



# THE COMMITTEE OF 100

## FYI

## February 2, 2017

### County Executive Meyer Signs Three UDC Changes Into Law

New Castle County Executive Matt Meyer recently signed three ordinances into law that provide guiding design principles, allow for the creation of Economic Empowerment Districts to support a diverse and growing economy, and empower communities to establish Neighborhood Preservation Overlay Districts that support community conservation and enhancement. The Committee of 100 actively participated in the focus groups and workshops that developed the ordinances, but did not formally endorse or oppose them.

The first measure adopts a new appendix to New Castle County's Unified Development Code (UDC) to provide guiding principles for site design and project amenities as part of the discussion during the review of new land development plans. It supports existing design policies with the goal of encouraging the creation of walkable communities with a sense of place and development design that respects the neighborhood context. The measure does not supersede or replace elements of the UDC, but instead serves as a supplement which offers a more detailed explanation of preferred design characteristics. These include site design guidance on building/street relationships, design and arrangement of parking areas, street connectivity, and pedestrian and bicycle access and building design elements such as orientation, scale, massing and architectural elements. Finally, it encourages amenities that add value to the development and surrounding communities, including civic spaces and recreational areas.

The second measure amends the UDC to empower neighborhoods to establishment Neighborhood Preservation Overlay District (NPOD). This overlay zoning designation allows neighborhoods, by a two-thirds vote, to set standards to protect the character of neighborhoods through building height restrictions, setbacks, massing, open space, and streetscape elements. For the first three years, these district designations are limited to the initial study areas in Pike Creek, and along Concord Pike, Route 9, Kirkwood Highway, the Route 273 Corridor, and Claymont, and where a WILMAPCO study has been completed.

The third measure empowers the County to designate Economic Empowerment Districts (EED) to encourage development that attracts high-technology businesses that provide employment, diversify the economy, expand the tax base, and meet the goals of the County's comprehensive development plan. EEDs provide development incentives that include flexibility and predictability in the permitting process for permitted uses and a streamlined review and approval process, while providing the same level of protections for traffic, sewer and water, buffers around residential zoning districts by requiring applicants to meet these current standards of the UDC, and does not permit development intensity that exceeds the available infrastructure.

Approving the three changes to the UDC completes a process that began more than two years ago, including extensive public review through workshops, focus group meetings and on-line review and comment opportunities. County Council passed each ordinance by a wide margin earlier this month.



“Although the Economic Empowerment District ordinance is firmly set within the framework of the UDC, it enables us to start thinking about ways we can be more creative in defining spaces and place-making – focusing on the overall design result, rather than on a laundry list of fixed requirements,” said **Paul Morrill, Executive Director of The Committee of 100**. “If New Castle County wants to participate in that global economy - wants to attract 21st Century jobs - it has to make its development review process more nimble and allow it to reward innovation and good design with quicker approvals.”

“I hope the EED is just the first step in a larger conversation about our land use approval process. In particular, we need to encourage innovation in how we measure and mitigate transportation impacts. Morrill added. “We need to better plan

land use and transportation together on a larger scale, rather than on a project by project basis as we do now. If we want to make the approval process more responsive and less burdensome for employers and if we want to encourage infill development and redevelopment and to protect open space as the County Executive has said he wants to do - we have to have that conversation. Today is a good start.”

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## **The Committee of 100 Recommendations Included in Governor Carney's Action Plan for Delaware**

The Committee of 100 was invited to comment on economic development policy for Governor-elect Carney's transition committee on Economic Development and Healthy Environment. Many of our recommendations below are included in his "Action Plan for Delaware". You can read the final report [here](#). The recommendations of the Economic Development and Healthy Environment Committee begin on page 6.

### **Create new jobs by revitalizing unused industrial sites**

The problem is often not the regulations, but the administrative process. There is a cumulative burden of compliance that is not captured in the calls to name a regulation that should be eliminated. The Regulatory Flexibility and Transparency Act of 2015 (SB 113 and SB 120) should be implemented and strengthened if necessary.

The State needs to work with other levels of government to remove obstacles to economic growth - in particular, transportation and land use coordination issues in New Castle County. We recommend adopting alternative traffic impact measures to Level of Service, which makes development in the County very difficult. The state should take more initiative in establishing Transportation Improvement Districts. Perhaps even requiring them in areas of economic importance to the state.

Brownfields program funding needs to be strengthened and increased. The petroleum gross receipts tax mechanism should be modified to insulate the program against lower fuel usage and/or prices. The Brownfield program is the single most effective environmental and economic development program in the state, leveraging private investment many times greater than the tax dollars spent. Brownfields is also a critical component of any effort to modernize the Coastal Zone Act and return abandoned industrial sites to productive use.

Completing the Edgemoor acquisition and the construction of modern port facilities with direct access to the deepened Delaware River channel should be a top investment priority. The state should be prepared to have a project in place to take maximum advantage of any Federal infrastructure program that may be adopted in the year.

### **Support traditional, minority, and women-owned small businesses**

We believe there has been some centralized tracking of supplier diversity and small business participation under the previous administration. Perhaps building on that is better than each department having its own plan.

The creation of a Small Business Development Center (SBDC) satellite office in Wilmington would be a positive. Not just for diversity, but to contribute to the entrepreneurial ecosystem we want to develop in the city.

### **Build Delaware's Innovation Economy**

Consider creating a public-private development corporation to replace or work with DEDO. There will always be insufficient state funds to compete with other states. Better to attract private partners to pursue a unified development strategy. We've seen the limitations of the top-down government economic development model. DEDO does a good job bringing companies through the relocation process, but the agency is reactive and risk averse.

There should be a thorough review of where the state has gaps in providing start-ups with capital. We should consider creating a version of the Ben Franklin Fund.

Much progress has been made to make broadband internet access available across the state. State government should continue to aggressively lead expansion and improvement of the broadband network. Using state facilities as a catalyst for network improvement has been an effective strategy.

### **Strengthen Delaware's World Class Workforce**

Work to strengthen parental understanding of the career potential their children can have without a 4 year college degree. Occupational training is key to the restoration of the middle class.

Better coordinate the array of co-op and apprenticeship programs across the state. DelTech is a key player and should work to align apprenticeship curricula with Associate Degrees to offer the trades additional credentials.

At least some apprenticeship classroom training should be done online to avoid the minimum class size limitations of current programs. Online training also offers the potential for skill specific micro-credentialing, which is an emerging supplement or alternative to degrees & certificates.

### **Continue and expand the Pathways to Prosperity program. A highly successful model.**

The great majority of middle class jobs of the future will require some grounding in math or science. Delaware's key

industry sectors - healthcare, construction, engineering, finance, and manufacturing - all share an urgent need for a scientifically literate workforce. This employment pipeline needs to be diverse and reflective of the state's population. Starting immediately, special emphasis should be placed on exposing elementary and particularly middle school students to STEM curricula and project-based learning. Waiting until high school is too late. As they go through high school, students can choose their various career fields or decide to go on to college, but all will have benefitted from the STEM grounding they receive in middle school.

### **Eliminate unnecessary administrative burdens to economic growth**

A fast track job creation council could be a useful tool in the short-term for identifying and removing obstacles to job attraction and growth. But this should not be a substitute for fundamental reform of the bureaucracy and review processes to break down silos and enable the system to work for everyone all the time.

### **Preserve and protect Delaware's natural resources for future generations**

The state's water and wastewater infrastructure is in need of significant investment which has the potential to produce many jobs, as well as protect our water resources. The work started by the Clean Water Council last year should be reviewed.

Open space spending has lacked focus and therefore has not been a funding priority. Natural resource and open space projects that complement economic development goals should be prioritized and funded.

By returning coastal brownfields to productive use in New Castle County, economic value is created that can potentially support increased investment in preserving coastal areas of Kent and Sussex Counties and increasing their resiliency to the impacts of climate change.

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## **Wilmington Comprehensive Plan Update**

In December 2016, The Committee of 100 convened a meeting of its Wilmington Working Group, and City of Wilmington officials including Lenny Sophrin and Jeff Flynn, along with their consultants Karen Black and Stephen Mullin, for an update on interrelated efforts to encourage investment in Wilmington.

Karen Black, principal of May 8 Consulting, presented the City's work to-date on reform efforts to create a transparent, predictable development review process; return vacant/blighted land to market by activating a land bank; create the first city-wide comprehensive development plan in decades; and reform code enforcement procedures to preempt vacancy.

Karen reported that they have completed Phase 1 of the development review process by interviewing 28 experts and putting the current process in writing, and Phase 2 by establishing the Mayor's Working Team and adopting nine foundational reforms, these include:

- Step-by-Step Guide to development review process
- Customer-friendly webpage with laws & forms. See [www.wilmingtonde.gov/developmentreview](http://www.wilmingtonde.gov/developmentreview)
- Checklists for required information
- Create Interpretations Manual for staff guidance
- Replace internal advisory reports
- Track review times for each step in process
- Test electronic tracking software
- Provide 48-hour application completeness review
- Jointly identify next steps with business community

Fourteen proposed reforms have been identified for Phase 3 of the project to improve transparency and consistency, and streamline and modernize processes. Karen's presentation can be viewed [here](#).

The Committee of 100 looks forward to continuing this collaboration with the City on reforms to encourage investment in Wilmington.

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## **February 21st Dinner Meeting will Feature County Executive Matt Meyer**

Matt Meyer's administration is now in place and formulating its strategies for dealing with the economic, public safety, and fiscal challenges facing the County.

Barely a month into his term, the County Executive has taken his first steps in the land use arena, signing three ordinances to begin an update of the Unified Development Code. Meanwhile, he is having to keep a watchful eye on key elements of his public safety budget; the State is looking at a proposal to reduce the local share of Transfer Tax revenues and to shift the entire cost of paramedics to the counties.

Intergovernmental relations may well be the big story going forward, as Governor Carney, Mayor Purzycki, and County Executive Meyer have all pledged to find ways the three governments can work together more effectively, even as they face tight budgets. Don't miss Matt's report on his first weeks in office at the February 21, 2017 Dinner Meeting. [Register today!](#)

