




Department of Land Use

MEMORANDUM

**To:** Hon. Thomas H. Kovach, Council President  
Members, New Castle County Council

**From:** David M. Culver, Land Use General Manager 

**Copy:** Paul G. Clark, County Executive  
Gregg Wilson, Acting Chief Administrative Officer

**Date:** February 9, 2012

**Subject:** Annual Report: Workforce Housing Program  
Period: Calendar Years 2008 through 2011

---

The New Castle County Department of Land Use is pleased to submit an Annual Report to County Council regarding an analysis of the use and effectiveness of the Workforce Housing Program in New Castle County, Delaware. This report is prepared pursuant to Section 40.07.353 of the New Castle County Code.

**CODE AMENDMENTS**

**Ordinance 07-150.** Adopted by County Council on February 26, 2008, the purpose of the ordinance was to encourage the construction of a more diverse selection of housing types throughout New Castle County that will accommodate a wide range of income levels and enable more residents to live and work in the county. The ordinance provided a voluntary Workforce Housing Program that included developer incentives in the Unified Development Code to add certainty to the development process and remove impediments that may have previously discouraged developers from constructing new workforce housing units.

Subsequently, the Council has twice amended the Code in a continuing effort to improve a process that is determined to be in the best interest of the public and County, as follows:

**Ordinance 08-113.** Adopted December 9, 2008, the ordinance provided a temporary stay on submission of land development applications that proposed the creation of new workforce

housing units until County Council had an opportunity to revisit the workforce housing incentives.

**Ordinance 08-121.** Adopted February 24, 2009, the ordinance clarified and improved the workforce housing legislative initiatives intended when County Council previously adopted Ordinance 07-150. Specifically, the workforce housing legislation was amended to

- 1) require that units priced for low or moderate income households be owner-occupied; and
- 2) require that an existing record plan proposing more than a 50% increase in lots or more than 100 lots (whichever is less) will be considered a major land development plan; and
- 3) prohibit attached, semi-attached and multi-family dwelling units in plans that are not open space planned developments; and
- 4) remove the Department's ability to permit some flexibility in the site development incentives; and
- 5) remove the provisions for an expedited plan review process; and
- 6) clarify the affordability period.

**Ordinance 10-059** – Pending review by the New Castle County Planning Board then County Council, the proposed ordinance would repeal the existing provisions of the Workforce Housing Program in New Castle County. If adopted, the active development applications utilizing current workforce housing review regulations will continue to be reviewed and processed by the Department of Land Use.

## **PLAN SUBMISSIONS**

Following the adoption of Ordinance 07-150, the New Castle County Department of Land Use has received eighteen (18) workforce housing development applications that propose the construction of new residential dwellings designated as workforce housing units for households of low and moderate income levels. Additionally, one (1) resubdivision development application was received that proposed the reconfiguration of previously approved and recorded lots. In total, the Department has received workforce housing development applications that propose 4,824 dwelling units, 735 of which are designated as workforce housing units for households of low and moderate income levels.

Five (5) applications were submitted as major land development plans, two (2) as major land development plans with rezoning, six (6) as major open space plans, five (5) as minor land development plans, and one (1) as a resubdivision plan. To-date, three (3) of the workforce housing applications are active and currently under review by the Department, eight (8) are recorded, and eight (8) applications have expired. All workforce applications are shown in the below-listed tables.

## ACTIVE WORKFORCE HOUSING APPLICATIONS

<b>ACTIVE PROJECTS</b>	<b>NCC App</b>	<b>School District</b>	<b>Work Type</b>	<b>Prev Recrd Lots</b>	<b>Total Lots</b>	<b>Total WFH Lots</b>	<b>Total Acres</b>	<b>Res Density</b>	<b>Total Open Space Acres</b>
SPRING OAKS	2006-0188	Appoquin	D-MAJ	N/A	247	49	101.96	2.42	78.80
HIGH HOOK FARMS	2007-0438	Appoquin	D-REZN	N/A	390	78	200.43	1.95	132.64
THE RESERVE AT BECKS POND	2011-0373	Christina	D-RSUB	N/A	N/A	N/A	N/A	N/A	N/A

## RECORDED WORKFORCE HOUSING APPLICATIONS

<b>RECORDED PROJECTS</b>	<b>NCC App</b>	<b>School District</b>	<b>Work Type</b>	<b>Prev Recrd Lots</b>	<b>Total Lots</b>	<b>Total WFH Lots</b>	<b>Total Acres</b>	<b>Res Density</b>	<b>Total Open Space Acres</b>
IRONSIDE CROSSING	2008-0287	Christina	D-MAJ OSP	N/A	20	4	9.73	2.06	5.71
PRESERVE AT ROBINSON FARM	2008-0313	Appoquin	D-MAJ OSP	150	476	65	183.59	2.59	114.50
MARRA LANDING	2008-0421	Red Clay	D-MAJ OSP	N/A	27	5	10.45	2.58	5.02
THE RESERVE AT BECKS POND	2008-0789	Christina	D-MAJ	N/A	240	48	27.10	8.86	20.76
GOLDS-BOROUGH FARM	2008-0798	Appoquin	D-MIN	N/A	144	13	65.03	2.21	24.08
BAYBERRY NORTH - WFH	2008-0829	Appoquin	D-MIN	N/A	951	39	463.42	2.05	175.84
PONDS OF ODESSA	2008-0917	Appoquin	D-MIN	180	280	20	164.29	1.70	107.87
CHURCH-MANS MEADOWS	2008-0941	Colonial	D-MIN	145	245	20	29.44	8.32	18.04

## EXPIRED WORKFORCE HOUSING APPLICATIONS

EXPIRED PROJECTS	NCC App	School District	Work Type	Prev Recrd Lots	Total Lots	Total WFH Lots	Total Acres	Res Density	Total Open Space Acres
COOK PROPERTY	2008-0073	Appoquin	D-MAJ OSP	N/A	401	80	156.67	2.56	99.25
BOYDS CORNER FARM	2008-0288	Appoquin	D-REZN	N/A	349	70	62.45	4.60	12.15
CHURCH-TOWN MANOR	2008-0624	Appoquin	D-MAJ OSP	N/A	378	126	193.38	1.38	101.78
ATLANTIC BUSINESS PARK	2008-0795	Christina	D-REZN	N/A	192	38	11.72	16.38	?
WESCOAT	2008-0826	Christina	D-MAJ	16	43	5	25.97	1.66	16.63
MARIA'S COURT	2008-0841	Christina	D-MAJ	N/A	19	4	7.89	2.41	6.88
ESTATES AT LONG BRANCH	2008-0907	Appoquin	D-MIN	70	149	16	110.19	1.35	80.20
CHURCH-TOWN MANOR	2010-0198	Appoquin	D-MAJ OSP	N/A	273	55	139.88	1.95	73.00

### SUMMARY

The legislation was an immediate success within the development community; however, the recent downturn in the economy has negatively impacted the continued development of residential communities. Other than a resubdivision plan for an already approved site, the Department did not receive any new plans utilizing this provision of County Code during this reporting period. Of the two other active plans, one was recorded at the time of this report and the second plan is expected to be recorded in March 2012.

The Department has continued to explore a variety of proposals that are intended to advance a workforce housing program that is clearly in the best interests of County residents. Discussions have taken place with certain members of the development community to modify and refine the existing ordinance and develop a program that is consistent with current and projected real estate market conditions. In order to address the needs of all the interested parties, the Department recommends that we form a Committee to review the current regulations and the challenges this program may face in future implementation of this provision. The Committee should examine the program and draft proposed enhancements to the program so we may be able to build on the initial success of this legislation.

Council has successfully adopted and revised a residential program intended to provide an adequate and diverse supply of housing opportunities to local residents who desire to live and work in New Castle County. The Workforce Housing Program initially generated great interest and a significant amount of activity. The Department received 18 development applications that proposed a total of 4,824 lots, including 735 lots to be priced for households of low to moderate income and the average density for all workforce projects is 2.46 units per acre. It is critical going forward to continue to review and enhance this program to ensure that the initial synergy continues and we provide the myriad of housing opportunities needed in New Castle County.

<b>Workforce Housing Summary</b>				
<i>Status</i>	<i>No. Plans</i>	<i>Approved at Stage</i>	<i>Total Lots</i>	<i>WFH Lots</i>
<b>Active</b>	3		637	127
Pre-Exploratory	0	0	0	0
Exploratory	1	0	0	0
Preliminary	0	0	0	0
Record	2	2	637	127
Expired	8		1,804	394
Recorded	8		2,383	214
<b>Totals</b>	<b>19</b>		<b>4,824</b>	<b>735</b>

The Department appreciates the opportunity to report on the Workforce Housing Development Program in New Castle County.