

## Protection Strategy for Scenic Byways, Watershed Areas, and Villages

Working Group Meeting #1

October 29, 2018

### Attendance:

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## Summary of Meeting

The first Working Group Meeting for the Protection Strategy for Scenic Byways, Watershed Areas, and Villages was held on October 29, 2018 at the Department of Land Use. Staff from the Department of Land Use (including Gaadt Perspectives, LLC) presented the status of Phase 1, Tasks 1 & 2, which include a GIS analysis of the study area in order to identify protection needs, historic and cultural resources, scenic resources, and land use. Also included in Tasks 1 & 2 is the preparation of a draft strategy framework (in a regulatory format) for the byways.

### **Explanation of Study Area:**

The study area is based on underlying watersheds, the byways (Red Clay Scenic Byway, Brandywine National Scenic Byway, Harriet Tubman Underground Railroad Scenic Byway), and the byway's corresponding "areas". The Route 202 Master Plan Study Area has been added to the study area as a point of reference. While the overall study area is broad, the practical application of the proposed protective overlay and framework will be focused on the byways, their contextual areas, and villages (to be identified in Phase 2 of this effort). Supplemental mapping was presented showing the components of the overall study area.

### **Build-Out Analysis (currently ongoing)**

The overall study area is comprised of approximately 25,000 acres. The buildout analysis, which is still in progress, was presented with a series of maps addressing zoning, protected lands (private open space, public open space, parks, conservation easements, deed restrictions), and environmental resource protections. The purpose of this map was to further define areas that may have development potential. Working group members discussed the difficulties of determining permanently protected lands versus lands that are protected by a private easement, which could be subject to change in the future. Many thanks to the Working Group members who shared information regarding different levels of protected lands within the study area. It was recommended to further explore steep slopes, which may also impact permanently protected lands calculations (an evaluation of slopes may also have a bearing on the viewshed analysis currently underway).

### **Follow Up Actions:**

- Research permanently protected lands, private easements, temporary protections (i.e. deed restrictions)
  - Working Group members were asked to research and provide any protective easement to staff- Granogue, Wyeth Estate- Potential Brandywine Conservancy Easements
- Further explore the impact of steep slopes on the buildable area within the study area
- Evaluate build-out potential on permanently protected lands (private easements)
- Complete a viewshed analysis (with assistance and feedback from Mike Hahn, DelDOT)

### **Scenic, Historic & Cultural Resources (currently ongoing)**

Significant aspects of the byway's intrinsic qualities are the historical and cultural resources associated with the byways. Many of these resources also enhance the scenic qualities along the byways. On the current map (see presentation) historic resources are identified as National Register Individual Listings, National Register Historic Districts, Historic Overlay Zoning (New Castle County), and Hometown Overlay Zoning (New Castle County). The next step for enhancing the identification of scenic resources is a GIS-based viewshed analysis with field verification.

### **Follow Up Actions:**

- Cultural institutions along the byways have interest in preserving historic and cultural resources within the study area (i.e. Winterthur, Hagley, Nemours, etc.)
  - Include Sarah Willoughby from the Greater Wilmington Convention & Visitors Bureau
- Staff will coordinate with Preservation Delaware to find out if they have easements within the study area (new President – Mike McGrath)
- City of Wilmington research relating to the byways to be provided (Debbie Martin)
- Incorporate Harriet Tubman Underground Railroad Scenic Byway and its contextual landscape

### **Framework for Proposed Changes to UDC / Draft Protective Overlay District (currently ongoing)**

The Framework for any proposed changes to the UDC requires updates such as: providing for a new Design Review Advisory Committee (DRAC)(if selected), revisions to confusing and/ or conflicting definitions and new references. Likely amendments to the UDC will include the addition of a Special District (Protective Overlay), an approach that will likely also be considered for village protection.

The purpose of a Protective Overlay District is to preserve, protect, and enhance the scenic resources of designated scenic byways within the County. This can be done through the minimization of grading, tree removal, signage control and the reduction of visual intrusions to the district by conservation design and context sensitive solutions. The proposed overlay district will be comprised of four sub-districts, for which development standards will be developed. The overlay would supersede the standards of the underlying zoning district.

Potential modifications to the UDC to maintain and protect viewshed protection include: addressing parking and loading standards, evaluating bulk and area requirements, considering subdivision layout requirements, and modifying landscaping requirements and design standards. Other potential district standards include the use of a DRAC, design review at a staff level, the use of design guidelines manuals, and signage restrictions. The Protective Overlay district may be portable to other areas and byways in the county.

### **Working Group Feedback:**

- Revisions to Article 10, or to other articles, of the UDC could encourage developers with incentives to preserve more land and features along the byways
- There is a concern in regards to the use of a DRAC and “guiding principles”, as enhanced design should be a requirements instead of a voluntary standard.
- Signage Concerns Examples:
  - Existing signage along the byway that may not be legal and takes away from the character of the byway
  - Lighted and blinking window signage along the byway
  - There are state and federal laws that ban billboards along the byway
- Continue evaluating the quality of materials that should be used along the byways
- The Design Guidelines developed for the Red Clay Byway should also be developed for the Brandywine area

### **Next Steps:**

- Ongoing GIS analysis:
  - Additional protected lands information
  - Viewshed analysis with fieldwork (with assistance of Mike Hahn and other Working Group Members)
- Develop draft ordinance language based on parcel level GIS analysis
- Working Group Contributions:
  - Provide additional protected lands information- Granogue Estate, Wyeth Estate, etc.
  - Continued feedback by December 3, 2018
- Next Working Group meeting in mid to late January

### **Recommended Additions to Working Group:**

- Representative from the League of Women Voters- contact Peggy Schultz
- Sarah Willoughby- Greater Wilmington Convention & Visitors Bureau

## Working Group Members

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