Planning

toward more livable, efficient, sustainable communities

January 2020 Update

Over the past 3 years, the New Castle County Department of Land Use Planning Division has been focused on promoting responsible, sustainable land development while advocating for stronger and more vibrant communities.

The Division has been pivotal in leading County efforts to encourage economic development, expand housing opportunities, job creation and commercial revitalization, while simultaneously preserving critical natural resources such as scenic byways, waterways and farmland.

The Planning Division is comprised of two subsections:
• Subdivision/Land Development
• Comprehensive Planning

Notably, the Planning Division began a strategic comprehensive plan analysis and update in 2017 to include subarea plan implementation components for areas with recently completed studies. This effort was concurrent with the re-establishment of the Comprehensive Planning subsection, which had not existed for nearly 20 years.

The County’s updated approach to planning includes leveraging more modern tools, data, and public engagement. In doing so, we can make better informed decisions and more effective plans. This will translate to overcoming the challenges and seizing the opportunities we face now and in the future.

The following is a listing of major accomplishments over the last 3 years, which have been achieved while performing the day-to-day divisional functions (described above) and with only two new employees:

Unified Development Code Updates
The Unified Development Code (UDC) establishes standards, procedures, and minimum requirements, consistent with the Comprehensive Development Plan. Zoning and subdivision regulations are combined in the County’s UDC. In recent years, the Division undertook a multi-phase approach to updating the UDC to improve its readability, organization, and usability for the public and for larger development proposals.

UDC Phase One, completed in January 2017, consisted of three elements: (1) Economic Empowerment Districts;

(2) Neighborhood Preservation Overlay Districts; and (3) Guiding Principles for Development.

Economic Empowerment Districts (EED): EEDs are zoning districts comprised of a minimum of 10 acres (5 under certain circumstances), designed in a campus-like setting and comprised of job-rich businesses, businesses with high retention rates and new industry ranging from small business incubator facilities to large business organizations. It may include corporate offices, research or light assembly centers or master planned employment centers. EEDs focus on target industries that include: advanced materials, information technology, aerospace/defense, healthcare, and business/insurance/financial services.
Neighborhood Preservation Overlay Districts (NPOD): NPODs are zoning layers placed on top of a base zoning district that serves to protect the distinctive character of residential neighborhoods. Each NPOD develops and adopts a Conservation Plan that includes design standards to protect the existing features of the neighborhood from incompatible infill. The Conservation Plan standards may vary from setbacks and building massing to distinct architectural features to special natural or environmental characteristics. NPOD regulations can regulate items such as, but not limited to: building height, massing, building materials, roofline and pitch, dimensional requirements, driveways, landscaping, signage, and lighting.

Guiding Principles: These are a series of general design principles and expectations for land development projects in the County, including guidelines for building design, site design and amenities. They are divided into five Character Areas, each with general guidance for building design, site design and amenities: Residential Neighborhood, Mixed Residential Neighborhood, Corridor, Center, and New Community Development. Guiding Principles do not supersede UDC requirements for site capacity, environmental standards, transportation impact, sewer/water, impact fees, density, setback or buffer yard standards. Additionally, we continue to work with Claymont, Hockessin and Centreville Design Review Advisory Committees (DRACS) as they review development and redevelopment proposals within their overlay areas.

UDC Phase Two, adopted in July 2018, was focused on Process and Site Design. The update contained the following elements: Process and Site Design: Incorporates best practices in site design and landscape design, including: building and streetscape integration; new standards for parking ratios, drive-thru lanes and loading zones; an expanded plant list with a focus on native species; new guidance on reforestation practices; and provisions for open space implementation.

Administrative Reviews: Provides a simplified process for minor adjustments to previously recorded plans and lot line adjustments for adjacent residential properties.

Sunsetting Provision Clarification: Establishes a five-year period in which to begin construction and a single opportunity to request an extension.

Transportation Strategies

Transportation: Ordinance No. 19-005, provides the ability to study a defined geographical area (otherwise known as a Transportation Improvement District), identify all the potential land uses, the current status of the transportation network and the functionality of that network with improvements, and assign costs to the users. Development will progress as improvements are made. Every study would clearly define the improvements needed, when the improvements will be implemented and the formula requiring all developers within it to contribute significant payments toward those improvements.

As a result of the Ordinance, the County is now better positioned to:

• More assertively promote infill investment and new employment opportunities
• Secure critically needed roadway improvements
• Reduce the sprawl that is quickly consuming vital farmland and open space

It also gives residents who will be impacted a greater voice in advocating for their needs.
Economic Development:
Jobs Now is an initiative for job-rich projects that are ready to build. The process establishes submission and review deadlines necessary to get projects under construction and built quickly while maintaining a quality review. This process provides certainty and accelerated regulatory plan review to non-residential projects that are committed to bringing new or expanded job opportunities to our County. Recordation time is generally reduced by 50% or more when the Jobs Now process is employed.

Examples of Jobs Now Projects include: Incyte, Concord Plaza, Linden Hill Station, UPS, Dot Foods, Avenue North, Delaware Logistics Park, Barley Mill Plaza, 100 Piccard Road, and DuPont Kalrez. Approximately 11,000 permanent jobs are expected, in addition to the several thousand seasonal construction jobs resulting thereof.

The Craft Alcohol Production Establishment Ordinance (CAPE) encourages economic development by allowing the establishment of CAPEs and farm wineries in appropriately zoned locations, subject to limited use standards.

Solar Energy Systems & Utilities:
In October 2017, the County enacted legislation making it easier to generate clean solar energy by expanding the zones where solar farms can be built. Previously, the UDC restricted solar fields to industrial zones. The ordinance established land use standards specific to solar energy systems and allows them to be sited in additional zones (e.g. suburban and suburban reserve zones).

Historic Preservation: The County has continued inspections and abatements on properties with a Historical Overlay (HO). With property owner support, the HO can be a valuable planning tool which not only identifies historically significant sites that play an important role in the County’s history, but also protects significant sites through advanced planning and extra attention to a site’s character. In October, as part of the Certified Local Government Program, the Planning Division partnered with the Center for Historic Architecture & Design at the University of Delaware to list the locally beloved Dairy Palace on the National Register of Historic Places.

Land Preservation: Development pressure can threaten lands that may best serve the public good by being preserved, not developed. The Division continues to work with the community to explore this important issue and seeks to define a more effective approach to land preservation. The Land Preservation Task Force was created in 2019 to examine key questions and shape a plan for enhancing the County’s land preservation strategy. The group will also look at ways to improve collaboration with other entities to increase resources for the purchase and maintenance of land.

Open space: In 2018 and 2019, a collective 548 acres of private open space was permanently added in New Castle County through the record plan approval process.

GreeNCC is a countywide program established to improve the environment and enhance the quality of life for county residents by enacting policies, practices and legislation to: Enhance water and air quality; Encourage healthy and eco-friendly lifestyles; Conserve and protect local habitats; Promote smart growth; and Reduce harmful emissions by promoting renewables and improving energy efficiency.

Several meaningful initiatives have been completed or are currently underway as part of the GreeNCC initiative.

These initiatives include:
- Limiting landfill height
- Commercial Property Assessed Clean Energy (PACE) program
- Protecting water quality through the elimination of septic systems in major subdivisions
- Promoting quality private community open space
- Conserving forest and habitat
- Updating the County Drainage Code for best practices
- Preserving and enhancing scenic views along byways

Environmental Stewardship

GreeNCC
NCC@2050
New Castle County is at a crossroads regarding growth and development. We are a maturing county with older and newer communities. How do we ensure our future is sustainable and we are creating more attractive, vibrant neighborhoods? Where should development happen? What should we preserve? How can they both best serve our residents? Should we continue our piecemeal approach to planning on a case by case basis, or develop a comprehensive strategy for the future? These are many of the core questions we must consider as we plan for the next 30 years.

Although not required by state law until 2022, the Division is actively working to update select chapters of the 2012 Comprehensive Plan. Updates will support an enhanced quality of life for all residents and augment economic development efforts.

In early 2020, the Division will kick-off a countywide public engagement process to ensure the updated plan reflects the values and sentiments of our residents and community stakeholders.

Community Area Master Plans and Other Studies
The Division is currently focusing on areas of New Castle County that are currently experiencing the most population growth or need significant revitalization. Due to changes in national, regional, and local landscapes, key elements of the plans will be incorporated and adopted as the Comprehensive Plan is updated.

Plans and Studies include:
- North Claymont (completed)
- Route 9 Corridor (completed)
- Governor Printz Boulevard (underway)
- Newport Transportation Study (underway)
- Route 202 Corridor (underway)
- Southern New Castle County (underway)
- Churchman’s Crossing Update (pending)

Community Engagement

Many times throughout the year, we host public meetings and workshops, conduct surveys, and present information publicly at County Council.

We also invite the community to connect with us via email and messaging through multiple notification options, such as news flashes, social media, online calendars and agendas.

The Resident Toolbox, available through our website (newcastlede.gov/lu), helps residents learn about the various services offered by the Department, provides access to the many tools and resources available online, and features interactive story maps and educational tools.

Growing Better Places is a development scenario board game that helps residents, students, and other stakeholders discuss and understand the dynamics of growth, development, infrastructure, and community amenities and tradeoffs involved in related real-world decision making. As part of our efforts to try a variety of approaches for public engagement, the Division developed the game to be used as a way to begin gathering public input related to growth, and ultimately prepare the way for great engagement in the upcoming comprehensive plan update process.

In partnership with the University of Delaware, we developed Planning 101, an online educational course designed to inform our residents about the planning process, its history, and the multiple stakeholders and participants involved.

The Division continues to create opportunities for our residents and other interested stakeholders to participate in public processes and to stay informed in Land Use activities. Stay tuned as we proceed with the Comprehensive Plan update: NCC@2050.