

MINUTES

LAND USE COMMITTEE MEETING

Tuesday, November 3, 2009

1. **Call to Order**

- ◆ The meeting was called to order by Co-Chair David Tackett at 3:03 p.m. Council members present: Mr. Clark, Mr. Smiley, Mr. Bell, Mr. Sheldon, Mr. Cartier, Mr. Reda, Mr. Tansey, Mr. Powers, Ms. Diller, and Mr. Street.

2. **Review / Adoption of Minutes**

October 20, 2009 Land Use Committee Meeting minutes

- ◆ Motion to accept the Land Use Minutes of October 20, 2009, made by Mr. Smiley, seconded by Mr. Reda, and unanimously accepted by Council.

3. **Review/Discussion of Resolution(s)**

Resolution No. 09-

Introduced by: Mr. Tansey

TO RENAME A RESIDENTIAL STREET INCORRECTLY CHANGED TO EGYPT HILL ROAD FROM ITS RECORDED GUN CLUB ROAD BACK TO GUN CLUB ROAD; FROM YORKLYN ROAD EAST; LOCATED IN HOCKESSIN

- ◆ Mr. Tansey explained that there were problems with the renaming application and therefore this resolution takes the road back to its original name of Gun Club Road.
- ◆ No questions from Council.
- ◆ No questions from the public.
- ◆ No vote was taken on this Resolution.

4. **Review/Discussion of Ordinance(s)**

Substitute No. 1 to Ordinance No. 09-067

Introduced by: Mr. Reda & Mr. Tackett

TO REVISE CHAPTER 40 OF THE NEW CASTLE COUNTY CODE (ALSO KNOWN AS THE UNIFIED DEVELOPMENT CODE – UDC) REGARDING ARTICLE 5 (SITE CAPACITY AND CONCURRENCY CALCULATIONS), ARTICLE 11 (TRANSPORTATION IMPACT), AND ARTICLE 22 (DRAINAGE, UTILITIES, SEPTIC SYSTEMS, PARKING, LOADING, AND LIGHTING).

- ◆ Mr. Tackett said that this is a Land Use generated ordinance and he asked Mr. Culver to make a presentation.
- ◆ Mr. Dave Culver, General Manager, Dept. of Land Use, said that 09-067 and 09-068 are both omnibus amendments to clean up language in the code. #09-067 basically deals with issues in Chapter 40. He gave explanation of items in the Ordinance and the reasons for the items. 09-067 deals with land development issues and 09-068 was referenced as that deals with sewer issues.
- ◆ Questions and lengthy discussion by members of Council. Jason Zern, Special Services, gave explanation of findings regarding sewer systems. Council President Clark requested for a future meeting an explanation of interface of our land use process with DelDOT. Also bring Department of Education in for explanation. Mr. Culver explained how the county currently interfaces with various agencies. He is happy to ask someone from DelDOT to attend a meeting. Mr. Smiley suggested a subcommittee meeting for this topic.
- ◆ Public comment/question from Bill Bliss.
- ◆ No vote was taken on this Ordinance.

Substitute No. 1 to Ordinance No. 09-068

Introduced by: Mr. Reda & Mr. Tackett

TO REVISE CHAPTER 40 OF THE NEW CASTLE COUNTY CODE (ALSO KNOWN AS THE UNIFIED DEVELOPMENT CODE – UDC) REGARDING ARTICLE 2 (ESTABLISHMENT OF ZONING DISTRICTS), ARTICLE 3 (USE REGULATIONS), ARTICLE 4 (DISTRICT INTENSITY AND BULK STANDARDS), ARTICLE 10 (ENVIRONMENTAL STANDARDS), ARTICLE 20 (SLD DESIGN PRINCIPALS), ARTICLE 21 (IMPROVEMENT AND DESIGN STANDARDS), ARTICLE 30 (COUNTY COUNCIL AND ADMINISTRATIVE BODIES), ARTICLE 31 (PROCEDURES AND ADMINISTRATION), AND ARTICLE 33 (DEFINITIONS).

- ◆ Mr. Tackett stated this was generated by the Dept. of Land Use. Mr. Culver said that 09-068 is another omnibus ordinance to clean up some language in the county code and address all issues in one ordinance.
- ◆ Questions and lengthy discussion by members of Council.
- ◆ Public comments from Mr. Richard Abbott.
- ◆ No vote was taken on this Ordinance.

Substitute No. 1 to Ordinance No. 09-071

Introduced by: Mr. Cartier

TO REVISE CHAPTER 40 OF THE NEW CASTLE COUNTY CODE (ALSO KNOWN AS THE UNIFIED DEVELOPMENT CODE – UDC) REGARDING ARTICLE 12 (SEWER AND WATER IMPACT) TO PERMIT PROPERTY ADJACENT TO THE PUBLIC SEWER SERVICE AREA TO CONNECT TO THE PUBLIC SANITARY SEWER UNDER CERTAIN CONDITIONS.

- ◆ Mr. Cartier said the purpose of this ordinance is to grant the ability of property adjacent to a sewer district north of the C&D canal to connect up to a sewer without having to resort to a septic system. He also stated that this is strictly to protect the environment. Mr. Culver further explained the details of this ordinance.
- ◆ Questions and lengthy discussion by members of Council.
- ◆ Public comments from Lisa Goodman, Stephanie Hansen, Peggy Schultz, and Bill Bliss.
- ◆ No vote was taken on this Ordinance.

5. Other

- ◆ None

6. Public Comment

- ◆ None

7. Adjournment

- ◆ Motion to adjourn made by Mr. Smiley, seconded by Mr. Clark, and unanimously accepted by Council. Meeting adjourned at 4:57 p.m.

Respectfully submitted by Susanne Hussey, Legislative Aide to Councilman David Tackett, Co-Chairman, Land Use Committee. This meeting also was taped. The tape is incorporated herein by reference and is available by contacting the legislative aide to the Land Use Committee.