



NEW CASTLE COUNTY COUNCIL LAND USE COMMITTEE MEETING

Co-Chair: David Tackett, Eleventh District

Co-Chair: Janet Kilpatrick, Third District

July 7, 2026

3:00 PM

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

AGENDA

A. Meeting Call to Order

B. Approval of Minutes

C. Review/Discussion of Resolution(s)

R26-: TO RENAME A PORTION OF THE STREET KNOWN AS "ALBERTSON BOULEVARD," LOCATED NORTH OF KIRKWOOD HIGHWAY (DELAWARE ROUTE 2), EAST OF NEWPORT GAP PIKE (DELAWARE ROUTE 41) TO "CPL/1 MATTHEW "TY" SNOOK WAY"; [APPLICATION NO. 2026-0367](#); COUNCIL DISTRICT 9

Prime Sponsor(s): Mr. Sheldon

R26-: TO RENAME THE SUBDIVISION KNOWN AS "BALL FARM ESTATES" TO "MONTCHANIN ESTATES"; [APPLICATION NO. 2026-0389](#); COUNCIL DISTRICT 2

Prime Sponsor(s): Ms. Durham

R26-: TO RENAME THE SUBDIVISION KNOWN AS "DALTONS MOBILE HOME PARK" TO "EVANS MOBILE HOME PARK" AND RENAME THE STREET KNOWN AS "DALTONS TRAILER PARK" TO "EVANS MOBILE HOME PARK"; [APPLICATION NO. 2026-0242](#); COUNCIL DISTRICT 7

Prime Sponsor(s): Mr. Smiley

D. Review/Discussion of Ordinance(s)

°25-164: AMENDING *NEW CASTLE COUNTY CODE* CHAPTER 40 ("UNIFIED DEVELOPMENT CODE") AND APPENDIX 6 RELATING TO THE STRUCTURE OF CERTAIN COUNTY COMMITTEES

Prime Sponsor(s): Ms. Durham

°26-001: REVISE ZONING MAP: ST GEORGES HUNDRED, NORTHEASTERLY CORNER OF WALLACE ROAD AND DUPONT PARKWAY; REZONE TAX PARCELS 13-023.40-039 (221 GILBERT DR., OLIVERO SUBDIVISION), 13-023.40-041 (222 GILBERT DR., DAVID AND CARROW SUBDIVISION), 13-023.40-043 (220 GILBERT DR., DAVID AND CARROW SUBDIVISION), 13-023.40-044 (0 DUPONT PKY), 13-023.40-046 (103 WALLACE RD.), 13-

023.40-047 (111 WALLACE RD.), 13-023.40-048 (109 WALLACE RD., OLIVERO SUBDIVISION) FROM NEIGHBORHOOD CONSERVATION (NC15) AND COMMERCIAL NEIGHBORHOOD (CN) TO SUBURBAN (S)

(The purpose of this County Council Initiated Rezoning and amendment to the 2022 Comprehensive Development Plan is to rezone tax parcel 13-023.40-039 (2.47 acres), part of tax parcel 13-023.40-041 (0.06 acres), part of tax parcel 13-023.40-043 (0.08 acres), tax parcel 13-023.40-044 (0.04 acres), tax parcel 13-023.40-046 (1.24 acres), tax parcel 13-023.40-047 (0.23 acres), and tax parcel 13-023.40-048 (0.17 acres) from CN to S; and to rezone part of tax parcel 13-023.40-041 (2.09 acres) and part of tax parcel 13-023.40-043 (0.96 acres) from NC15 to S as requested by the Council District's Councilmember)

Prime Sponsor(s): Mr. Caneco

°26-015: REVISE ZONING MAP: BRANDYWINE HUNDRED, SOUTHEASTERLY CORNER OF SILVERSIDE ROAD AND CONCORD PIKE; REZONE TAX PARCELS 06-051.00-056 (3602 SILVERSIDE RD., TALLEYVILLE TOWN CENTER), 06-051.00-072 (0 SILVERSIDE RD., WILMONT), 06-051.00-083 (3600 SILVERSIDE RD., WILMONT) FROM OFFICE NEIGHBORHOOD (ON) TO COMMERCIAL NEIGHBORHOOD (CN). (The Exploratory Minor Land Development Plan for Talleyville Town Shoppes Proposes to rezone part of tax parcel 06-051.00-056 (0.08 acres), tax parcel 06-051.00-072 (0.07 acres), and tax parcel 06-051.00-083 (0.81 acres) from ON to CN. (App. 2025-0569-S/Z)

Prime Sponsor(s): Ms. Durham

°26-017: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 ("UNIFIED DEVELOPMENT CODE"), ARTICLE 6 ("SIGN REGULATIONS) REGARDING ELECTRONIC VARIABLE MESSAGE SIGNS

Prime Sponsor(s): Mr. Tackett

°26-018: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 ("UNIFIED DEVELOPMENT CODE"), ARTICLE 31 ("PROCEDURES AND ADMINISTRATION"), SECTION 40.31.340 ("NOTICE OF PUBLIC HEARINGS") REGARDING NOTICE OF PUBLIC HEARINGS

Prime Sponsor(s): Mr. Tackett, Mr. Toole, Ms. Durham

°26-025: COUNTY INITIATED REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 7 REGARDING THE FOLLOWING TAX PARCELS: NEW CASTLE HUNDRED: 10-014.10-001 (98 JAY DR., CHELSEA ESTS SEC 2), 10-014.30-103 (0 W ROOSEVELT AVE., WILM MANOR SEC B), 10-015.30-195 (909 MOORES LN., CASTLE HILLS SEC 4), 10-015.30-291 (11 GLEN AVE., SWANWYCK), 10-017.00-003 (251 CHURCHMANS RD., CHURCHMANS OFF COMP), 10-017.30-001 (0 IVY LN., IVYRIDGE), 10-019.20-222 (209 A MORRISON RD., PENN ACRES SEC 7), 10-019.30-121 (410 E ROOSEVELT AVE., PENN ACRES SEC 5), 10-019.30-175 (409 E ROOSEVELT AVE., PENN ACRES SEC 6), 10-019.40-424 (47 CONSTITUTION BLVD., JEFFERSON FARMS SC 1), 10-019.40-548 (60 CONSTITUTION BLVD., JEFFERSON FARMS SC 1), 10-019.40-549 (60 CONSTITUTION BLVD., JEFFERSON FARMS SC 1), 10-020.10-069 (17 ARDEN AVE., CASTLE HILLS SEC 1), 10-020.10-235 (19 ARDEN AVE., CASTLE HILLS SEC 2), 10-020.30-042 (441 MOORES LN., NEW CASTLE COUNTY), 10-023.00-001 (41 DUNSINANE DR., WHITEHALL), 10-023.00-009 (0 DUNSINANE DR., THE VILLAS), 10-023.10-001 (11 W EDINBURGH DR., COVENTRY SEC 1), 10-023.20-101 (0 PRESTWICK DR., PRESTWICK), 10-025.10-314 (200 W UNIVERSITY AVE., PENN ACRES SOUTH), 10-025.20-094 (50 NOTRE DAME AVE., WILM MANOR GDNS SC A), 10-029.00-007 (290 CHRISTIANA RD.), 10-029.20-173 (20 RAMBO TER., WILLEY SUBD), 10-029.20-191 (1 A W BALBACH AVE., RAMBLETON ACRES SC 4), 10-029.20-236 (20 RAMBO TER., WILLEY SUBD), 10-029.30-142 (31 BERKELY WAY., CAMBRIDGE GARDENS), 10-029.30-173 (115 APPLEBY RD., CAMBRIDGE GARDENS), 10-029.30-256 (270 WILTON BLVD., WILTON SEC 4), 10-029.40-015 (2 MCGAUGHY DR., RAMBLETON ACRES SC 3), 10-029.40-036 (1 A MCGAUGHY DR., RAMBLETON ACRES SC 3), 10-029.40-116 (625 OLD FORGE RD., WILTON SEC 2), 10-029.40-268 (625 OLD FORGE RD., WILTON SEC 6), 10-029.40-291 (31

BERKELY WAY., WILTON SEC 9), 10-030.00-051 (0 OFF PARKWAY CIR.), 10-030.10-032 (20 RAMBO TER., RAMBLETON ACRES SC 2), 10-030.10-033 (20 RAMBO TER.), 10-039.20-031 (35 PAXTON LN., BUCKLEY SEC 1), 10-039.20-116 (35 PAXTON LN., BUCKLEY SEC 2), 10-039.20-135 (35 PAXTON LN., BUCKLEY SEC 2), 10-039.20-136 (35 PAXTON LN., BUCKLEY SEC 2), 10-039.20-164 (35 PAXTON LN., BUCKLEY SEC 2), 10-039.20-225 (35 PAXTON LN., BUCKLEY SEC 3), 10-039.40-005 (35 PAXTON LN., BUCKLEY SEC 3), 10-039.40-012 (35 PAXTON LN., BUCKLEY IV), 10-043.40-001 (27 W CLAIRMONT DR., GLENDALE), 10-044.30-090 (4 REGAL BLVD., KINGS CROFT), 10-049.00-033 (0 BEAR CORBITT RD., GARWOOD), 10-049.00-085 (0 GARWOOD DR., GARWOOD), 10-049.20-024 (0 SUGARBERRY DR., RUTLEDGE), 10-049.20-299 (0 TERRY CT., RUTLEDGE SEC II); APPLICATION NO. 2026-0171-Z
Prime Sponsor(s): Mr. Smiley

°26-026: COUNTY INITIATED REZONING-TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 5, COUNCIL DISTRICT 9, AND COUNCIL DISTRICT 11 REGARDING THE FOLLOWING TAX PARCELS: PENCADER HUNDRED: 09-037.00-149 (55 CHRISTIANA XING., WOODLAND RUN), 09-040.10-015 (8 WOODLAND RUN DR., WOODLAND RUN), 11-004.40-058 (95 N HUNTER FORGE RD., ACADEMY HILL PH I), 11-005.40-143 (41 SANFORD DR., ROBSCOTT MANOR SEC 2), 11-006.10-071 (22 GILL DR.), 11-006.40-084 (0 CAMPFIELD RD., SCOTTFIELD SEC 1), 11-008.00-164 (17 KNIGHTS XING., BEAULIEU), 11-008.20-001 (95 N HUNTER FORGE RD., VILL OF SANDY BRAE), 11-009.00-030 (55 WELSH TRACT RD.), 11-009.00-048 (0 S COLLEGE AVE., IRON HILL), 11-009.00-056 (0 WHITTAKER RD., IRON HILL), 11-013.00-015 (1337 OLD BALTIMORE PIKE., IRON HILL MUSEUM), 11-013.00-122 (0 WHITTAKER RD., IRON HILL), 11-013.20-104 (0 LYNAM LOOKOUT DR., PRES AT LAFAYETTE HILL), 11-013.20-121 (0 DONALD PRESTON DR., PRES AT LAFAYETTE HILL), 11-014.40-012 (2070 RIVERS DR., WHITEWOOD VILLAGE), 11-015.10-045 (295 E FLAGSTONE DR., GRAY ACRES), 11-017.40-092 (25 KAYAK CT., FOUR SEASONS), 11-040.00-002 (3180 OLD COUNTY RD., ARTESIAN WATER CO) ; WHITE CLAY CREEK HUNDRED: 09-015.40-123 (0 INGLESIDE RD., STAFFORD II), 09-033.00-031 (24 UPLAND CT., BREEZEWOOD), 09-033.00-033 (24 UPLAND CT., BREEZEWOOD SEC II), 09-033.00-038 (475 GENDER RD., BREEZEWOOD SEC III), 09-033.10-289 (0 S SKYWARD DR., BREEZEWOOD), 09-033.20-073 (499 GENDER RD., GENDER WOODS), 09-033.20-074 (545 GENDER RD., GENDER WOODS), 09-037.00-149 (55 CHRISTIANA XING., WOODLAND RUN), 09-037.30-124 (4 BUTTONWOOD CT., WOODLAND RUN), 09-037.30-132 (20 BUTTONWOOD CT., WOODLAND RUN), 09-040.10-015 (8 WOODLAND RUN DR., WOODLAND RUN), 11-014.40-012 (2070 RIVERS DR., WHITEWOOD VILLAGE); APPLICATION NO. 2026-0173-Z
Prime Sponsor(s): Ms. George, Mr. Sheldon, Mr. Tackett

°26-031: COUNTY INITIATED REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 1 REGARDING THE FOLLOWING TAX PARCELS: CHRISTIANA HUNDRED: 07-038.30-011 (405 S WOODWARD AVE., WOODWARD SUBD), 07-038.30-161 (309 S WOODWARD AVE., EASTBURN ETAL SUBD), 07-039.30-002 (506 ELSMERE AVE., RICHARDSON PARK), 07-041.30-014 (102 A ROTHWELL DR., GLEN BERNE ESTATES), 07-041.40-099 (506 KIAMENSI RD., GLEN BERNE ESTATES), 07-042.10-040 (0 BOXWOOD RD.), 07-042.10-041 (1004 AHLERS BLVD.), 07-042.10-049 (1005 AHLERS BLVD.), 07-042.10-050 (0 BOXWOOD RD., WOODCREST ESTATES), 07-042.30-091 (299 CLEVELAND AVE., WESTVIEW), 07-043.30-035 (102 MIDDLEBORO RD., BANNING PARK), 07-046.10-066 (13 PETRO DR., RED CREEK ACRES), 07-046.40-016 (140 SEARS BLVD., PLEASANT HILLS ESTS), 07-047.10-053 (2 DELAWARE AVE., TUXEDO PARK), 08-045.10-199 (905 KIAMENSI RD.); MILL CREEK HUNDRED: 07-041.30-014 (102 A ROTHWELL DR., GLEN BERNE ESTATES), 07-046.10-066 (13 PETRO DR., RED CREEK ACRES), 07-046.40-016 (140 SEARS BLVD., PLEASANT HILLS ESTS), 08-044.40-107 (4509 SHADY DR., KLAIR ESTATES SEC B), 08-044.40-242 (4421 SHARON DR., KLAIR ESTATES SEC D), 08-044.40-266 (4421 SHARON DR., MARSHALLTON HEIGHTS), 08-044.40-304 (0 SHERMAN AVE., KIAMENSI GARDENS ADD), 08-044.40-305 (4400 ROSLYN DR., ROLLING HILLS), 08-045.10-199 (905 KIAMENSI

RD.), 08-045.30-248 (0 GRAYLING CT., GRAYLING), 08-045.30-261 (1000 KIAMENSI RD., FORD SUBD), 08-049.40-074 (10 ANNE PL., EASTBURN ACRES SEC 2), 08-050.10-176 (2005 TELEGRAPH RD., DELPARK MANOR), 08-050.20-165 (12 CYPRESS AVE., WESTFIELD), 08-050.20-371 (0 MITCH RD.), 08-051.10-093 (203 BINSTED AVE., KIAMENSI GARDENS), 08-055.20-124 (2005 OAK ST., EASTBURN ACRES SEC 2), 08-055.20-167 (2005 OAK ST., ENGLISH CREEK II), 08-055.20-185 (0 NICHOLAS CT., ENGLISH CREEK II); NEW CASTLE HUNDRED: 10-023.00-009 (0 DUNSINANE DR., THE VILLAS), 10-028.00-025 (400 CHRISTIANA RD., GREENE SUBD), 10-028.00-041 (0 E MAIN ST.), 10-029.30-299 (145 WEDGEFIELD DR., WILTON SEC 10), 10-029.30-300 (170 APPLEBY RD., WILTON SEC 10), 10-033.20-043 (0 SCHOOL BELL RD., JAMESTOWNE), 10-034.10-080 (14 LAURIE CT., JAMESTOWNE), 10-034.10-081 (0 OFF JAMESTOWNE DR., JAMESTOWNE), 10-034.10-093 (945 OLD FORGE RD., WILTON SEC 10); WHITE CLAY CREEK HUNDRED: 09-023.00-048 (709 N BROWNLEAF RD., GALLAHER SCHOOL PARK), 09-023.00-049 (709 N BROWNLEAF RD., GALLAHER SCHOOL PARK), 09-023.10-001 (2 BROOKBEND DR., BROOKBEND), 09-023.10-002 (2 BROOKBEND DR., BROOKBEND), 09-030.30-091 (2008 POINT HAMLET RD., CHRISTIANA VILLAGE), 09-030.30-145 (70 BIRCHBROOK DR., CHRISTIANA VILLAGE), 09-030.30-180 (75 BIRCHBROOK DR., CHRISTIANA VILLAGE), 10-028.00-025 (400 CHRISTIANA RD., GREENE SUBD); APPLICATION NO. 2026-0169

Prime Sponsor(s): Mr. Toole

°26-032: COUNTY INITIATED REZONING TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 4 REGARDING THE FOLLOWING TAX PARCELS: BRANDYWINE HUNDRED: 06-149.00-017 (4014 GOVERNOR PRINTZ BLVD) FROM INDUSTRIAL (I) TO PUBLICLY CONSERVED LAND AND PARKS (P); APPLICATION NO. 2026-0170

Prime Sponsor(s): Mr. Hollins

E. Presentations

F. Other

G. Public Comment

H. Adjournment

AGENDA POSTED: JUNE 30, 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  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/j/86973545695>. 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.

RESOLUTION NO. 26-

TO RENAME A PORTION OF THE STREET KNOWN AS "ALBERTSON BOULEVARD," LOCATED NORTH OF KIRKWOOD HIGHWAY (DELAWARE ROUTE 2), EAST OF NEWPORT GAP PIKE (DELAWARE ROUTE 41) TO "CPL/1 MATTHEW "TY" SNOOK WAY"; APPLICATION NO. 2026-0367; COUNCIL DISTRICT 9

1 **WHEREAS**, Matthew "Ty" Snook was a Delaware state police corporal; and
2

3 **WHEREAS**, on December 23, 2025, Corporal Snook was shot and killed while
4 working an overtime shift at the Department of Motor Vehicles (DMV) in the Tenth
5 Council district; and
6

7 **WHEREAS**, Officer Snook showed absolute courage by pushing an employee to
8 safety, resulting in further injury to himself; and
9

10 **WHEREAS**, to ensure that his supreme sacrifice and service to the citizens of
11 Delaware and his fellow officers will be remembered in perpetuity, it is requested that a
12 portion of the street known as "Albertson Boulevard", located next to Delaware State
13 Police Troop 6, be renamed "Cpl/1 Matthew "Ty" Snook Way"; and
14

15 **WHEREAS**, Land Use contacted the 911 Center and the United States Post Office, per
16 New Castle County Code Section 40.31. 715, which offer no objection to this renaming. No
17 addresses will change.
18

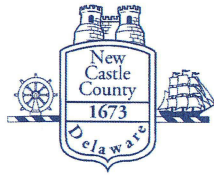
19 **NOW, THEREFORE, BE IT RESOLVED**, by and for the County Council of New
20 Castle County that County Council hereby renames the street known as "Albertson
21 Boulevard", tax parcel numbers - to "Corporal 1 Matthew "Ty" Snook Way," pursuant to
22 the Department of Land Use App.

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 Resolution.



New Castle County Department of Land Use

MEMORANDUM

TO: Nellie Hill, Clerk of Council

FROM: David M. Culver, General Manager 

RE: To Rename a portion of Albertson Boulevard to CPL/1 Matthew "Ty" Snook Way

DATE: June 11, 2026

Upon request of the Councilman for this District for the above renaming; this department contacted the 911 Center and the Post Office per Section 40.31.715 of the New Castle County Code. Those agencies have no objection to the renaming. The department, therefore, requests that a Resolution of Approval be considered by County Council. The suggested title, synopsis and fiscal note for the resolution are as follows:

RESOLUTION NO. 26-

TO RENAME A PORTION THE STREET known as "Albertson Boulevard" to CPL/1 Matthew "Ty" Snook Way.

No addresses will change. The section of Albertson Boulevard is located south of Greenbank Road and north of Kirkwood Highway.

Synopsis: Same as Title. Council District 9

Fiscal Note: This resolution will have no immediately discernible fiscal impact on the County.

cc: Councilmember Timothy Sheldon



STATE OF DELAWARE
DEPARTMENT OF SAFETY AND HOMELAND SECURITY
DIVISION OF STATE POLICE
P.O. Box 430
DOVER, DELAWARE 19903

May 8, 2026

Mr. Christopher Williams
Administrative Assistant Chief
New Castle County Department of Public Safety
3601 N. DuPont Highway
New Castle, DE 19720

Re: Renaming of Albertson Boulevard

Dear Mr. Williams:

Please accept the following as a Delaware State Police request to rename Albertson Boulevard as Cpl/1 Matthew "Ty" Snook Way. Cpl/1 Snook was a dedicated Trooper who spent his entire career at Troop 6. We can think of no higher honor than to rename the very road "Ty" drove every day on his way to work; the very road running next to his second home. Doing so will forever etch the memory of "Ty" into the Troop 6 community and serve as a reminder of the selfless sacrifice he demonstrated on that fateful day.

On the above, the Snook family has been contacted and supports the initiative. The Delaware State Police remains available on this matter. You may contact myself or Sgt. Michael Ripple for any additional assistance as this request moves forward.

Respectfully,

Colonel William D. Crotty
Superintendent



EMERGENCY COMMUNICATIONS DIVISION

The Honorable Timothy Sheldon
New Castle County Council
New Castle County Government Center
87 Reads Way
New Castle, DE 19720

RE: Support for Renaming Albertson Boulevard to Cpl/1 Matthew "Ty" Snook Way

Dear Councilman Sheldon,

On behalf of the New Castle County Emergency Communications Division, I am writing to express our full support for the Delaware State Police request to rename Albertson Boulevard to **Corporal 1 Matthew "Ty" Snook Way**.

This designation would serve as a lasting tribute to Corporal First Class Matthew "Ty" Snook and his exceptional service, sacrifice, and dedication to the people of Delaware. Corporal 1 Snook exemplified the highest standards of public safety through his unwavering commitment to protecting others and serving his community with honor.

Ty's impact extended far beyond the Delaware State Police. His loss was deeply felt throughout the entire public safety community, including our own telecommunicators. Renaming Albertson Boulevard in his honor would ensure that his legacy remains permanently recognized and would stand as a visible reminder of the sacrifices made by those who serve.

As public safety professionals, we understand the importance of honoring those who have given so much in service to others. This designation would provide a meaningful and fitting recognition of Corporal 1 Snook's contributions while serving as a source of remembrance for generations to come.

We respectfully ask for your support and consideration of this request, and we appreciate your continued commitment to public safety and to the men and women who serve our communities.

Should you need any additional information or wish to discuss this matter further, please do not hesitate to contact us.

Respectfully,

A handwritten signature in blue ink that reads "Donald W. Holden".

Donald W. Holden
Chief
New Castle County Emergency Communications Division



NAED Accredited Center of Excellence



NAED Accredited Center of Excellence

3601 N. DUPONT HIGHWAY, NEW CASTLE, DE 19720

PHONE: 302-395-8210 FAX: 302-571-7350

DEPARTMENT OF PUBLIC SAFETY
DIVISION OF POLICE

May 15, 2026

The Honorable Timothy Sheldon
New Castle County Council
New Castle County Government Center
87 Reads Way
New Castle, DE 19720

RE: Support for Renaming Albertson Boulevard to Cpl/1 Matthew "Ty" Snook Way

Dear Councilman Sheldon:

On behalf of the New Castle County Division of Police, I am writing to express our full support for the Delaware State Police's request to rename Albertson Boulevard to Corporal 1 Matthew "Ty" Snook Way.

This proposed designation would serve as a lasting tribute to Corporal First Class Matthew "Ty" Snook and his extraordinary service, sacrifice, and dedication to the citizens of Delaware. Corporal 1 Snook faithfully served with distinction and represented the highest ideals of law enforcement through his commitment to protecting others and serving his community.

The impact of Ty's service and sacrifice extends far beyond the Delaware State Police. His loss was felt throughout the entire law enforcement community, and his legacy continues to resonate with those who had the privilege of serving alongside him and knowing him personally. Renaming Albertson Boulevard in his honor would ensure that his memory and service remain permanently recognized and would stand as a visible reminder of the sacrifices made by law enforcement officers in service to our communities.

As law enforcement professionals, we understand the importance of preserving and honoring the legacy of those who have given so much in the service of others. This designation would provide a meaningful and fitting recognition of Corporal 1 Snook's dedication and sacrifice while serving as a source of remembrance for generations to come.

We respectfully ask for your support and consideration of this request and appreciate your continued support of public safety and the law enforcement community.

Should you require any additional information or wish to discuss this matter further, please do not hesitate to contact us.

Respectfully,



Colonel James J. Leonard III
Chief of Police

Prime Sponsor(s): Ms. Durham
Date of introduction: July 14, 2026

RESOLUTION NO. 26-

**TO RENAME THE SUBDIVISION KNOWN AS “BALL FARM ESTATES” TO
“MONTCHANIN ESTATES” APPLICATION NO. 2026-0389; COUNCIL DISTRICT 2**

WHEREAS, the owner of record petitioned New Castle County to rename the subdivision known as “Ball Farm Estates” to “Montchanin Estates;” and

WHEREAS, the Department of Land Use contacted the 911 Center and the United States Post Office, per New Castle County Code Section 40.31.715, which offer no objection to this renaming.

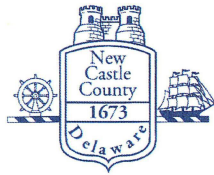
NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby renames the subdivision recorded as “Ball Farm Estates,” to “Montchanin Estates,” pursuant to the Department of Land Use Application No. 2026-0389.

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 Resolution.



New Castle County Department of Land Use

MEMORANDUM

TO: Nellie Hill, Clerk of Council

FROM: David M. Culver, General Manager 

RE: **To Rename “Ball Farm Estates” to “Montchanin Estates”
(Application No. 2026-0389)**

DATE: **June 17, 2026**

Upon request of the Councilmember for this District for the above renaming; this Department contacted the 911 Center and the Post Office per Section 40.31.715 of the New Castle County Code. Those agencies have no objection to the renaming. The department, therefore, requests that a Resolution of Approval be considered by County Council. The suggested title, synopsis and fiscal note for the resolution are as follows:

RESOLUTION NO. 26-

TO RENAME THE SUBDIVISION known as “Ball Farm Estates” to “Montchanin Estates”

Street Addresses will not change.

Synopsis: Same as Title. Council District 2

Fiscal Note: This resolution will have no immediately discernible fiscal impact on the County.

cc: Councilmember Dee Durham



ISO 9001:2015 CERTIFIED

ENGINEERS • PLANNERS • SCIENTISTS • CONSTRUCTION MANAGERS

600 White Clay Center Drive, Suite 200 • Newark, DE, 19711 • Phone 302.731.9176

May 7, 2026

2026-0389

Councilmember Dee Durham
New Castle County Council
87 Reads Way
New Castle, DE 19720

RE: Petition Request for Renaming of Recorded Subdivision

Dear Councilmember Durham:

Pursuant to Section 40.31.715 of the New Castle County Unified Development Code, the undersigned property owner (Ball Farm Developer LLC) hereby respectfully petitions New Castle County Council to adopt a resolution approving the renaming of the recorded subdivision currently known as "Ball Farm Estates" to "Montchanin-Estates."

The subdivision is located on Kirk Road in New Castle County, Delaware and remains under single ownership. Accordingly, the ownership signature requirements established under Section 40.31.715 have been satisfied through execution of this petition by the sole property owner of the subdivision.

The requested subdivision name change is administrative in nature and is intended to better align the development's identity and future marketing with the owner's vision for the community. No changes are proposed to the approved subdivision layout, lot configuration, access, infrastructure, or previously approved land development entitlements. The subdivision remains under single ownership and the requested change will not adversely impact surrounding properties, public facilities, or County operations.

The petitioner respectfully requests that County Council initiate and adopt the necessary resolution to authorize the subdivision name change and allow coordination with the Department of Land Use for implementation within County records and future plan submissions, if applicable.

Please find attached supporting materials associated with this request, including:

1. Notarized property owner authorization/signature
2. Location map
3. Record plan cover sheet

We appreciate your consideration and assistance with this matter. Please feel free to contact me should you require any additional information or documentation.

Sincerely,

A handwritten signature in black ink, reading "Rhiannon Sayles". The signature is written in a cursive, flowing style with a large initial "R".

Rhiannon Sayles, PE

KCI Technologies

Rhiannon.sayles@kci.com

302-318-1097

**ACKNOWLEDGMENT AND PROPERTY OWNER CONSENT
FOR SUBDIVISION NAME CHANGE PETITION**

The undersigned, being the owner of record of the property associated with the subdivision identified below, hereby acknowledges and consents to the submission of a petition to New Castle County Council pursuant to Section 40.31.715 of the New Castle County Unified Development Code requesting approval to rename the recorded subdivision.

Existing Subdivision Name: Ball Farm Estates

Proposed Subdivision Name: Montchanin Estates

Property Location: O'Kirk Road, Montchanin, Delaware 19710

Tax Parcel Number(s):

07-024.30-028	07-024.30-036	07-024.30-044
07-024.30-029	07-024.30-037	07-024.30-045
07-024.30-030	07-024.30-038	07-024.30-046
07-024.30-031	07-024.30-039	07-024.30-047
07-024.30-032	07-024.30-040	07-024.30-048
07-024.30-033	07-024.30-041	07-024.30-049
07-024.30-034	07-024.30-042	07-024.30-050
07-024.30-035	07-024.30-043	

The undersigned hereby certifies that they are authorized to execute this acknowledgment on behalf of the property owner and consent to the requested subdivision name change petition and associated County processing.

Owner: Ball Farm Developer, LLC

Authorized Signature: *Timothy Green*

Printed Name: Timothy Green

Title: Dir. of Land Development (manager)

Date: 5/7/2026

STATE OF DELAWARE

COUNTY OF Sussex

BE IT REMEMBERED, that on this 7th day of May, 2026, personally appeared before me, the undersigned Notary Public for the State and County aforesaid, Timothy Green

Who acknowledged this instrument to be his/her free act and deed and the free act and deed of Ball Farm Developer, LLC

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

Notary Public *Heidi*

My Commission Expires: 11/09/2026



The map shows the Rockland, New York area, with a circled area near the Delaware and New York Railroad. A line is drawn from this circled area towards the bottom right of the map. The map includes labels for various roads such as Hillside Rd, Centre Rd, and Rockland Rd, as well as landmarks like the Wilmington Country Club and the A. I. Dupont Hospital for Children. The circled area is located near the intersection of Hillside Rd and Centre Rd, and is labeled with a small 'D' and the text 'DELAWARE AND NEW YORK RAILROAD'. The line drawn from this area extends towards the bottom right, passing through the 'A. I. Dupont Hospital for Children' and ending near the 'AUGUSTINE CUT OFF'.

!

Page 18 of 146

Prime Sponsor(s): Mr. Smiley
Date of introduction: July 14, 2026

RESOLUTION NO. 26-

**TO RENAME THE SUBDIVISION KNOWN AS “DALTONS MOBILE HOME PARK”
TO “EVANS MOBILE HOME PARK” AND RENAME THE STREET KNOWN AS
“DALTONS TRAILER PARK” TO “EVANS MOBILE HOME PARK;
APPLICATION NO. 2026-0242; COUNCIL DISTRICT 7**

WHEREAS, the owner of record petitioned New Castle County to rename the subdivision known as “Dalton’s Mobile Home Park” to “Evans Mobile Home Park” and the street known as “Dalton’s Trailer Park” to “Evans Mobile Home Park;” and

WHEREAS, the Department of Land Use contacted the 911 Center and the United States Post Office, per New Castle County Code Section 40.31.715, which offer no objection to this renaming.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby renames the subdivision recorded as “Dalton’s Mobile Home Park” to “Evans Mobile Home Park” and the street recorded as “Dalton’s Trailer Park” to “Evans Mobile Home Park;” pursuant to the Department of Land Use Application No. 2026-0242.

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 Resolution.



New Castle County Department of Land Use

MEMORANDUM

TO: Nellie Hill, Clerk of Council

FROM: David M. Culver, General Manager 

RE: To Rename “**Daltons Mobile Home Park**” to “**Evans Mobile Home Park**” and rename street “**Daltons Trailer Park**” to “**Evans Mobile Home Park**” (Tax Parcel # 10-034.00-020) - **Application No. 2026-0242**

DATE: **June 17, 2026**

Upon request of the Councilmember for this District for the above renaming; this department contacted the 911 Center and the Post Office per Section 40.31.715 of the New Castle County Code. Those agencies have no objection to the renaming. The department, therefore, requests that a Resolution of Approval be considered by County Council. The suggested title, synopsis and fiscal note for the resolution are as follows:

RESOLUTION NO. 26-

TO RENAME THE SUBDIVISION known as “Daltons Mobile Home Park” to “Evans Mobile Home Park”

TO RENAME THE STREET known as “Daltons Trailer Park” to “Evans Mobile Home Park”.

Street Address will change. Council District 7

Synopsis: Same as Title.

Fiscal Note: This resolution will have no immediately discernible fiscal impact on the County.

cc: Councilmember George Smiley

2026 0242

Smiley, George

From: Smiley, George
Sent: Thursday, April 2, 2026 11:36 AM
To: Charles Evans
Cc: Wolanski Jr., Mark; Culver, David
Subject: RE: [EXTERNAL] Evans Mobile home park, LLC

I have no objections to any of the name changing you wish to do and will gladly sponsor the legislation that is sent over from the Land Use Department. And as we discussed, I am 99% sure the check is to be made out to New Castle County and not me.

-----Original Message-----

From: Charles Evans <firstclassroofing@icloud.com>
Sent: Thursday, April 2, 2026 10:56 AM
To: Smiley, George <George.Smiley@newcastlede.gov>
Subject: [EXTERNAL] Evans Mobile home park, LLC

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Mr Smiley, thank you for all the help.

I'm reaching out in regards to the name change at 734 Pulaski HW, Bear DE 19701.

We purchased the property last year from Richard Dalton. The previous name was (Daltons trailer park) Mr Dalton would not allow us to keep the name, so we named the MHP (Evans Mobile Home Park, LLC) which is now on our bank loan, signs, bank accounts etc. we was unaware that New Castle County had another process for the name change until code enforcement came and made us aware. This letter is a request to officially change the name from (Daltons trailer park) to (Evans Mobile Home Park, LLC) also the private driveway is identified as (Daltons trailer park) we would hope to officially change that to (Evans Way) if possible.

Thank you, George for the great response to this matter.

Best regards,
Charles Evans

My direct contact-302-363-1188

Sent from my iPhone

ORDINANCE NO. 25-164

**AMENDING NEW CASTLE COUNTY CODE CHAPTER 40 (“UNIFIED
DEVELOPMENT CODE”) AND APPENDIX 6 RELATING TO
THE STRUCTURE OF CERTAIN COUNTY COMMITTEES**

1 **WHEREAS**, language identifying a Design Review Advisory Committee (“DRAC”),
2 the Resource Protection Area Technical Advisory Committee (“RPATAC”), and the
3 Technical Advisory Committee (“TAC”) should be comprehensive and clear; and
4

5 **WHEREAS**, language currently describing membership for RPATAC is located in
6 an appendix separated from the Code section establishing RPATAC in the body of the
7 *New Castle County Code*; and
8

9 **WHEREAS**, updates to the membership of the TAC are necessary to align with
10 the function of the committee; and
11

12 **WHEREAS**, the current relevant sections of the *County Code* are in need of clarity
13 and specificity so that they are more clearly understood and more closely followed; and
14

15 **WHEREAS**, New Castle County Council finds that the provisions of this Ordinance
16 are rationally and reasonably related to and substantially advance its goal of protecting
17 and preserving legitimate government interests, including the protection and preservation
18 of the public health, safety, prosperity, general welfare, and quality of life of New Castle
19 County and its residents.
20

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

23 Section 1. *New Castle County Code* Chapter 40 (“Unified Development Code”) and
24 Appendix 6 are hereby amended by adding the material that is underlined and deleting
25 the material with strikethroughs, as follows.
26

27 **Chapter 40 – UNIFIED DEVELOPMENT CODE...**

28 ...

29 **Sec. 40.26.420. Designation of district.**

30 A. County Council may establish a Hometown (“HT”) Overlay Zoning Districts,
31 pursuant to process and standards for a zoning map amendment set forth in Article
32 31 of this Chapter.

33 B. The ~~Hometown~~ (HT) Overlay Zoning District encompasses the boundaries of
34 communities and neighborhoods that will be subject to a modification of

dimensional standards as set forth herein and by an approved Community Redevelopment Plan.

C. When the establishment of a ~~Hometown~~ HT Overlay District requires an amendment to the Comprehensive Development Plan, the County must amend the Comprehensive Plan consistent with State Code.

D. The description and identification of these communities shall be through civic initiative and public input to determine the unique qualities, landscapes, land use, development patterns, amenities, road network and transit facilities, community uses, public spaces and other assets that define and characterize that community. The delineation of a community shall not be comprised of only one (1) land use type. Communities are composed of a variety of uses that include residential, commercial, employment, recreational and institutional uses. While not all communities have each of these categories, all communities do exhibit a variety of land uses that together contribute to the identity and function of the community.

E. All proposed land use applications reviewed by the Department shall comply with a Community Redevelopment Plan and/or Design Guidelines adopted for a community.

F. A Design Review Advisory Committee shall be established pursuant to Section 40.30.450 for each HT Zoning Overlay District that is created.

1. Currently, an HT Zoning Overlay District exists in:

a. Claymont

b. Hockessin

c. Centreville

d. North St. Georges

~~Sec. 40.26.440. - Design Review Advisory Committee ("DRAC").~~

~~A Design Review Advisory Committee shall be established pursuant to Section 40.30.450 for each Hometown Zoning Overlay District created.~~

Sec. 40.30.430. - Resource Protection Area, Technical Advisory Committee ("RPATAC").

A. The purposes and duties of the RPATAC are to:

1. ~~A.~~ Provide technical support and recommendations to the Department concerning the technical definition and criteria of any resource protection area or level as depicted in Table 40.10.010.

2. ~~B.~~ Advise the Department when it is determined that environmental standards contained in this Article should be amended.

3. ~~G.~~ Provide technical support and recommendations to the Department, Board of Adjustment and Planning Board regarding any application concerning an Article 10 standard.

- 73 4. ~~D.~~ Advise the Department when the RPATAC determines that Article 10, or any
74 regulations, interpretations or policies promulgated pursuant to Article 10,
75 should be amended.
- 76 5. ~~E.~~ Assist the Department as requested.
- 77 6. ~~F.~~ Provide technical support, review and recommendations on all floodplain
78 variance applications and variance applications concerning the reduction of the
79 required OSR for major residential land developments depicted in Table
80 40.04.110.
- 81 7. ~~H.~~ Upon request from the Department, RPATAC shall provide
82 recommendations regarding application of the standards to rezoning,
83 subdivision, and land development submissions relative to any issue involving
84 a protected resource.
- 85 8. ~~I.~~ Provide technical support and recommendations to the Department
86 concerning the transfer of development rights from one WRPA to another.

87 B. Membership

- 88 1. The RPATAC shall consist of 13 members, each appointed by the County
89 Executive for a 4 year term. The County Executive shall designate the Chair.
- 90 2. The 13 members will include one representative from each of the following:
- 91 a. Energy industry
- 92 b. Consulting Engineers' Council
- 93 c. Department of Natural Resources and Environmental Control
- 94 d. Delaware Geologic Survey
- 95 e. The County Chamber of Commerce
- 96 f. The County Department of Land Use
- 97 g. The County Department of Public Works
- 98 h. Water Company
- 99 i. University of Delaware Water Resources Agency
- 100 j. Environmental advocacy group
- 101 k. Private sector
- 102 l. New Castle Conservation District
- 103 m. Private sector environmental professional
- 104 3. Members may be reappointed, and each member may serve until a successor
105 is appointed.
- 106 C. Only eligible Committee members, which does not include current employees of
107 any governmental body, shall be compensated for each meeting attended in
108 accordance with a pay plan adopted by County Council.

109 ...
110 **Sec. 40.30.450. - Design Review Advisory Committee (“DRAC”).**

111 A. A DRAC shall be established for each Hometown HT Overlay Zoning District. The
112 Department shall be provide the professional staff for each Committee. The current
113 Design Review Advisory Committees are the:

- 114 1. Claymont Design Review Advisory Committee
115 2. Hockessin Design Review Advisory Committee
116 3. Centreville Design Review Advisory Committee
117 4. North St. Georges Design Review Advisory Committee

118 A B. Purposes and duties of each Committee shall be:...

119 B C. The Committee shall adopt bylaws and rules...

120 G D. Members. The District Council person(s), in whose councilmanic district...

121 E. Only eligible Committee members, which does not include current employees of
122 any governmental body, shall be compensated for each meeting attended in accordance
123 with a pay plan adopted by County Council.
124

125 **APPENDIX 6. - MISCELLANEOUS ITEMS**

126 **1. Technical Advisory Committee.**

127 One (1) representative from each of the following:

128 a. New Castle County Department of Land Use

129 Licensing Division, Engineering Section

130 Planning Division, Historic Preservation Section

131 Department of Public Works

132 Department of Police

133 b. New Castle Conservation District

134 c. Delaware Geological Survey

135 d. Delaware Department of Natural Resources Environmental Control

136 e. Delaware Department of Transportation

137 State of Delaware

138 Division of Public Health

139 Division of State Police (Planning Section, Troop 1, Troop 6, Troop 9)

140 ~~Office of the State Fire Marshal~~
141 ~~DelDOT, State Highway Department, Subdivision Manager~~
142 ~~DelDOT, Division of Highways~~
143 ~~DNREC, Office of the Secretary~~
144 ~~State Planning Coordinator~~
145 ~~Department of Agriculture, Urban Forester~~
146 ~~Bureau of Archeology and Historic Preservation~~
147 ~~Delaware Transit Corporation~~
148 ~~f. Water Resources Agency of New Castle County~~
149 ~~Public Service Commission~~
150 ~~Public Water Company (City of Newark, United Water Delaware, City of Wilmington,~~
151 ~~Artesian, Tidewater Utilities, Town of Middletown)~~
152 ~~Delaware Farm Bureau~~

153 g. Private Sector

154 Only eligible Committee members, which does not include current employees of any
155 governmental body, shall be compensated for each meeting attended in accordance
156 with a pay plan adopted by County Council.

157 **~~2. Resource Protection Area Technical Advisory Committee.~~**

158 ~~One (1) representative from each of the following:~~

159 ~~Chemical Industry~~
160 ~~Consulting Engineers' Council~~
161 ~~DNREC~~
162 ~~Delaware Geologic Survey~~
163 ~~The County Chamber of Commerce~~
164 ~~The County Department of Land Use~~
165 ~~The County Department of Public Works~~
166 ~~Water Company Representative~~
167 ~~Water Resources Agency of New Castle County~~
168 ~~University of Delaware Water Resources Agency~~
169 ~~Environmental Advocacy Group Representative~~
170 ~~Private Sector Representative~~

171 ~~New Castle Conservation District~~
172 ~~Private Sector Environmental Professional~~
173 ~~The members shall be appointed by the County Executive for a four (4) year term.~~
174 ~~The members may be reappointed, and each member shall serve until a~~
175 ~~successor is appointed. The chairman shall be designated by the County~~
176 ~~Executive....~~

177 **3 2. Department of Land Use Distribution of Approved Plans....**

178 **4 3. Source of Data for Establishing Resource Protection Levels (supplement**
179 **to Table 40.05.420).**

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

Adopted by County Council of
New Castle County on:

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

Approved on:

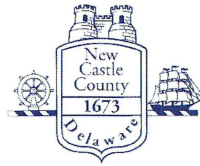
Marcus Henry
County Executive
of New Castle County

SYNOPSIS: This Ordinance clarifies the language regarding Hometown Zoning Overlay Districts and the accompanying Design Review Advisory Committees that are associated with each District as required under Sections 40.26.240 and 40.30.450.

Furthermore, the Ordinance removes redundant language in Section 40.26.440. In addition, importantly, as with other committees and boards, the Ordinance consolidates code sections and membership structure relating to the RPATAC in a manner that is much easier to follow by organizing the language in a more comprehensive and logical manner, from Appendix 6 to Section 40.30.430.

Finally, this Ordinance updates the membership of the Technical Advisory Committee.

FISCAL NOTE: This Ordinance has no discernible fiscal impact.



New Castle County Department of Land Use

**DEPARTMENT OF LAND USE
RECOMMENDATION REPORT**

**Ordinance 25-164
Application 2026-0210-T
Structure of Certain County Committees**

April 21, 2026

Sponsor: Councilwoman Dee Durham (District 2)

Description: Amendment to amend New Castle County Code Chapter 40 (The "Unified Development Code") to the Structure of Certain Committees.

EXECUTIVE SUMMARY

Application 2026-0210-T (Ordinance 25-164), is a text amendment to the Unified Development Code (UDC) that proposes to update the membership of RPATAC, identify relevant members for the TAC, and update existing UDC text. While the Department sees the proposed amendments to be important, it has several recommendations for County Council to consider with respect to structural consistency within the UDC.

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 25-164 with the condition that County Council considers a substitute ordinance that:

1. Relocates the Technical Advisory Committee membership list from Appendix 6 to Article 30,
2. Revise the proposed structure for Section 40.30.430 to list the membership requirements prior to the purpose (consistent with the code structure for other Boards and Committees in both Chapter 2 & Chapter 40),
3. Either eliminate the eligibility language from the UDC, or include it for the Historic Review Board, and to
4. Remove the listing of current DRACs in Section 40.26.420.

DESCRIPTION

Application 2026-0210-T (Ordinance 25-164), is a text amendment to the Unified Development Code (UDC) that proposes to update the membership of RPATAC, identify relevant members for the TAC, and update existing UDC text.

BACKGROUND

Extractive Use Operations

Regulation of the operation of Extractive Use Operations as a specific use dates back to 1983, with the addition of Licensing requirements for Extractive Use Operations (Ord. 83-103) to Chapter 21, Article IV (Now Chapter 36). It included provisions for licensing of new operations, continuation of existing nonconforming uses, and operational limitations including intensity and number of truckloads per day.¹ Planned Extractive Use Districts were incorporated into the Zoning Regulations in 1989 with the adoption of Ord. 88-165. During the planning process for an Extractive Use, the Department was required send applications to the Technical Advisory Committee made up of the following representatives (Former Code²; Section 40-209):

1. Delaware Geological Survey.
2. DNREC.
3. Water resources agency for the county.
4. State department of transportation.
5. County department of public works.
6. University of Delaware, College of Agricultural Sciences.
7. The county conservation district.

When the Unified Development Code was adopted (Ordinance 97-172)³ the provisions from the Zoning Code (Former Code) were incorporated into Article 31.

A Technical Advisory Committee was listed in Appendix 6 that included:

1. New Castle County
Department of Land Use
Development and Licensing
Division of Site Management

¹ Burris v. Cross, Superior Court of Delaware: <https://law.justia.com/cases/delaware/superior-court/1990/583-a-2d-1364-5.html> (Accessed 4/9/2026)

² Former Code refers to the Zoning Regulations (Chapter 40), and Subdivision Regulations (Chapter 32) as written on 12/31/1997

³ Ordinance 97-172, Unified Development Code:
<https://www3.newcastlede.gov/PDFDocument/default.aspx?DocumentID=80:FC40FF5826FBF7107D10260598B6C0724428DD1196872F86735C7182B4706D85C3CDA77EEC6E6C721AA1B7DCCC8B2372&x=temp.pdf> (Accessed 4/9/2026)

- Historic Preservation
- Department of Special Services
- Department of Public Safety
- 2. New Castle Conservation District
- 3. Delaware Geological Survey
- 4. State of Delaware
 - Division of Public Health
 - Division of State Police (Planning Section, Troop 1, Troop 6, Troop 9)
 - Office of the State Fire Marshall
 - DelDOT, State Highway Department, Subdivision Manager
 - DelDOT, Division of Highways
 - DNREC, Office of the Secretary
 - State Planning Coordination
 - State Planning Coordinator
 - Department of Agriculture, Urban Forester
 - Bureau of Archeology and Historic Preservation
- 5. Delaware Transit Corporation
- 6. Water Resources Agency
- 7. Public Service Commission
- 8. Public Water Company (City of Newark, United Water Delaware, City of Wilmington, Artesian, Tidewater Utilities, Town of Middletown)
- 9. Del. Farm Bureau

It was tasked with reviewing Zoning Map amendments, and held a hearing for Major Subdivision Plans (Table 40.30.110) until the adoption of Ord. 09-066, which shifted the plan review process to the Two Step Process, and replaced TAC with PLUS, however did not alter Appendix 6. Extractive Use permits were reviewed by RPATAC accompanied by representation from DelDOT.

Resource Protection Area Technical Committee RPATAC

The New Castle County Resource Protection Area Technical Committee (RPATAC) dates back 30 years to *Ordinance 90-289*⁴ as part of an effort to protect drinking water supplies throughout the county through the establishment of an overlay zoning district with specific protections for Wellhead Protection areas (further defined as Class “A”, “B” and “C” Wellheads by Ordinance 93-170)⁵, Cockeysville Formation Areas, Recharge Areas, and Erosion Prone Slopes. Additionally, protections were included for floodplains, reservoir watershed areas. Section 23-138 Technical Advisory Committee listed the membership and term requirements as well as duties and

⁴ Ordinance 90-289, Water Resource Protection Area Overlay Zone:

<https://www3.newcastlede.gov/PDFDocument/default.aspx?DocumentID=80:FC40FF5826FBF7107D10260598B6C0724428DD1196872F86E781BB8953A4D0896285F3E633A9BE3C&x=temp.pdf> (Accessed 4/9/2026)

⁵ Ordinance 93-170, Water Resource Protection Area Districts:

<https://www3.newcastlede.gov/PDFDocument/default.aspx?DocumentID=80:FC40FF5826FBF7107D10260598B6C0724428DD1196872F86FE90A4F4EF05393C1E05B25600447445&x=temp.pdf>, (Accessed 4/9/2026)

responsibilities of RPATAC (all of which mirror language in the UDC today). When the Unified Development Code was adopted (Ord 97-172) in 1997, Article 10 was created carrying over the language from Section 23-138 Technical Advisory Committee to Section 40.10.387 Technical Advisory Committee and Section 40.10.388 RPATAC Review.

PLANNING BOARD PUBLIC HEARING – April 9, 2026

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

Councilwoman Dee Durham, the ordinance's sponsor, spoke on behalf of the application. She provided a brief background of the proposed ordinance and how it related to ordinance being considered by County Council regarding compensation to County Boards and Committees. Matthew Rogers, Planner for the Department of Land Use discussed the changes within the UDC and stated that the Department had worked with the Councilwoman to update the membership to RPATAC and the Extractive Use TAC (TAC).

The Planning Board had no questions or comments regarding the Ordinance.

Public Comment:

There was no public comment during the public hearing and there were no written comments submitted to the Department while the record was open.

ANALYSIS

Ordinance 25-164 proposes updates to the membership of the County's Resource Protection Area Technical Advisory Committee (RPATAC) and includes a membership list for the Technical Advisory Committee tasked with reviewing extractive use permits. The Department believes that these changes are important in assuring the continued relevant membership on both advisory committees, however it has several recommendations regarding the ordinance as written.

RPATAC & TAC Membership Location in the UDC

When County Council establishes Boards, Committees, and Commissions they are typically established in Chapter 2, Article 5 - Departments and Offices with specific provisions related to their membership and compensation. This includes:

- Board of License Inspection and Review
- Agricultural Land Preservation Advisory Committee
- Fire and Ambulance Advisory Board
- Police Accountability Board
- Open Space Advisory Board
- Department of Community Services Board
- Library Advisory Board

- Housing advisory board
- Human Resources Advisory Board
- New Castle County Diversity Commission
- County Compensation Commission
- County Investment Advisory Board
- New Castle County Public Arts Commission

Unlike the above Boards and Committees, those established to act as part of the Zoning and Subdivision Process (not including those established in State Code - Planning Board and Board of Adjustment) are described in Article 30. Ordinance 25-164 correctly relocates RPATAC membership from Appendix 6 Miscellaneous Items to Article 30, however retains the Technical Advisory Committee in Appendix 6. The Department recommends that County Council consider relocating the Technical Advisory Committee from Appendix 6 to Article 30, and to revise the proposed structure for Section 40.30.430 to list the membership requirements prior to the purpose (consistent with the code structure for other Boards and Committees in both Chapter 2 & Chapter 40).

Compensation Language in the UDC

While limits on compensation of County Boards and Committees may be better addressed in Chapter 2 as opposed to Chapter 40 (UDC - Zoning and Subdivision Regulations), if the intent is to retain the following language:

Only eligible Committee members, which does not include current employees of any governmental body, shall be compensated for each meeting attended in accordance with a pay plan adopted by County Council

The Department recommends that County Council considers either:

1. Making the provision universally applicable in either Chapter 2 or the pay plan adopted by County Council, or
2. Amend Section 40.30.330 Historic Review Board to include the limitation

Listing the Current Design Review Advisory Committees

While there hasn't been a new Hometown Overlay Zoning District in nearly 20 years, including a list of "current" committees adds an additional procedural hurdle in establishing a new Hometown Overlay Zoning District since it would now require an amendment to the UDC for a new DRAC to be considered "current" in addition to the Ordinance to adopt the Community Redevelopment Plan and subsequent rezoning of all affected properties.

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.

N/A

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

N/A

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

Relocating the membership list for RPATAC, and potentially the TAC from Appendix 6 to Article 30 is consistent with the similar provisions for the Historic Review Board.

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

N/A

E. Flexibility in meeting the objectives of this Chapter.

N/A

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

N/A

G. Consideration of specific problems found in this Chapter.

If adopted, this amendment will clearer define the agencies responsible as part of the TAC to review Extractive Use Operations.

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 25-164 with the condition that County Council considers a substitute ordinance that:

1. Relocates the Technical Advisory Committee membership list from Appendix 6 to Article 30,
2. Revise the proposed structure for Section 40.30.430 to list the membership requirements prior to the purpose (consistent with the code structure for other Boards and Committees in both Chapter 2 & Chapter 40),
3. Either eliminate the eligibility language from the UDC, or include it for the Historic Review Board, and to
4. Remove the listing of current DRACs in Section 40.26.420.

PLANNING BOARD RECOMMENDATION

At a business meeting held on April 21, 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 Lisa Brutus and seconded by Robert Ott, the Board voted to recommend **CONDITIONAL APPROVAL** of application 2026-0210-T (Ord. 25-164) as subject to the conditions made by the Department of Land Use. The motion was adopted by a vote of 6-0-0-3 (In Favor: Brutus, Cantrell, Chamblee, Ott, Snowden, Visvardis; In Opposition: None; Abstention: None; Absent: Cochran, Daigle, Drake).

Prior to the vote, the following discussion occurred:

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

Robert Snowden remarked that the ordinance was largely a housekeeping ordinance. There were no other questions or comments from the Planning Board.

STATUTORY GUIDELINES

In the phraseology of 9 Delaware Code Section 2603(a), the Department finds that this ordinance will promote the convenience, order and welfare of the present and future inhabitants of this State.

 5-8-26

David M. Culver date
General Manager
Department of Land Use

 5/8/26

Robert B. Snowden date
Chair
New Castle County Planning Board

Primary Sponsor(s): Mr. Caneco
Requested by: Mr. Caneco
Date of introduction: January 13, 2026

ORDINANCE NO. 26-001

REVISE ZONING MAP: ST GEORGES HUNDRED, NORTHEASTERLY CORNER OF WALLACE ROAD AND DUPONT PARKWAY; REZONE TAX PARCELS 13-023.40-039 (221 GILBERT DR., OLIVERO SUBDIVISION), 13-023.40-041 (222 GILBERT DR., DAVID AND CARROW SUBDIVISION), 13-023.40-043 (220 GILBERT DR., DAVID AND CARROW SUBDIVISION), 13-023.40-044 (0 DUPONT PKY), 13-023.40-046 (103 WALLACE RD.), 13-023.40-047 (111 WALLACE RD.), 13-023.40-048 (109 WALLACE RD., OLIVERO SUBDIVISION) FROM NEIGHBORHOOD CONSERVATION (NC15) AND COMMERCIAL NEIGHBORHOOD (CN) TO SUBURBAN (S).

1 (The purpose of this County Council Initiated Rezoning and amendment to the
2 2022 Comprehensive Development Plan is to rezone tax parcel 13-023.40-039 (2.47
3 acres), part of tax parcel 13-023.40-041 (0.06 acres), part of tax parcel 13-023.40-043
4 (0.08 acres), tax parcel 13-023.40-044 (0.04 acres), tax parcel 13-023.40-046 (1.24
5 acres), tax parcel 13-023.40-047 (0.23 acres), and tax parcel 13-023.40-048 (0.17 acres)
6 from CN to S; and to rezone part of tax parcel 13-023.40-041 (2.09 acres) and part of tax
7 parcel 13-023.40-043 (0.96 acres) from NC15 to S as requested by the Council District's
8 Councilmember)
9

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

12 Section 1. The Zoning Map of St. George's Hundred, is hereby amended by
13 changing the zoning classification of the land shown on attached Exhibits "A" and "L"
14 dated November 21, 2025, as set forth therein.
15

16 Section 2. The 2022 Comprehensive Development Plan Update for New Castle
17 County, as shown amended, is hereby further amended, by changing the land use
18 designation shown on Exhibit "E" dated November 21, 2025, as set forth herein, so as to
19 make such land consistent with the amendment of the zoning map, as per Section 1
20 above.
21

22 Section 3. This Ordinance shall become effective immediately upon passage by
23 New Castle County Council and approval of the County Executive, or as otherwise
24 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.

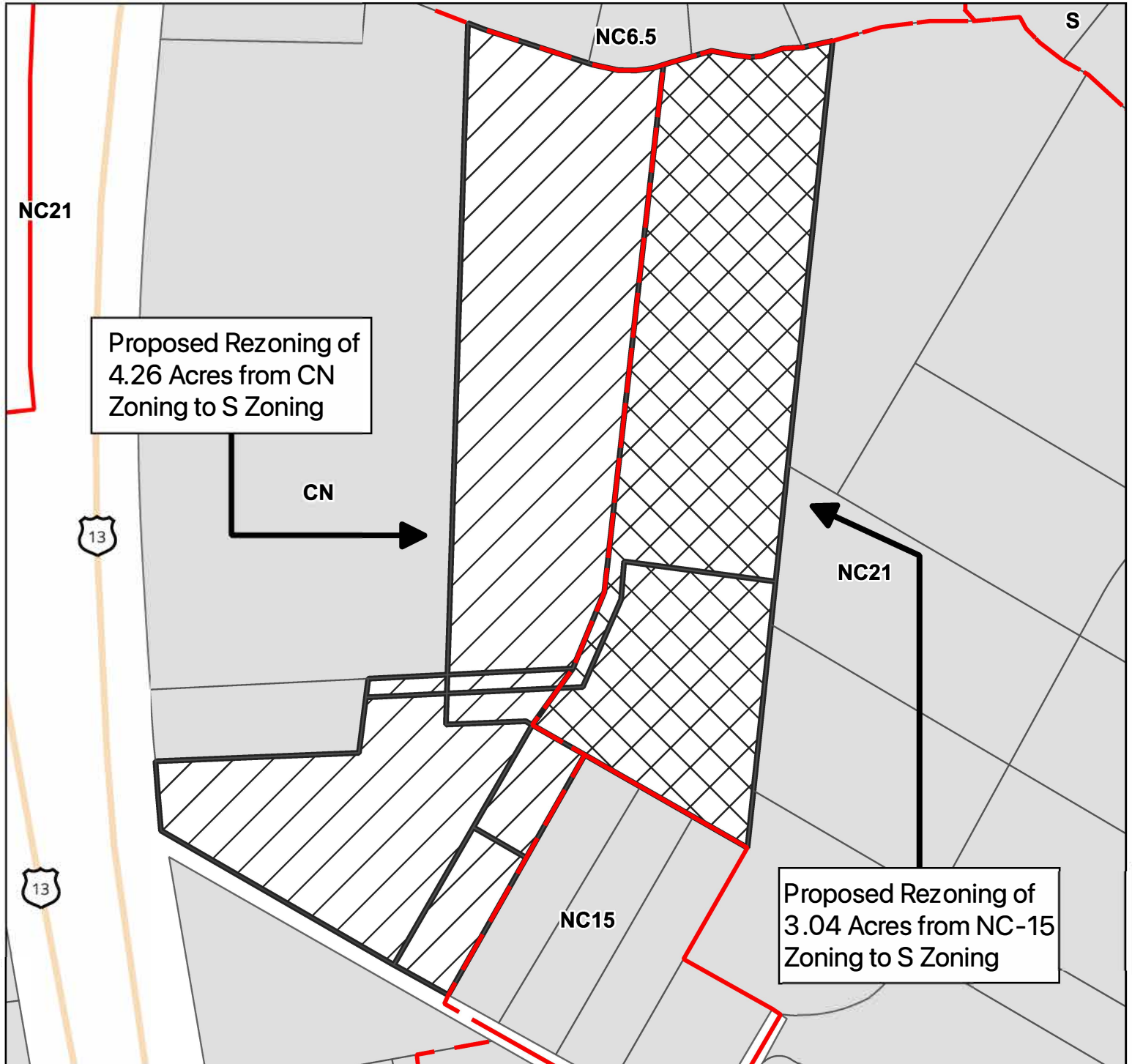
FISCAL NOTE: None.

PROPERTY MAP

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: COMMERCIAL
NEIGHBORHOOD (CN) AND NEIGHBORHOOD
CONSERVATION (NC-15) TO SUBURBAN (S)

EXHIBIT A
ZONING ORDINANCE AS INTRODUCED

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 13-023.40-039, 13-023.40-041,
13-023.40-043, 13-023.40-044, 13-023.40-046,
13-023.40-047, 13-023.40-048



HUNDRED: ST GEORGES HUNDRED
NEW CASTLE COUNTY, DELAWARE

PERMANENT ORDINANCE NO. 26-001

Scale: 1:1700
Prepared by: Matthew Rogers

Date Adopted by County Council:
Date Approved by County Executive:

Date: 11/21/2025

-  CN to S
-  NC-15 to S



- | | |
|--|-----------------------|
| Community Development Areas | Hamlets and Villages |
| Type 1 - Commercial Corridor Development | Residential |
| Type 2 - Employment-Based Corridor Development | Residential Developed |
| Business Flex | Resource Preservation |
| Manufacturing | |



PERMANENT ORDINANCE NO. 26-001

Date Adopted by County Council:
Date Approved by County Executive:

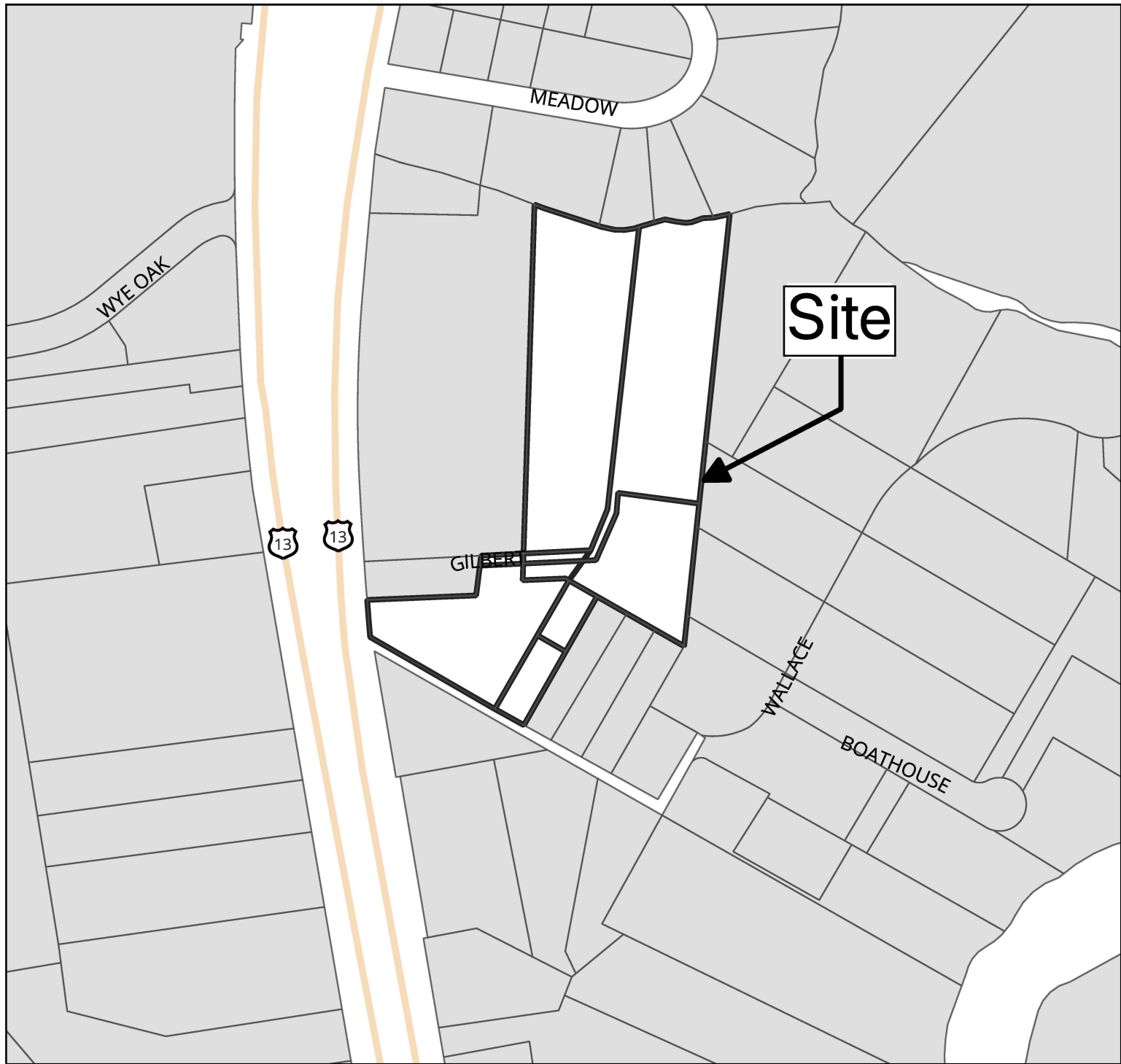
Scale: 1:2569
Prepared by: Matthew Rogers
Date: 11/21/2025

PROPERTY MAP

EXHIBIT L
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: COMMERCIAL
NEIGHBORHOOD (CN) AND NEIGHBORHOOD
CONSERVATION (NC-15) TO SUBURBAN (S)

APPLICATION NO. 2025-_____-Z
TAX PARCEL NO: 13-023.40-039, 13-023.40-041,
13-023.40-043, 13-023.40-044, 13-023.40-046,
13-023.40-047, 13-023.40-048



HUNDRED: ST GEORGES HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:3161
Prepared by: Matthew Rogers

Date: 11/21/2025



PERMANENT ORDINANCE NO. 26-001

Date Adopted by County Council:
Date Approved by County Executive:



New Castle County Department of Land Use

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

**Ordinance No. 26-001
Application No. 2026-0025-Z
Gilbert Drive**

May 19, 2026

Sponsor: Councilman Caneco (District 12)

Description: Revise Zoning Map and Future Land Use Map: St Georges Hundred, Northeasterly Corner Of Wallace Road and Dupont Parkway; Rezone Tax Parcels 13-023.40-039 (221 Gilbert Dr., Olivero Subdivision), 13-023.40-041 (222 Gilbert Dr., David and Carrow Subdivision), 13-023.40-043 (220 Gilbert Dr., David and Carrow Subdivision), 13-023.40-044 (0 Dupont Pky), 13-023.40-046 (103 Wallace Rd.), 13-023.40-047 (111 Wallace Rd.), and 13-023.40-048 (109 Wallace Rd., Olivero Subdivision) from Neighborhood Conservation (NC15) and Commercial Neighborhood (CN) To Suburban (S).

EXECUTIVE SUMMARY

Ordinance 26-001 is a rezoning initiative by the County Council and an amendment to the 2022 Comprehensive Development Plan. The proposal seeks to rezone several tax parcels—specifically 13-023.40-039, 13-023.40-044, 13-023.40-046, 13-023.40-047, 13-023.40-048, and portions of 13-023.40-041 and 13-023.40-043—from Commercial Neighborhood and Neighborhood Conservation (NC15) to Suburban (S). This action was requested by the Council District's Councilmember.

Although primarily nonresidential before 1997, the subject parcels have been used residentially for over 25 years. Rezoning the site to Suburban (S) and updating the Future Land Use Map to Residential Developed aligns with the local character. As Neighborhood Conservation is not an option for rezoning, Suburban is appropriate because its development standards mirror the NC-21 district.

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 26-001 is a County Council Initiated Rezoning and amendment to the 2022 Comprehensive Development Plan is to rezone tax parcel 13-023.40-039 (2.47 acres), part of tax parcel 13-023.40-041 (0.06 acres), part of tax parcel 13-023.40-043 (0.08 acres), tax parcel 13-023.40-044 (0.04 acres), tax parcel 13-023.40-046 (1.24 acres), tax parcel 13-023.40-047 (0.23 acres), and tax parcel 13-023.40-048 (0.17 acres) from Commercial Neighborhood to Suburban; and to rezone part of tax parcel 13-023.40-041 (2.09 acres) and part of tax parcel 13-023.40-043 (0.96 acres) from Neighborhood Conservation (NC15) to Suburban (S) as requested by the Council District's Councilmember.

BACKGROUND

Pre-UDC

Prior to the adoption of the UDC (1997), the subject property, tax parcel 13-023.40-039 (2.47 acres), part of tax parcel 13-023.40-041 (0.06 acres), tax parcel 13-023.40-043 (0.08 acres), part of tax parcel 13-023.40-046 (about 0.13 acres) part of tax parcel 13-023.40-047 (about 0.09 acres), and tax parcel 13-023.40-048 (0.17 acres) were zoned Residential (R-2) consistent with the residential character east of the narrow band of commercial uses on DuPont Parkway.

Tax parcel 13-023.40-044 (0.04 acres), tax parcel 13-023.40-046 (1.24 acres), and the remainder of tax parcel 13-023.40-047 (0.13 acres) were zoned Commercial (C-2). The zoning reflected long standing nonresidential uses on the properties.

UDC Rezoning

When the Unified Development Code was adopted on December 31, 1997, most of the property was rezoned from C-2 and R-2 to Commercial Neighborhood (CN); tax parcel 13-023.40-039 (2.47 acres), part of tax parcel 13-023.40-041 (0.06 acres), part of tax parcel 13-023.40-043 (0.08 acres), tax parcel 13-023.40-044 (0.04 acres), tax parcel 13-023.40-046 (1.24 acres), tax parcel 13-023.40-047 (0.23 acres), and tax parcel 13-023.40-048 (0.17 acres). The remainder of tax parcel 13-023.40-041 (2.09 acres) and remainder of tax parcel 13-023.40-043 (0.96 acres) were rezoned to Neighborhood Conservation (NC15).

Application 2026-0025-Z (Ordinance 26-001)

The property owners approached Councilman Caneco and subsequently the Department of Land Use to rezone the commercially zoned portion of their property to a residential zoning and Future Land Use designation, reflecting the current use of the property. At the request of the Councilmember the Department of Land Use prepared an ordinance and exhibits to rezone the subject property to Suburban (S) as well as update the Future Land Use Map from Business Flex to Residential Developed.

PLANNING BOARD PUBLIC HEARING – April 7, 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.¹

Presentation

Matthew Rogers, Planner for the Department of Land Use presented the Application 2026-0025-Z (Ordinance 26-001) at the April 7th Planning Board Public hearing. He explained the history of the site as well as the basis for the requested changes to the Zoning and Future Land Use Maps.

The Planning Board had no comments or questions.

Public Comment

There was no public comment at the public hearing or while the record was open

ANALYSIS

While prior to 1997, much of the property served in a nonresidential capacity, for more than 25 years the subject parcels have served in a residential capacity. The remaining commercial zone parcels on the east side of DuPont Parkway, north and west of the subject property are undeveloped and owned by New Castle County, and are not slated for development at this time. Rezoning the subject properties to Suburban (S) and updating the Future Land Use Map to Residential Developed is consistent with the use and character of development ease of the site. Since land cannot be rezoned to a Neighborhood Conservation designation, Suburban is the correct designation, having district and bulk (setback and maximum building height) standards for single family development that are consistent with the NC-21 district.

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.

While the New Castle County Comprehensive Development Plan designates the subject property as Business Flex which are areas of existing and potential nonresidential development, the use of the property has long been for residential purposes. Rezoning the property from Commercial Neighborhood and updating the Future Land Use Map to residential designations is consistent with the longstanding character and use of the property.

¹ April 7, 2026, Planning Board Public Hearing: <https://www.newcastlede.gov/agendacenter>

B. Consistency with the character of the neighborhood.

As discussed above, the property has been used in a residential capacity dating back over 25 years. Additionally, development to the north and east of the site longstanding residential uses/developments dating back to the Former Code.

C. Consistency with zoning and use of nearby properties.

Existing residential developments to the north and east of the site are designated as Neighborhood Conservation (NC-6.5, NC-15, and NC-21). The UDC does not permit rezoning to Neighborhood Conservation, and therefore Suburban is the appropriate designation based on similar district and bulk standards.

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

The subject property has since the mid-1990s served in a residential capacity, and is proposed to continue to serve residential uses.

E. Effect on nearby properties.

Having long served in a residential capacity, rezoning the property from Commercial Neighborhood to Suburban will have no impact on nearby properties.

DEPARTMENT OF LAND USE RECOMMENDATION

The Department of Land Use has considered the Standards for Zoning Map Amendment in Section 40.31.410, A through E of the *Unified Development Code*, the Future Land Use Map, the comments received from outside agencies, and the comments received by the public. Based on this analysis, the Department is of the opinion that the standards are met by this proposal. Therefore, the Department of Land Use recommends **APPROVAL** of Ordinance 26-001.

PLANNING BOARD RECOMMENDATION

At a business meeting held on May 19, 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 Ruth Visvardis, the Board voted to recommend **APPROVAL** of application 2026-0025-Z (Ord. 26-001) as recommended by the Department of Land Use. The motion was adopted by a vote of 5-0-0-4 (In Favor: Cantrell, Chamblee, Drake, Snowden, Visvardis; In Opposition: None; Abstention: None; Absent: Brutus, Cochran, Daigle, Ott).

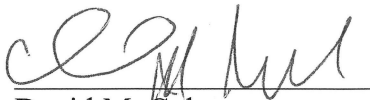
Prior to the vote, the following discussion occurred:

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

Robert Snowden asked when the scrap yard had ceased operation and Matthew Rogers estimated sometime between 1992 and 1997.

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.

 6-2-26

David M. Culver date
General Manager
Department of Land Use

 6/2/2026

Robert B. Snowden date
Chair
New Castle County Planning Board

Prime Sponsor(s): Ms. Durham
Requested by: Land Use
Date of introduction: February 3, 2026

ORDINANCE NO. 26-015

**REVISE ZONING MAP: BRANDYWINE HUNDRED, SOUTHEASTERLY CORNER OF
SILVERSIDE ROAD AND CONCORD PIKE; REZONE TAX PARCELS
06-051.00-056 (3602 SILVERSIDE RD., TALLEYVILLE TOWN CENTER),
06-051.00-072 (0 SILVERSIDE RD., WILMONT), 06-051.00-083 (3600 SILVERSIDE
RD., WILMONT) FROM OFFICE NEIGHBORHOOD (ON) TO COMMERCIAL
NEIGHBORHOOD (CN).**

1 (The Exploratory Minor Land Development Plan for Talleyville Town Shoppes
2 Proposes to rezone part of tax parcel 06-051.00-056 (0.08 acres), tax parcel 06-051.00-
3 072 (0.07 acres), and tax parcel 06-051.00-083 (0.81 acres) from ON to CN. (App. 2025-
4 0569-S/Z)

5
6 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
7

8 Section 1. The Zoning Map of Brandywine Hundred, is hereby amended by
9 changing the zoning classification of the land shown on attached Exhibits "A" and "L"
10 dated January 8, 2026, as set forth therein.
11

12 Section 2. This Ordinance shall become effective immediately upon passage by
13 New Castle County Council and approval of the County Executive, or as otherwise
14 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.

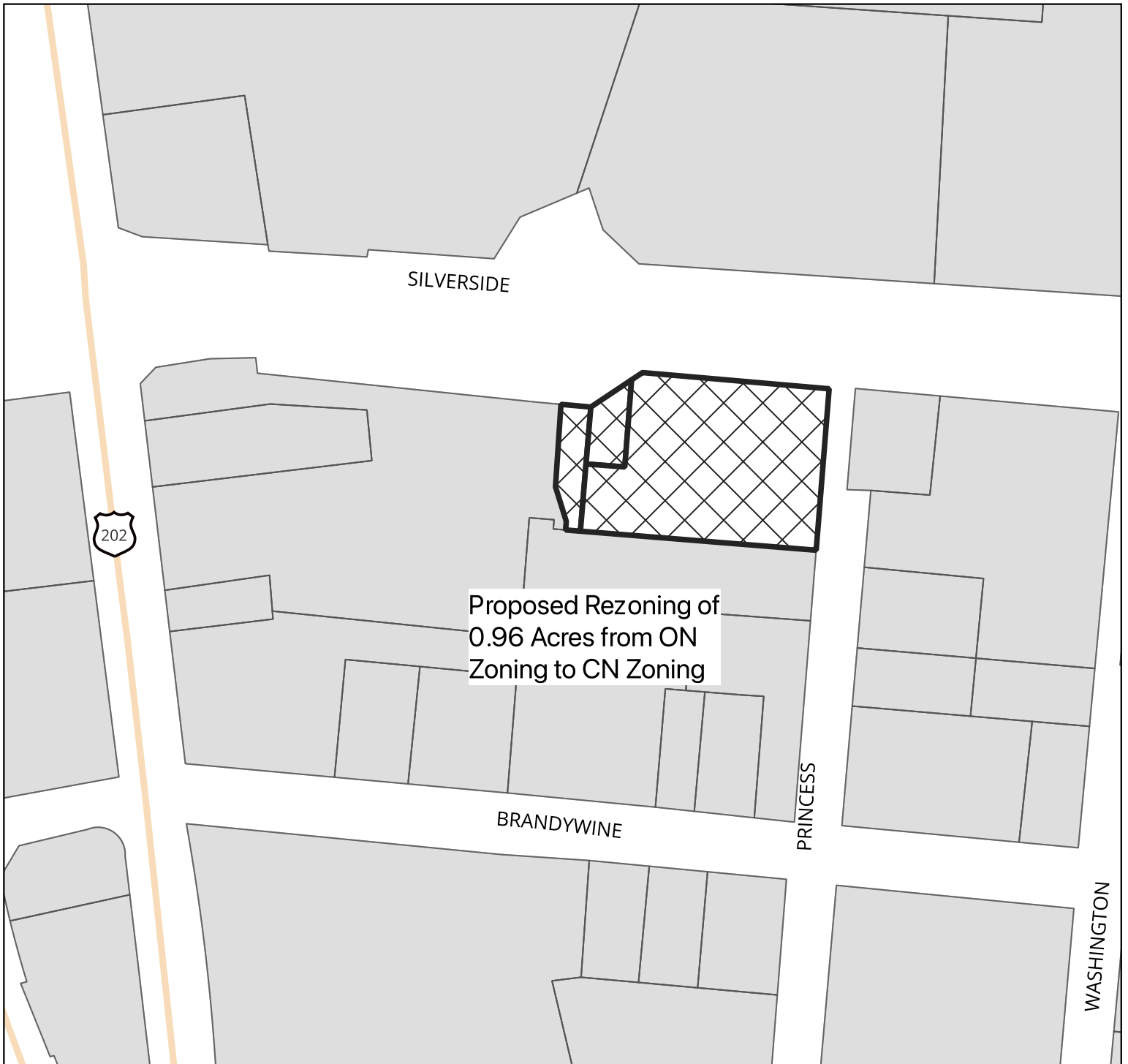
FISCAL NOTE: There is no discernible fiscal impact with the adoption of this legislation.

PROPERTY MAP

EXHIBIT A
ZONING ORDINANCE AS INTRODUCED

APPLICANT: CONCORDIA HOLDING CORPORATION
PROPOSED REZONING: OFFICE NEIGHBORHOOD
(ON) TO COMMERCIAL NEIGHBORHOOD (CN)

APPLICATION NO. 2025-0569-S/Z
TAX PARCEL NO: 06-051.00-056,
06-051.00-072, 06-051.00-083



HUNDRED: BRANDYWINE HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:1699
Prepared by: Matthew Rogers

Date: 1/8/2026



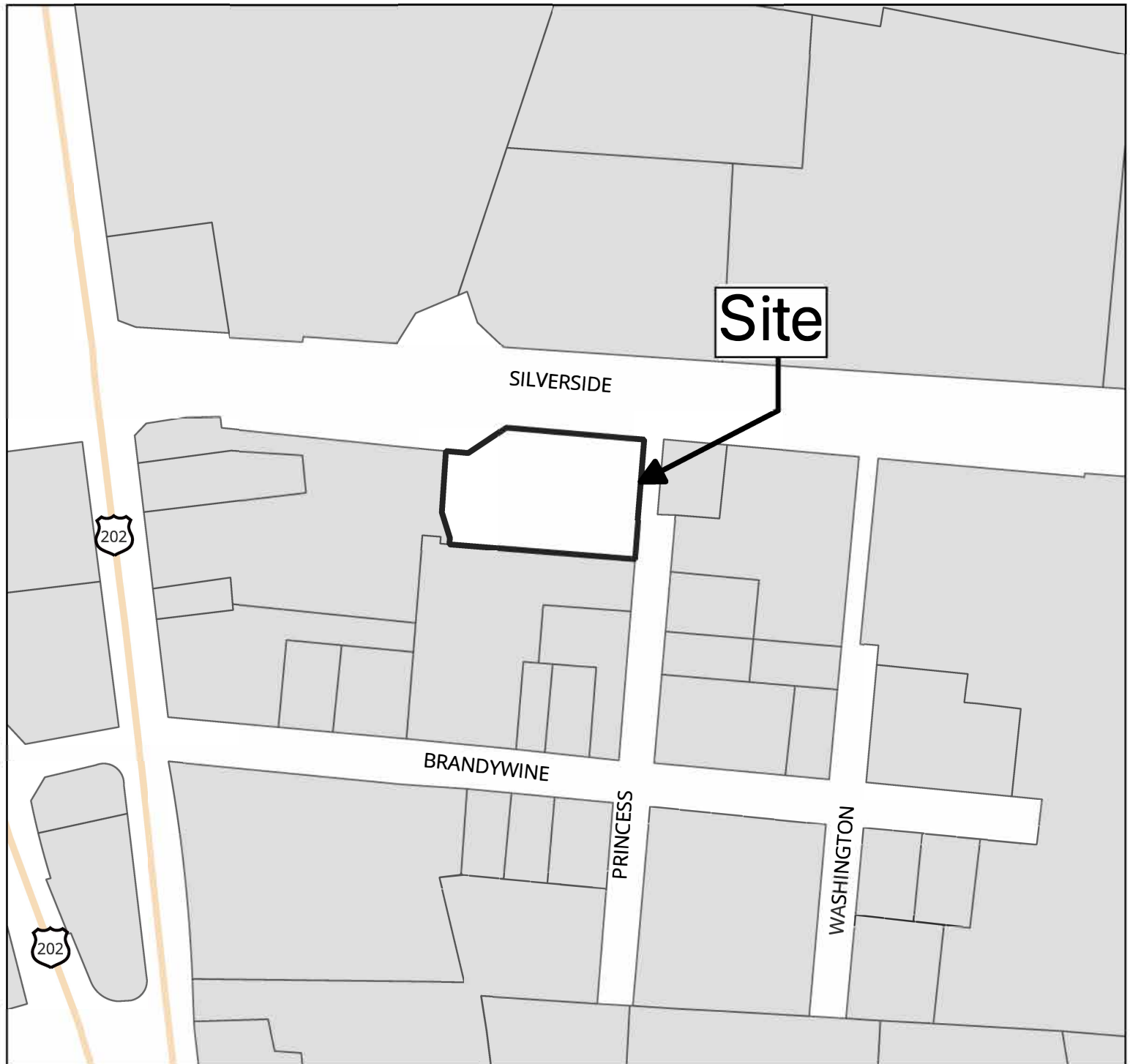
PERMANENT ORDINANCE NO. 26- 015
Date Adopted by County Council:
Date Approved by County Executive:

PROPERTY MAP

EXHIBIT L
ZONING ORDINANCE AS INTRODUCED

APPLICANT: CONCORDIA HOLDING CORPORATION
PROPOSED REZONING: OFFICE NEIGHBORHOOD
(ON) TO COMMERCIAL NEIGHBORHOOD (CN)

APPLICATION NO. 2025-0569-S/Z
TAX PARCEL NO: 06-051.00-056, 06-051.00-072,
06-051.00-083



HUNDRED: BRANDYWINE HUNDRED
NEW CASTLE COUNTY, DELAWARE

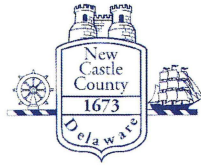
Scale: 1:2296
Prepared by: Matthew Rogers

Date: 1/8/2026



PERMANENT ORDINANCE NO. 26-015

Date Adopted by County Council:
Date Approved by County Executive:



New Castle County Department of Land Use

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

**Ordinance No. 26-015
Application No. 2025-0569-S/Z
Talleyville Town Shoppes**

April 21, 2026

Sponsor: Councilwoman Durham (District 2)

Description: Revise Zoning Map: Brandywine Hundred, Southeasterly Corner of Silverside Road and Concord Pike; rezone tax parcels 06-051.00-056 (3602 Silverside Rd., Talleyville Town Center), 06-051.00-072 (0 Silverside Rd., Wilmont), 06-051.00-083 (3600 Silverside Rd., Wilmont) from Office Neighborhood (ON) to Commercial Neighborhood (CN).

EXECUTIVE SUMMARY

Ordinance 26-015 proposes to rezone part of tax parcel 06-051.00-056 (0.08 acres), tax parcel 06-051.00-072 (0.07 acres), and tax parcel 06-051.00-083 (0.81 acres) from Office Neighborhood (ON) to Commercial Neighborhood (CN).

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 26-015 proposes to rezone part of tax parcel 06-051.00-056 (0.08 acres), tax parcel 06-051.00-072 (0.07 acres), and tax parcel 06-051.00-083 (0.81 acres) from Office Neighborhood (ON) to Commercial Neighborhood (CN).

BACKGROUND

Pre-UDC

The subject property, as with much of the southern side of Silverside Road, originated in 1925 as a single family residential property consisting of several lots within the Wilmont development (MF 596). When the Zoning Code was adopted, the property was zoned residential (R-1-C), reflecting the existing use. The northern most portion of the site was rezoned from R-1-C to O-1 on April 1, 1969 (Ord. 69-010). The Southern portion was rezoned from R-1-C to O-1 on November 25, 1970 (Ord 70-090). These rezonings facilitated the development of the existing 9,450 SF office building.

UDC Rezoning

When the Unified Development Code was adopted on December 31, 1997, the property was rezoned from O-1 to Office Neighborhood (ON).

Application 2014-0175-ZC¹

In 2014 Former Councilman Weiner requested that the Department of Land Use review the subject property for a potential Corrective Rezoning from Office Neighborhood (ON) to Commercial Neighborhood (CN). The Department had determined that the property was eligible stating:

- The parcels have historically been associated with the commercially zoned collection of parcels known as the Talleyville Shoppes located on the east side of Concord Pike between Silverside Road and Brandywine Boulevard.
- The land use characteristics of this area are historically nonresidential. Much of the commercial zoning to the west of this site and along Concord Pike is original C-2 zoning and the area directly across Silverside Road was zoned to O-2 in the early 1960's. The growth of nonresidential zoning and uses along the south side Silverside Road occurred in the late 1960's and early 1970's. Today the uses have evolved into a mix of office and commercial uses all of which are tied into the Talleyville Shoppes complex.
- A reevaluation of these parcels clearly indicates to the Department that the commercial/office mixed use of this area warrants a correction to CN which will consolidate the commercial zoning of this area from Concord Pike to Princess Avenue and from Silverside Road to Brandywine Boulevard

The Department prepared the Ordinance for introduction; however, the Councilman did not proceed with the corrective rezoning

¹ Application 2014-0175-ZC: <https://www3.newcastlede.gov/Project/Details/Default.aspx?ProjectKey=480983> (Accessed 4/15/2026)

Application 2025-0569-S/Z (Ordinance 26-015)

Ordinance 26-015 which accompanies Application 2025-0569-S/Z proposes the same rezoning of the subject property from ON to CN as envisioned by Application 2014-0175-ZC.

PLANNING BOARD PUBLIC HEARING – March 3, 2025

*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

John Tracey, Esq. presented the application on behalf of the property owners. During his presentation, he discussed the historical use of the site and its relationship with the Talleyville Shoppes, and that the rezoning, if approved will be consistent with the remained of the shopping center.

The Planning Board had no comments or questions.

Public Comment

There was no public comment at the public hearing or while the record was open

ANALYSIS

The subject property has historically functioned as part of the Talleyville Shoppes, despite being under separate ownership until 2025 (RTP Holdings, Inc.). located on the east side of Concord Pike between Silverside Road and Brandywine Boulevard. Historically, this area has been characterized by commercial land uses with Commercial Neighborhood (formerly C-2) zoning west of the site and along Concord Pike, while the property directly across Silverside Road has retained an Office Regional (formerly O-2) zoning while serving in a mixed use capacity (The Concord, Inst. 202507160049223). Rezoning rezone part of tax parcel 06-051.00-056 (0.08 acres), tax parcel 06-051.00-072 (0.07 acres), and tax parcel 06-051.00-083 (0.81 acres) from Office Neighborhood (ON) to Commercial Neighborhood (CN) is consistent with the use, development patterns and character of nonresidential property on the southern side of Silverside Road.

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.

² March 3, 2025, Planning Board Public Hearing: <https://www.newcastlede.gov/agendacenter>

The New Castle County Comprehensive Development Plan designates the subject property as Business Flex which are areas of existing and potential nonresidential development. These areas are essential to the county's continued economic viability, as such, the County Code needs to accommodate changes in form and function of these sites. Rezoning the subject property to Commercial Neighborhood is consistent with the permitted zoning districts in the future land use designation.

B. Consistency with the character of the neighborhood.

Commercial establishments have long been established on parcels adjacent to the south, west along Silverside Road, and on the eastern side of Concord Pike. Although there is no proposed change to the current use of these parcels, rezoning them to a Commercial Neighborhood would allow for the continuation of office uses while also permitting commercial uses consistent with the longstanding commercial establishments in the Talleyville Shoppes.

C. Consistency with zoning and use of nearby properties.

Rezoning the subject property to Commercial neighborhood is consistent with parcels adjacent to the south, west along Silverside Road, and on the eastern side of Concord Pike.

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

The subject property has historically functioned as part of the Talleyville Shoppes, and there is no proposed change in uses for the site.

E. Effect on nearby properties.

Both Commercial Neighborhood and Office Neighborhood zoning designations are transitional in nature, with a sensitivity of adjacent residential development as discussed in Article 2 of the UDC. Rezoning the property from Office Neighborhood to Commercial Neighborhood will not have a measurable impact on nearby properties.

DEPARTMENT OF LAND USE RECOMMENDATION

The Department of Land Use has considered the Standards for Zoning Map Amendment in Section 40.31.410, A through E of the *Unified Development Code*, the Future Land Use Map, the comments received from outside agencies, the comments from the Historic Review Board, 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 26-015.

PLANNING BOARD RECOMMENDATION

At a business meeting held on April 21, 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 2025-0569-S/Z (Ord. 26-015) as recommended by the Department of Land Use. The motion was adopted by a vote of 6-0-0-3 (In Favor: Brutus, Cantrell, Chamblee, Ott, Snowden, Visvardis; In Opposition: None; Abstention: None; Absent: Cochran, Daigle, Drake).

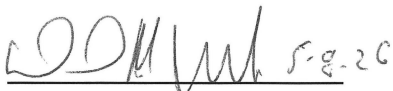
Prior to the vote, the following discussion occurred:

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

The Planning Board had no questions or comments prior to the vote.

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.


David M. Culver date
General Manager
Department of Land Use

 5/8/26
Robert B. Snowden date
Chair
New Castle County Planning Board

ORDINANCE NO. 26-017

**TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 ("UNIFIED
DEVELOPMENT CODE"), ARTICLE 6 ("SIGN REGULATIONS")
REGARDING ELECTRONIC VARIABLE MESSAGE SIGNS**

1 **WHEREAS**, electronic variable message ("EVM") signs provide businesses with
2 greater flexibility and potential to grow economically by allowing businesses to target their
3 communications to the public more effectively by posting messages targeted to certain
4 populations of motorists and passersby at a specific time of day, aligning the message
5 with the demographic to enhance business and economic development; and
6

7 **WHEREAS**, although EVM signs often are more uniform, readable, and
8 aesthetically pleasing than many traditional signs, in an abundance of caution EVM signs
9 were limited to change once every 30 minutes and EVM off-premises advertising signs,
10 which are substantially limited in placement, may change once every 10 seconds; and
11

12 **WHEREAS**, motorists and passersby have a limited "window of time" to safely
13 view and comprehend any sign, and thus the 30-minute time limit for EVM signs to change
14 has proven unrealistic and a hindrance to business in the County; and
15

16 **WHEREAS**, reasonably adjusting the time in which a message on an EVM sign
17 may change, while balancing this with safety and maintaining aesthetics, is prudent and
18 reasonable; this is particularly so given the above and given that the Code precludes
19 spinning, fading, moving or scrolling messages (except in emergency situations);
20 establishes lighting standards that protect adjoining property owners; and requires
21 buffers and other restrictions that limit EVM sign usage; and
22

23 **WHEREAS**, given the advantage to our local businesses—and the benefit to our
24 local consumers—that comes from utilization of EVM signs in place of traditional signs,
25 it is in the best interests of businesses and consumers in New Castle County to allow
26 businesses to replace a traditional sign with an identically-sized EVM sign, subject to
27 certain limitations identified below.
28

29 **WHEREAS**, County Council has determined that the provisions of this Ordinance
30 substantially advance and are reasonably and rationally related to legitimate
31 government interests, including, but not limited to, promoting the public health, safety,
32 welfare, and quality of life of present and future inhabitants of New Castle County.
33

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

36 **Section 1.** *New Castle County Code* Chapter 40 ("Unified Development Code"),
37 Article 6 ("Sign Regulations"), Section 40.06.030 ("Specifications") is hereby amended by
38 adding the material that is underscored and deleting the material that is stricken, as set
39 forth below.

40
41 **Sec. 40.06.030. - Specifications.**
42

43 A. *Generally. ...*
44

45 B. *Specifications by sign type.* Specifications for sign types shall be as follows:
46

47 1. *Ground sign....*
48

49 6. *Electronic variable message sign (EVMS).*
50

51 a. An electronic variable message sign may be substituted in lieu of other
52 permitted signs pursuant to Section 40.06.060, Schedule of Sign
53 Restrictions.
54

55 b. Portable or temporary EVMS are prohibited.
56

57 c. The EVMS shall be further restricted by the additional standards in this
58 subsection and the lighting standards in Section 40.22.750.
59

60 d. With the exception of off-premises advertising signs, each EVMS is restricted
61 to no more than fifty (50) square feet of sign area including where the overall
62 sign is partly static signage and partly EVMS and is greater than fifty (50)
63 square feet in total, and shall not be located within seventy-five (75) feet of
64 any residential use. EVM off-premises advertising signage shall be subject
65 to the standards set forth in Section 40.06.070. The setback shall include any
66 right-of-way and shall be measured from the property line to the sign
67 structure.
68

69 e. ~~With the exception of EVM off-premises advertising signs, the message~~
70 ~~displayed on the EVMS shall remain fixed for a minimum of thirty (30)~~
71 ~~minutes. The message displayed on EVM off-premises signage shall remain~~
72 ~~fixed for a minimum of ten (10) seconds.~~
73

74 f. The following standards shall apply to all EVMS:
75

76 **Section 2. Consistent with Comprehensive Development Plan.** New Castle
77 County Council finds that the provisions of this Ordinance are consistent with the spirit
78 and intent of the New Castle County Comprehensive Development Plan.
79

80 **Section 3. Inconsistent Ordinances and Resolutions Repealed.** All ordinances
81 or parts of ordinances and all resolutions or parts of resolutions that may be in conflict
82 herewith are hereby repealed except to the extent they remain applicable to land use
83 matters reviewed under previous Code provisions as provided in Chapter 40 of the *New*
84 *Castle County Code*.

85 **Section 4. Severability.** The provisions of this Ordinance shall be severable. If
86 any provision of this Ordinance is found by any court of competent jurisdiction to be
87 unconstitutional or void, the remaining provisions of this Ordinance shall remain valid,
88 unless the court finds that that the valid provisions of this Ordinance are so essentially
89 and inseparably connected with, and so dependent upon, the unconstitutional or void
90 provision that it cannot be presumed that County Council would have enacted the
91 remaining valid provisions, without the unconstitutional or void one, or unless the court
92 finds that the remaining valid provisions, standing alone, are incomplete and incapable of
93 being executed in accordance with the County Council's intent. If any provision of this
94 Ordinance or any zoning map or portion thereof is found to be unconstitutional or void, all
95 applicable former ordinances, resolutions, zoning maps or portions thereof shall become
96 applicable and shall be considered as continuations thereof as not as new enactments
97 regardless if severability is possible.
98

99 **Section 5. Effective Date.** This Ordinance shall become effective immediately
100 upon its adoption by County Council and approval by the County Executive or as
101 otherwise provided in 9 *Del. C.* § 1156 and shall only apply to Land Use applications
102 submitted after such date(s) unless the applicant by written request agrees to submit to
103 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

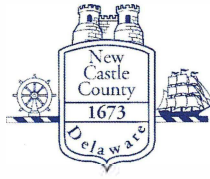
Approved on:

Marcus 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. 40.06.030. This amendment limits all EVM signs to remain static for 10 seconds.

FISCAL NOTE: This Ordinance, if approved, has no discernible fiscal impact.



New Castle County Department of Land Use

**DEPARTMENT OF LAND USE
RECOMMENDATION REPORT**

**Ordinance 26-017
Application 2026-0141-T
Electronic Variable Message Signs (EVMS)**

May 19, 2026

Sponsor: Councilman David Tackett (District 11)
Description: To amend the New Castle County Code Chapter 40 ("Unified Development Code" or "UDC"), Article 6 ("Sign Regulations")

EXECUTIVE SUMMARY

The first provisions for EVMS in the UDC date back more than 20 years, and were based on providing public services with the ability to not only notify the public of special events, but to also display emergency notifications. For that use case, the requirement for such a sign to remain static for 12 hours except in emergency situations made sense to the County at the time. As usage of EVM signs have expanded to other non-residential uses the static period remained constant. In 2019, the time for on premise EVMS to remain static was reduced to 30 minutes with no detrimental effect on public safety or the character of neighborhoods. Off premise EVMS, signs that advertised products not sold at the site, however have long been able to adjust their displayed message every 10 seconds, preferring the act of advertising goods in general over advertising products sold at the site. Ordinance 26-017 proposes to amend the New Castle County Code to bring parity in the duration that both on and off premise EMVS must remain static at 10 seconds. In evaluating national best practices, regulations in neighboring states, and DelDOT regulations, setting a static time requirement for all EVMS at 10 seconds is both safe for drivers and equitable for local business owners.

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 **APPROVAL** of Ordinance 26-017.

DESCRIPTION

Application 2026-0141-T (Ordinance 26-017), is a text amendment to amend New Castle County Code to bring parity in the duration that both on and off premise EMVS must remain static at 10 seconds.

BACKGROUND

Neither the Former Code nor the Unified Development Code (UDC) at the time of its adoption (December 31, 1997), addressed Electronic Variable Message (EVM) Signs, and as such were prohibited until 2003.

Ordinance 03-077

On November 11, 2003, County Council adopted Ord. 03-077, permitting public service uses to employ EVMS technology to display static messages that were limited to a 12-hour hold time per message.

Ordinance 05-064

Two years later, Ord. 05-064 was adopted expanding the use of EVMS for non-residential uses, as a wall or ground signs, while retaining the requirement for a 12-hour hold time.

Ordinance 07-070

In 2007, Ord. 07-070 was adopted establishing a ten-second hold time for time/temperature signs. In 2008, Ord. 08-056 was adopted enabling legislation for off premise EVM signs.

Ordinance 14-026

In 2014, Ord. 14-026 was introduced and subsequently heard by the Planning Board. It proposed reducing the duration that an EVMS was required to remain fixed from 12 hours to 15 minutes. The ordinance did not proceed to the Planning Board Business Meeting.

Ordinance 19-072

On October 22, 2019 County Council adopted Ord. 19-072, providing for a reduction in the duration that an EVMS is required to remain fixed from 12 hours to 30 minutes, provisions to assist in replacement of existing signage with an EVMS and cleanup to existing UDC provisions.

Ordinance 26-017

On February 24, 2026 County Council introduced Ord. 26-017, proposing a uniformed standard that an EVMS must remain static at 10 seconds.

PRELIMINARY LAND USE SERVICE (PLUS) REVIEW

The proposed text amendment was reviewed at the PLUS meeting held on April 1, 2026. The PLUS Review Letter, dated April 22, 2026, includes comments from the Office of State Planning and Coordination, who had no objections to the ordinance however encouraged the County to review best practices to ensure safety of vehicles. All other State agencies had no comment or objections to ordinance.

PLANNING BOARD PUBLIC HEARING – May 5, 2026

*Please note, the below is a summary. A recording and transcripts of the public hearing are available at the Department of Land Use.¹

Matthew Rogers, Planner for the Department of Land Use presented Ordinance 26-017 at the May 5, 2025, Joint New Castle County Department of Land Use and Planning Board Public Hearing. During his presentation, he discussed the history of Electronic Variable Message Signs (EVMS) in the code as well as proposed amendments to the UDC.

Questions from the Planning Board:

Robert Snowden inquired if there was a scientific basis for the reduction in time that a sign must remain static. Mr. Rogers explained that the rationale was based on achieving parity between off-premise advertising (advertising of products or services not sold or provided for on the property) which has a 10 second static requirement, and on premise advertisement (advertising of products or services sold or provided for on the property). Ms. Visvardis inquired about animations displayed on signs. Mr. Rogers explained that animations and other effects are explicitly prohibited in the UDC. Mr. Snowden inquired about studies evaluating the relationship between driver distraction and requirements for signs to remain static. Mr. Rogers explained that the Department had evaluated that when the time was reduced from 12 hrs. to 30 minutes.

Public Comment:

There was no public comment at the Public Hearing and while the record was open.

ANALYSIS

Ordinance 26-017 proposes to reduce the requirement that on premise EVMSs remain static from 30 minutes to 10 seconds consistent with the requirements for off premise EVMSs. Mr. Snowden inquired about the basis for the 10 second static requirement (dwell time) proposed by Ordinance 26-017, and the implications on driver safety.

It's important to note that the original EVMS regulations stemmed from a specific utility (specifically public services) and not a comprehensive approach to effective advertising that evaluated dwell times and driver distraction.

EVM sign regulations originated with Ordinance 03-077, permitted EVM signs for Public Services (Section 40.33.230.H – ambulance, fire police, etc.) while including a requirement that the sign remain static for 12 hours. Mill Creek Fire Company had reached out to former Councilman Woods, requesting provisions for an EVM sign to permit them to better provide direction for emergency situations in a manner that a Bulletin sign could not accommodate. They also logically wanted to be able to display messages for events at the fire hall. The fire company found the 12-hour static time to adequately meet their needs. When Ord. 05-064 was adopted it expanded the use of EVMS to non-residential uses, while retaining the requirement for a 12-hour hold time. The dwell time was reduced in 2019 from 12 hrs to 30 minutes by Ordinance 19-072.

¹ May 5, 2026 Planning Board Public Hearing: <https://www.newcastlede.gov/agendacenter>

When evaluating if a driver is distracted the Federal Highway Administration (FHWA) (and other institutions) typically consider a 2 second gaze to constitute a distraction that could impair a driver's response. The FHWA released a report in 2013 determining that digital billboards do not pose an "unacceptable" safety risk, finding that based on eye tracking data that while drivers look at digital signs slightly longer than static ones, the durations remained within federal safety standards.² Subsequent studies have critiqued the lack of due consideration in the report specifically regarding dwell time.³ Some recommendations include formulaic approaches taking into account roadway speed, while the general consensus examining dwell time requirements across the country is from 6-10 seconds.⁴ While PennDOT and the Pennsylvania Chapter of the APA recommend 8 seconds⁵, DelDOT's standard is 10 seconds.⁶ Reducing the time required for a message for on premise advertising to remain static for 10 seconds is consistent with national best practices, DelDOT standards and requirements, and the existing standards for off premise EVMS in the UDC.

² "Driver Visual Behavior in the Presence of Commercial Electronic Variable Message Signs", FHWA (December 30, 2013)

³ A Peer---Reviewed Critique of the Federal Highway Administration (FHWA) Report Titled: "Driver Visual Behavior in the Presence of Commercial Electronic Variable Message Signs (CEVMS)", Jerry Wachtel, President, The Veridian Group, Inc.: <https://www.scenic.org/wp-content/uploads/2021/06/Critique-of-FHWA-2013-Billboard-Safety-Final-Report-1.pdf> (Accessed 5/13/26)

⁴ "Safety Impacts of the Emerging Digital Display Technology for Outdoor Advertising Signs", American Association of State Highway and Transportation Officials (AASHTO) Subcommittee on Traffic Engineering, January, 2009 (Accessed May15, 2026) https://transops.s3.amazonaws.com/uploaded_files/Safety%20Impacts%20of%20the%20Emerging%20Digital%20Display%20Technology%20for%20Outdoor%20Advertising%20Signs.pdf

⁵ Model Sign Ordinance, Montgomery County Planning Commission <https://planningpa.org/wp-content/uploads/Model-Sign-Plan-2.pdf> , (Accessed 5/13/26)

⁶ Administrative Code, Title 2 Transportation, 2601 Outdoor Advertising, Section 13.0: *Standards for On Premise Signs* and Section 15.0: *Standards for Outdoor Advertising Signs, Displays, and Devices in Areas Zoned Industrial or Commercial Within the Controlled Area*, <https://regulations.delaware.gov/AdminCode/title2/2601> , (Accessed 5/13/26)

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.

N/A

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

N/A

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

Ordinance 26-017 sets a uniform standard for the time that an EVMS must remain static at 10 seconds consistent with the existing standards for just off premise EVMS.

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

N/A

E. Flexibility in meeting the objectives of this Chapter.

N/A

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

N/A

G. Consideration of specific problems found in this Chapter.

The first provisions for EVMS in the UDC date back more than 20 years, and were based on providing public services with the ability to not only notify the public of special events, but to also display emergency notifications. For that use case, the requirement for such a sign to remain static for 12 hours except in emergency situations made sense to the County at the time. As usage of EVM signs have expanded to other non-residential uses the static period remained constant. In 2019, the time for on premise EVMS to remain static was reduced to 30 minutes with no detrimental effect on public safety or the character of neighborhoods.

After more than 20 years of existence in the County, numerous studies, and recommendations for safe dwell times from local and neighboring transportation agencies DelDOT and PennDOT, the 10 second period that an EVMS would be required to remain static is consistent with those recommendations and standards.

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 **APPROVAL** of Ordinance 26-017.

PLANNING BOARD RECOMMENDATION

At a business meeting held on May 19, 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 Kiana Drake and seconded by Neal Cantrell, the Board voted to recommend **APPROVAL** of application 2026-0141-T (Ord. 26-017) as recommended by the Department of Land Use. The motion was adopted by a vote of 5-0-0-4 (In Favor: Cantrell, Chamblee, Drake, Snowden, Visvardis; In Opposition: None; Abstention: None; Absent: Brutus, Cochran, Daigle, Ott).

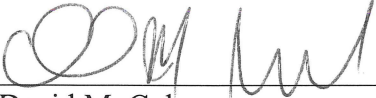
Prior to the vote, the following discussion occurred:

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

There were no questions from the members of 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.

 5-28-26

David M. Culver date
General Manager
Department of Land Use

 5/28/2026

Robert B. Snowden date
Chair
New Castle County Planning Board

Prime Sponsor(s): Mr. Tackett, Mr. Toole,
Ms. Durham
Date of introduction: February 24, 2026

ORDINANCE NO. 26-018

**TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 ("UNIFIED
DEVELOPMENT CODE"), ARTICLE 31 ("PROCEDURES AND ADMINISTRATION"),
SECTION 40.31.340 ("NOTICE OF PUBLIC HEARINGS") REGARDING
NOTICE OF PUBLIC HEARINGS**

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

6 **WHEREAS**, the New Castle County Comprehensive Plan calls on the County to
7 enact land use policies and regulations that expand public participation and diversity in
8 the planning process; and
9

10 **WHEREAS**, enhancing the notification requirements for public hearings will
11 increase the opportunities for residents to meaningfully participate in the planning
12 process; and
13

14 **WHEREAS**, County Council has determined that the provisions of this Ordinance
15 substantially advance and are reasonably and rationally related to legitimate
16 government interests, including, but not limited to, promoting the public health, safety,
17 welfare, and quality of life of present and future inhabitants of New Castle County.
18

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

21 Section 1. *New Castle County Code* Chapter 40 ("Unified Development Code"),
22 Article 31 ("Procedures and Administration"), Section 40.31.340 ("Notice of Public
23 Hearings") is hereby amended by adding the material that is underscored and deleting
24 the material that is stricken, as set forth below.
25

26 **Sec. 40.31.320. - Applications generally.**
27

28 A. *Forms. ...*
29

30 E. ~~*Withdrawal of application. An applicant has the right to withdraw an application any*~~
31 ~~*time prior to a final decision. Such withdrawal shall be in writing and submitted to the*~~
32 ~~*Department. All application fees shall be forfeited.*~~
33

34 F. *Public notice of land development plans.*
35

- 36 1. *Online notice.* ...
37 2. *Posted notice.* The applicant shall erect a posted notice sign for all major and
38 minor land development plans and resubdivision plans within ten (10) days of
39 submission of a completed initial exploratory sketch plan to the Department.
40
41 a. *Location.* ...
42
43 e. *Updating of posting.* If the Department determines that substantial
44 modification has been made during the review process, the applicant must
45 update the posted notice within ten (10) days after receiving notification.
46 Plan review will not continue until the applicant provides photographic proof
47 that the notice has been updated. Substantial modification in this section
48 means:
49
50 i. For a residential application—substantial changes to the proposed lot
51 configuration.
52
53 ii. For a non-residential application—substantial changes to the building
54 footprint, square footage, paving, or landscaping.
55
56 f. *Removal of posted notice.* The applicant shall remove the posted notice sign
57 no later than ten (10) days after recordation, expiration or withdrawal of the
58 plan.
59
60 F. *Withdrawal of application.* An applicant has the right to withdraw an application any
61 time prior to a final decision. Such withdrawal shall be in writing and submitted to the
62 Department. All application fees shall be forfeited.
63

64 **Sec. 40.31.340. Notice of public hearings.**
65

66 Except as required below, the Department shall be responsible for
67 ~~ensuring~~providing notice of a public hearing required by this Chapter, through
68 newspapers when required by state law, online posting, posted notice in public buildings
69 as determined by the Department, and mailed notice for meetings of the Board of
70 Adjustment, Planning Board, Resource Protection Area Technical Advisory Committee,
71 Historic Review Board and Design Review Advisory Committees.
72

73 A. *Notification Standards.*
74

- 75 1. Notice for public hearings required by this Chapter must include all the
76 following:
77
78 a. The type of application.
79
80 b. A short description of the proposed action.
81

- 82 c. A description of the parcel and the address or approximate street location.
83 d. The location, date, and time of the public hearing.
84
85 e. Information on where full details of the application may be obtained,
86 including the hours of availability, where applicable, an email address, and
87 a phone number.
88

- 89 2. ~~Text amendments and rezonings.~~ Notice requirements for text amendments
90 and rezonings shall, including notice in a newspaper of general circulation, as
91 may be amended from time to time All land use applications requiring a public
92 hearing must comply with the applicable provisions of State law.
93

94 B. Other applications Notification posting requirements.
95

- 96 1. Online notice. The Department shall must post applicant rezonings and all
97 other applications (e.g., deed restriction changes; subdivision, area, use and
98 floodplain variance requests; beneficial use appeals; appeals of Departmental
99 decisions; major land development plans; Historic Review Board applications;
100 RPATAC applications (Resource Protection Area Technical Advisory
101 Committee); Design Review Advisory Committee applications); and other
102 Planning Board and Board of Adjustment applications notice of all land use
103 applications requiring a public hearing by this Chapter, on a web page
104 established for legal notices on the County's website. Notice must be posted
105 on the website at least shall appear at least fourteen (14) calendar days prior
106 to the public hearing date, and shall contain the following information:
107

- 108 a. ~~The type of application.~~
109 b. ~~A short description of the proposed action.~~
110 c. ~~A description of the parcel and the approximate street location or address.~~
111 d. ~~The location, date, and time of the public hearing.~~
112 e. ~~Information on where full details of the application may be obtained,~~
113 ~~including the hours of availability and phone number.~~
114

- 115 2. Notice to owner/and applicant. The Department shall must notify by mail the
116 owner and/or applicant of the time and place of the hearing at least twenty-
117 one (21) calendar days prior to the public hearing.
118

- 119 3. Mailed notice. When a public hearing is required;
120

- 121 a. ~~The Department shall~~ must send a copy of the legal notice no less than
122 fourteen (14) calendar days prior to the public hearing to the last known
123 address of all property owners within a three hundred (300) 1,000 foot
124 radius of the property or twelve (12) different property owners, whichever
125 is greater; no less than fourteen (14) calendar days prior to the public
126 hearing.

- b. The Department must send A copy of the legal notice no less than fourteen (14) calendar days prior to the public hearing for public hearings for all applications shall also be sent to the respective civic organizations who have registered with the Department of Land Use immediately surrounding the applicant's property and to the area umbrella civic association. Civic organizations must register on an annual basis to receive notification.

4. *Posted notice.*

- a. Posting. The applicant shall erect aA public hearing posted notice sign on all subject properties must be posted at least ten (10)fifteen (15) calendar days in advance of a public hearing, except for residential Board of Adjustment applications and DRAC applications (not including minor and major land development plans) referred by the Department for recommendation. The Department shall post BOA residential variance applications and DRAC applications that are not land development plans. Public hearings for all land use applications shall be posted by the applicant or property owner. The Department shall provide signs for residential land use applications that are not part of a subdivision or land development plan. When accommodations are requested, the Department may post the site in lieu of the applicant or property owner.

- ab. Location. The posted sign shall be placed in a conspicuous location (no greater than seven (7) feet from a residential or local road right-of-way, and no greater than ten (10) feet from a collector or arterial right-of-way); one (1) along each adjacent right-of-way and shall be perpendicular to the street so as to be clearly visible to the public. The Department shall have the discretion to require the applicant to move the posted sign to a more acceptable location if it is determined by the Department that the location is inappropriate for public viewing. The Department shall also have the discretion to permit only one (1) posted sign on corner lots of less than one (1) acre. The posted sign for public hearings for land use applications that are not part of a subdivision or land development plan should be posted parallel to the right of way, unless the Department determines that another orientation is more visible to the public.

- bc. Size. All public hearings required by this Chapter must be posted with signs of the following dimensions:

- i. The posted sign for public hearings for land use applications that are not part of a subdivision or land development plan shall be single-sided and consist of an eleven (11) inch by seventeen (17) inch laminated sign with a yellow background and black lettering.

- 171 ii. The posted sign for public hearings for all other land use applications
172 shall be double-faced and each side shall consist of a four (4) foot by
173 four (4) foot laminated sign with a yellow background with two (2)
174 inch black lettering and should be in a sans serif typeface. If a posted
175 sign already exists at the site, the notice for the public hearing may
176 be affixed to the existing sign.

177
178 ed. Plan information.

- 179
180 i. For public hearings for land use applications that are not part of a
181 subdivision or land development plan the sign shall include the
182 applicant's name and phone number, the name of the plan, and the
183 application number, which shall be prominently displayed. In
184 addition, the date, time, location and hearing board shall be clearly
185 visible. The applicant shall be responsible to clean or replace any
186 posted sign (no more than once) which has been defaced to the
187 extent that the information to be conveyed is no longer legible.
188
189 ii. For public hearings for all other land use applications, the sign shall
190 depict the lot configuration of residential applications or building
191 footprint with square footage, paving, and landscaping in the case of
192 nonresidential applications. The applicants name and phone
193 number, the name of the plan, the application number, and the tax
194 parcel number(s) shall be prominently displayed ~~on the plan~~. In
195 addition, the date, time, location and hearing board shall be clearly
196 visible. The applicant shall be responsible to clean or replace any
197 posted sign (no more than once) which has been defaced to the
198 extent that the information to be conveyed is no longer legible.

199
200 de. Proof of posting. The applicant shall~~must~~ provide the Department with
201 photographic proof of posting and a signed affidavit at least fifteen (15)
202 calendar days prior to the public hearing. Failure of any such posted
203 notice to remain in place after the notice has been posted shall not be
204 deemed a failure to comply with these standards or be grounds to
205 challenge the validity of any decision made on the application unless the
206 notice was removed by the applicant or at his or her direction.

207
208 ef. Applications for a public hearing shall only be considered a complete
209 submission after all the above criteria and submissions have been
210 provided to the Department.

211
212 g. Removal of posted notice. In addition, the applicant shall remove the
213 posted notice sign no later than ten~~(10)~~fourteen (14) calendar days after
214 the public hearing being advertised has been completed. If the posted
215 notice sign is serving more than one (1) purpose, that is, other public
216 hearings are pending or the land development plan is yet to be recorded,

the posted notice sign shall remain until after recordation, expiration or withdrawal of the plan.

C. County Council public hearings. ...

Section 2. 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 3. 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 4. 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 5. 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:

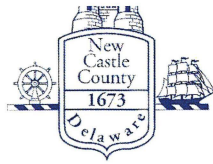
Marcus Henry
County Executive
of New Castle County

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. 40.31.320. This amendment requires that applicants update posted signs if the Department determines that significant changes have been made to a plan.

Sec. 40.31.340. This amendment increases the notice requirements from 300 feet to 1,000 feet. This amendment also updates the notice requirements to be consistent with existing Department of Land Use practices.

FISCAL NOTE: This Ordinance, if adopted would increase expenses for postage in the Department of Land Use by approximately \$4,500 and expenses for office supplies by approximately \$250.



New Castle County Department of Land Use

DEPARTMENT OF LAND USE
RECOMMENDATION REPORT

Ordinance No. 26-018
Application No. 2026-0142-T
Notice Requirements

May 19, 2026

Sponsor: Councilman Toole (District 1), Councilman Tackett, (District 11)

Description: To amend New Castle County Code, Chapter 40 ("Unified Development Code"), Article 31 ("Procedures and Administration"), Section 40.31.340 ("Notice of Public Hearings") regarding notice of public hearings.

EXECUTIVE SUMMARY

Ordinance 26-018 includes the positive improvements originally proposed by Ordinance 23-168 for public notification, while including a requirement for postings to be updated when significant changes are made. Upon further consideration of the proposed changes, the Department is concerned that requiring the public to post their sites for some hearing might lead to instances where a site might not be posted in compliance with the requirements. As such the Department recommends that County Council consider revising the ordinance to have the Department retain the responsibility for posting sites that are not associated with land development applications.

The Department of Land Use has considered the Standards for Text Amendment in Section 40.31.420 of the *New Castle County Code* and comments received from other agencies and the public. Based on this analysis, the Department recommends **CONDITIONAL APPROVAL** of Ordinance No. 26-018 with the condition that County Council consider amending the ordinance to require the Department retain the responsibility to post sites for public hearing that are not associated with a land development application.

DESCRIPTION

Ordinance 26-018 (Application 2026-0142-T) is an ordinance to amend the UDC to increase notice requirements for rezoning applications by:

- Requires updating of posting when significant changes to a plan are made
- Increase of the required radius for mailed notices of rezoning applications from 300 feet to 1,000 feet.
- Changes the time applications are required to have mailed and posted notice from 10 days (business days) to 14 calendar days.

- Changes the maximum time that a sign can remain posted for applications from 10 days (business days) to 14 calendar days.

The ordinance additionally proposes several grammatical changes and reconfigures existing requirements regarding public noticing procedures.

BACKGROUND

On December 31, 1997, New Castle County adopted the Unified Development Code (Ordinance No. 97-172), which consolidated the notice requirements of public hearings into one code section (Section 40.31.340). Previously, rezoning and text amendment requirements were in the Zoning Code, and subdivision requirements were in the Subdivision Regulations. The original notice requirements in the UDC included many of the same provisions that we have today, with the exception that mailed notice was only required for property within 100 feet of the subject property. The following ordinances amended the notification requirements to provide greater notice to residents regarding applications heard at public hearings and to include modern communication mediums:

Ordinance 00-090

Ordinance 00-090 provided greater notification to nearby property owners expanding the radius for mailed notice to 300 feet as well as requiring a minimum of 12 property owners to receive that notice. Additionally, the ordinance enhanced the posted notice requirements to have 4 foot by 4 foot sized signs to be placed no further than 7 feet from a residential or local road or a maximum of 10 feet from an arterial or collector road. Posted signs were also required to post details of the development (lot configuration, improvements etc...). Accompanying this, applicants are required to provide a signed affidavit ensuring that the posting occurred prior to the public hearing.

Ordinance 01-112

Ordinance 01-112, largely contained refinements to existing language, as well as a requirement that the applicants provide photographic proof of the posted notice.

Ordinance 03-107

Ordinance 03-107 amended the notice requirements to include hearings by Design Review Advisory Committees.

Ordinance 04-059

Ordinance 04-059, included RPATAC hearings to the notice requirements, empowered the Department of Land Use to require better placement of posted notice, and included requirements to remove postings after hearings no later than 10 days after the hearing was completed.

Ordinance 05-087

Ordinance 05-087 added the requirements notice requirements for Major Land Development Plan hearings at the Planning Board.

Ordinance No. 06-031

Ordinance No. 06-031, further expanded the notice requirements for DRAC hearings.

Ordinance No. 06-060

Ordinance No. 06-060, made notice requirements for north and South of the Chesapeake and Delaware Canal uniform.¹

Ordinance No. 07-052

Ordinance No. 07-052, consolidated the newspaper notice to only be the News Journal.²

Ordinance No. 10-113

Ordinance No. 10-113, removed the reference to the Technical Advisory Committee, which became the Preliminary Land Use Service (PLUS).

Ordinance No. 22-053

Ordinance No. 22-053, added online notice requirements.

Ordinance 23-168

Ordinance 23-168 was introduced on December 12, 2023, proposing the following changes to noticing requirements in the UDC:

- Increase of the required radius for mailed notices of rezoning applications from 300 feet to 1,000 feet.
- Changes the time applications are required to have mailed and posted notice from 10 days (business days) to 14 calendar days.
- Requires that the Department sends mailed notice via certified mail to the property owner, applicant, and residents within radius requirement.

¹ Prior to Ord 06-060 all rezonings and major land developments on properties south of the Chesapeake and Delaware Canal, the Department shall send a copy of the legal notice to the last known address of all property owners within a 300-foot radius of the property or twelve (12) different property owners, whichever is greater; and if the property fronts on a rural, non-subdivision street, notice shall be sent to all property owners for one mile in each direction along the rural road abutting the subject property or twelve (12) different property owners, whichever is greater. This expired on December 31, 2004.

² Prior to Ordinance 07-052 the County was required to provide notice in in community newspapers specifically listed in Appendix 6 of the Unified Development Code (UDC).

- Requires posting of applications to social media platforms.
- Requires that County Council comply with the above requirements for notice of Text Amendments and Rezoning applications.
- Changes the maximum time that a sign can remain posted for applications from 10 days (business days) to 14 calendar days.

The Department of Land Use identified significant concerns at the Public Hearing with certain provisions proposed by the ordinance and offered to assist in addressing those concerns, however they were rebuffed by the Primary sponsor. The Department of Land Use and Planning Board recommended denial of the ordinance. County Council did not take action on the legislation.

Ordinance 26-018

Ordinance 26-018 was introduced on February 24, 2026 proposing amendment the UDC to increase notice requirements:

- Requires updating of posting when significant changes to a plan are made
- Increase of the required radius for mailed notices of rezoning applications from 300 feet to 1,000 feet.
- Changes the time applications are required to have mailed and posted notice from 10 days (business days) to 14 calendar days.
- Changes the maximum time that a sign can remain posted for applications from 10 days (business days) to 14 calendar days.

The ordinance additionally proposes several grammatical changes and reconfigures existing requirements regarding public noticing procedures.

PLUS REVIEW (Preliminary Land Use Service)

The PLUS Report, dated April 22, 2026, contains comments from several State agencies. The Office of State Planning Coordination and all other agencies had no comments or objection to the approval of the ordinance.

PLANNING BOARD PUBLIC HEARING - May 5, 2026

Matthew Rogers, Planner for the Department of Land Use presented Ordinance 26-018 at the May 5, 2025, Joint New Castle County Department of Land Use and Planning Board Public Hearing. During his presentation, he discussed how Ordinance 26-018 includes the improvements for noticing public hearings originally proposed in Ordinance 23-168, while addressing concerns voiced by the Department and Planning Board, as well as the requirement that postings be updated when changes to a plan are made.

Questions from the Planning Board:

Ms. Visvardis inquired if holidays are included when the standards are switched from business days to calendar days. Mr. Rogers explained that holidays are included, but that the change from 10 business days to 14 calendar days factors that in. Mr. Cantrell inquired about the increase from 300 feet to 1,000 foot notice requirements. Mr. Rogers explained that while the notice distance is proposed to increase, for each application the Department would still be required to notify 12 individual property owners.

Public Comment

During the public comment period Councilman Tackett, cosponsor of the ordinance discussed the proposed changes and the motivation for requiring that sign posting be updated. Dale Swain, representing Citizens Alliance for Responsible Land Use, spoke in favor of the ordinance. Stephanie Royale, voiced her support for the intent of the ordinance, encouraging the County to continue to work to expand notification requirements. Jessica Hitchens additionally voiced support for the ordinance while discussing a cell phone tower proposed near her property.

Rebuttal

Antoni Sekowski, Assistant Land Use Manager further explained that the increase from 300 feet to 1,000 feet would provide property owners on opposite sides of high volume roads notification.

Comments received while the record was open

The Department received 6 email correspondences from residents seeking an increase in the distance between 1,500 ft and 6 miles, (1) for 1,500 ft, (5) for 6 miles.

ANALYSIS

While the Department supported expanding public notification as proposed by Ordinance 23-168, however had significant concerns regarding the requirement for certified mail, social media requirements (not all platforms that the County participates on are appropriate for posting agendas). DHSA also voiced concern over the impact that the legislation could have on plans that propose Moderately Priced Dwelling Units. Ordinance 26-018 includes the positive improvements for public notification that were proposed in 2023, while including a requirement for postings to be updated when significant changes are made. That said, the Department is concerned that requiring the public to post their sites for some hearing might lead to instances where a site might not be posted in compliance with the requirements. As such the Department recommends that County Council consider revising the ordinance to have the Department retain the responsibility for posting sites that are not associated with land development applications.

Standards of Review

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

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

N/A

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

The 2022 Update to the Comprehensive Plan, was the product of extensive public outreach envisioning the continuation of such efforts in the planning process. This intent is reflected in Goal #16: *Participation in planning and development represents the full diversity of the county.*

Objective 16.1 expands on this calling for the County to *Increase diversity of engagement in community planning activities of all county residents regardless of age, race, income, native language, abilities, etc.* This is bolstered by specific strategies that provide detailed guidance on how to achieve the objective and measure success.

The intent of Ordinance 26-018 is to expand public notice, which is consistent with the goals and objectives of the Comprehensive Plan.

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

N/A

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

N/A

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

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

N/A

G. *Consideration of specific problems found in this Chapter.*

N/A

DEPARTMENT OF LAND USE RECOMMENDATION

The Department of Land Use has considered the Standards for Text Amendment in Section 40.31.420 of the *New Castle County Code* and comments received from other agencies and the public. Based on this analysis, the Department recommends **CONDITIONAL APPROVAL** of Ordinance No. 26-018 with the condition that County Council consider amending the ordinance to require the Department retain the responsibility to post sites for public hearing that are not associated with a land development application.

PLANNING BOARD RECOMMENDATION

At a business meeting held on May 19, 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 Ruth Visvardis and seconded by Kiana Drake, the Board voted to recommend **CONDITIONAL APPROVAL** of application 2026-0142-T (Ord. 26-018) as recommended by the Department of Land Use. The motion was adopted by a vote of 5-0-0-4 (In Favor: Cantrell, Chamblee, Drake, Snowden, Visvardis; In Opposition: None; Abstention: None; Absent: Brutus, Cochran, Daigle, Ott).

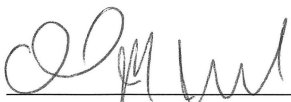
Prior to the vote, the following discussion occurred:

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

There were no questions from the members of 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.



David M. Culver 5-28-26
General Manager date
Department of Land Use



Robert B. Snowden 5/28/2026
Chair date
New Castle County Planning Board

Prime Sponsor(s): Mr. Smiley
Requested by: Land Use
Date of introduction: March 24, 2026

ORDINANCE NO. 26-025

COUNTY INITIATED REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 7 REGARDING THE FOLLOWING TAX PARCELS: NEW CASTLE HUNDRED: 10-014.10-001 (98 JAY DR., CHELSEA ESTS SEC 2), 10-014.30-103 (0 W ROOSEVELT AVE., WILM MANOR SEC B), 10-015.30-195 (909 MOORES LN., CASTLE HILLS SEC 4), 10-015.30-291 (11 GLEN AVE., SWANWYCK), 10-017.00-003 (251 CHURCHMANS RD., CHURCHMANS OFF COMP), 10-017.30-001 (0 IVY LN., IVYRIDGE), 10-019.20-222 (209 A MORRISON RD., PENN ACRES SEC 7), 10-019.30-121 (410 E ROOSEVELT AVE., PENN ACRES SEC 5), 10-019.30-175 (409 E ROOSEVELT AVE., PENN ACRES SEC 6), 10-019.40-424 (47 CONSTITUTION BLVD., JEFFERSON FARMS SC 1), 10-019.40-548 (60 CONSTITUTION BLVD., JEFFERSON FARMS SC 1), 10-019.40-549 (60 CONSTITUTION BLVD., JEFFERSON FARMS SC 1), 10-020.10-069 (17 ARDEN AVE., CASTLE HILLS SEC 1), 10-020.10-235 (19 ARDEN AVE., CASTLE HILLS SEC 2), 10-020.30-042 (441 MOORES LN., NEW CASTLE COUNTY), 10-023.00-001 (41 DUNSINANE DR., WHITEHALL), 10-023.00-009 (0 DUNSINANE DR., THE VILLAS), 10-023.10-001 (11 W EDINBURGH DR., COVENTRY SEC 1), 10-023.20-101 (0 PRESTWICK DR., PRESTWICK), 10-025.10-314 (200 W UNIVERSITY AVE., PENN ACRES SOUTH), 10-025.20-094 (50 NOTRE DAME AVE., WILM MANOR GDNS SC A), 10-029.00-007 (290 CHRISTIANA RD.), 10-029.20-173 (20 RAMBO TER., WILLEY SUBD), 10-029.20-191 (1 A W BALBACH AVE., RAMBLETON ACRES SC 4), 10-029.20-236 (20 RAMBO TER., WILLEY SUBD), 10-029.30-142 (31 BERKELY WAY., CAMBRIDGE GARDENS), 10-029.30-173 (115 APPLEBY RD., CAMBRIDGE GARDENS), 10-029.30-256 (270 WILTON BLVD., WILTON SEC 4), 10-029.40-015 (2 MCGAUGHY DR., RAMBLETON ACRES SC 3), 10-029.40-036 (1 A MCGAUGHY DR., RAMBLETON ACRES SC 3), 10-029.40-116 (625 OLD FORGE RD., WILTON SEC 2), 10-029.40-268 (625 OLD FORGE RD., WILTON SEC 6), 10-029.40-291 (31 BERKELY WAY., WILTON SEC 9), 10-030.00-051 (0 OFF PARKWAY CIR.), 10-030.10-032 (20 RAMBO TER., RAMBLETON ACRES SC 2), 10-030.10-033 (20 RAMBO TER.), 10-039.20-031 (35 PAXTON LN., BUCKLEY SEC 1), 10-039.20-116 (35 PAXTON LN., BUCKLEY SEC 2), 10-039.20-135 (35 PAXTON LN., BUCKLEY SEC 2), 10-039.20-136 (35 PAXTON LN., BUCKLEY SEC 2), 10-039.20-164 (35 PAXTON LN., BUCKLEY SEC 2), 10-039.20-225 (35 PAXTON LN., BUCKLEY SEC 3), 10-039.40-005 (35 PAXTON LN., BUCKLEY SEC 3), 10-039.40-012 (35 PAXTON LN., BUCKLEY IV), 10-043.40-001 (27 W CLAIRMONT DR., GLENDALE), 10-044.30-090 (4 REGAL BLVD., KINGS CROFT), 10-049.00-033 (0 BEAR CORBITT RD., GARWOOD), 10-049.00-085 (0 GARWOOD DR., GARWOOD), 10-049.20-024 (0 SUGARBERRY DR., RUTLEDGE), 10-049.20-299 (0 TERRY CT., RUTLEDGE SEC II); APPLICATION NO. 2026-0171-Z

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

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

11 **WHEREAS**, Strategy 1.1.6 of the 2022 New Castle County Comprehensive Plan
12 reiterates that the County should consider the addition of a preservation zoning category,
13 and defines “Protected Open Space” as privately or publicly held land that has been
14 protected from future development; and
15

16 **WHEREAS**, the New Castle County Comprehensive Plan guides and encourages
17 preservation efforts to best protect important ecological habitats; and
18

19 **WHEREAS**, this County-initiated rezoning is intended to guide and control future
20 growth consistent with the spirit and intent of the Comprehensive Development Plan as
21 provided by State law; and
22

23 **WHEREAS**, County Council has determined that the amendments to the zoning
24 map substantially advance, and are reasonably and rationally related to, legitimate
25 government interests (i.e., promoting the health, safety, morals, convenience, order,
26 prosperity and/or welfare of the present and future inhabitants of this State).
27

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

30 Section 1. The Zoning Maps of New Castle Hundred, Pencader Hundred, and
31 White Clay Creek Hundred are hereby amended by changing the zoning classification of
32 the land shown on attached Exhibit “A”, Maps 1-6 dated January 30, 2026, as set forth
33 therein.
34

35 Section 2. This Ordinance shall become effective immediately upon passage by
36 New Castle County Council and approval of the County Executive, or as otherwise
37 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 legislation.

PROPERTY MAP

EXHIBIT A MAP 1 ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD
CONSERVATION (NC6.5) TO PUBLICLY
CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2026-0171 -Z
TAX PARCEL NO: 10-015.30-195, 10-015.30-291,
10-019.20-222, 10-019.40-424, 10-019.40-548,
10-019.40-549, 10-020.10-069, 10-020.10-235,
10-020.30-042



HUNDRED: NEW CASTLE HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:10489
Prepared by: Matthew Rogers

Date: 1/30/2026



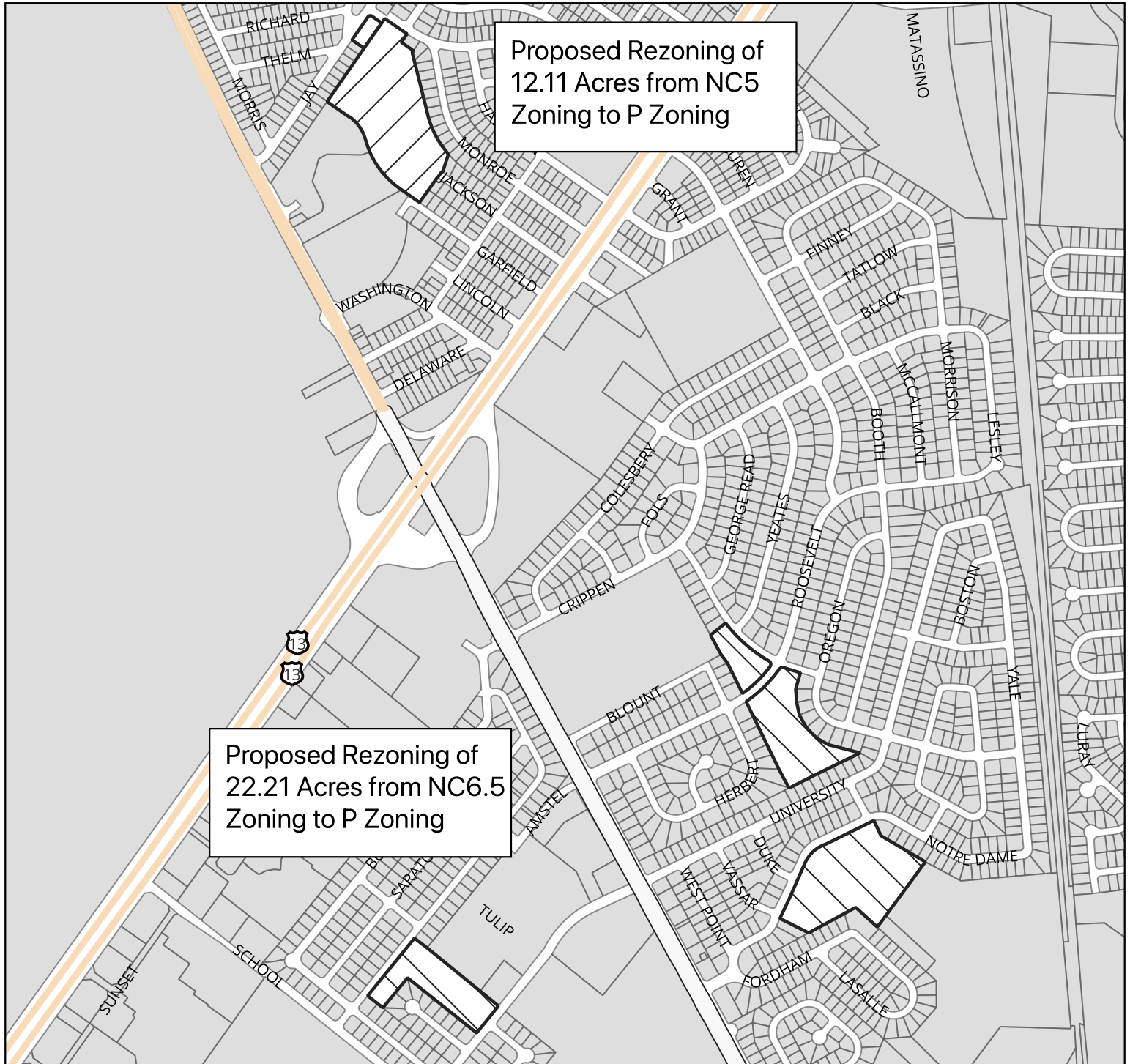
PERMANENT ORDINANCE NO. 26- 025
Date Adopted by County Council:
Date Approved by County Executive:

PROPERTY MAP

EXHIBIT A MAP 2 ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD
CONSERVATION (NC5, & NC6.5) TO PUBLICLY
CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2026- 0171 -Z
TAX PARCEL NO: 10-014.10-001,
10-014.30-103, 10-019.30-121,
10-019.30-175, 10-025.10-314,
10-025.20-094



HUNDRED: NEW CASTLE HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:11489
Prepared by: Matthew Rogers

Date: 1/30/2026



PERMANENT ORDINANCE NO. 26- 025
Date Adopted by County Council:
Date Approved by County Executive:

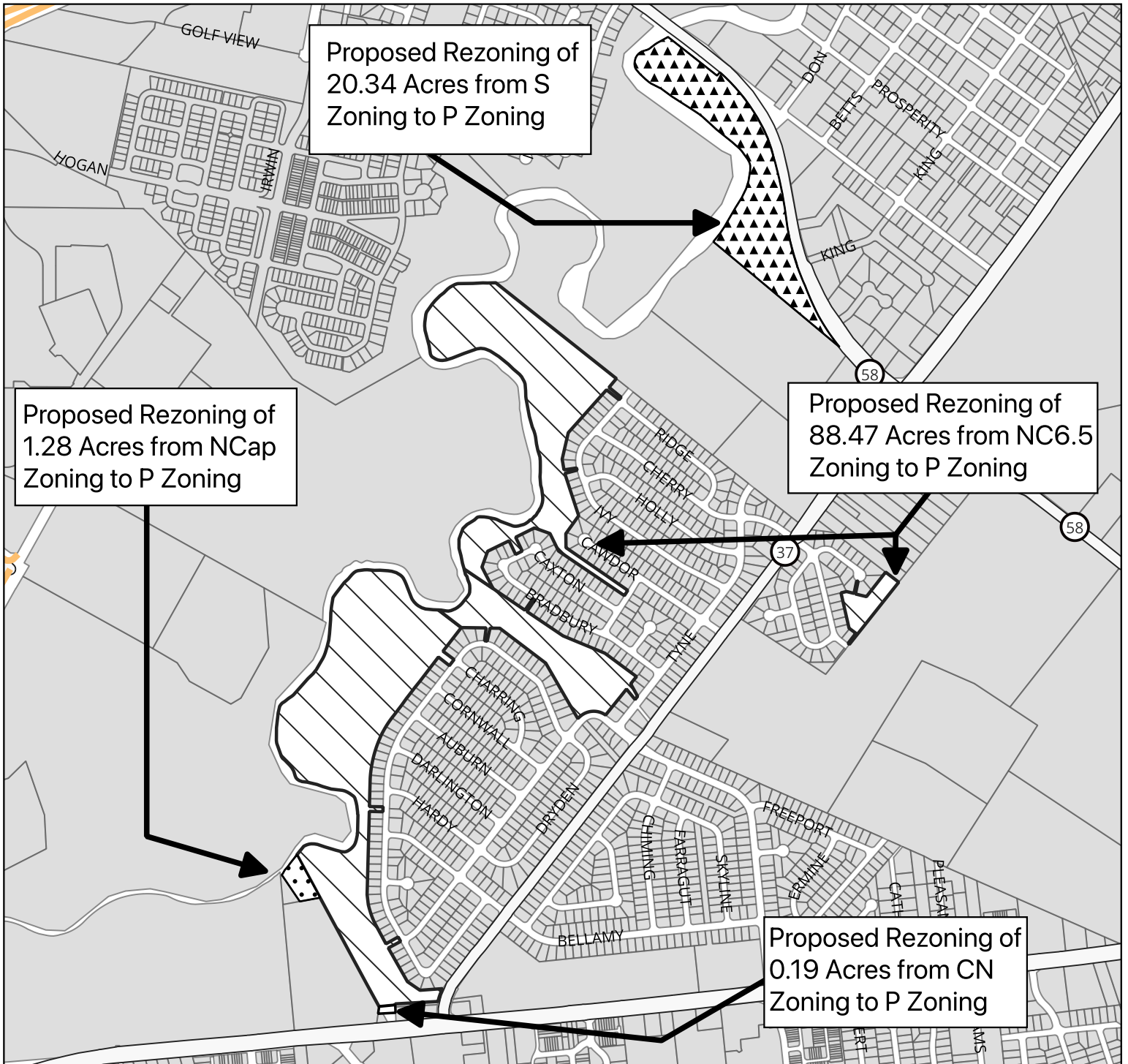
-  NC5 to P
-  NC6.5 to P

PROPERTY MAP

EXHIBIT A MAP 3 ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD
CONSERVATION (NC6.5 & NCap) AND SUBURBAN
(S) to PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2026- 0171 -Z
TAX PARCEL NO: 10-017.00-003, 10-017.30-001,
10-023.00-001, 10-023.00-009, 10-023.10-001,
10-023.20-101, 10-029.00-007



HUNDRED: NEW CASTLE HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:13489
Prepared by: Matthew Rogers

Date: 1/30/2026



PERMANENT ORDINANCE NO. 26-025
Date Adopted by County Council:
Date Approved by County Executive:

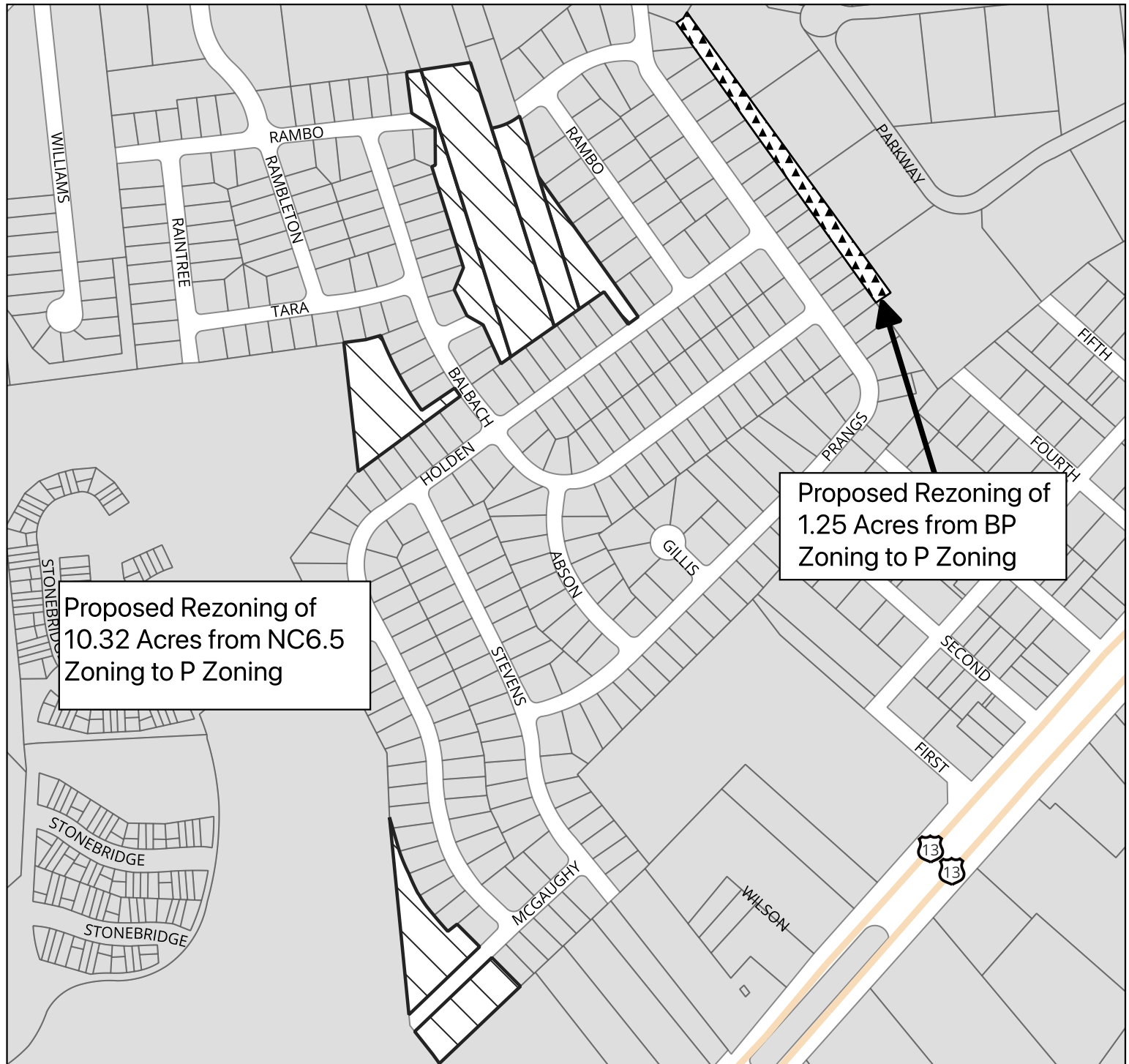
NC6.5 to P	NCap to P
S to P	CN to P

PROPERTY MAP

EXHIBIT A MAP 4
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD
CONSERVATION (NC6.5) AND BUSINESS PARK (BP)
TO PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2026-0171 -Z
TAX PARCEL NO: 10-029.20-173, 10-029.20-191,
10-029.20-236, 10-029.40-015, 10-029.40-036,
10-030.00-051, 10-030.10-032, 10-030.10-033



HUNDRED: NEW CASTLE HUNDRED
NEW CASTLE COUNTY, DELAWARE

PERMANENT ORDINANCE NO. 26- 025
Date Adopted by County Council:
Date Approved by County Executive:

Scale: 1:5245
Prepared by: Matthew Rogers
Date: 1/30/2026



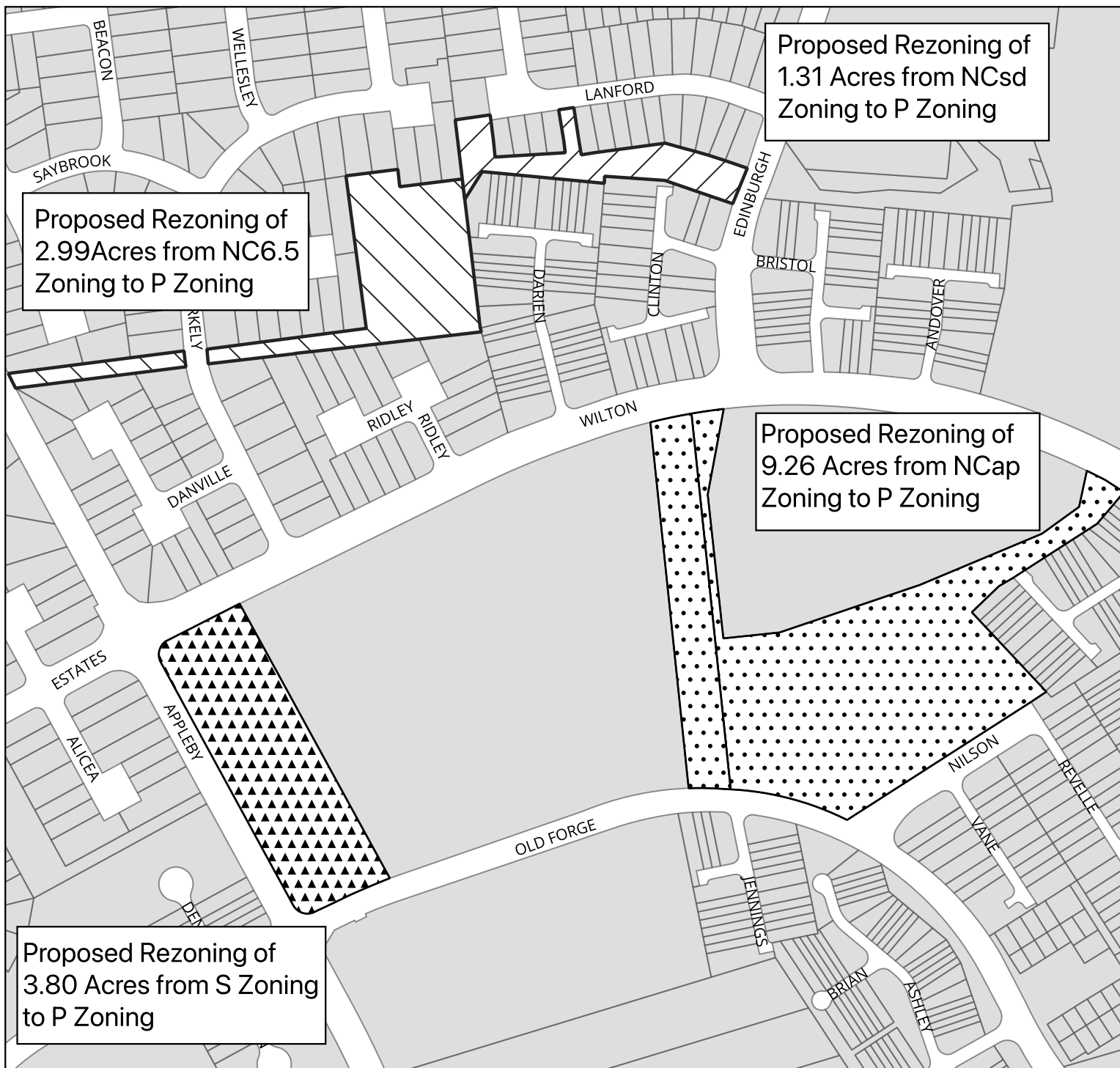
 NC6.5 to P
 BP to P

PROPERTY MAP

EXHIBIT A MAP 5 ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD
CONSERVATION (NCsd, NCap, & NC6.5) &
SUBURBAN (S) TO PUBLICLY CONSERVED LANDS
& PARKS (P)

APPLICATION NO. 2026- 0171 -Z
TAX PARCEL NO: 10-029.30-142,
10-029.30-173, 10-029.30-256, 10-029.40-116,
10-029.40-268, 10-029.40-291



HUNDRED: NEW CASTLE HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:3954
Prepared by: Matthew Rogers

Date: 1/30/2026



PERMANENT ORDINANCE NO. 26-025
Date Adopted by County Council:
Date Approved by County Executive:

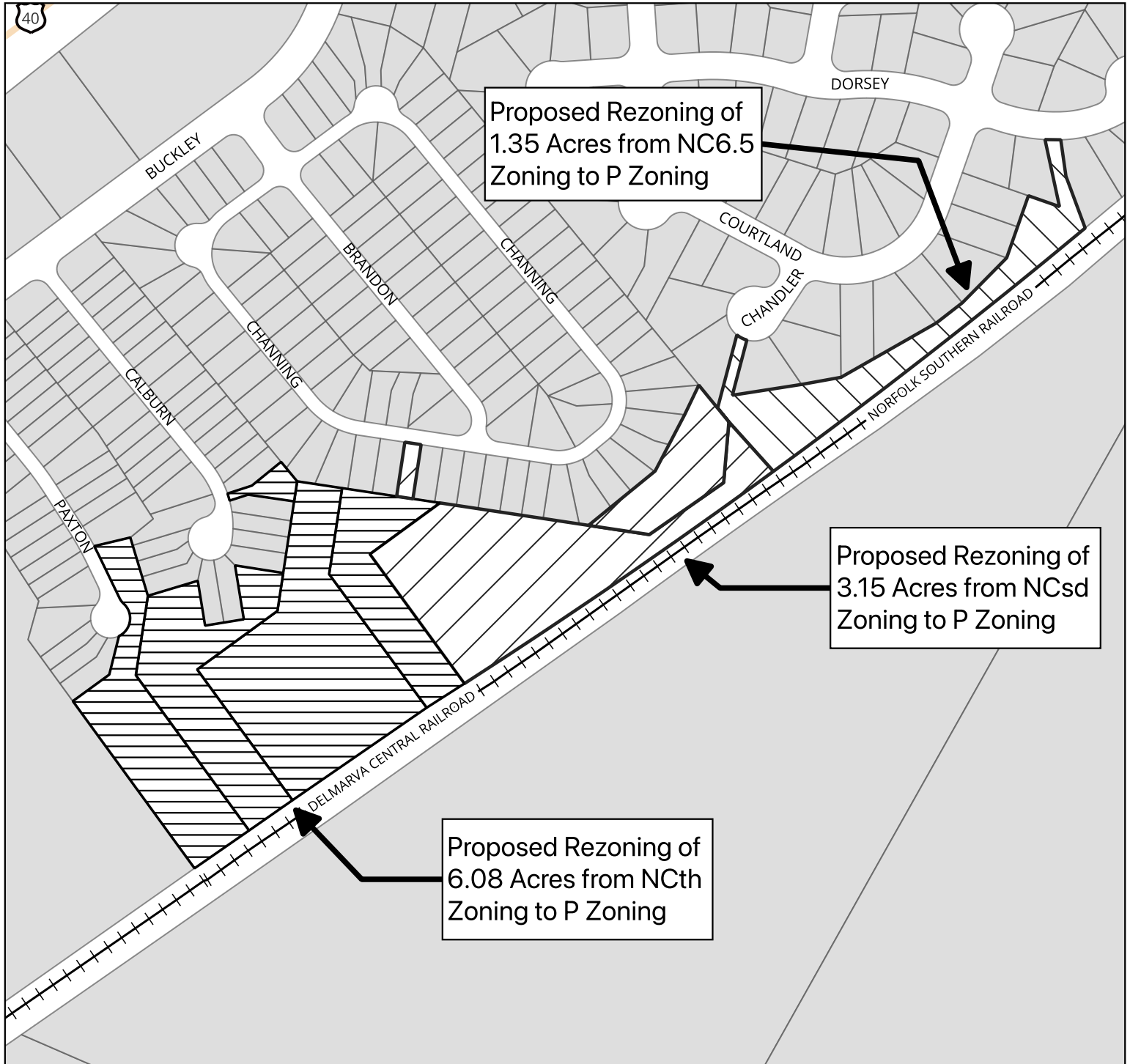
NC6.5 to P
 NCap to P
 S to P
 NCsd to P

PROPERTY MAP

EXHIBIT A MAP 6
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD
CONSERVATION (NC6.5, NCsd, & NCth) TO
PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2026- 0171 -Z
TAX PARCEL NO: 10-039.20-031,
10-039.20-031, 10-039.20-116, 10-039.20-135,
10-039.20-136, 10-039.20-164, 10-039.20-225,
10-039.40-005, 10-039.40-012



HUNDRED: NEW CASTLE HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:3077
Prepared by: Matthew Rogers

Date: 1/30/2026



PERMANENT ORDINANCE NO. 26- 025
Date Adopted by County Council:
Date Approved by County Executive:

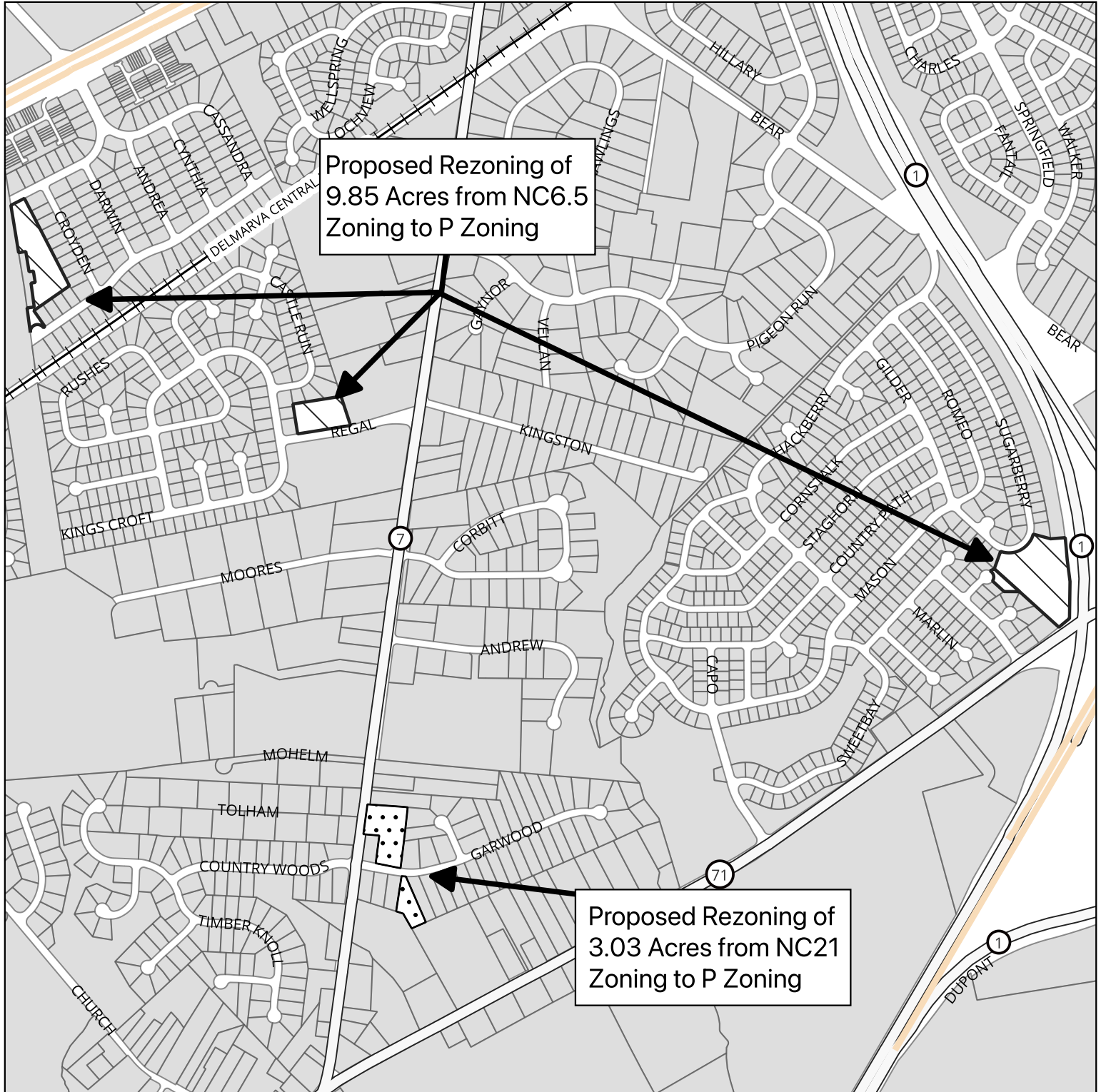
NC6.5 to P NCsd to P
NCth to P

PROPERTY MAP

EXHIBIT A MAP 7
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD
CONSERVATION (NC6.5 & NC21) TO PUBLICLY
CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2026- 0171 -Z
TAX PARCEL NO: 10-043.40-001, 10-044.30-090,
10-049.00-033, 10-049.00-085, 10-049.20-024,
10-049.20-299



HUNDRED: NEW CASTLE HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:11381
Prepared by: Matthew Rogers

Date: 1/30/2026



PERMANENT ORDINANCE NO. 26-025
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. 26-025
Application No. 2026-0171-Z
County Council District 7 – Rezoning of County-owned Land to P-Zoning**

May 19, 2026

Sponsor: Councilman Smiley (District 7)

Description: Revise the New Castle County Zoning Maps in County Council District 7 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 2026-0171-Z (Ordinance 26-025) proposes to amend the County's official zoning map to rezone County-owned parks and open space in County Council District 7 to the newly established P Zoning District. The subject parcels are:

10-014.10-001 (98 JAY DR., CHELSEA ESTS SEC 2)
10-014.30-103 (0 W ROOSEVELT AVE., WILM MANOR SEC B)
10- 015.30-195 (909 MOORES LN., CASTLE HILLS SEC 4)
10-015.30-291 (11 GLEN AVE., SWANWYCK)
10-017.00-003 (251 CHURCHMANS RD., CHURCHMANS OFF COMP)
10-017.30-001 (0 IVY LN., IVYRIDGE)
10-019.20-222 (209 A MORRISON RD., PENN ACRES SEC 7)
10-019.30-121 (410 E ROOSEVELT AVE., PENN ACRES SEC 5)
10-019.30-175 (409 E ROOSEVELT AVE., PENN ACRES SEC 6)
10-019.40-424 (47 CONSTITUTION BLVD., JEFFERSON FARMS SC 1)
10-019.40-548 (60 CONSTITUTION BLVD., JEFFERSON FARMS SC 1)
10-019.40-549 (60 CONSTITUTION BLVD., JEFFERSON FARMS SC 1)
10-020.10-069 (17 ARDEN AVE., CASTLE HILLS SEC 1)
10-020.10-235 (19 ARDEN AVE., CASTLE HILLS SEC 2)

10-020.30-042 (441 MOORES LN., NEW CASTLE COUNTY)
10-023.00-001 (41 DUNSINANE DR., WHITEHALL)
10-023.00-009 (0 DUNSINANE DR., THE VILLAS)
10-023.10-001 (11 W EDINBURGH DR., COVENTRY SEC 1)
10-023.20-101 (0 PRESTWICK DR., PRESTWICK)
10-025.10-314 (200 W UNIVERSITY AVE., PENN ACRES SOUTH)
10-025.20-094 (50 NOTRE DAME AVE., WILM MANOR GDNS SC A)
10-029.00-007 (290 CHRISTIANA RD.)
10-029.20-173 (20 RAMBO TER., WILLEY SUBD)
10-029.20-191 (1 A W BALBACH AVE., RAMBLETON ACRES SC 4)
10-029.20-236 (20 RAMBO TER., WILLEY SUBD)
10-029.30-142 (31 BERKELY WAY., CAMBRIDGE GARDENS)
10-029.30-173 (115 APPLEBY RD., CAMBRIDGE GARDENS)
10-029.30-256 (270 WILTON BLVD., WILTON SEC 4)
10-029.40-015 (2 MCGAUGHY DR., RAMBLETON ACRES SC 3)
10-029.40-036 (1 A MCGAUGHY DR., RAMBLETON ACRES SC 3)
10-029.40-116 (625 OLD FORGE RD., WILTON SEC 2)
10-029.40-268 (625 OLD FORGE RD., WILTON SEC 6)
10-029.40-291 (31 BERKELY WAY., WILTON SEC 9)
10-030.00-051 (0 OFF PARKWAY CIR.)
10-030.10-032 (20 RAMBO TER., RAMBLETON ACRES SC 2)
10-030.10-033 (20 RAMBO TER.)
10-039.20-031 (35 PAXTON LN., BUCKLEY SEC 1)
10-039.20-116 (35 PAXTON LN., BUCKLEY SEC 2)
10-039.20-135 (35 PAXTON LN., BUCKLEY SEC 2)
10-039.20-136 (35 PAXTON LN., BUCKLEY SEC 2)
10-039.20-164 (35 PAXTON LN., BUCKLEY SEC 2)
10-039.20-225 (35 PAXTON LN., BUCKLEY SEC 3)
10-039.40-005 (35 PAXTON LN., BUCKLEY SEC 3)
10-039.40-012 (35 PAXTON LN., BUCKLEY IV)
10-043.40-001 (27 W CLAIRMONT DR., GLENDALE)
10-044.30-090 (4 REGAL BLVD., KINGS CROFT)
10-049.00-033 (0 BEAR CORBITT RD., GARWOOD)
10-049.00-085 (0 GARWOOD DR., GARWOOD)
10-049.20-024 (0 SUGARBERRY DR., RUTLEDGE)
10-049.20-299 (0 TERRY CT., RUTLEDGE SEC II)

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 2026-0171-Z (Ordinance 26-025) proposes to amend the County's official zoning map to rezone County-owned parks and open space in County Council District 7 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):

Castle Hills	Kingston Court
Anderson Property Park	Lt. Szczerba Memorial Park
Appleby Park	Penn Acres
Ashton Park	Pennwood
Buckley Park	Prestwick
Cambridge Gardens	Rambleton Acres
Chelsea Manor	Rogers Manor
Garwood Park	Rutlege Park
Glendale Park	Swanwyck Estates
James T. Corcoran Jr. Park	Wilmington Manor Gardens
Jefferson Farms	Wilton Park

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.

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/>

Rezoning in New Castle County

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

2022 Update to the New Castle County Comprehensive Plan

The 2022 Update to the New Castle County Comprehensive Plan (The Plan)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 26-025 County Council District 7 – Rezoning of County-owned Land to P-Zoning

The proposed ordinance would rezone parcels located within County Council District 7 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

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>

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 – April 7, 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 26-025*, discussing parcels located in County Council District 7 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.

ANALYSIS

Application 2026-0171-Z (Ordinance 26-025) proposes to amend the County's official zoning map to rezone County-owned parks and open space in County Council District 7 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

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>

properties that are publicly protected and identified as protected in perpetuity for the public benefit to be rezoned to P.

These parcels⁵ are all located within County Council District 7, which encompasses areas along Routes 13 and 40 south of Wilmington including the New Castle County airport. 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 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 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.

⁵ Ordinance 26-025 (Including Exhibit Maps):

<https://www3.newcastlede.gov/PDFDocument/default.aspx?DocumentID=80:FC40FF5826F7107D10260598B6C0724428DD1196872F86C5E68CE881F951C27EF3102A199356BB5E3C511C163783CF&x=temp.pdf>

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 26-025.

PLANNING BOARD RECOMMENDATION

At a business meeting held on May 19, 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 Tracy Chamblee and seconded by Neil Cantrell, the Board voted to recommend **APPROVAL** of application 2026-0171-T (Ord. 26-025) as recommended by the Department of Land Use. The motion was adopted by a vote of 5-0-0-4 (In Favor: Cantrell, Chamblee, Drake, Snowden, Visvardis; In Opposition: None; Abstention: None; Absent: Brutus, Cochran, Daigle, Ott).

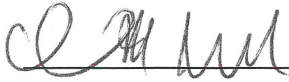
Prior to the vote, the following discussion occurred:

Alec Davis read the Department of Land Use recommendation into the record.

There were no questions from the members of 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.

 G-3-20

David M. Culver date
General Manager
Department of Land Use



6/2/2026

Robert B. Snowden date
Chair
New Castle County Planning Board

Prime Sponsor(s): Ms. George, Mr. Sheldon,
Mr. Tackett
Requested by: Land Use
Date of introduction: March 24, 2026

ORDINANCE NO. 26-026

COUNTY INITIATED REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 5, COUNCIL DISTRICT 9, AND COUNCIL DISTRICT 11 REGARDING THE FOLLOWING TAX PARCELS:
PENCADER HUNDRED: 09-037.00-149 (55 CHRISTIANA XING., WOODLAND RUN), 09-040.10-015 (8 WOODLAND RUN DR., WOODLAND RUN), 11-004.40-058 (95 N HUNTER FORGE RD., ACADEMY HILL PH I), 11-005.40-143 (41 SANFORD DR., ROBSCOTT MANOR SEC 2), 11-006.10-071 (22 GILL DR.), 11-006.40-084 (0 CAMPFIELD RD., SCOTTFIELD SEC 1), 11-008.00-164 (17 KNIGHTS XING., BEAULIEU), 11-008.20-001 (95 N HUNTER FORGE RD., VILL OF SANDY BRAE), 11-009.00-030 (55 WELSH TRACT RD.), 11-009.00-048 (0 S COLLEGE AVE., IRON HILL), 11-009.00-056 (0 WHITTAKER RD., IRON HILL), 11-013.00-015 (1337 OLD BALTIMORE PIKE., IRON HILL MUSEUM), 11-013.00-122 (0 WHITTAKER RD., IRON HILL), 11-013.20-104 (0 LYNAM LOOKOUT DR., PRES AT LAFAYETTE HILL), 11-013.20-121 (0 DONALD PRESTON DR., PRES AT LAFAYETTE HILL), 11-014.40-012 (2070 RIVERS DR., WHITEWOOD VILLAGE), 11-015.10-045 (295 E FLAGSTONE DR., GRAY ACRES), 11-017.40-092 (25 KAYAK CT., FOUR SEASONS), 11-040.00-002 (3180 OLD COUNTY RD., ARTESIAN WATER CO) ;
WHITE CLAY CREEK HUNDRED: 09-015.40-123 (0 INGLESIDE RD., STAFFORD II), 09-033.00-031 (24 UPLAND CT., BREEZEWOOD), 09-033.00-033 (24 UPLAND CT., BREEZEWOOD SEC II), 09-033.00-038 (475 GENDER RD., BREEZEWOOD SEC III), 09-033.10-289 (0 S SKYWARD DR., BREEZEWOOD), 09-033.20-073 (499 GENDER RD., GENDER WOODS), 09-033.20-074 (545 GENDER RD., GENDER WOODS), 09-037.00-149 (55 CHRISTIANA XING., WOODLAND RUN), 09-037.30-124 (4 BUTTONWOOD CT., WOODLAND RUN), 09-037.30-132 (20 BUTTONWOOD CT., WOODLAND RUN), 09-040.10-015 (8 WOODLAND RUN DR., WOODLAND RUN), 11-014.40-012 (2070 RIVERS DR., WHITEWOOD VILLAGE); APPLICATION NO. 2026-0173-Z

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

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

11 **WHEREAS**, Strategy 1.1.6 of the 2022 New Castle County Comprehensive Plan
12 reiterates that the County should consider the addition of a preservation zoning category,
13 and defines “Protected Open Space” as privately or publicly held land that has been
14 protected from future development; and
15

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

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

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

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

28
29 Section 1. The Zoning Maps of New Castle Hundred, Pencader Hundred, and
30 White Clay Creek Hundred are hereby amended by changing the zoning classification of
31 the land shown on attached Exhibit “A”, Maps 1-8 dated January 30, 2026, as set forth
32 therein.

33 Section 2. This Ordinance shall become effective immediately upon passage by
34 New Castle County Council and approval of the County Executive, or as otherwise
35 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.

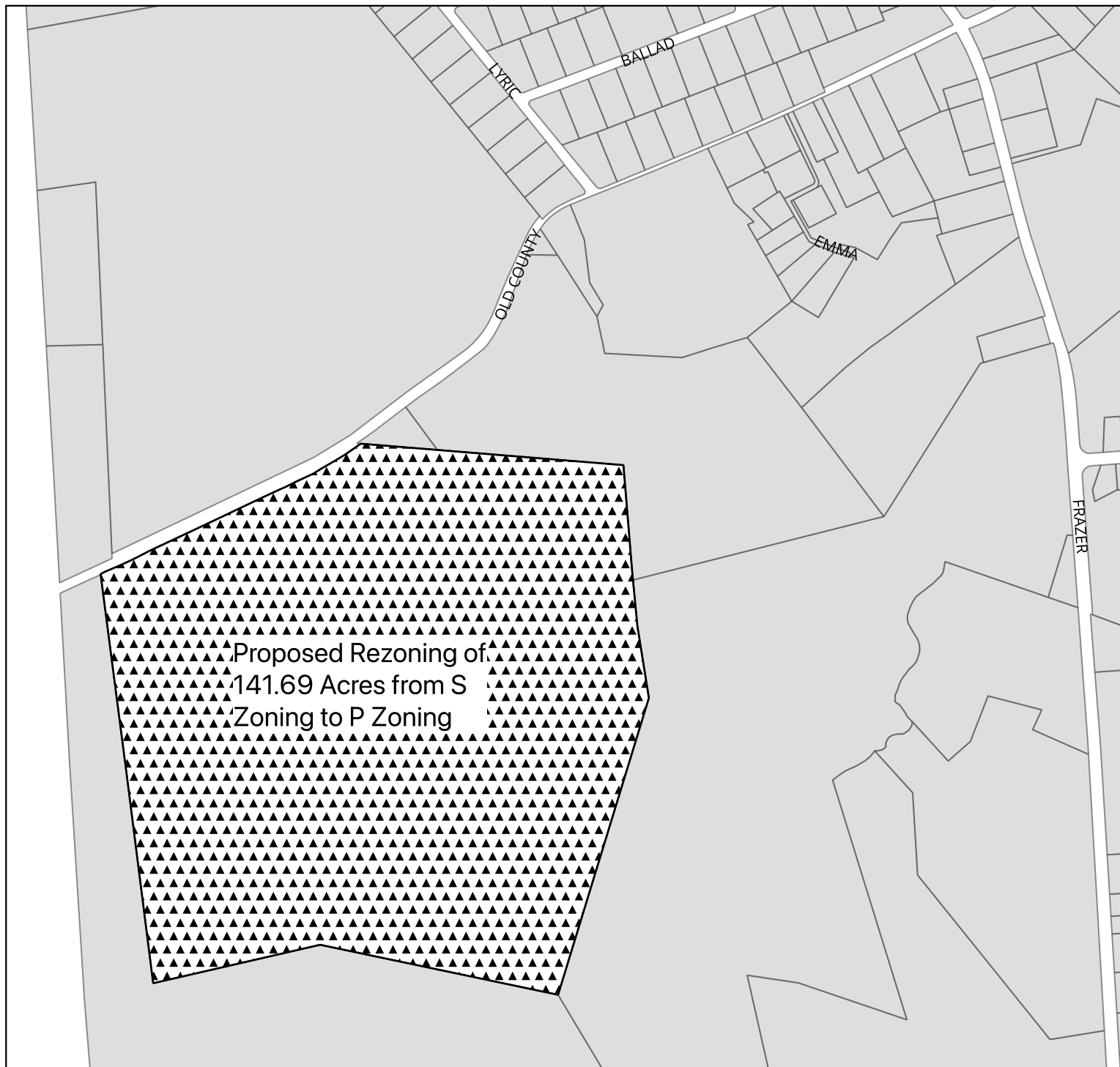
FISCAL IMPACT: There is no discernible fiscal impact with the adoption of this legislation.

PROPERTY MAP

EXHIBIT A MAP 1
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: SUBURBAN (S) TO
PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2026- 0173 -Z
TAX PARCEL NO: 11-040.00-002



HUNDRED: PENCADER HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:8529
Prepared by: Matthew Rogers

Date: 1/30/2026



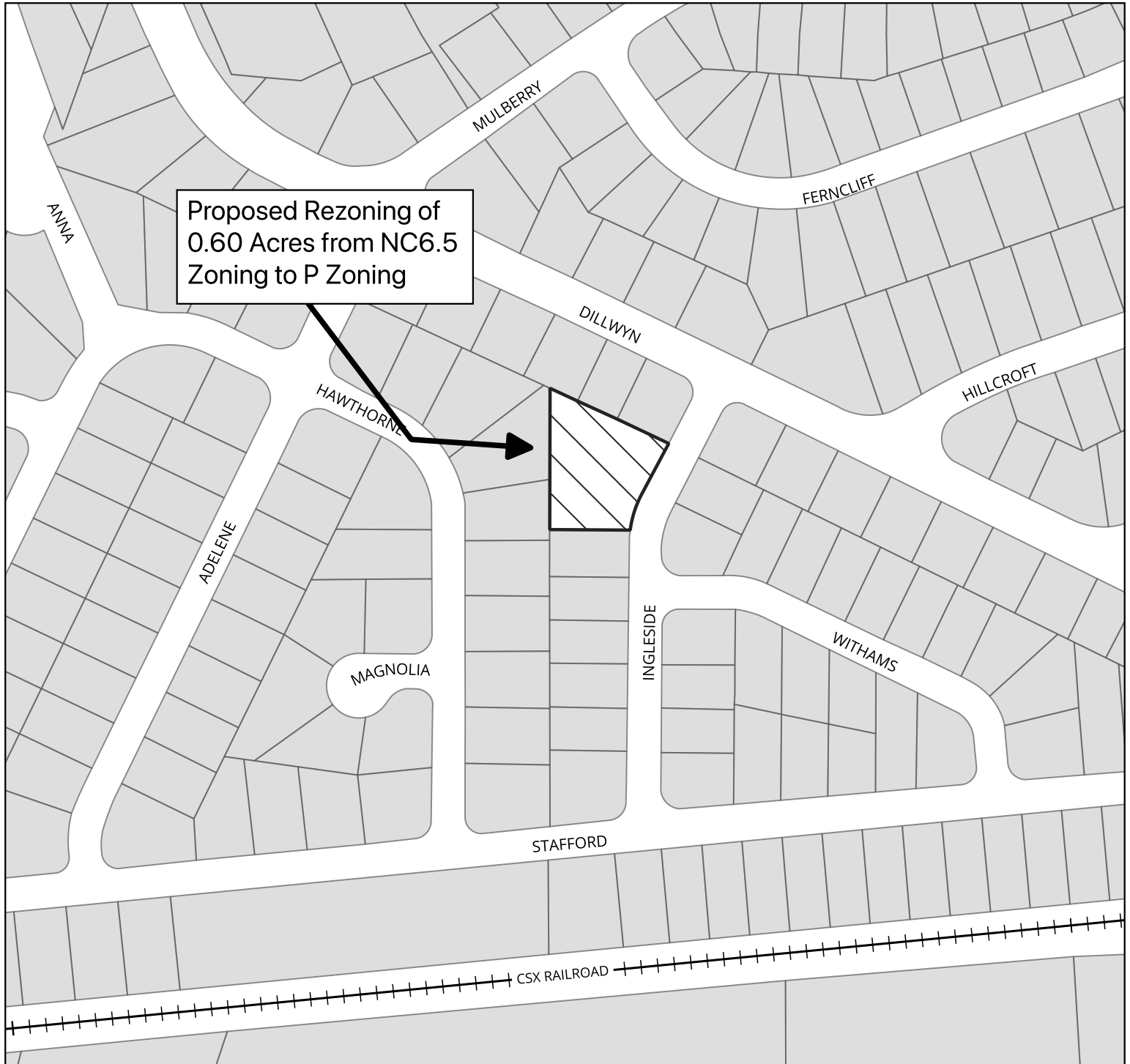
PERMANENT ORDINANCE NO. 26- 026
Date Adopted by County Council:
Date Approved by County Executive:

PROPERTY MAP

EXHIBIT A MAP 2
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD
CONSERVATION (NC6.5) TO PUBLICLY
CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2026- 0173 -Z
TAX PARCEL NO: 09-015.40-123



HUNDRED: WHITE CLAY CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:2523
Prepared by: Matthew Rogers

Date: 1/30/2026



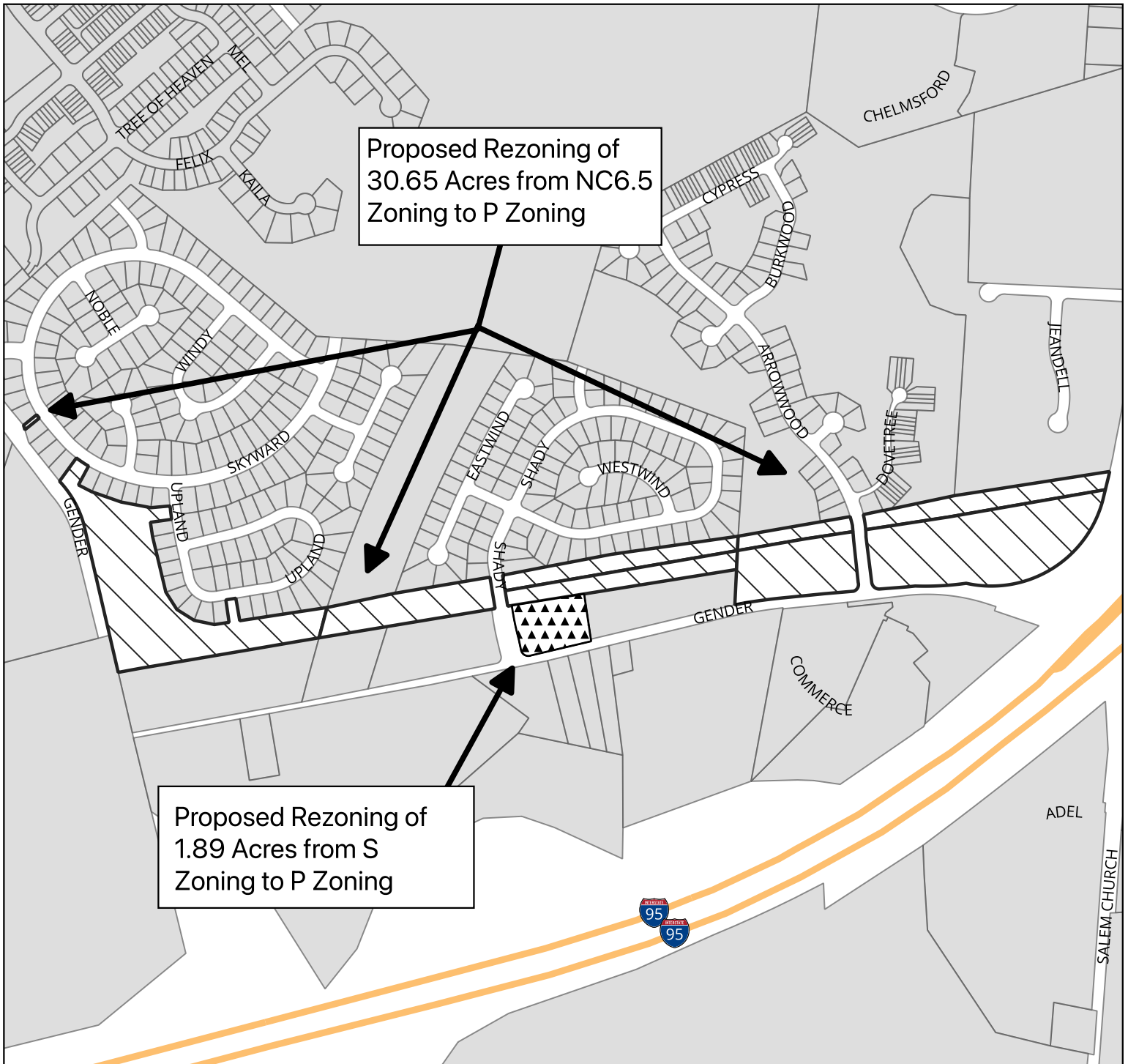
PERMANENT ORDINANCE NO. 26-026
Date Adopted by County Council:
Date Approved by County Executive:

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. 2026- 0173 -Z
TAX PARCEL NO: 09-033.00-031, 09-033.00-033,
09-033.00-038, 09-033.10-289, 09-033.20-073
09-033.20-074



HUNDRED: WHITE CLAY CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:8045
Prepared by: Matthew Rogers

Date: 1/30/2026



PERMANENT ORDINANCE NO. 26-026

Date Adopted by County Council:

Date Approved by County Executive:

 NC6.5 to P

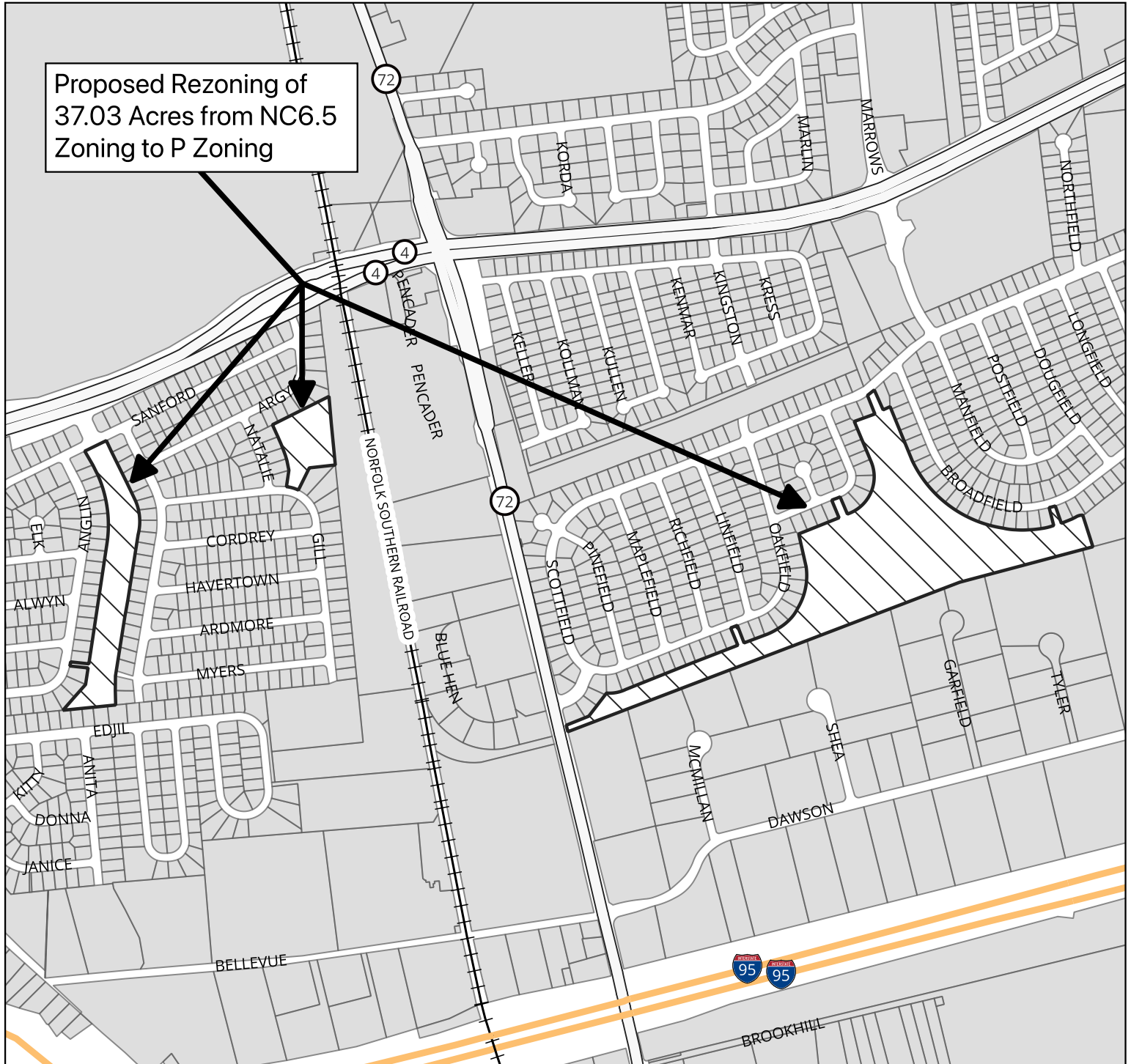
 S to P

PROPERTY MAP

EXHIBIT A MAP 4
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD
CONSERVATION (NC6.5) TO PUBLICLY
CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2026- 0173 -Z
TAX PARCEL NO: 11-006.40-084,
11-005.40-143, 11-006.10-071



HUNDRED: PENCADER HUNDRED
NEW CASTLE COUNTY, DELAWARE

PERMANENT ORDINANCE NO. 26-026
Date Adopted by County Council:
Date Approved by County Executive:

Scale: 1:10445
Prepared by: Matthew Rogers
Date: 1/30/2026

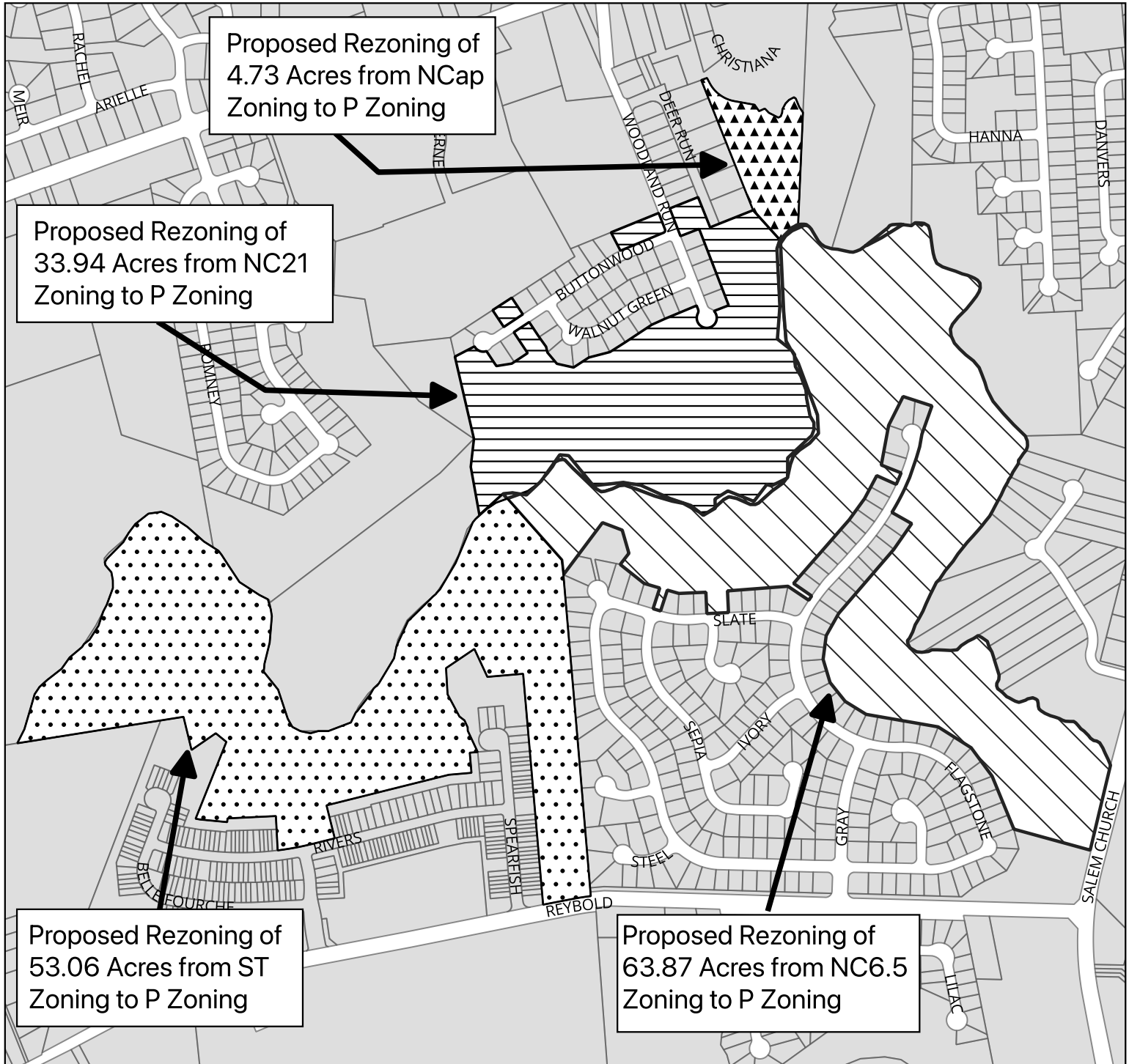


PROPERTY MAP

EXHIBIT A MAP 5 ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD
CONSERVATION (NC6.5, NC21 & NCap) &
SUBURBAN TRANSITION (ST) TO PUBLICLY
CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2026- 0173 -Z
TAX PARCEL NO: 09-037.00-149,
09-037.30-124, 09-037.30-132, 09-040.10-015,
11-015.10-045, 11-014.40-012



HUNDRED: PENCADER HUNDRED &
WHITE CLAY CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:8445
Prepared by: Matthew Rogers

Date: 1/30/2026



PERMANENT ORDINANCE NO. 26-026
Date Adopted by County Council:
Date Approved by County Executive:

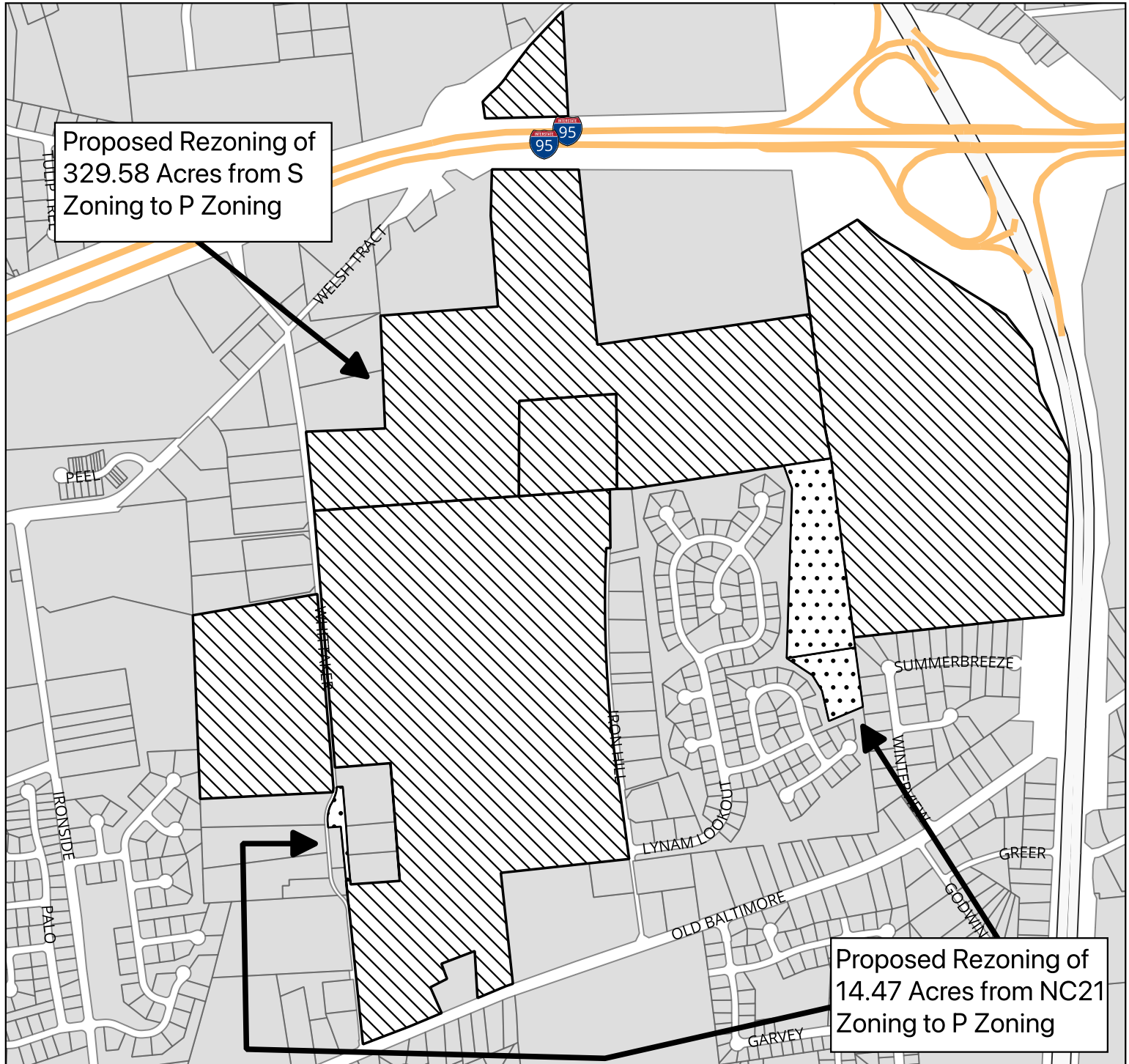
NC21 to P
 ST to P
 NC6.5 to P
 NCap to P

PROPERTY MAP

EXHIBIT A MAP 6
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD
CONSERVATION (NC21) & SUBURBAN (S) TO
PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2026- 0173 -Z
TAX PARCEL NO: 11-013.20-121, 11-009.00-030,
11-009.00-048, 11-009.00-056, 11-013.00-015,
11-013.00-122, 11-013.20-104



HUNDRED: WHITE CLAY CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:11291
Prepared by: Matthew Rogers

Date: 1/30/2026



PERMANENT ORDINANCE NO. 26-026
Date Adopted by County Council:
Date Approved by County Executive:

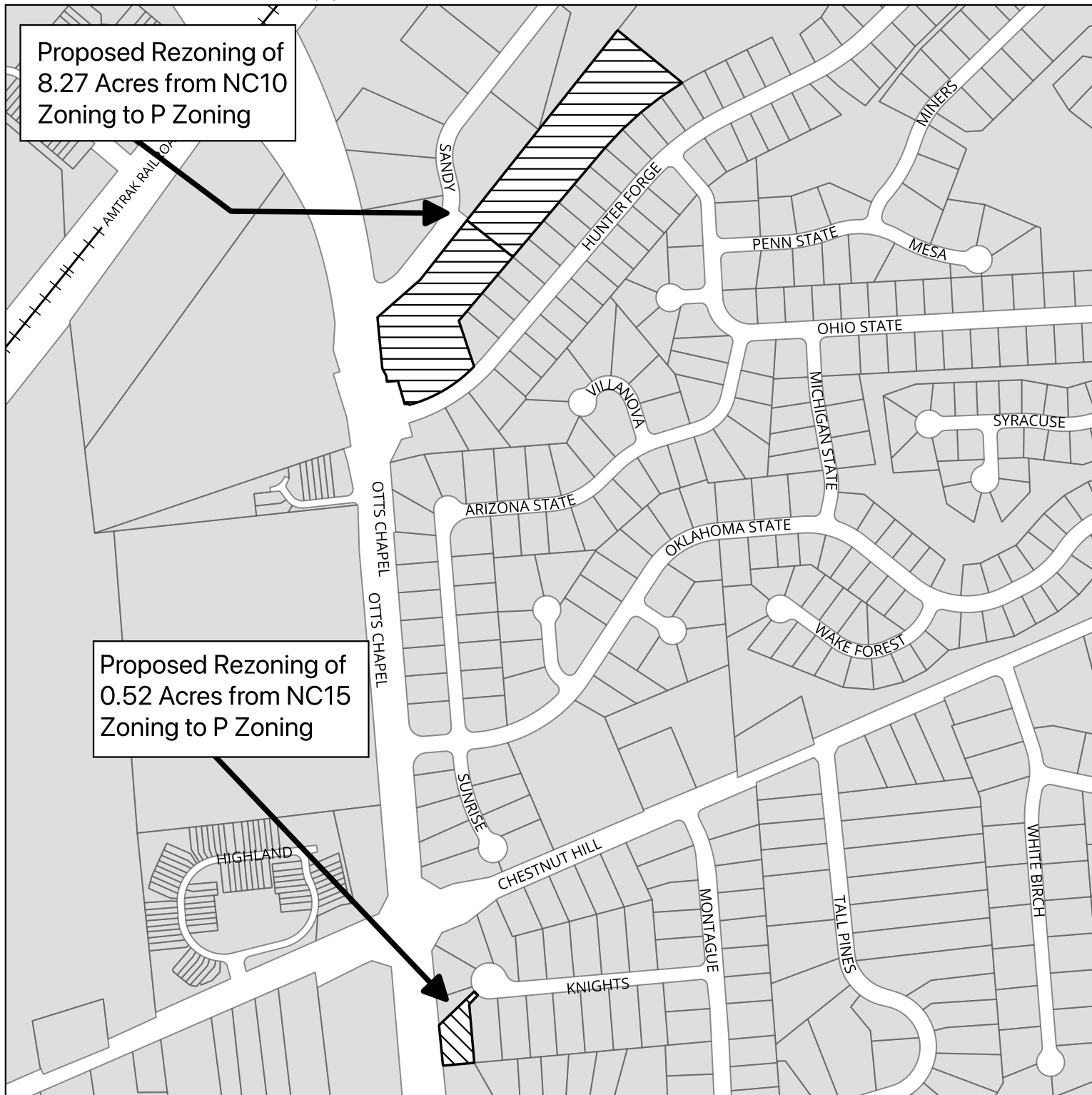
- NC21 to P
- S to P

PROPERTY MAP

EXHIBIT A MAP 7
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD
CONSERVATION (NC10 & NC15) TO PUBLICLY
CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2026- 0173 -Z
TAX PARCEL NO: 11-008.00-164, 11-008.20-001,
11-004.40-058



HUNDRED: PENCADER HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:5891
Prepared by: Matthew Rogers

Date: 1/30/2026



PERMANENT ORDINANCE NO. 26-026
Date Adopted by County Council:
Date Approved by County Executive:

- NC10 to P
- NC15 to P

PROPERTY MAP

EXHIBIT A MAP 8
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD
CONSERVATION (NCth) TO PUBLICLY CONSERVED
LANDS & PARKS (P)

APPLICATION NO. 2026- 0173 -Z
TAX PARCEL NO: 11-017.40-092



HUNDRED: PENCADER HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:3723
Prepared by: Matthew Rogers

Date: 1/30/2026



PERMANENT ORDINANCE NO. 26-026
Date Adopted by County Council:
Date Approved by County Executive:



New Castle County Department of Land Use

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

Ordinance No. 26-026

Application No. 2026-0173-Z

County Council District 5, 9, & 11 – Rezoning of County-owned Land to P-Zoning

May 19, 2026

Sponsor: Councilwoman George (District 5)
Councilman Sheldon (District 9)
Councilman Tackett (District 11)

Description: Revise the New Castle County Zoning Maps in County Council Districts 5, 9, & 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 2026-0173-Z (Ordinance 26-026) proposes to amend the County's official zoning map to rezone County-owned parks and open space in County Council Districts 5, 9, & 11 to the newly established P Zoning District. The subject parcels are:

09-037.00-149 (55 CHRISTIANA XING., WOODLAND RUN)
09-040.10-015 (8 WOODLAND RUN DR., WOODLAND RUN)
11-004.40-058 (95 N HUNTER FORGE RD., ACADEMY HILL PH I)
11-005.40-143 (41 SANFORD DR., ROBSCOTT MANOR SEC 2)
11-006.10-071 (22 GILL DR.)
11-006.40-084 (0 CAMPFIELD RD., SCOTTFIELD SEC 1)
11-008.00-164 (17 KNIGHTS XING., BEAULIEU)
11-008.20-001 (95 N HUNTER FORGE RD., VILL OF SANDY BRAE)
11-009.00-030 (55 WELSH TRACT RD.)
11-009.00-048 (0 S COLLEGE AVE., IRON HILL)
11-009.00-056 (0 WHITTAKER RD., IRON HILL)
11-013.00-015 (1337 OLD BALTIMORE PIKE., IRON HILL MUSEUM)

11-013.00-122 (0 WHITTAKER RD., IRON HILL)
 11-013.20-104 (0 LYNAM LOOKOUT DR., PRES AT LAFAYETTE HILL)
 11-013.20-121 (0 DONALD PRESTON DR., PRES AT LAFAYETTE HILL)
 11-014.40- 012 (2070 RIVERS DR., WHITEWOOD VILLAGE)
 11-015.10-045 (295 E FLAGSTONE DR., GRAY ACRES)
 11-017.40-092 (25 KAYAK CT., FOUR SEASONS)
 11-040.00-002 (3180 OLD COUNTY RD., ARTESIAN WATER CO)
 09-015.40-123 (0 INGLESIDE RD., STAFFORD II)
 09-033.00-031 (24 UPLAND CT., BREEZEWOOD)
 09-033.00-033 (24 UPLAND CT., BREEZEWOOD SEC II)
 09-033.00-038 (475 GENDER RD., BREEZEWOOD SEC III)
 09-033.10-289 (0 S SKYWARD DR., BREEZEWOOD)
 09-033.20-073 (499 GENDER RD., GENDER WOODS)
 09-033.20-074 (545 GENDER RD., GENDER WOODS)
 09- 037.00-149 (55 CHRISTIANA XING., WOODLAND RUN)
 09-037.30-124 (4 BUTTONWOOD CT., WOODLAND RUN)
 09-037.30-132 (20 BUTTONWOOD CT., WOODLAND RUN)
 09-040.10-015 (8 WOODLAND RUN DR., WOODLAND RUN)
 11-014.40-012 (2070 RIVERS DR., WHITEWOOD VILLAGE)

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 2026-0173-Z (Ordinance 26-026) proposes to amend the County's official zoning map to rezone County-owned parks and open space in County Council Districts 5, 9, & 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):

Academy Hills	Gray Acres
Anvil Park	Iron Hill Park
Beaulieu Park	Preserve at Lafayette Hill
Breezewood	Robscott Manor
Four Seasons	Stafford II
Frank Hann Community Park	Whitewood Villiage
Gender Woods	Woodland Run

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.

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 26-026 County Council District 5, 9, & 11 – Rezoning of County-owned Land to P-Zoning

The proposed ordinance would rezone parcels located within County Council Districts 5, 9, & 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.

³ PLUS Report:

<https://www3.newcastlede.gov/PDFDocument/default.aspx?DocumentID=80:FC40FF5826FBF7107D10260598B6C0724428DD1196872F86C5E68CE881F951C2C65831502A6D587F61602538894DF47B&x=temp.pdf>

PLANNING BOARD PUBLIC HEARING – April 7, 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 26-026*, discussing parcels located in County Council Districts 5, 9, & 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

Councilwoman Valerie George commented on her issues with the P-Zoning applications namely the amount of time spent by County staff to result in no change of use for parks and open space parcels.

ANALYSIS

Application 2026-0173-Z (Ordinance 26-026) proposes to amend the County's official zoning map to rezone County-owned parks and open space in County Council Districts 5, 9, & 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 parcels⁵ are all located within County Council Districts 5, 9, & 11, 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.

⁴ April 7, 2026, Planning Board Public Hearing: <https://www.newcastlede.gov/agendacenter>

⁵ Ordinance 26-026 (Including Exhibit Maps):
<https://www3.newcastlede.gov/PDFDocument/default.aspx?DocumentID=80:FC40FF5826FBF7107D10260598B6C0724428DD1196872F86C5E68CE881F951C27EF3102A199356BB3E27B76F7CC3147F&x=temp.pdf>

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 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 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 26-026.

PLANNING BOARD RECOMMENDATION

At a business meeting held on May 19, 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 Tracy Chamblee and seconded by Neil Cantrell, the Board voted to recommend **APPROVAL** of application 2026-0173-Z (Ord. 26-026) as recommended by the Department of Land Use. The motion was adopted by a vote of 5-0-0-4 (In Favor: Cantrell, Chamblee, Drake, Snowden, Visvardis; In Opposition: None; Abstention: None; Absent: Brutus, Cochran, Daigle, Ott).

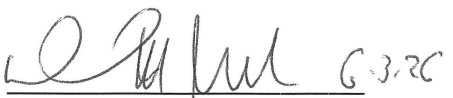
Prior to the vote, the following discussion occurred:

Alec Davis read the Department of Land Use recommendation into the record.

There were no questions from the members of 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.



David M. Culver date
General Manager
Department of Land Use



Robert B. Snowden date
Chair
New Castle County Planning Board

6/2/2026

ORDINANCE NO. 26-031

COUNTY INITIATED REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 1 REGARDING THE FOLLOWING TAX PARCELS: CHRISTIANA HUNDRED: 07-038.30-011 (405 S WOODWARD AVE., WOODWARD SUBD), 07-038.30-161 (309 S WOODWARD AVE., EASTBURN ETAL SUBD), 07-039.30-002 (506 ELSMERE AVE., RICHARDSON PARK), 07-041.30-014 (102 A ROTHWELL DR., GLEN BERNE ESTATES), 07-041.40-099 (506 KIAMENSI RD., GLEN BERNE ESTATES), 07-042.10-040 (0 BOXWOOD RD.), 07-042.10-041 (1004 AHLERS BLVD.), 07-042.10-049 (1005 AHLERS BLVD.), 07-042.10-050 (0 BOXWOOD RD., WOODCREST ESTATES), 07-042.30-091 (299 CLEVELAND AVE., WESTVIEW), 07-043.30-035 (102 MIDDLEBORO RD., BANNING PARK), 07-046.10-066 (13 PETRO DR., RED CREEK ACRES), 07-046.40-016 (140 SEARS BLVD., PLEASANT HILLS ESTS), 07-047.10-053 (2 DELAWARE AVE., TUXEDO PARK), 08-045.10-199 (905 KIAMENSI RD.); MILL CREEK HUNDRED: 07-041.30-014 (102 A ROTHWELL DR., GLEN BERNE ESTATES), 07-046.10-066 (13 PETRO DR., RED CREEK ACRES), 07-046.40-016 (140 SEARS BLVD., PLEASANT HILLS ESTS), 08-044.40-107 (4509 SHADY DR., KLAIR ESTATES SEC B), 08-044.40-242 (4421 SHARON DR., KLAIR ESTATES SEC D), 08-044.40-266 (4421 SHARON DR., MARSHALLTON HEIGHTS), 08-044.40-304 (0 SHERMAN AVE., KIAMENSI GARDENS ADD), 08-044.40-305 (4400 ROSLYN DR., ROLLING HILLS), 08-045.10-199 (905 KIAMENSI RD.), 08-045.30-248 (0 GRAYLING CT., GRAYLING), 08-045.30-261 (1000 KIAMENSI RD., FORD SUBD), 08-049.40-074 (10 ANNE PL., EASTBURN ACRES SEC 2), 08-050.10-176 (2005 TELEGRAPH RD., DELPARK MANOR), 08-050.20-165 (12 CYPRESS AVE., WESTFIELD), 08-050.20-371 (0 MITCH RD.), 08-051.10-093 (203 BINSTAD AVE., KIAMENSI GARDENS), 08-055.20-124 (2005 OAK ST., EASTBURN ACRES SEC 2), 08-055.20-167 (2005 OAK ST., ENGLISH CREEK II), 08-055.20-185 (0 NICHOLAS CT., ENGLISH CREEK II); NEW CASTLE HUNDRED: 10-023.00-009 (0 DUNSINANE DR., THE VILLAS), 10-028.00-025 (400 CHRISTIANA RD., GREENE SUBD), 10-028.00-041 (0 E MAIN ST.), 10-029.30-299 (145 WEDGEFIELD DR., WILTON SEC 10), 10-029.30-300 (170 APPLEBY RD., WILTON SEC 10), 10-033.20-043 (0 SCHOOL BELL RD., JAMESTOWNE), 10-034.10-080 (14 LAURIE CT., JAMESTOWNE), 10-034.10-081 (0 OFF JAMESTOWNE DR., JAMESTOWNE), 10-034.10-093 (945 OLD FORGE RD., WILTON SEC 10); WHITE CLAY CREEK HUNDRED: 09-023.00-048 (709 N BROWNLEAF RD., GALLAHER SCHOOL PARK), 09-023.00-049 (709 N BROWNLEAF RD., GALLAHER SCHOOL PARK), 09-023.10-001 (2 BROOKBEND DR., BROOKBEND), 09-023.10-002 (2 BROOKBEND DR., BROOKBEND), 09-030.30-091 (2008 POINT HAMLET RD., CHRISTIANA VILLAGE), 09-030.30-145 (70 BIRCHBROOK DR., CHRISTIANA VILLAGE), 09-030.30-180 (75 BIRCHBROOK DR., CHRISTIANA VILLAGE), 10-028.00-025 (400 CHRISTIANA RD., GREENE SUBD); APPLICATION NO. 2026-0169

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

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

10 **WHEREAS**, Strategy 1.1.6 of the 2022 New Castle County Comprehensive Plan
11 reiterates that the County should consider the addition of a preservation zoning category,
12 and defines “Protected Open Space” as privately or publicly held land that has been
13 protected from future development; and
14

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

18 **WHEREAS**, this County-initiated rezoning is intended to guide and control future
19 growth consistent with the spirit and intent of the Comprehensive Development Plan as
20 provided by State law; and
21

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

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

29 Section 1. The Zoning Maps of New Castle Hundred, Pencader Hundred, and
30 White Clay Creek Hundred are hereby amended by changing the zoning classification of
31 the land shown on attached Exhibit “A”, Maps 1-10 dated January 30, 2026, as set forth
32 therein.
33

34 Section 2. This Ordinance shall become effective immediately upon passage by
35 New Castle County Council and approval of the County Executive, or as otherwise
36 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.

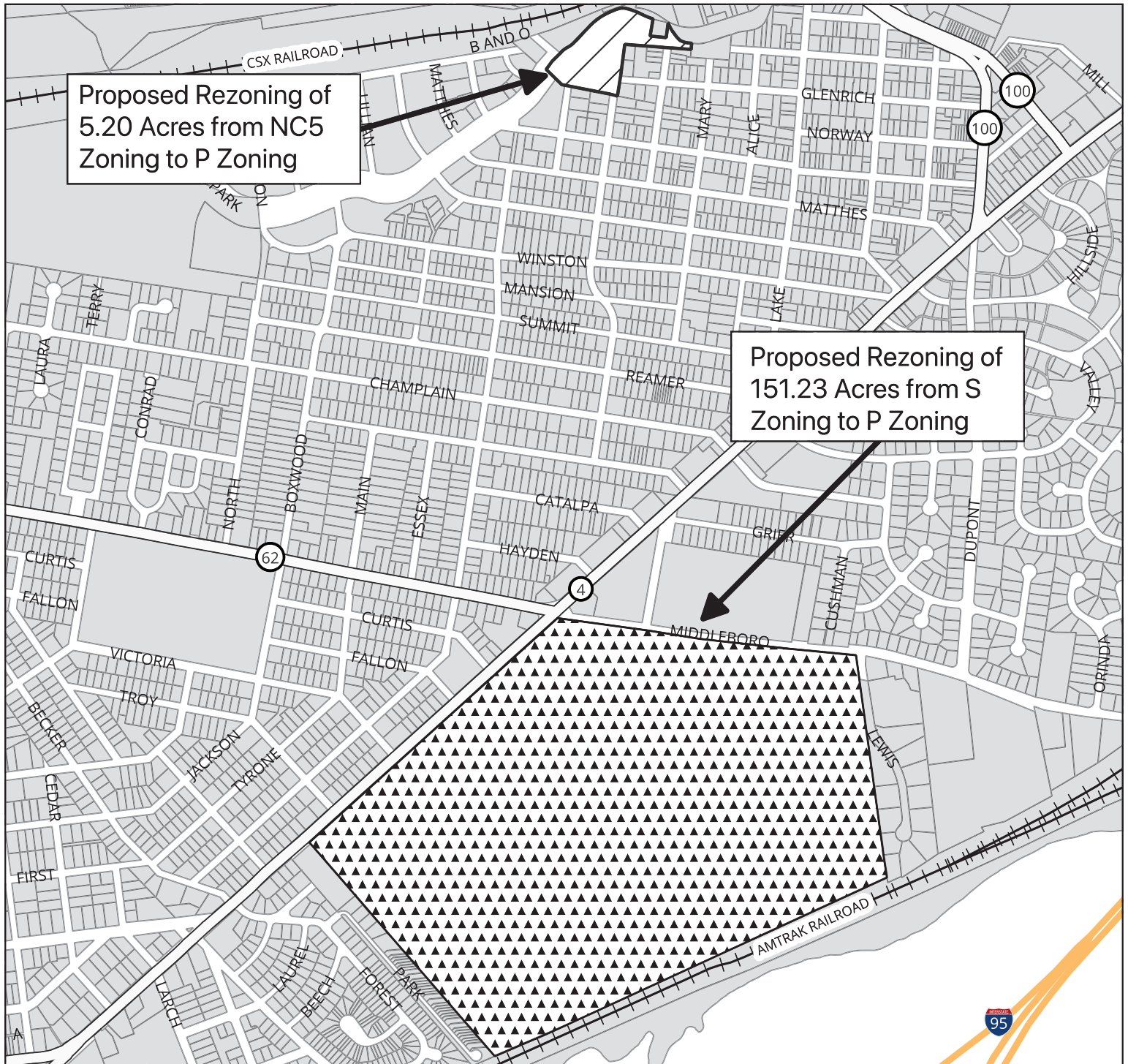
FISCAL IMPACT: There is no discernible fiscal impact with the adoption of this legislation.

PROPERTY MAP

EXHIBIT A MAP 1
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD
CONSERVATION (NC5) & SUBURBAN (S) TO
PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2026-0169 -Z
TAX PARCEL NO: 07-039.30-002, 07-043.30-035



HUNDRED: CHRISTIANA HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:10807
Prepared by: Matthew Rogers

Date: 1/30/2026



PERMANENT ORDINANCE NO. 26-031
Date Adopted by County Council:
Date Approved by County Executive:

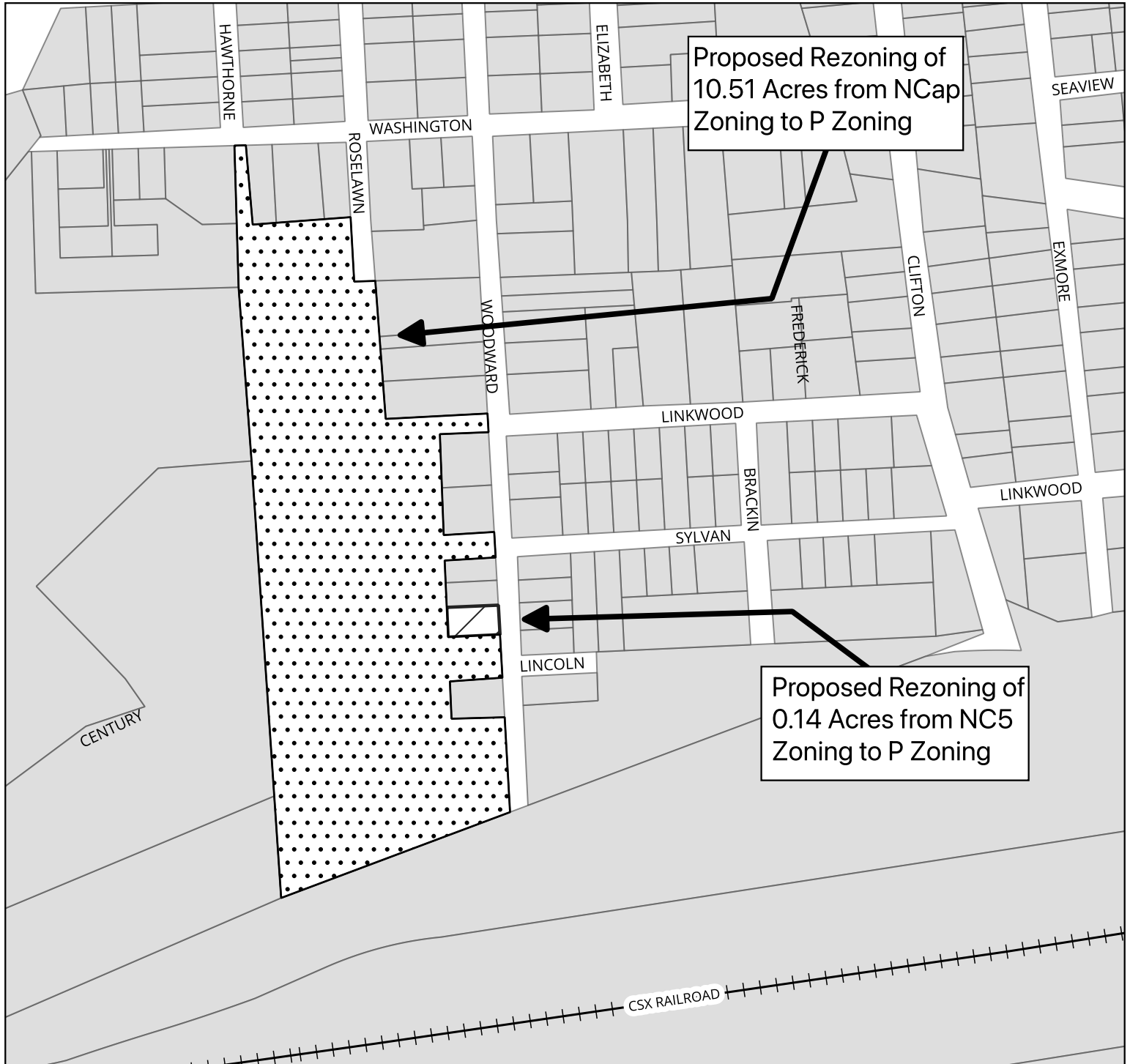
-  NC5 to P
-  S to P

PROPERTY MAP

EXHIBIT A MAP 2
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD
CONSERVATION (NC5 & NCap) TO PUBLICLY
CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2026- 0169 -Z
TAX PARCEL NO: 07-038.30-011,
07-038.30-161



HUNDRED: CHRISTIANA HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:3304
Prepared by: Matthew Rogers

Date: 1/30/2026



PERMANENT ORDINANCE NO. 26- 031
Date Adopted by County Council:
Date Approved by County Executive:

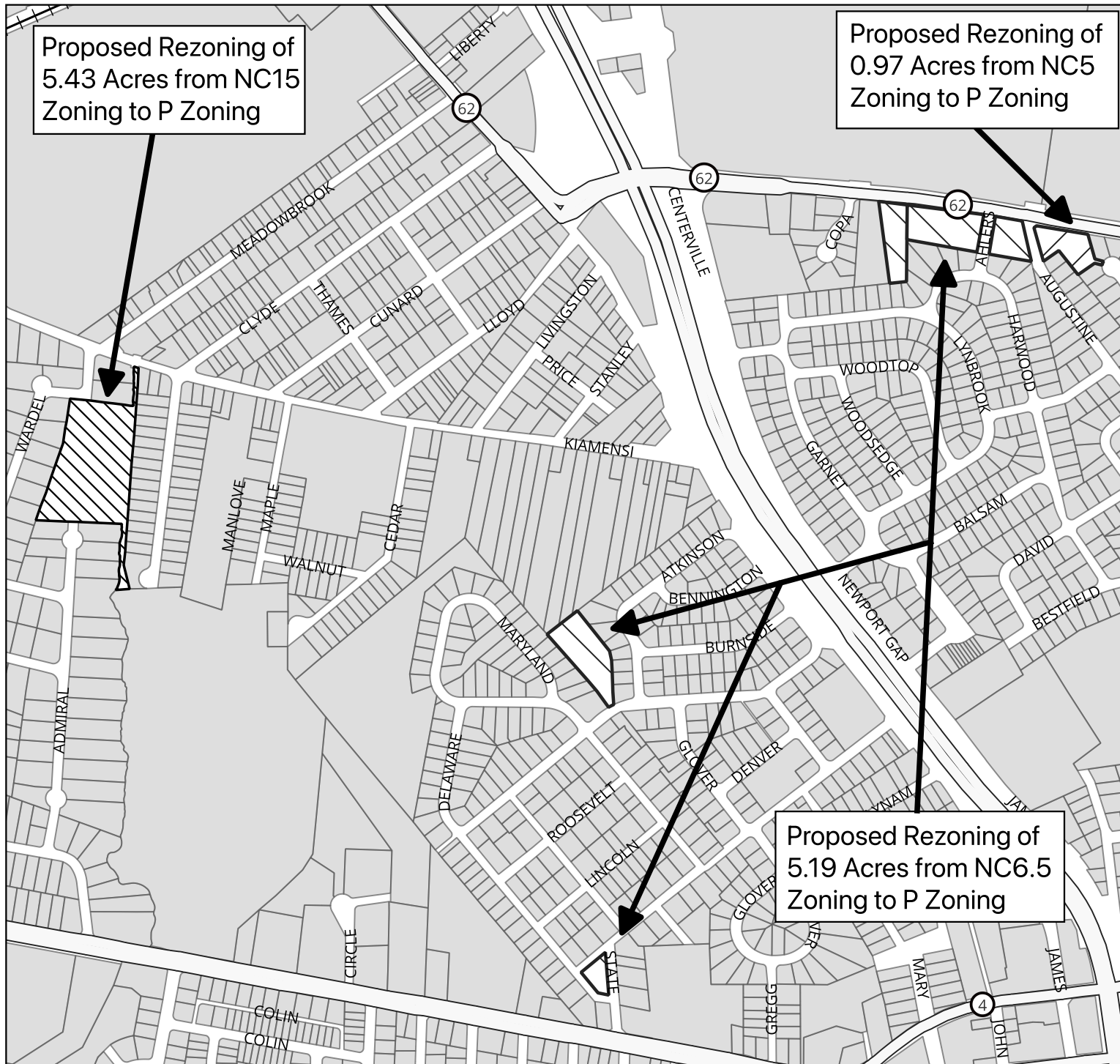
-  NC5 to P
-  NCap to P

PROPERTY MAP

EXHIBIT A MAP 3 ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD
CONSERVATION (NC5, NC6.5 & NC15) TO
PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2026- 0169 -Z
TAX PARCEL NO: 07-041.40-099, 07-042.10-040,
07-042.10-041, 07-042.10-049, 07-042-10.050,
07-042.30-091, 07-047.10-053



HUNDRED: CHRISTIANA HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:8300
Prepared by: Matthew Rogers

Date: 1/30/2026

PERMANENT ORDINANCE NO. 26-031
Date Adopted by County Council:
Date Approved by County Executive:

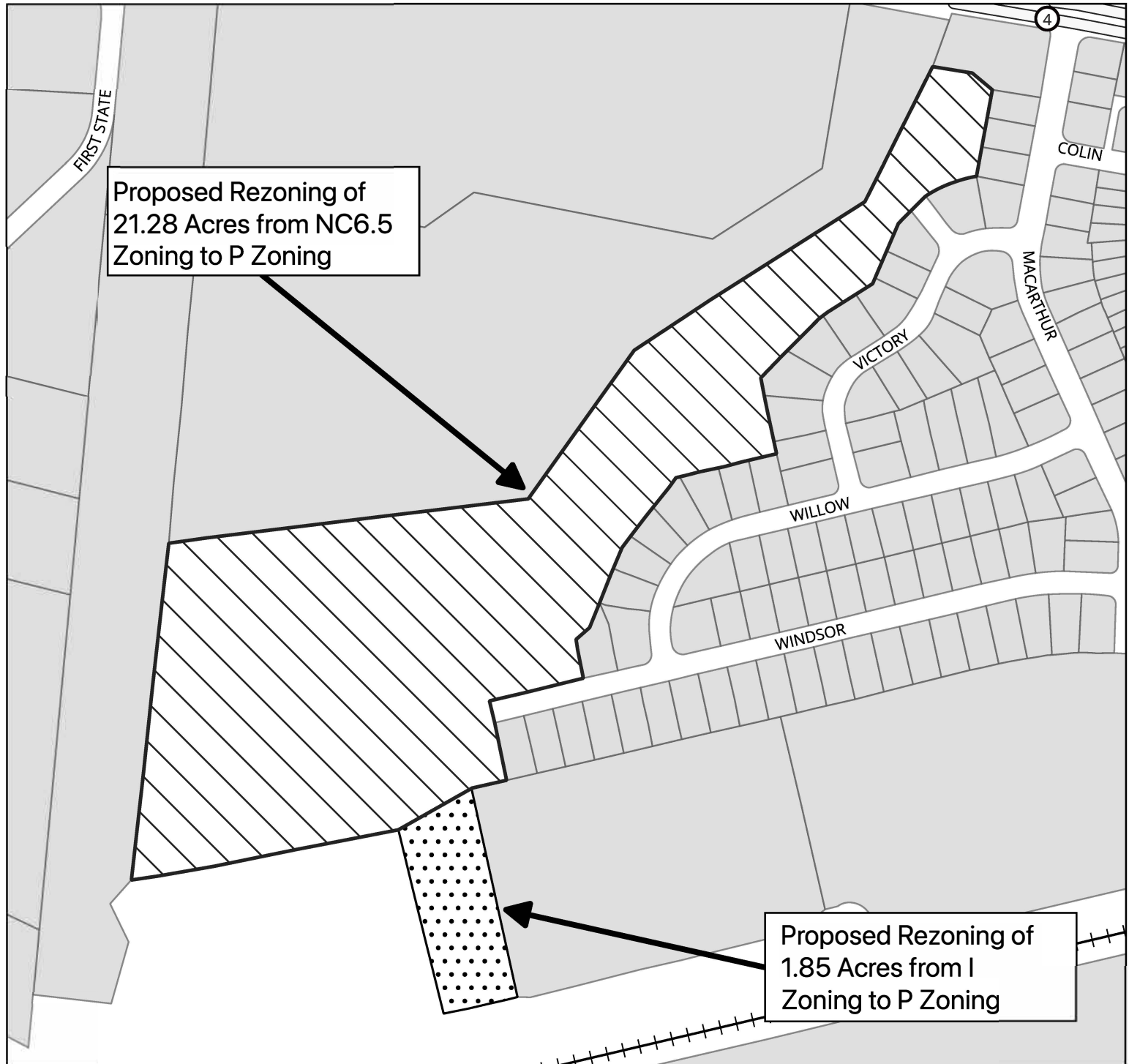
NC15 to P
 NC6.5 to P
 NC5 to P

PROPERTY MAP

EXHIBIT A MAP 4
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD
CONSERVATION (NC6.5) & INDUSTRIAL (I) TO
PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2026-0169-Z
TAX PARCEL NO: 07-046.40-016



HUNDRED: CHRISTIANA HUNDRED &
MILL CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:3804
Prepared by: Matthew Rogers
Date: 1/30/2026



PERMANENT ORDINANCE NO. 26-031
Date Adopted by County Council: Date
Approved by County Executive:

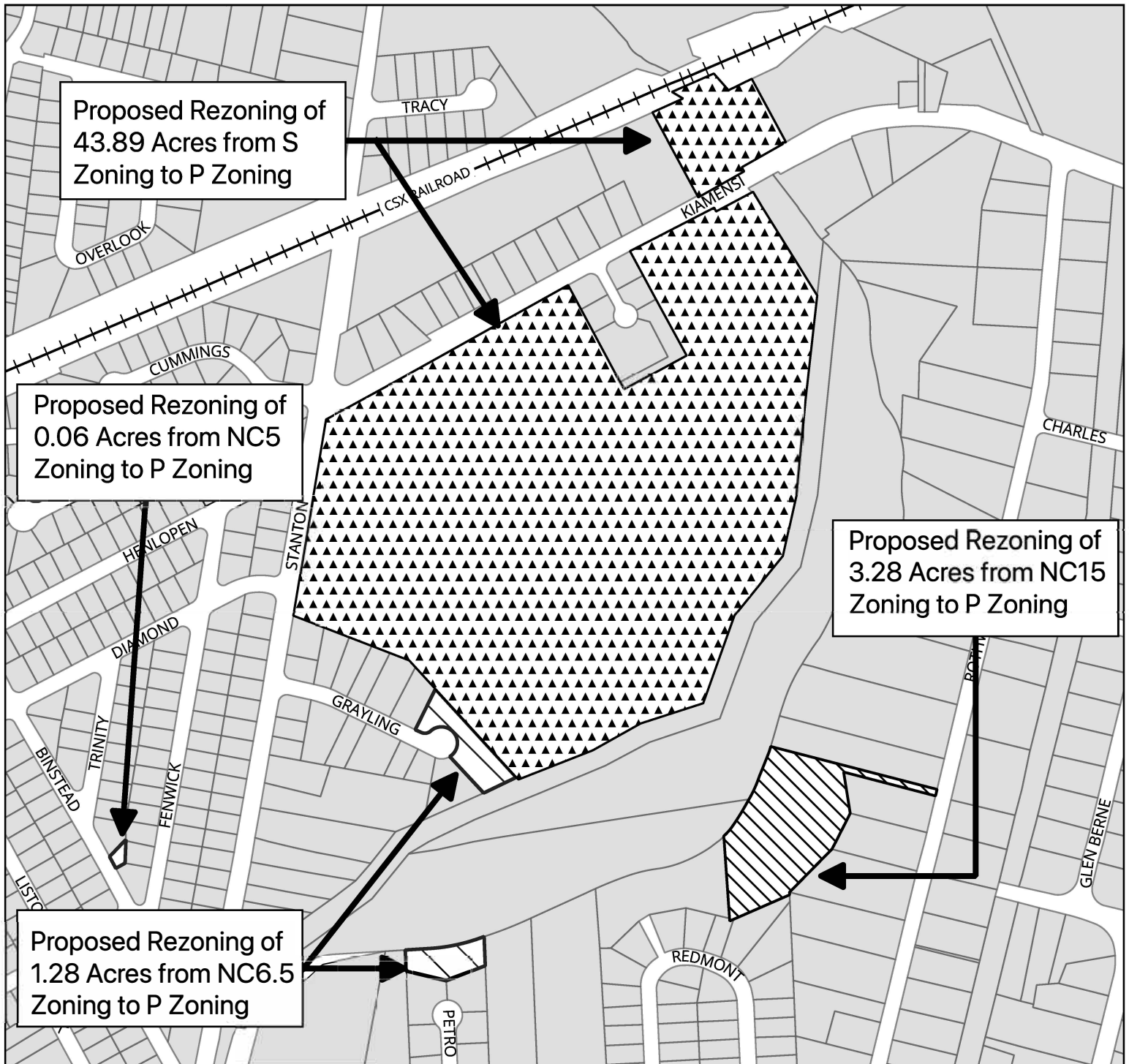
NC6.5 to P
 I TO P

PROPERTY MAP

EXHIBIT A MAP 5 ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD
CONSERVATION (NC5, NC6.5 & NC15) &
SUBURBAN (S) TO PUBLICLY CONSERVED LANDS
& PARKS (P)

APPLICATION NO. 2026-0169-Z
TAX PARCEL NO: 07-041.30-014,
07-046.10-066, 08-045.10-199, 08-045.30-248,
08-045.30-261, 08-051.10-093



HUNDRED: CHRISTIANA HUNDRED &
MILL CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:5304
Prepared by: Matthew Rogers

Date: 1/30/2026



PERMANENT ORDINANCE NO. 26-031
Date Adopted by County Council: Date
Approved by County Executive:

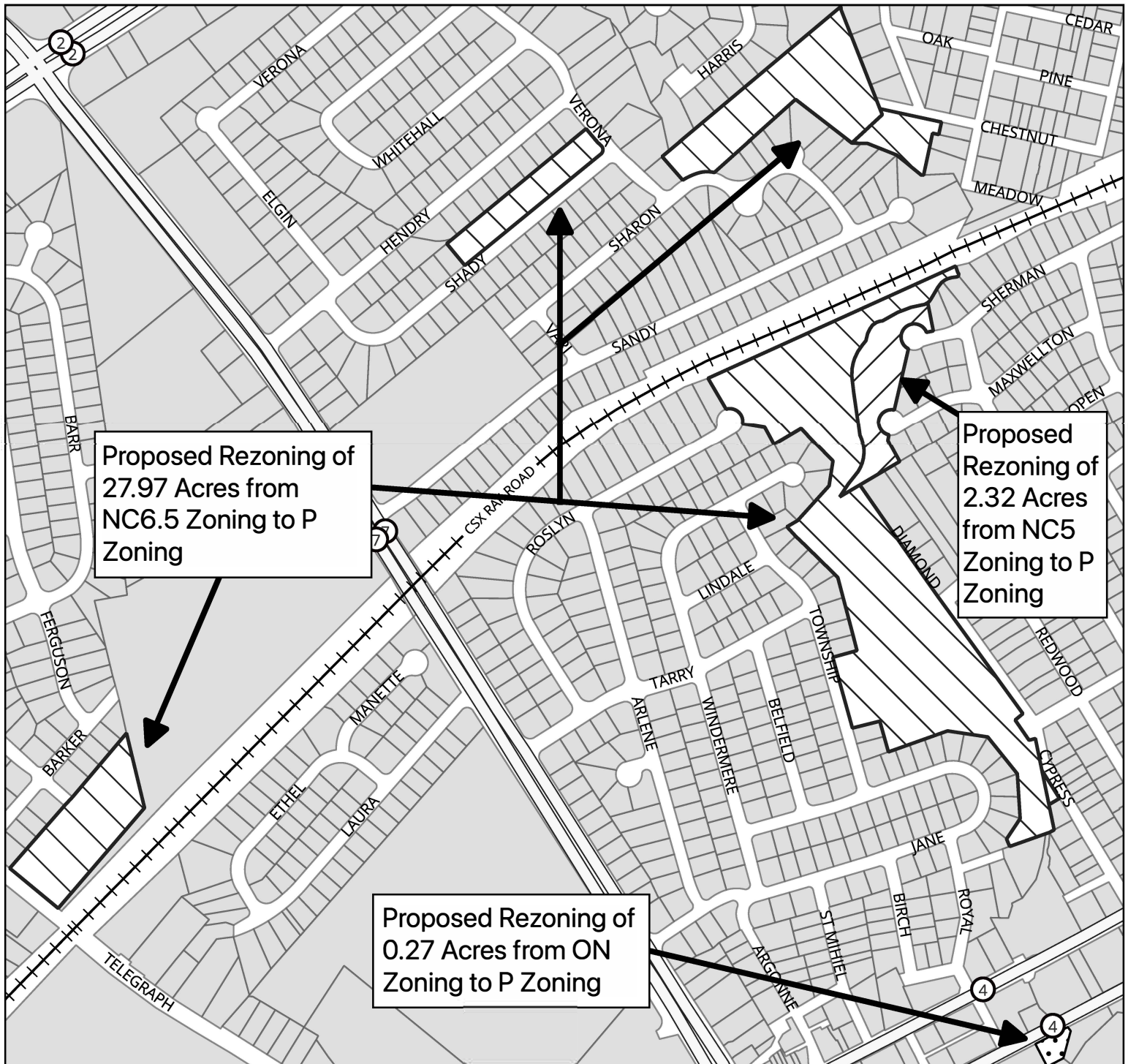
NC15 to P
 NC6.5 to P
 NC5 to P
 S to P

PROPERTY MAP

EXHIBIT A MAP 6 ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD
CONSERVATION (NC5 & NC6.5) & OFFICE
NEIGHBORHOOD (ON) TO PUBLICLY CONSERVED
LANDS & PARKS (P)

APPLICATION NO. 2026-0169-Z
TAX PARCEL NO: 08-044.40-107,
08-044.40-242, 08-044.40-266, 08-044.40-304,
08-044.40-305, 08-050.10-176, 08-050.20-165,
08-050.20-371



HUNDRED: MILL CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:6604
Prepared by: Matthew Rogers

Date: 1/30/2026



PERMANENT ORDINANCE NO. 26-031
Date Adopted by County Council: Date Approved
by County Executive:

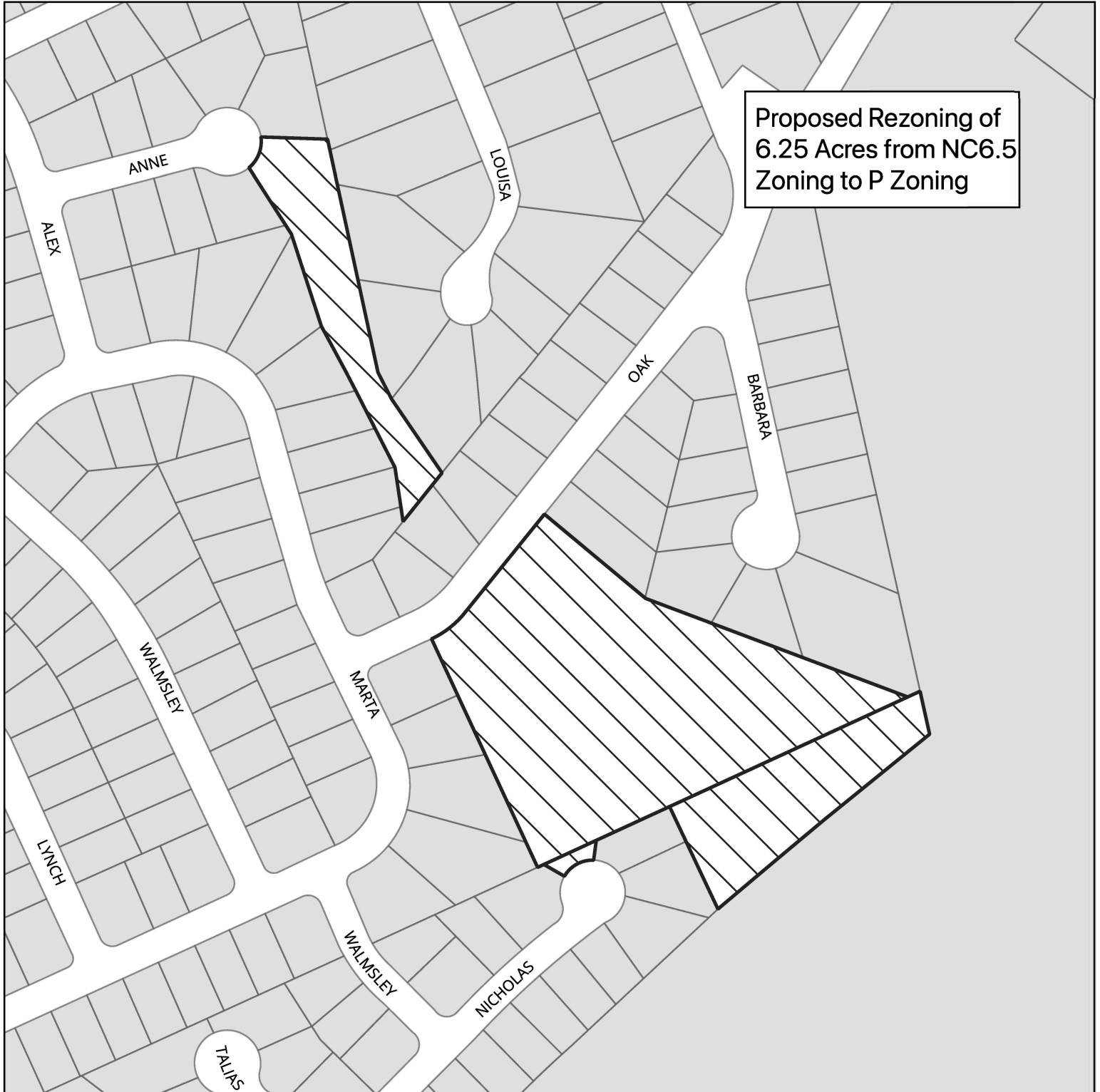
NC5 to P
 ON to P
 NC6.5 to P

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. 2026-0169-Z
TAX PARCEL NO: 08-049.40-074, 08-055.20-124,
08-055.20-167, 08-055.20-185



HUNDRED: MILL CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE



PERMANENT ORDINANCE NO. 26-031
Date Adopted by County Council: Date
Approved by County Executive:

Scale: 1:2504
Prepared by: Matthew Rogers

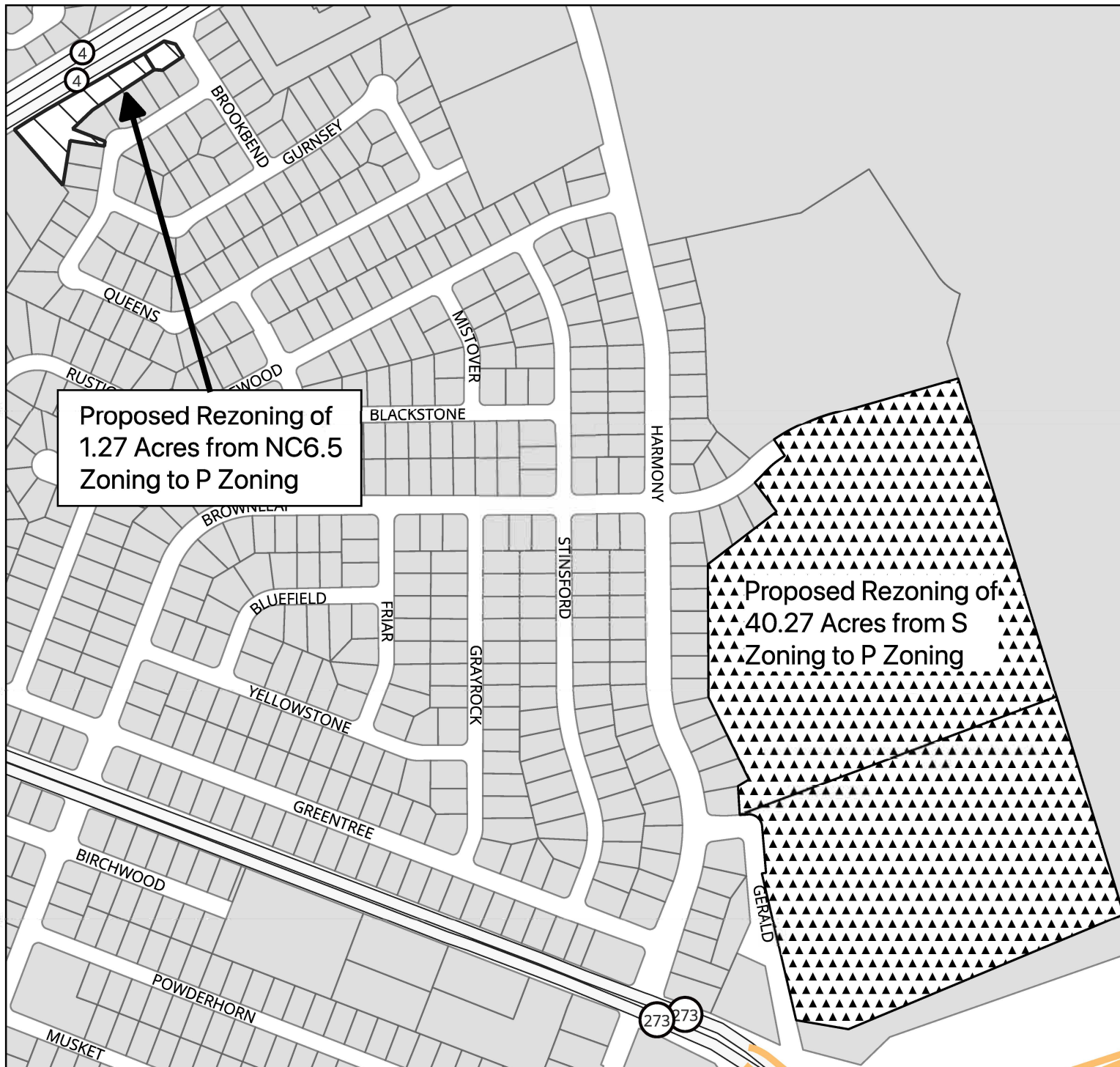
Date: 1/30/2026

PROPERTY MAP

EXHIBIT A MAP 8 ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD
CONSERVATION (NC6.5) & SUBURBAN (S) TO
PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2026-0169-Z
TAX PARCEL NO: 09-023.00-048,
09-023.00-049, 09-023.10-001,
09-023.10-002



HUNDRED: WHITE CLAY CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:5304
Prepared by: Matthew Rogers

Date: 1/30/2026



PERMANENT ORDINANCE NO. 26-031
Date Adopted by County Council: Date
Approved by County Executive:

 NC6.5 to P

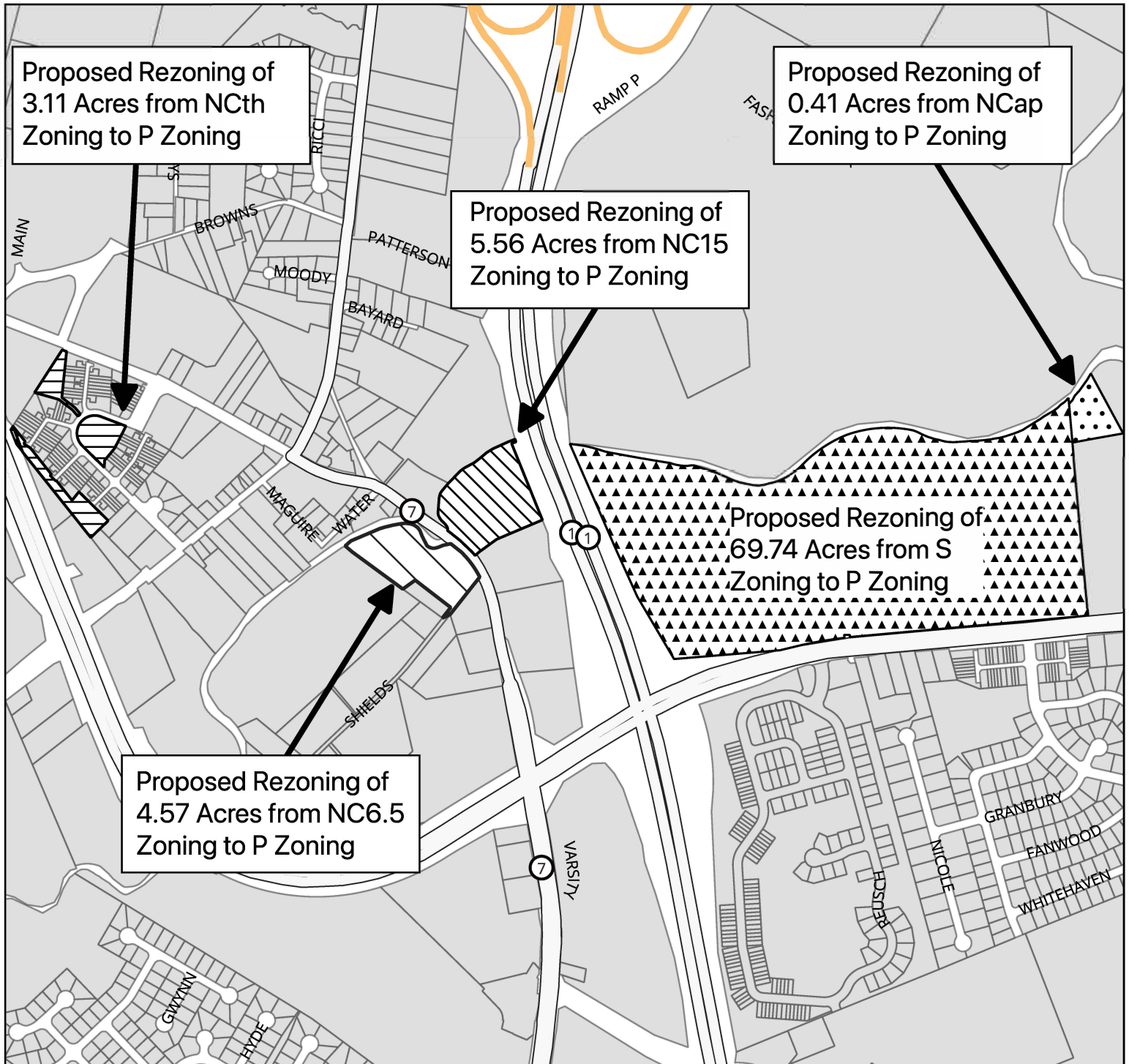
 S to P

PROPERTY MAP

EXHIBIT A MAP 9 ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD
CONSERVATION (NC6.5, NC15, NCap & NCth) TO
PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2026-0169-Z
TAX PARCEL NO: 09-030.30-091,
09-030.30-145, 09-030.30-180, 10-023.00-009,
10-028.00-025, 10-028.00-041



HUNDRED: NEW CASTLE HUNDRED &
WHITE CLAY CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:9904

Prepared by: Matthew Rogers

Date: 1/30/2026



PERMANENT ORDINANCE NO. 26-031

Date Adopted by County Council:

Date Approved by County Executive:

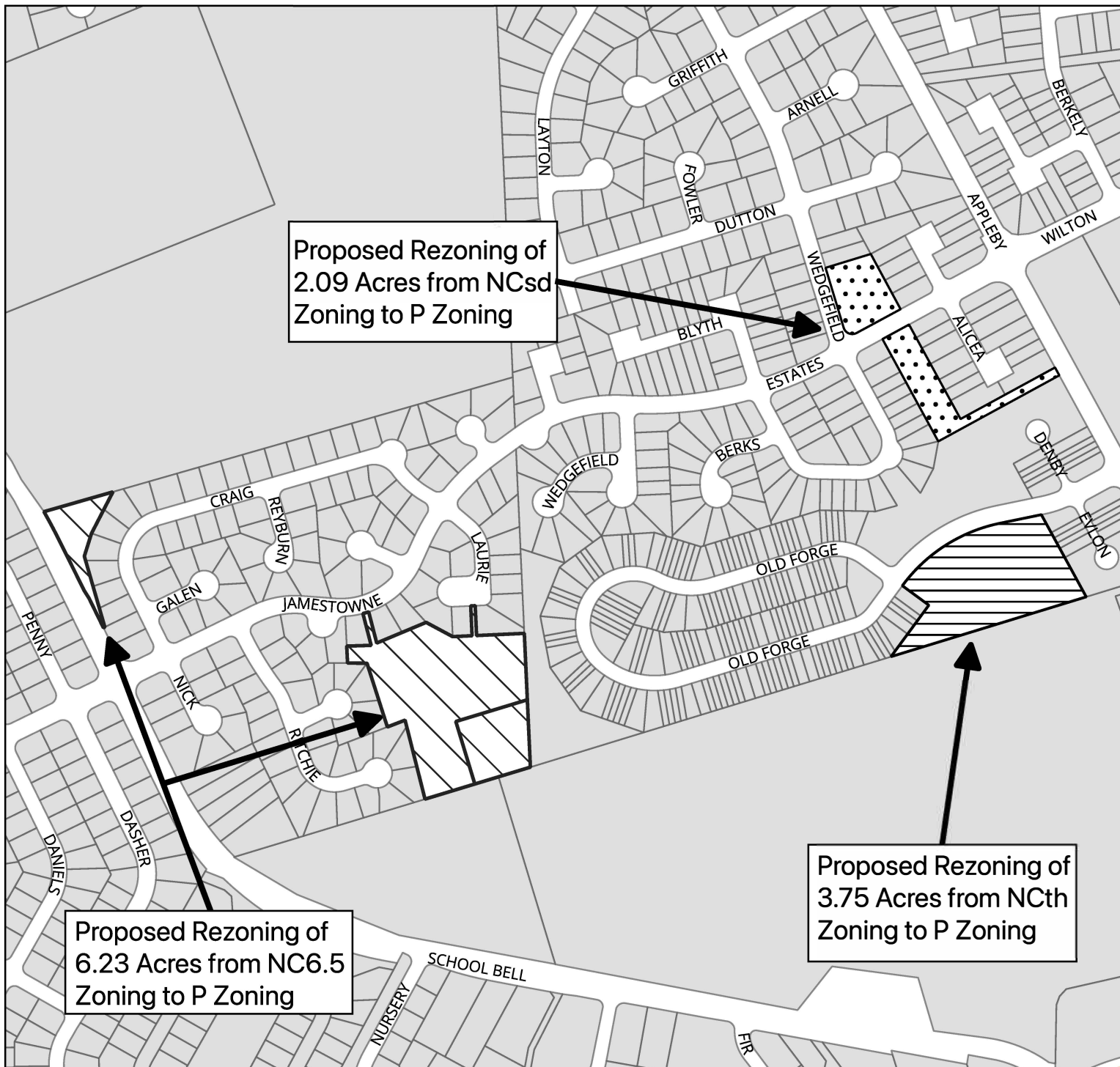
- | | |
|------------|-----------|
| NC15 to P | NCth to P |
| NC6.5 to P | NCap to P |
| S to P | |

PROPERTY MAP

EXHIBIT A MAP 10
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: NEIGHBORHOOD
CONSERVATION (NC6.5, NCsd & NCth) TO
PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2026-0169-Z
TAX PARCEL NO: 10-029.30-299,
10-029.30-300, 10-033.20-043, 10-034.10-080,
10-034.10-081, 10-034.10-093



HUNDRED: NEW CASTLE HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:5652
Prepared by: Matthew Rogers

Date: 1/30/2026



PERMANENT ORDINANCE NO. 26-031
Date Adopted by County Council:
Date Approved by County Executive:

 NC6.5 to P  NCsd to P
 NCth to P



New Castle County Department of Land Use

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

**Ordinance No. 26-031
Application No. 2026-0169-Z
County Council District 1 – Rezoning of County-owned Land to P-Zoning**

May 19, 2026

Sponsor: Councilman Toole (District 1)

Description: Revise the New Castle County Zoning Maps in County Council District 1 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 2026-0169-Z (Ordinance 26-031) proposes to amend the County's official zoning map to rezone County-owned parks and open space in County Council District 1 to the newly established P Zoning District. The subject parcels are:

07-038.30-011 (405 S WOODWARD AVE., WOODWARD SUBD)
07-038.30-161 (309 S WOODWARD AVE., EASTBURN ETAL SUBD)
07-039.30-002 (506 ELSMERE AVE., RICHARDSON PARK)
07-041.30-014 (102 A ROTHWELL DR., GLEN BERNE ESTATES)
07-041.40-099 (506 KIAMENSI RD., GLEN BERNE ESTATES)
07-042.10-040 (0 BOXWOOD RD.)
07-042.10-041 (1004 AHLERS BLVD.)
07-042.10-049 (1005 AHLERS BLVD.)
07-042.10-050 (0 BOXWOOD RD., WOODCREST ESTATES)
07-042.30-091 (299 CLEVELAND AVE., WESTVIEW)
07-043.30-035 (102 MIDDLEBORO RD., BANNING PARK)
07-046.10- 066 (13 PETRO DR., RED CREEK ACRES)
07-046.40-016 (140 SEARS BLVD., PLEASANT HILLS ESTS)
07-047.10-053 (2 DELAWARE AVE., TUXEDO PARK)

08- 045.10-199 (905 KIAMENSI RD.)
07-041.30-014 (102 A ROTHWELL DR., GLEN BERNE ESTATES)
07-046.10-066 (13 PETRO DR., RED CREEK ACRES)
07-046.40-016 (140 SEARS BLVD., PLEASANT HILLS ESTS)
08- 044.40-107 (4509 SHADY DR., KLAIR ESTATES SEC B)
08-044.40-242 (4421 SHARON DR., KLAIR ESTATES SEC D)
08-044.40-266 (4421 SHARON DR., MARSHALLTON HEIGHTS)
08-044.40-304 (0 SHERMAN AVE., KIAMENSI GARDENS ADD)
08-044.40-305 (4400 ROSLYN DR., ROLLING HILLS)
08-045.10- 199 (905 KIAMENSI RD.)
08-045.30-248 (0 GRAYLING CT., GRAYLING)
08-045.30- 261 (1000 KIAMENSI RD., FORD SUBD)
08-049.40-074 (10 ANNE PL., EASTBURN ACRES SEC 2)
08-050.10-176 (2005 TELEGRAPH RD., DELPARK MANOR)
08- 050.20-165 (12 CYPRESS AVE., WESTFIELD)
08-050.20-371 (0 MITCH RD.)
08- 051.10-093 (203 BINSTED AVE., KIAMENSI GARDENS)
08-055.20-124 (2005 OAK ST., EASTBURN ACRES SEC 2)
08-055.20-167 (2005 OAK ST., ENGLISH CREEK II)
08-055.20-185 (0 NICHOLAS CT., ENGLISH CREEK II)
10-023.00-009 (0 DUNSINANE DR., THE VILLAS)
10-028.00-025 (400 CHRISTIANA RD., GREENE SUBD)
10-028.00-041 (0 E MAIN ST.)
10-029.30-299 (145 WEDGEFIELD DR., WILTON SEC 10)
10-029.30-300 (170 APPLEBY RD., WILTON SEC 10)
10-033.20-043 (0 SCHOOL BELL RD., JAMESTOWNE)
10- 034.10-080 (14 LAURIE CT., JAMESTOWNE)
10-034.10-081 (0 OFF JAMESTOWNE DR., JAMESTOWNE)
10-034.10-093 (945 OLD FORGE RD., WILTON SEC 10)
09-023.00-048 (709 N BROWNLEAF RD., GALLAHER SCHOOL PARK)
09-023.00-049 (709 N BROWNLEAF RD., GALLAHER SCHOOL PARK)
09-023.10-001 (2 BROOKBEND DR., BROOKBEND)
09-023.10- 002 (2 BROOKBEND DR., BROOKBEND)
09-030.30-091 (2008 POINT HAMLET RD., CHRISTIANA VILLAGE)
09-030.30-145 (70 BIRCHBROOK DR., CHRISTIANA VILLAGE)
09-030.30-180 (75 BIRCHBROOK DR., CHRISTIANA VILLAGE)
10- 028.00-025 (400 CHRISTIANA RD., GREENE SUBD)

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 **CONDITIONAL APPROVAL** of Ordinance 26-031 with the condition that County Council consider a substitute ordinance that:

1. Reconfirms the property located at 207 Binstead Avenue (T.P.# 08-045.30-184) as NC5 (Neighborhood Conservation – 5,000 square foot lots).

DESCRIPTION

Application 2026-0169-Z (Ordinance 26-031) proposes to amend the County’s official zoning map to rezone County-owned parks and open space in County Council District 1 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):

Appleby Estates	Jamestowne
Banning Park	Kaimensi Gardens
Biden Park	Klair Estates
Brookbend Park	Lewden-Green Park
Calf Run North	Meadows at Wilton
Calf Run South	Pleasant Hill Estates
Christiana Villiage	Powell Ford Park
Delpark Manor	Red Creek Acres
Eastburn Acres	Richardson Park
English Creek	Rothwell Park
Gallaher School Park	Tuxedo Park
Glen Berne Estates	Westview Park
Gordy Estates	Woodcrest Estates
Jame T Cororan Jr. Park	

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 26-031 County Council District 1 – Rezoning of County-owned Land to P-Zoning

The proposed ordinance would rezone parcels located within County Council District 1 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

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>

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 – April 7, 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 26-031*, discussing parcels located in County Council District 1 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

Francis Tudor asked for the Department of Land Use to explain the purpose of P-Zoning. Rae Marsh had specific questions regarding a property in Kiamensi Gardens (207 Binstead Avenue). Bany Aglam asked if the how the P-Zoning will affect open space. Latania Doby inquired about the maintenance of the open space parcels.

Rebuttal

Alec Davis clarified the purpose of the P Zoning designation and pointed out the subject properties are still to be owned and maintained by the County (Public Works). David Culver (Land Use) in regards to 207 Binstead Avenue stated the Department of Land Use has been working with the Council Member regarding the issue.

ANALYSIS

Application 2026-0169-Z (Ordinance 26-031) 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 parcels⁵ are all located within County Council District 1, which encompasses Churchman's Crossing. 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 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 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.

⁵ Ordinance 26-031 (Including Exhibit Maps):

<https://www3.newcastlede.gov/PDFDocument/default.aspx?DocumentID=80:FC40FF5826FBBF7107D10260598B6C0724428DD1196872F86C5E68CE881F951C27EF3102A199356BB8A025177055466C3&x=temp.pdf>

E. *Effect on nearby properties.*

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 **CONDITIONAL APPROVAL** of Ordinance 26-031 with the condition that County Council consider a substitute ordinance that:

2. Reconfirms the property located at 207 Binstead Avenue (T.P.# 08-045.30-184) as NC5 (Neighborhood Conservation – 5,000 square foot lots).

PLANNING BOARD RECOMMENDATION

At a business meeting held on May 19, 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 Kiana Drake and seconded by Tracy Chamblee, the Board voted to recommend **CONDITIONAL APPROVAL** of application 2026-0169-Z (Ord. 26-031) as recommended by the Department of Land Use. The motion was adopted by a vote of 5-0-0-4 (In Favor: Cantrell, Chamblee, Drake, Snowden, Visvardis; In Opposition: None; Abstention: None; Absent: Brutus, Cochran, Daigle, Ott).

Prior to the vote, the following discussion occurred:

Alec Davis read the Department of Land Use recommendation into the record.

Robert Snowden asked about the address at 203 Binstead Avenue. Matthew Rogers (Land Use) stated the property was most likely divided off back in the 1950s and that the Department of Public Works would work with the adjacent property owner. David Culver (Land Use) explained that the subject property was bought at tax sale by the County and that Public Works will be working with the surrounding property owners to sort the property encroachment issues out. Kiana Drake asked about the current NC5 designation for 203 Binstead Avenue and that the recommended condition would be to keep the NC5 zoning. Matthew Rogers explained that zoning reconfirmations have occurred in the past and how they have historically worked.

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.

 6-3-26

David M. Culver date
General Manager
Department of Land Use

 6/2/2026

Robert B. Snowden date
Chair
New Castle County Planning Board

Prime Sponsor(s): Mr. Hollins
Requested by: Land Use
Date of introduction: March 24, 2026

ORDINANCE NO. 26-032

COUNTY INITIATED REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 4 REGARDING THE FOLLOWING TAX PARCELS: BRANDYWINE HUNDRED: 06-149.00-017 (4014 GOVERNOR PRINTZ BLVD) FROM INDUSTRIAL (I) TO PUBLICLY CONSERVED LAND AND PARKS (P); APPLICATION NO. 2026-0170

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

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

10
11 **WHEREAS**, Strategy 1.1.6 of the 2022 New Castle County Comprehensive Plan
12 reiterates that the County should consider the addition of a preservation zoning category,
13 and defines “Protected Open Space” as privately or publicly held land that has been
14 protected from future development; and

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

18
19 **WHEREAS**, this County-initiated rezoning is intended to guide and control future
20 growth consistent with the spirit and intent of the Comprehensive Development Plan as
21 provided by State law; and

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

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

27
28
29 Section 1. The Zoning Maps of New Castle Hundred, Pencader Hundred, and
30 White Clay Creek Hundred are hereby amended by changing the zoning classification of
31 the land shown on attached Exhibit “A”, Map 1 dated January 30, 2026, as set forth
32 therein.
33

34 Section 2. This Ordinance shall become effective immediately upon passage by
35 New Castle County Council and approval of the County Executive, or as otherwise
36 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.

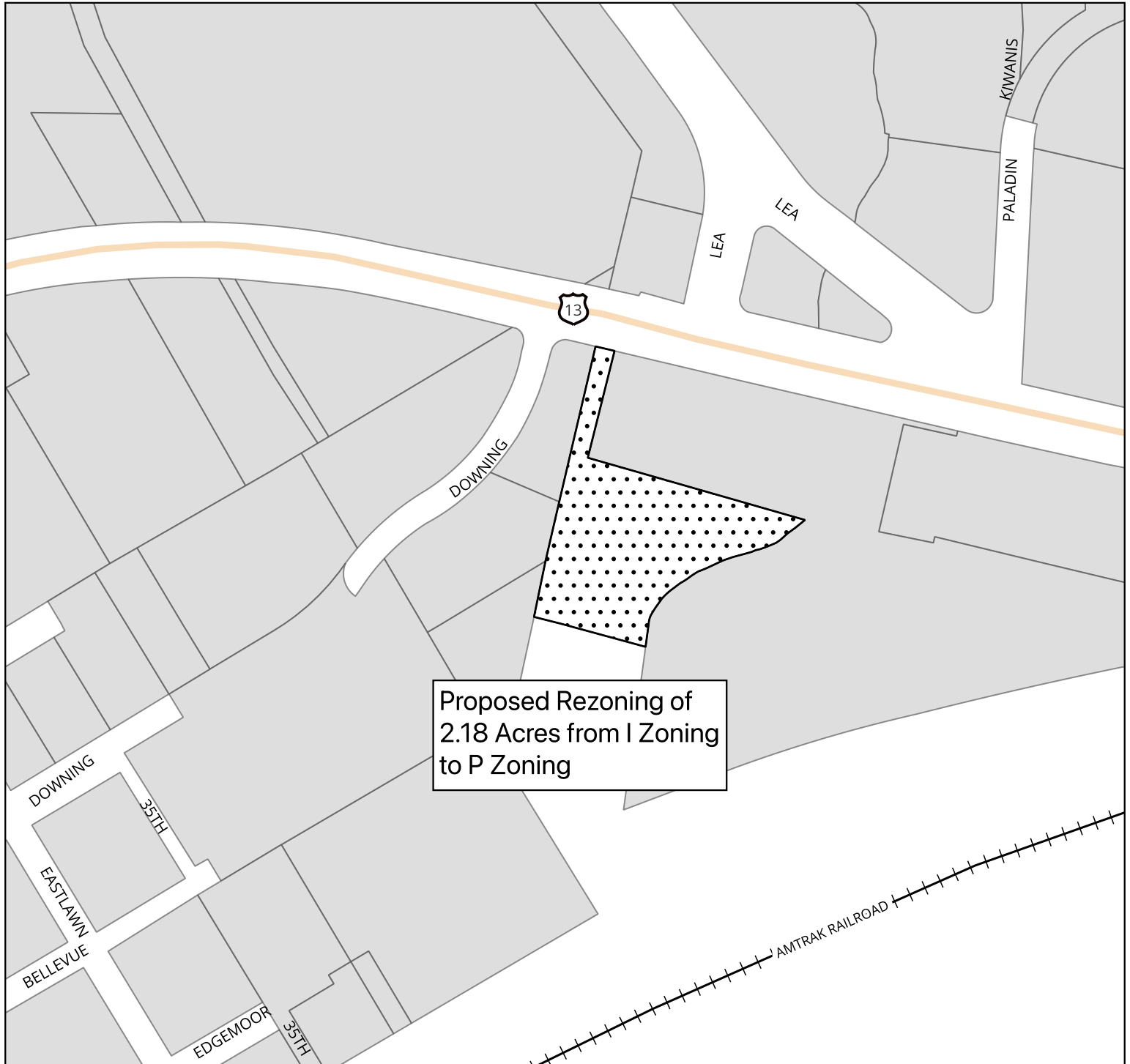
FISCAL IMPACT: There is no discernible fiscal impact with the adoption of this legislation.

PROPERTY MAP

EXHIBIT A MAP 1
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: INDUSTRIAL (I) TO
PUBLICLY CONSERVED LANDS & PARKS (P)

APPLICATION NO. 2026- 0170 -Z
TAX PARCEL NO: 06-149,00-017



HUNDRED: BRANDYWINE HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:3054
Prepared by: Matthew Rogers

Date: 1/30/2026



PERMANENT ORDINANCE NO. 26-032
Date Adopted by County Council:
Date Approved by County Executive:



New Castle County Department of Land Use

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

Ordinance No. 26-032

Application No. 2026-0170-Z

County Council District 4 – Rezoning of County-owned Land to P-Zoning

May 19, 2026

Sponsor: Councilman Hollins (District 4)

Description: Revise the New Castle County Zoning Maps in County Council District 4 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 2026-0170-Z (Ordinance 26-032) proposes to amend the County's official zoning map to rezone County-owned parks and open space in County Council District 4 to the newly established P Zoning District. The subject parcel is 06-149.00-017 (4014 Governor Printz Blvd.)

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 2026-0170-Z (Ordinance 26-032) proposes to amend the County's official zoning map to rezone County-owned parks and open space in County Council District 4 to the newly established P Zoning District.

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.

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 26-032 County Council District 4 – Rezoning of County-owned Land to P-Zoning

The proposed ordinance would rezone 1 parcel (Tax Parcel # 06-149.00-017) located within County Council District 4 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.

³ PLUS Report:

<https://www3.newcastlede.gov/PDFDocument/default.aspx?DocumentID=80:FC40FF5826FBF7107D10260598B6C0724428DD1196872F86C5E68CE881F951C2C65831502A6D587F61602538894DF47B&x=temp.pdf>

PLANNING BOARD PUBLIC HEARING April 7, 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 26-032*, discussing the parcel located in County Council District 4 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 map for the affected property.

There were no questions from the Planning Board.

Public Comment

There was no public comment.

ANALYSIS

Application 2025-0170-Z (Ordinance 26-032) proposes to amend the County's official zoning map to rezone County-owned parks and open space in County Council District 4 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.

This parcel⁵ is all located within County Council District 4, which encompasses parts of north and east of Wilmington ending at Rockwood and Edgemoor Roads, and south of Wilmington through the Port of Wilmington. The area is characterized by a number of subdivisions extending outside of the City of Wilmington's boundaries and industrial areas.

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:

⁴ April 7, 2026, Planning Board Public Hearing: <https://www.newcastlede.gov/agendacenter>

⁵ Ordinance 26-032 (Including Exhibit Maps):
<https://www3.newcastlede.gov/PDFDocument/default.aspx?DocumentID=80:FC40FF5826FBF7107D10260598B6C0724428DD1196872F86C5E68CE881F951C27EF3102A199356BB359CDF29BEBFB0B2&x=temp.pdf>

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 parcel be rezoned to the Publicly Conserved Lands & Parks District (P). The establishment of P Zoning on this parcel will better identify and emphasize the protection and preservation of these existing open space.

B. *Consistency with the character of the neighborhood.*

The parcel identified in the rezoning is currently public parks and open space. The P Zoning designation will not change the use of this parcel.

C. *Consistency with zoning and use of nearby properties.*

N/A

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

P Zoning designation will not change the residential open space or parkland nature of the areas.

E. *Effect on nearby properties.*

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 26-032.

PLANNING BOARD RECOMMENDATION

At a business meeting held on May 19, 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 Ruth Visvardis, the Board voted to recommend **APPROVAL** of application 2026-0170-Z (Ord. 26-032) as recommended by the Department of Land Use. The motion was adopted by a vote of 5-0-0-4 (In Favor: Cantrell,

Chamblee, Drake, Snowden, Visvardis; In Opposition: None; Abstention: None; Absent: Brutus, Cochran, Daigle, Ott).

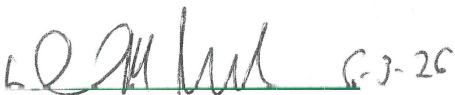
Prior to the vote, the following discussion occurred:

Alec Davis read the Department of Land Use recommendation into the record.

There were no questions from the members of 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.


David M. Culver date
General Manager
Department of Land Use

 6/2/2026

Robert B. Snowden date
Chair
New Castle County Planning Board