



**CIVIC LEAGUE**  
**For New Castle County**

*Informed Citizens for Sound County Growth*

P.O. Box 11523 - Wilmington, DE 19850

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**AUGUST**  
**2009**

**STATEMENT**  
**OF**  
**PRINCIPLE**

Monitor and selectively evaluate government actions including laws, regulations and policy.

Provide appropriate forums for informing as well as soliciting input from the public.

Establish positions based on responsible studies and consistent with the aims and purpose of the organization.

Advocate these positions.

Founded in 1962, the Civic League is non-profit volunteer organization, which studies and illuminates County and State government actions concerning comprehensive developments and the quality of life and is a vocal advocate of relevant positions.

County Comments is the official publication of the Civic League for New Castle County.

Dan Bockover,  
President

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# COUNTY COMMENTS

CIVIC LEAGUE FOR NEW CASTLE COUNTY  
*Informed Citizens for Sound County Growth*

## MEETING

**Tuesday, Sept 15, 2009**

7:00 PM at the Paul Sweeney Public Safety Building  
3601 N. duPont Hwy  
(Rte 13 South of DMV, North of Gracelawn Cemetery)

## AGENDA

David Culver,  
General Manager NCC Land Use Depart - INVITED  
"Speeding Land Use Decisions"

## Study This New Ordinance

Now is the time to check out new Ordinance 09-066 being introduced by Councilman George Smiley for the purpose of speeding up and simplifying the review of subdivision and land development plans. Developers will obviously benefit but is important to also safeguard interests of the general public.

When ordinances such as this are advanced in haste, there is always need to consider long term consequences. Two current examples - ADU's and WFH - are reviewed in this edition of *County Comments*.

One key provision of the new ordinance would reduce from three to two steps - eliminating the first step public hearing and comment - as one of the three steps now required during the major plans and rezonings process.

To help you carefully review the complexities of upcoming ordinance 09-066, a copy of its 28 pages is posted on our website [www.CivicLeagueForNCC.org](http://www.CivicLeagueForNCC.org). It can be read online or printed out. You can also obtain a copy by calling Councilman Smiley at 395-5400 and speaking to his aide Tara Finnegan.

The Civic League will be prevailing upon Councilman Smiley and all members of County Council to assure that this new ordinance is not rushed to adoption until all civic leaders have ample opportunity to comprehend its impact upon their communities.

Frances West,  
Immediate Past President

**BRING YOUR COUNCILMAN**  
*to our September 15 meeting  
to partner with us for the future  
of New Castle County.*

*If you haven't done so already,  
please support the Civic League  
by renewing your membership !*

## ADU Consequences (Accessory Dwelling Unit)

One of the often overlooked consequences of modifying a home to contain an ADU (Accessory Dwelling Unit) is what happens to the home after the elderly occupant is gone.

I like to think many of us embrace the commitment and responsibility of providing comfortable living quarters for an older loved one. What better way to show that commitment than to economically convert a portion of an existing home into a completely independent living unit, in full compliance with the new ADU legislation.

All is well, real estate professionals point out, until the added-on or modified portion becomes vacant. And for whatever reason. The fact is that the vacant living section of the house will need to be re-converted to being a regular section of the home, or an occupant will need be found for the space. Unless that is another close relative, to most people, that spells RENTAL. And the owner suddenly becomes LANDLORD.

Consider for a moment what it is like for an average single family home owner to suddenly be thrust into the role of landlord. The challenges begin with first finding a suitable tenant. On top of that, they have to begin collecting the rent. Then comes all the operational issues. Providing parking for one or more vehicles - car, truck, RV, camper. Answering all calls for service and repair - clogged plumbing, broken appliances, inoperable fixtures and electric circuit surprises - in short, doing all those things home owners need to do for themselves. Not to be overlooked is fire & liability insurance, taxes, and even security concerns.

Then envision more personal aspects like, the lack of sound deadening in single-family homes and how that may play into personal discussions, cooking endeavors and possible round-the-clock tenant visitors' and many may find the experience exponentially more imposing than originally planned.

Then comes the day when the house with the ADU is offered for sale. Realtors are quick to point out that the house is no longer a standard house for sale. It is now a Special Property. Fewer residential market buyers will be interested even though they may offer more, sadly some may offer even less, because of the specialized nature of the purchase. Remember, the buyer will need to make that same basic decision you were confronted with: Re-convert the house for normal living or assume the role of landlord or family caretaker. No one can predict the fate of an ADU unit, but it is certainly worth pondering anytime the basic ADU decision is being weighed.

Even though the impact of the ADU of today on the overall neighborhood character is still being debated, there are points of reference for similar housing modifications in times of less structured development planning. Throughout the County, communities representative of the early suburban growth out of our cities and towns in the late 40's, sometimes hardly represent their original single-family design. Today's community re-planning needs broad and responsible input from concerned homeowners that live there.

As supportive and admirable many of us find the family member that takes in their parent or in-law in later stages of life, we as neighbors sometimes hope it doesn't happen next door.

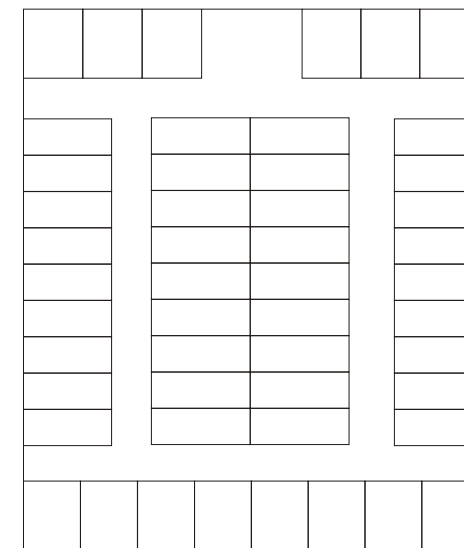
William Dunn,  
Civic League Director

## Workforce Housing - Part II

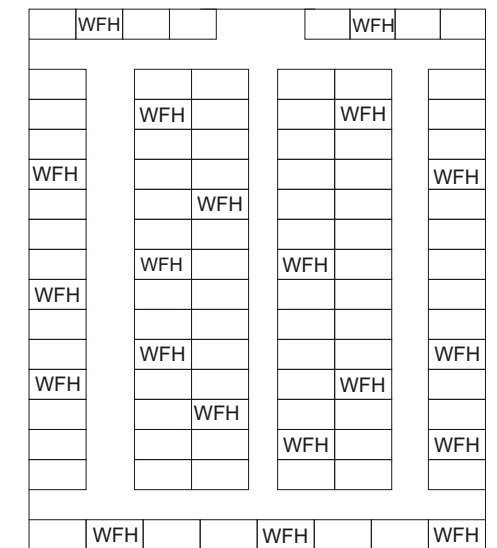
Such an outcry from County Council was provoked by our Workforce Housing article in June's *County Comments*, that a further elaboration was deemed to be in order.

Workforce Housing - a social engineering endeavor now being pursued in numerous states - is intended to correct an inequity in housing opportunities for moderate income workers. While few oppose the basic objective, some do question the impacts on several community elements including taxes, value of area homes, and congestions resulting from increased density of housing units.

Because of it's complexity, we have endeavored to schematically portray the fundamentals of workforce housing with two illustrations. The same piece of land is depicted - first with 50 lots and 50 houses, the maximum allowed by adherence to the County's current UDC (Unified Development Code). The second illustration is with 100 smaller lots and 100 houses. This greater density is allowed by the newly enacted Workforce Housing ordinance, since as you'll notice by looking closely, 20 of the homes are penciled in for (WFH) workforce housing units.



50 Houses in Development



100 Houses in Development  
with 20 Designated for WFH

Recall from our June article, that the 20 WFH units must be similar in appearance to the other 80, but lower in price and spread throughout the plan. Questions have been raised about possible favoritism for the 20 homes in ways beyond lower purchase price including adjusted maintenance fees and contributions by their builder toward additional funding needed for infrastructure expansion to serve the greater housing density. Of course when sold, restrictions last for the first 15 years of initial ownership and include payment of any resale profit to New Castle County for each of the 20 WFH units.

Given the County's steep financial problems, hiring new staff to monitor this scheme for such a period is also questioned. (You did just receive your new tax bill with your latest increase). For details, please go to Complete County Code from Municode, going to the Unified Development code sections starting at 40.07.300.

Chuck Mulholland,  
Southern New Castle County Alliance