



COUNCIL

LAND USE COMMITTEE MEETING

Tuesday, August 31, 2021
VIRTUAL ZOOM WEBINAR MEETING

Meeting Minutes

• **Call to Order**

The meeting was called to order by Ms. Kilpatrick at 3:00 p.m.

Councilmembers present: Mr. Bell, Mr. Carter, Mr. Cartier, Ms. Diller, Ms. Durham, Ms. Hartley-Nagle, Ms. Kilpatrick, Mr. Sheldon, Mr. Smiley, Mr. Street, Mr. Tackett, Mr. Woods

Absent: Mr. Hollins

- **Review / Adoption of Minutes:** Mr. Smiley moved to adopt the minutes of the July 6, 2021 Land Use Committee meeting. The motion was seconded by Mr. Carter and the minutes were approved.

- Ms. Kilpatrick announced, based on the size of agenda, today's schedule, and interest in agenda items, per Council rule 9.1.2 and Del. Code 29, that she will be limiting public comment to two minutes at this meeting.

• **Review/Discussion of Resolution(s):**

R21-147:

Introduced by: Mr. Carter

PLAN OF COPPERLEAF AT BACK CREEK EAST AND WEST; ST. GEORGES HUNDRED; SOUTH SIDE OF CHURCHTOWN ROAD; 2400 FEET WEST OF CHOPTANK ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO CONSTRUCT A SINGLE-FAMILY CONSERVATION DESIGN DEVELOPMENT CONSISTING OF 153 SINGLE FAMILY HOMES AND ASSOCIATED SITE IMPROVEMENTS; S ZONING; [APPLICATION NO. 2016-0807-S](#); COUNCIL DISTRICT 6.

Supporting Documents:

- [Land Use Memorandum](#)
- [Plan of Copperleaf at Back Creek East and West](#)
 - Mr. Carter introduced the resolution.
 - Bill Rhodunda, attorney for the applicant, spoke.

R21-148:

Introduced by: Mr. Smiley

PLAN OF WINDSOR FOREST; NEW CASTLE HUNDRED; SOUTHWEST CORNER OF ROUTE 273 AND EDINBURGH DRIVE; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO COMBINE THREE TAX PARCELS, CREATE A TITLE SUBDIVISION LINE AND CONSTRUCT 18 APARTMENT UNITS WITH AN INTERNAL OFFICE/CLUBHOUSE ROOM; ST AND NCAP ZONING; [APPLICATION NO. 2017-0532-S](#); COUNCIL DISTRICT.

Supporting Documents:

- [Land Use Memorandum](#)
- [Plan of Windsor Forest](#)
 - Mr. Smiley introduced the resolution.

- **Review/Discussion of Ordinance(s):**

°21-094:

Introduced by: Ms. Durham, Mr. Carter, Mr. Cartier, Mr. Tackett, Ms. Hartley-Nagle

TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 6 (“BUILDING CODE”), ARTICLE 3 (“ADMINISTRATION”), SECTION 6.03.013 (“SUBMITTAL DOCUMENTS”), ARTICLE 4 (“THE BUILDING CODE”), SECTION 6.04.002. (“AMENDMENTS TO THE INTERNATIONAL BUILDING CODE”), AND ARTICLE 5 (“THE RESIDENTIAL CODE”), SECTION 6.05.002. (“AMENDMENTS TO THE INTERNATIONAL RESIDENTIAL CODE”) RELATING TO CERTAIN NEW RESIDENTIAL CONSTRUCTION, ELECTRIC VEHICLES, AND CHARGING INFRASTRUCTURE.

- Ms. Durham tabled the ordinance.

°21-013:

Introduced by: Ms. Durham, Mr. Carter, Ms. Hartley-Nagle

TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 40 (“UNIFIED DEVELOPMENT CODE”), ARTICLE 31 (“PROCEDURES AND ADMINISTRATION”), SECTION 40.31.120. (“TEXT AMENDMENTS”) REGARDING THE PROCESS FOR TEXT AMENDMENTS.

Supporting Documents: [Department of Land Use and Planning Board Recommendation](#)

- Ms. Durham tabled the ordinance.

SUBSTITUTE NO. 2 TO °21-018:

Introduced by: Ms. Kilpatrick, Mr. Sheldon

TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 40 (ALSO KNOWN AS THE UNIFIED DEVELOPMENT CODE OR “UDC”), ARTICLE 22 (“DRAINAGE, UTILITIES, SEPTIC SYSTEMS, PARKING, LOADING, AND LIGHTING”), REGARDING ON-SITE WASTEWATER TREATMENT (SEPTIC) SYSTEMS.

Supporting Documents: [Department of Land Use and Planning Board Recommendation](#)

- Ms. Kilpatrick introduced the ordinance.
- Rich Hall, General Manager of the Department of Land Use, spoke and gave a presentation.
- Tracy Surles, General Manager of the Department of Public Works, spoke and have a presentation.
- Council discussion
- Public comment: Melissa Heller, Nancy Willing, Sen. Stephanie Hansen, Lisa Conover, Karen Jones, Bill Powers, Henry Miller, Peggy Schultz (League of Women Voters of New Castle County), Coralie Pryde, Stewart Ramsey, Ellie Ezekiel (Delaware Nature Society), Josie Robinson, David Zickafoose, Thomas Mcguire, Archie Heller, Andy Olenderski, Sherri Evans-Stanton (Sierra Club), Heather Longard, Mandy Catalfamo, Jeremy Johnson
- Other comment: Wilson Davis

°21-024:

Introduced by: Ms. Durham, Mr. Carter, Mr. Tackett, Mr. Hollins

TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 40 (“UNIFIED DEVELOPMENT CODE”), ARTICLE 22 (“DRAINAGE, UTILITIES, SEPTIC SYSTEMS, PARKING, LOADING, AND LIGHTING”), DIVISION 40.22.700 (“EXTERIOR LIGHTING STANDARDS”) TO REQUIRE THAT ALL NEW CASTLE COUNTY APPROVED LIGHT SOURCES USE LIGHT EMITTING DIODE (LED) OR EQUALLY ENERGY EFFICIENT TECHNOLOGY.

Supporting Documents: [Department of Land Use and Planning Board Recommendation](#)

Comment: Vince Jacono, Delmarva

- Introduced by Ms. Durham
- Public comment: Vince Jacono (Delmarva), Sherri Evans-Stanton (Sierra Club), Ellie Ezekiel (Delaware Nature Society)



COUNCIL

°21-050:

Introduced by: Mr. Carter

TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 40 (“UNIFIED DEVELOPMENT CODE”), ARTICLE 7 (“TRANSFER OF DEVELOPMENT RIGHTS AND OTHER INCENTIVES AND BONUSES”) RELATING TO THE ESTABLISHMENT OF TRANSFER OF DEVELOPMENT RIGHTS SENDING AND RECEIVING AREA MAPS.

Supporting Documents: [Department of Land Use and Planning Board Recommendation](#)

- Introduced by Mr. Carter
- Council discussion
- Antoni Sekowski, Department of Land Use, spoke.
- Public comment: Nancy Willing, Melissa Heller, Stewart Ramsey, Karen Jones, Andy Olenderski, Mandy P., Bill Powers

SUBSTITUTE NO. 1 TO °21-065:

Introduced by: Ms. Kilpatrick, Mr. Sheldon, Mr. Cartier, Mr. Bell

TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 40 (ALSO KNOWN AS THE UNIFIED DEVELOPMENT CODE OR “UDC”), REGARDING ARTICLE 3 (“USE REGULATIONS”), AND ARTICLE 4 (“DISTRICT INTENSITY AND BULK STANDARDS”).

Supporting Documents: [Department of Land Use and Planning Board Recommendation](#)

- Introduced by Ms. Kilpatrick.
- Council discussion
- Antoni Sekowski, Department of Land Use, spoke.

- **Other:** None
- **Public Comment:** None
- **Adjournment:** Mr. Smiley moved to adjourn the meeting. The motion was seconded by Mr. Woods and approved. The meeting was adjourned at 5:23 p.m.

Respectfully submitted by Anthony deFiore, Legislative Aide to Councilwoman Janet T. Kilpatrick, Co-Chairman, Land Use Committee. A recording of this meeting is available upon request.