrose Place Dr, Country Squire Apts)
08-060.20-090 (315 Darwin Dr, Sycamore Gardens)
08-060.20-116 (132 Longview Dr, Peoples Subd)
08-060.20-118 (120 Longview Dr, Newkirk Estates Sc 2)
08-060.20-119 (122 Longview Dr, Newkirk Estates Sc 2)
08-060.20-120 (134 Longview Dr, Peoples Subd)
08-060.20-121 (121 Longview Dr, Newkirk Estates Sc 2)
08-060.20-146 (115 Phyllis Dr (Newkirk Estates Sc 2)
08-060.20-148 (127 Longview Dr)
08-060.20-149 (125 Longview Dr, Peoples Subd)
08-060.20-150 (123 Longview Dr, Peoples Subd)
08-060.20-152 (0 Off Longview Dr)
08-060.30-005 (21 Mary Ella Dr, Millrace)
09-010.30-001 (0 Sheffield Manor Dr, Sheffield Manor)
09-010.30-066 (74 Green Ridge Rd, Brookhaven)
09-017.00-028 (0 Tamara Cir, Harmony Hills Sec 2)
11-006.20-166 (0 Scottfield Dr, Scottfield Sec 3)
08-060.00-007 (148 Fairway Rd, Red Mill Farms)
08-060.10-018 (1600 Melrose Place Dr, Country Squire Apts)
08-060.20-146 (115 Phyllis Dr, Newkirk Estates Sec 2)
08-060.30-005 (21 Mary Ella Dr, Millrace)
09-010.30-001 (0 Sheffield Manor Dr, Sheffield Manor)
09-010.30-066 (74 Green Ridge Rd, Brookhaven)
09-015.20-027 (136 N Dillwyn Rd, Windy Hills Sec 1)
09-016.20-028 (52 A Millwright Dr, Old Mill Manor)
09-016.20-091 (22 A Gristmill Ln, Old Mill Manor)
09-016.30-167 (136 N Dillwyn Rd, Windy Hills Sec 2)
09-016.40-017 (27 A Old Manor Rd, Old Mill Manor)
09-017.00-028 (0 Tamara Cir (Harmony Hills Sec 2)
09-017.30-046 (139 W Rutherford Dr, Rutherford Sec 3)
09-017.301-87 (0 Harmony Crest Dr (Harmony Crest Sc III)
09-017.40-149 (121 E Rutherford Dr, Rutherford Sec 1)
09-021.40-069 (110 Old Newark Rd, Greenbridge)
09-021.40-256 (50 Durham Ct (New Castle County Police Academy)

09-022.30-411 (0 Lisbeth Rd, Chestnut Hill Estates 2)
09-022.30-412 (0 E Cherokee Dr, Cherokee Woods)
09-022.30-422 (0 E Cherokee Dr, Cherokee Woods)
09-023.10-203 (801 Prides Xing, Harmony Crest Sc II)
09-023.10-232 (801 Prides Xing, Harmony Crest Sec II)
09-028.10-220 (127 Garrett Rd, Todd Estates Sec 4)
09-033.00-033 (24 Upland Ct, Breezewood Sec II)
09-033.20-073 (499 Gender Rd, Gender Woods)
09-033.20-074 (545 Gender Rd, Gender Woods)

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

DESCRIPTION

Application 2025-0722-Z (Ordinance 25-161) proposes to amend the County's official zoning map to rezone County-owned parks and open space in County Council District 3 & 9 to the newly established P Zoning District. A list of subdivisions with parks and open space proposed to be rezoned to P Zoning in this rezoning are as follows (a full list of parcels can be found above):

ARUNDEL SEC 1	DELAWARE HOSPICE	HYDE PARK	RUTHERFORD SEC 3
ARUNDEL SEC 2	DELCASTLE TENNIS CENTER	LIMESTONE GARDENS	SCOTTFIELD SEC 3
BRANDYWINE CONVALESC	DUNLINDEN ACRES	MEADOWOOD SEC 1	SHEFFIELD MANOR
BREEZEWOOD SEC II	FAULKLAND HGTS SEC A	MIDDLE RUN CROSSING	SHERIDAN SQUARE
BROOKHAVEN	GENDER WOODS	MILLRACE	SHERWOOD PARK II
BROOKLAND TERRACE	GREENBRIDGE	MONTCLARE	SHERWOOD PARK SEC 2
CEDARS	GRENDON FARMS	NEW CASTLE COUNTY	SYCAMORE GARDENS
CHEROKEE WOODS	HARMONY CREST SC II	NEW CASTLE COUNTY CAROUSEL PARK	TAYLORS MILL
CHESTNUT HILL ESTS 2	HARMONY CREST SC III	NEW CASTLE COUNTY POLICE ACADE	TODD ESTATES SEC 4
COUNTRY SQUIRE APTS	HARMONY HILLS SEC 2	NEWKIRK ESTATES SC 2	TRI STATE BIRD RESCUE
CREEK LANDING	HERITAGE FARM	OLD MILL MANOR	VILLAGE OF LINDELL
CROSSGATES	HGHLNDS OF HERITAGE	PEOPLES SUBD	WINDING BRIDGE
DAVIS TERRACE	HILLS OF SKYLINE	RED MILL FARMS	WINDY HILLS SEC 1
DELAPLANE MANOR III	HISTORIC RED CLAY	RUTHERFORD SEC 1	WINDY HILLS SEC 2

WOODLAND	WOODMILL

BACKGROUND

The history of rezoning processes dates to the 1950s. Subsequent sections examine how State and County codes evolved over time.

Establishment of Zoning & the Rezoning Process

The process and set of standards established in Delaware State Code for rezonings has largely been unchanged since 1951. On June 5, 1951, the State of Delaware granted the Levy Court of New Castle County the authority to adopt zoning regulations and provided a process and legal notice requirements for the establishment and amendment of zoning maps. The process required that the Levy Court establish a Zoning Plan, have a public hearing with the Zoning Commission with notice at least 15 days prior to the hearing in the newspaper of general circulation in the County and adoption by the Levy Court. The process for amendments to the zoning map largely mirrored that of establishing zoning, except for reducing the notice requirement to seven days prior to the Zoning Commission hearing.[1] New Castle County adopted zoning regulations in September of 1954.

Rezonings in New Castle County

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

2022 Update to the New Castle County Comprehensive Plan

The 2022 Update to the New Castle County Comprehensive Plan (The Plan)[2] was the product of more than two years of extensive public outreach. During that process, the Department made extensive efforts to reach out and garner public feedback on not only the overall Goals/Objectives/Strategies expressed in the plan, but also the Future Land Use map and Element.

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[1] Zoning Enabling Legislation: https://legis.delaware.gov/SessionLaws/Chapter?id=33182 Dillon's Rule additional reading: https://www.planning.org/planning/2020/mar/tools-legal-lessons/
[2] New Castle County Comprehensive Plan 2050: https://ssl02.nccde.org/gisfiles/Images/NCC2050/Comp%20Plan%20Final%20Draft/Complete%20Plan%20Final%20Draft%20%2006272022.pdf

As a result of these efforts, Strategy 1.1.6 was created to consider the establishment of a preservation zoning category.

Ordinance 24-130 Zoning District for Publicly Owned Conserved Land and Public Parks

Adopted in March of 2025, Ordinance 24-130 established a new zoning district, Publicly Conserved Lands & Parks District (P). This zoning district designation would be required for properties that are publicly protected and identified as protected in perpetuity for the public benefit. The district's intent is to provide a clearer picture of permanently protected, publicly conserved lands and parks in New Castle County.

Ordinance 25-161 County Council District 3 & 9 – Rezoning of County-owned Land to P-Zoning

The proposed ordinance would rezone 106 parcels located within County Council District 3 & 9 consisting of County-owned parks and open space to the Publicly Conserved Lands & Parks District (P) established in Ordinance 24-130.

PLUS REVIEW (Preliminary Land Use Service)

The text amendment that established P Zoning (Ord. 24-130) was reviewed at a PLUS meeting held on August 28, 2024.

The PLUS Review Letter, dated September 23, 2024, includes comments from the Office of State Planning and Coordination, who commended New Castle County for their continued work on establishing the Publicly Conserved Lands & Parks District (P) and requested a collaboration with DNREC regarding concerns over State-Owned public lands.[3] The Department of Natural Resources and Environmental Control (DNREC) additionally commended New Castle County's effort to preserve natural open space through the establishment of the proposed zoning district. DNREC listed concerns regarding potential restrictions in DNREC operations on state-owned lands and asked that state-owned lands are explicitly exempt from the changes outlined in Table 40.03.110 of the Unified Development Code. The State Historic Preservation Office (SHPO) recommended that the ordinance consider making the proposed zoning district apply to publicly owned land that includes areas of cultural or heritage preservation. DelDOT, DEMA and DE State Fire Marshal noted that they did not have any comments or objection to approval of the proposed ordinance.

PLANNING BOARD PUBLIC HEARING – *January 6, 2026*

[3] PLUS Report:
https://www3.newcastlede.gov/PDFDocument/default.aspx?DocumentID=80:FC40FF5826FBF7107D10260598B6C0724428DD1196872F86C5E68CE881F951C2C65831502A6D587F61602538894DF47B&x=temp.pdf

*Please note, the below is a summary. A recording and transcripts of the public hearing are available at the Department of Land Use and hyperlinked below.[4]

Presentation

Alec Davis, Planner for the Department of Land Use, presented the *Ordinance 25-161*, discussing parcels located in County Council District 3 & 9 proposed for rezoning to the Publicly Conserved Lands & Parks District (P) designation. He mentioned that the Ordinance 24-130 first established the P Zoning District and was adopted on March 25th, 2025. He proceeded to show the exhibit maps for all of the affected properties and explained the neighborhoods and locations of each cluster of parcels.

There were no questions from the Planning Board.

Public Comment

Susie Esterly questioned if there were any proposed changes along with the proposed rezoning to the parks and open space. General Manager of Land Use, David Culver, states that the P-zoning will better identify parks and open space areas within the County zoning maps. Nancy Patterson asks if this will change any aspect of maintenance of parks. David Culver responds that this rezoning will not affect Public Work's ability to maintain these parks.

ANALYSIS

Application 2025-0722-Z (Ordinance 25-161) proposes to amend the County's official zoning map to rezone County-owned parks and open space in County Council District 3 & 9 to the newly established P Zoning District, consistent with Ordinance 24-130 (adopted in March of 2025) which established the Publicly Conserved Lands & Parks District (P), and require County owned properties that are publicly protected and identified as protected in perpetuity for the public benefit to be rezoned to P.

These parcels[5] are all located within County Council District 3 & 9. District 3 encompasses parts of White Clay Creek State Park, through Pike Creek and Hockessin, ending at Auburn Valley State Park. The area is characterized by a number of subdivisions developed prior to 1997 (adoption of the UDC) with some open space areas owned and maintained by New Castle County. District 9 includes parts of east Newark and north of Kirkwood Highway. This area is characterized by

[4] January 6, 2026, Planning Board Public Hearing: https://www.newcastlede.gov/agendacenter

[5] Ordinance 25-161 (Including Exhibit Maps):
https://www3.newcastlede.gov/PDFDocument/default.aspx?DocumentID=80:FC40FF5826FBF7107D10260598B6C0724428DD1196872F86C5E68CE881F951C27674B7767B4DB734A118E4AB3CCCF4D5&x=temp.pdf

numerous subdivisions (ca. 1960-present) with open space areas incorporated within their design.

Standards of Review

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

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

This ordinance implements Strategy 1.1.6 of the 2022 Comprehensive Development Plan by proposing the subject 106 parcels be rezoned to the Publicly Conserved Lands & Parks District (P). The establishment of P Zoning on these parcels will better identify and emphasize the protection and preservation of these existing open space and park parcels.

B. *Consistency with the character of the neighborhood.*

All 106 parcels identified in the rezoning are currently public parks and open space. The P Zoning designation will not change the use of these parcels.

C. *Consistency with zoning and use of nearby properties.*

These properties were initially designed to serve as parks and open space areas within the communities they are located. P Zoning designation will not change the residential open space or parkland nature of the areas.

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

These properties were initially designed to serve as parks and open space areas within the communities they are located. P Zoning designation will not change the residential open space or parkland nature of the areas.

E. *Effect on nearby properties.*

These properties were initially designed to serve as parks and open space areas within the communities they are located. P Zoning designation will not change the residential open space or parkland nature of the areas.

DEPARTMENT OF LAND USE RECOMMENDATION

The Department of Land Use has considered the Standards for Zoning Map Amendment in Section 40.31.410, A through E *of the Unified Development Code*, the Future Land Use Map, the comments

received from outside agencies, and the comments received by the public. Based on this analysis, the Department is of the opinion that the standards are met by this proposal. Therefore, the Department of Land Use recommends **APPROVAL** of Ordinance 25-161.

PLANNING BOARD RECOMMENDATION

At a business meeting held on February 17, 2026, 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 Robert Ott and seconded by Ruth Visvardis, the Board voted to recommend **APPROVAL** of application 2025-0722-Z as recommended by the Department of Land Use. The motion was adopted by a vote of 5-0-1-3 (In Favor: Cantrell, Drake, Ott, Snowden, Visvardis; In Opposition: None; Abstention: Brutus; Absent: Chamblee, Cochran, Daigle).

Prior to the vote, the following discussion occurred:

Alec Davis read the Department of Land Use recommendation into the record.

There were no questions from the Planning Board.

STATUTORY GUIDELINES

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

2-27-26

David M. Culver date
General Manager
Department of Land Use

2/25/2026

Robert B. Snowden date
Acting Chair
New Castle County Planning Board