Milford City Hall Council Chambers 201 South Walnut Street Milford DE 19963

CITY COUNCIL AGENDA
November 27, 2023

Attendees are welcome to participate virtually as well. Public Comments are encouraged on the agenda items designated with a ℗. Virtual attendees may alert the City Clerk that they wish to speak by submitting their name, address, and agenda item via the Zoom Q&A function or by using the Raise Your Hand function during the meeting. Those attending in person may comment when the floor is opened for that purpose. All written public comments received prior to the meeting will be read into the record.

This meeting is also available for viewing by the public by accessing the following link:
https://zoom.us/j/94877121629
or
http://www.cityofmilford.com/553/Watch-Public-Meetings

Members of the public may also dial in by phone using the following number:
Call 301 715 8592 Webinar ID: 948 7712 1629

6:00 PM
15-Minute Public Comment Period*

Virtual attendees must register prior to start time of meeting by calling 302-422-1111 Extension 1300 or 1303, or by sending an email to cityclerk@milford-de.gov and providing your name, address, phone number, and item name and/or description you wish to comment on. Persons in attendance wishing to speak must sign up prior to the start of the Council Meeting.

COUNCIL MEETING

Call to Order - Mayor Archie Campbell

Invocation

Pledge of Allegiance

Roll Call

Public Comments/Final Determination ℗

Delaware State Housing Authority/Community Development Block Grant Programs
Levy Court of Kent County & Sussex County Council
Adoption/Resolution 2023-23
Adoption/Resolution 2023-24
Adoption/Resolution 2023-25
Adoption/Resolution 2023-26
Adoption/Resolution 2023-27

Adoption/Ordinance 2023-45
Chapter 180 Rental Licenses
Disable Tenants/License Waiver

Adoption/Ordinance 2023-46
Lands of Randall Kenton
3.72 +/- acres of land located along the north side
of NE Front Street and the east side of N. Rehoboth Boulevard
Application Type: Change of Zone
Comprehensive Plan Designation: Commercial (pending adoption of Ordinance 2023-46)
Zoning District: C-3 (Highway Commercial District)
Present Use: Pallet Recycling
Proposed Use: Pallet Recycling
Address: 609 NE Front St
Tax Parcel: MD-16-183.07-01-12.00 & MD-16-183.07-01-14.00

Adoption/Ordinance 2023-47
Lands of Iglesia Pentecostal Bethel Delaware, Inc.
0.808 +/- acres of land located along the north side of
SE Front Street approximately 55 feet east of the Charles Street intersection
Application Type: Conditional Use
Comprehensive Plan Designation: Low Density Residential
Zoning District: R-2 (Residential District)
Present Use: Church (095.00), Church Parking (094.00), Former Single-family Dwelling (096.00)
Proposed Use: Church with associated parking
Address: 803, 805 & 807 SE Front Street
Tax Parcel: 3-30-7.17-094.00, 3-30-7.17-095.00 & 3-30-7.17-096.00

Recognition
New City Employee Introduction

Monthly Finance Report

Unfinished Business
Authorization/Preliminary Major Subdivision Extension
Red Cedar Farms/Tax Parcel Number(s): 3-30-11.00-068.00

New Business
Adoption/Resolution 2023-31/Reappointment of DEMEC Director & Change of Alternate Director

Adjournment

All items on the Council Meeting Agenda are subject to a potential vote.

ALL SUPPORTING DOCUMENTS MUST BE SUBMITTED TO THE CITY CLERK IN ELECTRONIC FORMAT NO LATER THAN ONE WEEK PRIOR TO MEETING. NO PAPER DOCUMENTS WILL BE ACCEPTED, DISTRIBUTED, OR PRESENTED AT MEETING ONCE PACKET HAS BEEN POSTED ON THE CITY OF MILFORD WEBSITE. ANY MATERIALS UTILIZED DURING THE MEETING SHALL BE FROM THE COUNCIL PACKET AND REFERENCED BY PRESENTER USING AUDIO AND VISUAL MEANS TO ENSURE VIRTUAL PARTICIPATION BY ALL IN ATTENDANCE.

*Time Limit is three minutes per speaker, not to exceed a total of fifteen minutes for all speakers prior to start of meeting/workshop.
℗ Designated Items only; Public Comment, up to three minutes per person will be accepted.

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PUBLIC HEARING

The **City of Milford, Delaware**, in cooperation with the Sussex County Council, the Levy Court of Kent County, Delaware, and the Delaware State Housing Authority (DSHA), will hold a public hearing on **Monday, November 27, 2023, at 6:00 p.m. at the City Hall, 201 South Walnut St., Milford, Delaware** for the purpose of providing any interested citizens the opportunity to comment on the municipality's application for funds under the Delaware Community Development Block Grant (CDBG) Program. In accordance with the Section 106 Review Process established by the National Historic Preservation Act of 1966, as amended, comments are especially encouraged from interested agencies and individuals with respect to undertakings that may affect historic properties of significance to such agencies and individuals.

This Federally funded program will provide grants amounting to $2,000,000. (funding level subject to change), to support Community Development Activities in eligible local governments in Kent and Sussex Counties. The public hearing will also include a status report for Milford's FY-23 projects.

For further information on this hearing, please contact Sussex County Department of Community Development at 855-7777 or the Kent County Department of Planning at 744-2480.

Sussex County promotes equal housing opportunity.



STATE OF DELAWARE
DELAWARE STATE HOUSING AUTHORITY
DELAWARE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
DRAFT PROGRAM GUIDELINES FOR FY2024

I. GENERAL

A. Scope and Applicability

These Program Guidelines describe the Delaware Community Development Block Grant (CDBG) Program for Kent and Sussex Counties in Delaware. Funds for this program, when appropriated by the U.S. Congress, are provided in a block grant to the state by the U.S. Department of Housing and Urban Development (HUD) pursuant to Section 106 of the Housing and Community Development Act of 1974, as amended by the Housing and Community Development Act of 1992, and in accordance with HUD rules, regulations and program memoranda.

B. Administration

The Delaware State Housing Authority (DSHA) administers the Delaware CDBG Program. The purpose of DSHA is to provide affordable, decent, safe, and sanitary housing to low- and moderate-income persons.

C. Program Design and National Objectives

The Delaware FY2024 CDBG Program has been designed so as:

1. to give maximum feasible priority to activities which will benefit low- and moderate-income families;

2. to aid in the prevention of slums and/or blight; and

3. to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and where other financial resources are not available to meet such needs.

Each CDBG activity must be an eligible activity, and it must comply with one of the above three national objectives. Subgrantees shall ensure that the following records are maintained and kept up to date: 1) records demonstrating that each activity undertaken meets one of the national objectives; and 2) a full description of each activity carried out (or being carried out) in whole or in part with CDBG funds, including the nature and purpose of the activity, its location (if the activity has a geographical location) and the amount of CDBG funds budgeted, obligated and expended for the activity.

EXCEPT THAT the aggregate use of Title I funds received by the state during the period of Federal Fiscal Years 2022, 2023, and 2024 shall principally benefit persons of low and moderate income in a manner that ensures that not less than 70 percent of such funds are

used for activities that benefit low- and moderate-income persons. In order to comply with the 70 percent principal benefit requirement, it is further agreed that not less than 70 percent of the total FY2024 CDBG Grant shall be utilized for activities that benefit low- and moderate-income persons as defined in Section I.D. of these Program Guidelines.

D. Definitions

1. **Low-Income Household/Family**: A household/family having an income equal to or less than the Section 8 Very Low-Income limit (50% of the area median income) as established by HUD. (These income limits are periodically revised by HUD and are made available by DSHA to all units of general local government and counties in Delaware eligible for this program. See Attachment "A" to these Program Guidelines for the most recent figures dated 6/15/23.)

2. **Moderate-Income Household/Family:** A household/family having an income equal to or less than the Section 8 Low-Income limit (80% of area median income) established by HUD, but greater than the Section 8 Very Low-Income limit (50% of area median income) established by HUD.

3. **Low- and Moderate-Income (LMI) households**: All persons occupying the same housing unit, regardless of their relationship to each other, whose combined incomes do not exceed the income limits outlined in Attachment “A” to these Program Guidelines.

4. **Homeless Facility Activity**: A public facility activity for the rehabilitation of temporary shelters for the homeless, including victims of domestic violence, dating violence, sexual assault or stalking. The populations served by these facilities are populations that are presumed to be LMI persons or families. The operating costs, maintenance and any future repairs of this activity are considered ineligible.

5. **Infrastructure**: The installation or improvement of water systems, sewer systems, streets, storm drainage systems, sidewalks, etc. In relation to public facilities activities, this includes infrastructure projects such as off-site water, sewer, roads, drainage, railroad spurs and other types of public facilities or improvements.

6. **Neighborhood Facility Activity**: A public facility activity for the rehabilitation or installation of recreational facilities, parks and playgrounds. The public facility activity must benefit all residents of an area where at least 51% of the residents are LMI, as evidenced by documentation and data concerning beneficiary family size and income. The operating costs, maintenance and any future repairs of this activity are considered ineligible.

7. **Program Income**: Amounts earned by a unit of general local government or its subrecipient that were generated from the use of CDBG funds allocated by the State in a contract with a unit of general local government.

8. **Public Facilities/Public Improvements**: Interpreted to include all facilities and improvements that are either publicly owned, or that are traditionally provided by the government or that are owned by a nonprofit and operated so as to be open to the general

public.

E. Documentation of National Objectives and Low- and Moderate-Income Benefit

1. Documentation of National Objective.

a. Infrastructure (public works) Activities:

For each activity determined to benefit low- and moderate-income persons based on the area served by the activity, Subgrantees must maintain records containing: 1) the boundaries of the service area; and 2) a summary of the income characteristics of the persons in the service area showing that at least 51 percent of area residents are low/moderate income. Grantee will use current income guidelines by household size and County locale as published periodically by HUD.

b. Housing Rehabilitation Activities:

For each direct benefit activity determined to directly benefit low- and moderate-income persons based on the household income of those directly benefiting and where the activity involves the submission of an application or the completion of a personal record, Subgrantees must maintain sufficient evidence to ensure such benefits would accrue to low- and moderate-income persons, the income limits applied, and the point in time when the benefit was determined.

Individual household incomes must be thoroughly documented to verify that they are 100 percent low to moderate income before each housing unit is provided housing rehabilitation assistance. No rehabilitation assistance shall be provided to households that are not low to moderate income, except as provided under Section III.C.2.c. of these Program Guidelines (urgent need).

Subgrantees must maintain records including the number of units to be rehabilitated, and the amount to be spent on each unit to be rehabilitated. These records should be provided to DSHA prior to commencement of construction and updated on a quarterly basis throughout the duration of each project.

The replacement/purchase of appliances or other equipment, as defined by DSHA and outlined in 24 CFR 570.207, will not be eligible under Housing Rehabilitation Activities.

c. Housing Code Enforcement/Demolition:

Documentation to be maintained by Subgrantees for each activity determined to aid in the prevention or elimination of slums or blight based

on addressing one or more of the conditions which qualified an area as a slum or blighted area must include: 1) the boundaries of the area; and, 2) a description of the conditions which qualified the area at the time of its designation in sufficient detail to demonstrate how the area met the requirements in 24 CFR 570.208(b)(1).

Documentation to be maintained by Subgrantees for each activity determined to aid in the prevention or elimination of slums or blight based on the elimination of specific conditions of blight or physical decay not located in a slum or blighted area must include a description of how the threats to public health and safety are to be corrected.

d. Transitional Housing Construction/Rehabilitation:

For each activity determined to benefit low- and moderate-income persons because the activity involves a facility or service designed for use predominantly by low- and moderate-income persons, Subgrantees shall maintain sufficient evidence to ensure that the predominant users would be low- and moderate-income persons.

e. Urgent Needs:

For each activity determined to meet a community development need having a particular urgency, Subgrantees shall maintain documentation including: 1.) the nature and degree of seriousness of the conditions requiring assistance; 2.) evidence that the recipient certified that the CDBG activity was designed to address the urgent need; 3.) information on the timing of the development of the serious condition; and, 4.) evidence confirming that other financial resources to alleviate the need were not available.

2. Target Areas

a. Community-wide low- and moderate-income percentages are noted in Attachment B to the Program Guidelines. The list is from HUD's **ACS 5-year 2011-2015** Low/Moderate Income Summary Data. These community-wide low- and moderate-income percentages will normally be used only for infrastructure activities such as a town well.

b. Infrastructure (public works) activities must utilize either the community-wide low- and moderate-income figures noted in Attachment B, a survey following the methodology contained in the 9/23/14 HUD Notice CPD-14-013, "Guidelines for Conducting Income Surveys to Determine the Percentage of Low- and Moderate-Income (LMI) Persons in the Service Area of a Community Development Block Grant (CDBG)-Funded Activity," or the available Census data at the tract or block group level, to show that target area residents are 51 percent low/moderate income. Census maps can be found **using the Response Outreach Area Mapper (ROAM)**

at: http://data.census.gov. Estimates of the number of low- and moderate-income individuals can be found at: https://www.hudexchange.info/programs/acs-low-mod-summary-data/acs-low-mod-summary-data-block-groups-places/. Past surveys not utilizing the HUD methodology will not be accepted.

c. Housing rehabilitation activities do not have to document that the target area residents are 51 percent LMI. Instead, the target area will be defined on the basis of the number of substandard dwelling units contained within its boundaries. The total number of dwelling units shall also be enumerated. Documentation of these figures shall normally be accomplished through a windshield survey. A substandard dwelling unit is defined as failing to meet the standards of the Delaware State Housing Code or the housing code adopted by the jurisdiction where the unit is located.

Where no discernible target areas exist within a community's corporate limits, the entire community may be identified as a rehab target area. The total number of dwelling units, and the number of substandard dwelling units, shall be documented as for any other target area.

d. Housing Code Enforcement/Demolition:

Unless housing code enforcement/demolition activities meet the national criteria for slum and blight, these activities require target area determinations utilizing the HUD Survey Methodology or Census data documenting a 51 percent benefit to low/moderate-income persons.

e. DSHA Pre-Approval:

All target area survey instruments, descriptions of how surveys were conducted, survey results, maps clearly indicating service area boundaries, a rationale/justification for the service area determination, and a rationale for the method used to determine low- and moderate-income benefit (if Census information is not used) must be approved by DSHA prior to the submission of an application. Census data must be used to the maximum extent feasible for determining the income of persons residing in service areas. Both target areas and applications must have, and request funding for**,** at least four eligible units per target area. All target area information must be received in the DSHA office at 18 The Green, Dover, Delaware 19901, no later than 4:00 p.m. on **January 19, 2024.**

f. Service Area Determination guidance can be found at the Section titled "Determining the service area" on pages 3-9 to 3-11 of the "Guide to National Objectives & Eligible Activities for State CDBG Programs," available from DSHA, or at: http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/communitydevelopment/library/stateguide**.**

g. Areas of Minority Concentration

To affirmatively further Fair Housing, DSHA will provide up to 5 points in the Application Review scoring at Section V.B.1.d. to applications that target areas having disproportionate housing needs by race and ethnicity. Areas of racial and ethnic minority concentration are defined as geographic areas where the percentage of a specific minority or ethnic group is 10 percentage points higher than in the jurisdiction overall, as of the 2010 Census. In Kent County there are 8 Census tracts identified as having concentrations of Black or African American residents, including 402.03, 405.01, 410, 412, 414, 415, 425, and 433. Kent County also has one Census tract having a concentration of Hispanic residents: 425. In Sussex County, there are five Census tracts having concentrations of Black or African American residents: 501.05, 502, 504.06, 504.07, and 518.02. Sussex County also has four Census tracts having concentrations of Hispanic residents: 501.04, 505.03, 505.04, and 514.

F. Program Outcome Performance Measurement

a. On pages 11470 to 11481 of the March 7, 2006 Federal Register, HUD published a "Notice of Outcome Performance Measurement System for Community Planning and Development Formula Grant Programs". This Notice on Performance Measurement is to be followed in establishing and reporting outcome performance measures for each activity for FY2024. Subgrantees are required to provide proposed outcome/objective statements for each activity in their CDBG applications, and actual outcome/objective statements with indicators in their quarterly and closeout reports.

b. Grantee shall provide statistical program data as required by Grantor. Grantor will provide a preformatted Quarterly Report to Grantee to complete and submit to Grantor on a quarterly basis (January, April, July, October).

c. Grantee shall have a documented quality control inspection process in place for all repairs (including, but not limited to, before and after photos, even for 3rd party sub-contractor work). Grantee shall perform a documented final inspection of all completed repairs, findings and corrections.

G. Affirmatively Furthering Fair Housing

In addition to typical reporting requirements, in an effort to affirmatively further Fair Housing, DSHA will increase monitoring and require increased reporting relative to Fair Housing issues. Eligible jurisdictions will be required to submit reports (1) detailing addresses of beneficiaries and their membership in protected classes and (2) a narrative report updating DSHA about progress on meeting objectives outlined in the Statewide Fair Housing Plan and other efforts to affirmatively further Fair Housing, such as training,

outreach and new programs.

II. General Information for Applicants

A. Eligible Applicants

Eligible applicants are units of general local government in Kent and Sussex Counties, the Kent County Levy Court and the Sussex County Council.

B. Number and Type of Applications

Each unit of local government and each county government may make only one application for funds in each program year, with the exception of applications for emergency activities and infrastructure for new housing development. An application from the Kent and Sussex County Governments may include unincorporated portions of the county, as well as those incorporated areas whose governing bodies have specifically requested to be included in the county's application. Written evidence of that request must be included with the county's application. If a local government has requested to be included in a county application it may not make a separate application, except applications for emergency activities and infrastructure for new housing development submitted after the normal application deadline.

C. Activities Outside an Applicant's Boundaries

An applicant may apply for CDBG funds for eligible program activities, which are partially outside its boundaries if it can be demonstrated that these activities are appropriate to meet the applicant's needs and objectives. Such activities must be consistent with State and local law, and the county or municipality within which these activities will take place must agree to such activities.

D. Activities Within an Application

Within a single application or fiscal year, an applicant may seek funding for activities, which address more than one community development need, as long as the total does not exceed the maximum allocation of $1,200,000. The CDBG funds requested, either by themselves or in combination with other funds, must be sufficient to complete the proposed activities. An allocation exceeding $600,000 would have to be extremely competitive.

E. Eligible Activities

The 2024 program will provide funds to units of general local government and to counties not entitled to receive CDBG funds directly from HUD to undertake eligible approved activities, as listed in these Program Guidelines. The program is competitive in nature and it is anticipated that the demand for funds will far exceed the total amount available to the State. Therefore, eligible applicants selected for funding will be those communities and counties whose applications best address locally-determined needs of low- and moderate-income families as contained in the Delaware Consolidated Plan for FY2020 - 2024, and

which are also consistent with the 51 percent principal benefit requirement or otherwise meet one of the three National Objectives, and which meet one or more State priorities. Applicants should be aware that proposed activities, which do not meet a State priority will be deemed unresponsive and not considered by the review panel, unless sufficient fundable activities meeting a State priority are not received by DSHA.

III. State Priorities and Set-Asides

The following are the State's priorities and set-asides for FY2024 CDBG funding:

A. Maintenance of Existing Housing

1. Rehabilitation of substandard residential properties occupied by 100 percent low- and moderate-income households.

a. General

1) Applicants must submit a list of all residential properties to be rehabilitated, with each property identified as owner- or renter-occupied. However, local governments with current waiting lists containing at least twice the number of applicants than are proposed for assistance may simply submit a certification to that effect, without submitting the normal list of properties to be rehabilitated. Applicants' waiting lists must be updated each year, prior to submission to DSHA. Applicants must provide a picture and an address and directions to each house for the top four rehab applicants on each waiting list. In addition, applicants must contact each of the top four (4) applicants on a rehab waiting list to confirm that they still: are interested in and eligible for CDBG assistance, and have eligible rehabilitation needs.

For the FY2024 program year, if rehab applicants are exhausted in targeted areas before funds are exhausted in those areas, excess funds from those areas can be transferred to other target areas. If all eligible rehab applicants are exhausted in all target areas before funds are exhausted in those areas, then the excess funds from those areas can be transferred to scattered site rehabilitation.

2) All residential properties receiving CDBG assistance must be rehabilitated up to the standards of the Delaware State Housing Code or the local equivalent code, except that those properties only receiving assistance under a funded Emergency Home Repair activity under Section III.A.1.g. do not need to be brought completely up to code at the time the emergency repair is completed. All CDBG applicants must include a clause in their rehabilitation contracts, which enables them to rescind the contract in the event it is determined during the course of construction that the proposed rehabilitation is not feasible due to unforeseen

conditions not known at the time the contract was executed. The limit of CDBG/HOME funds that may be expended per dwelling unit for rehabilitation of owner-occupied stick-built or modular housing is $50,000 (see Attachment "F" to these Program Guidelines for factory-built housing definitions). Owner-occupied stick-built or modular units on a permanent foundation requiring more than $40,000 in rehabilitation assistance must provide proof of compliance with the Substantial Reconstruction requirements in Section III.A.6. of these Program Guidelines as well as notifying DSHA prior to commencement. Any rehabilitation over $40,000 will require a grant restriction agreement of a minimum of 15-years (See Attachment "G" to these Program Guidelines).

3) All applicants requesting CDBG rehabilitation assistance must have adopted and be enforcing a housing code equivalent to or more restrictive than the Delaware State Housing Code. (Municipalities may be under contract for the enforcement of the code by county government.) The CDBG Subgrantee must certify that the property is up to housing code standards when rehabilitation is completed.

4) The CDBG/HOME housing rehabilitation program is a deferred loan program. The loan interest rate is 0%. The deferred loans can be reduced on a pro-rata basis over the time period for the lien. At the end of the loan term, the total amount of the loan would then be forgiven and satisfied.

a. A lien in the amount of the rehabilitation costs must be placed against all properties receiving CDBG/HOME rehabilitation assistance, except that: no lien will be required to be placed on properties receiving less than $5,000 in CDBG only rehabilitation assistance (not HOME rehabilitation assistance) for water/sewer hookups, meter installations, and emergency repairs. Properties receiving rehabilitation assistance funded in whole or in part with HOME funds will have a lien placed regardless of amount.

b. Except as noted above, loan terms for CDBG/HOME Rehabilitation Assistance:

For all homeowners regardless of age:

Under $15,000	5 Years
$15,000 to $40,000	10 Years
>$40,000	15 Years & Grant Restriction Agreement

c. Deferred loans may be recorded in second position behind the

homeowners' first mortgage, if required. Pro-rata payback of a CDBG-deferred loan to the Subgrantee is required when the property is sold or transferred, except the lien may continue on the property without repayment when the property is sold or transferred to a low/moderate-income household. Pro-rata payback of a HOME-deferred loan to DSHA is required when the property is sold, refinanced, or transferred.

d. Applicants may take up to 10% of the program income from the return of CDBG only deferred loan funds for use as administration funds. Applicants must report the taking of CDBG program income and CDBG program income administration funds on their next drawdown. All HOME program income funds must be returned to DSHA.

5) The applicant must have adopted a rehabilitation manual containing all forms and procedures to be used, including: procedures for coordinating with similar rehabilitation programs and an executed Programmatic Agreement (PA) with the National Advisory Council and State Historic Preservation Office.

6) Applicants may use up to 50 percent of their CDBG funds for community-wide rehabilitation. Counties proposing to use their community-wide funds in incorporated communities must obtain a resolution from that community authorizing such rehabilitation to be done.

7) Applicants must use 51 percent of their CDBG funds in designated DSHA-approved target areas. Subject to DSHA approval, where no identifiable smaller target areas exist, the target area requirement may be waived for a particular community.

8) Except in cases of emergency rehabilitation, applicants must certify that units to be rehabilitated will be insured for at least the amount and period of the rehab loan.

9) Local officials shall determine the suitability of providing rehabilitation assistance to any given residential property.

10) Applicants are encouraged to support the Statewide initiative to hire minority-, veteran- or women-owned businesses. The company must be (a) 51 percent owned by minority, Veteran and/or woman or (b) 51 percent managed by minority group, service disabled veteran/veteran and/or woman and (c) certified as a MVWBE (or home state equivalent) in home state of business as for-profit business. For further information please refer to http://gss.omb.delaware.gov/osd/index.shtml.

b. Lead-Based Paint: This Section applies to activities renovating or

rehabilitating housing units occupied by 100 percent low- and moderate-income households constructed prior to January 1, 1978 receiving Federally-funded project-based assistance.

1) Grantees shall follow the lead-based paint regulations found at 24 CFR part 35 Lead-Based Paint Poisoning Prevention in Certain Residential Structures.

2) In cases where evaluation or hazard reduction or both are undertaken, the Subgrantee shall provide a notice to occupants in accordance with Section 35.125.

3) Subgrantees must provide a lead hazard information pamphlet to all families receiving assistance living in pre-1978 housing, and obtain a signed acknowledgment from occupants that they have received the pamphlet.

4) Lead-based paint inspection, risk assessments, testing, hazard reduction and abatement and treatment are eligible expenses.

5) Inspection/risk assessment/testing reports must be kept by the Subgrantee for a period of three years.

6) The Subgrantee must conduct paint testing or presume the presence of lead-based paint, in accordance with Section 35.930.

7) CDBG administration funds may be used for rehabilitation Subgrantee lead-based paint certification training. No matching funds are required for administrative funds used for CDBG Subgrantee lead-based paint certification training.

c. Rental Rehabilitation of housing units occupied by 100 percent low- and moderate-income households.

1) A maximum of $15,000 per unit may be provided for CDBG rental rehabilitation.

2) CDBG rental rehabilitation loans will be financed at 3 percent amortized over a period of 10 years and will not be deferred.

3) <u>Only 75 percent of the rehabilitation cost may be financed by CDBG funds. The remaining 25 percent must be financed through private funds.</u>

4) The servicing of 3 percent CDBG rental rehabilitation loans shall be handled by DSHA through an agreement with a private servicing agent. The costs to DSHA of providing servicing will be reimbursed

from principal and interest payments made by the owner to the Subgrantee. All principal and interest for rental rehabilitation loans shall be repaid on a regular monthly schedule after completion of the work.

5) All rental units financed with CDBG funds must be occupied by low- and moderate-income persons at affordable rents throughout the duration of the loan agreement. Affordable rents are defined as Fair Market Rents (FMR) published periodically by the Federal HUD Section 8 Existing requirements. See Attachment D to these Program Guidelines for the most recent figures dated 10/01/22.

6) All CDBG rental rehabilitation must utilize the forms and procedures contained in Delaware CDBG Rental Rehabilitation Procedures dated November, 1990.

d. The rehabilitation of manufactured housing occupied by 100 percent low- and moderate-income households shall utilize the same rehabilitation procedures as other housing, except that the following additional requirements apply (see Attachment "F" to these Program Guidelines):

1) There shall be a limit of $20,000 per manufactured home rehabilitated on rental lots. There shall be a limit of $30,000 per manufactured home rehabilitated where the owner owns both the manufactured home and the lot it is situated on;

2) The CDBG Subgrantee must certify that the property will have at least 10 years of habitable life after rehabilitation is completed;

3) The CDBG Subgrantee must obtain documentation that the manufactured home is in place and installed in accordance with local environmental, zoning and housing/building code requirements, prior to starting work on the property;

4) For manufactured housing where the owner owns both the manufactured home and the lot it is situated on, the unit must have a permanent foundation in order to be eligible for rehabilitation funds. If no permanent foundation exists, then the total rehabilitation contract specifications for a unit must include the installation of the foundation. For manufactured housing situated on rental lots, the permanent foundation requirement does not apply; and

5) For manufactured housing where the owner owns both the manufactured home and the lot it is situated on, and where the manufactured housing unit is beyond economical repair, the CDBG Subgrantee receiving HOME rehabilitation funds may only use HOME rehabilitation funds to replace the unit with a manufactured housing unit not more than 20 years old. There shall be a limit of

$35,000 per manufactured home replacement. All manufactured housing to be replaced must have been condemned by the applicant's code enforcement official, and the replacement unit must meet the standards of the Delaware State Housing Code or the local housing code. A ten-year lien must be placed against all properties where manufactured housing is replaced with HOME funds. For manufactured housing situated on rental lots, the replacement option does not apply.

e. Water and/or sewer hookup of 100 percent low- and moderate-income households shall utilize the same rehabilitation procedures as other housing rehabilitations, including the documentation of low- and moderate-income household according to the definition provided in Section I.D.2, above.

f. Energy Efficiency: This Section applies to activities renovating or rehabilitating housing units occupied by 100 percent low- and moderate-income households. To the maximum extent feasible and cost-effective, Subgrantees' work write-ups and specifications for rehab work necessary to bring the dwelling unit up to housing code standards shall require ENERGY STAR qualified products and procedures. Subgrantees shall utilize the Energy Star website directly at: http://www.energystar.gov/homeadvisor to determine the recommended energy-efficient specifications for rehabilitation and remodeling. The recommendations on these websites shall be followed for all required work and materials, including, but not limited to: windows, heating and air conditioning systems (in cases of documented medical necessity in regards to air conditioning), ventilation, insulation, air sealing, water heaters, light fixtures, lighting, and doors. The CDBG Subgrantee shall also coordinate its housing rehabilitation waiting lists, to the extent feasible, with the Delaware Weatherization Assistance Program waiting list, and the waiting lists of all other agencies that offer emergency home repair programs.

g. Emergency Home Repair of residential properties owned and occupied by 100 percent low- and moderate-income households. CDBG applicants may apply for a separate Emergency Home Repair category of housing rehabilitation funds to address an emergency condition threatening the health or safety of an owner-occupied household's occupants. Emergency Home Repair is separate from emergency rehabilitation under Section III.C.2. of these program guidelines. Repairs that generally qualify as emergency home repair include: heating, plumbing, electrical, roofing, and structural problems. Air conditioning systems will qualify in cases of documented medical necessity.

1) An emergency is defined as an unexpected occurrence or combination of events calling for immediate action. Unsafe electrical wiring, a non-working heater in winter, or structural conditions that are a major defect or are life-threatening and considered unsafe are examples of true

emergencies.

2) A minimum of $500 and maximum of **$10,000** may be provided per home in CDBG emergency home repair assistance.

3) Homeowners must meet all eligibility requirements to participate in the program.

4) A five-year lien must be placed against all properties receiving $5,000 or more in CDBG emergency home repair funds (See Attachment "H" to these Program Guidelines).

5) Grantee shall maintain an emergency repair database and other software to administer the program, maintain client files, and other documentation needed for submission to and monitoring from Grantor. See Attachment "E" to these program guidelines for Grantee's reference prior to DSHA compliance monitoring visits.

2. Housing code enforcement in areas of slum and blight (as defined in state regulations) or which benefit an area of at least 51 percent low- and moderate-income persons. (Also note Section I.E.2.d.)

   a. Applicants proposing housing code enforcement activities must certify that they will maintain during the period of the CDBG contract, in addition to their expenditures for carrying out any program assisted with CDBG funds, a level of expenditures for code enforcement activities at not less than their normal expenditures for such activities in the year prior to the execution of the CDBG Contract.

   b. Applicants requesting CDBG assistance for code enforcement must have adopted and be enforcing a housing code equivalent to the Delaware State Housing Code.

3. Demolition of substandard structures in areas of slum and blight (as defined in state regulations) or which benefit 51 percent low- and moderate-income persons on an area or spot basis. Applicants for demolition funds may use up to 50 percent of such funds for community-wide demolition.

   a. All structures to be demolished must have been condemned by the applicant's code enforcement official. Applicants requesting CDBG assistance for demolition must have adopted and be enforcing a housing code equivalent to the Delaware State Housing Code.

   b. Demolitions to be accomplished with the voluntary consent of the owner and at the discretion of the community, must be in the form of a permanent 0 percent deferred loan, that is not forgivable, unless

new housing constructed on the property becomes exclusively: 1) owned and occupied as the principal residence(s) of low/moderate-income household(s); or, 2) rented by low/moderate-income household(s) for a period of at least ten years.

c. For non-voluntary demolitions, the governing body of the applicant must provide evidence that it has exhausted other available legal procedures to secure remedial action by the owner of the structure(s) involved, that demolition action is required, and that it has the legal authority to demolish the structure(s).

d. The applicant requesting CDBG assistance for non-voluntary demolitions must agree to place a tax lien on the property so that monies expended for razing, demolition, and removal of eligible structures or part(s) thereof, may be collected in the same manner as other real estate taxes. All such monies recovered shall be deemed to be program income.

e. Demolition liens, whether in the form of a 0 percent deferred loan, or a real estate tax lien, may be subordinated to a new mortgage on the property if the property is sold or transferred for the purpose of low/moderate-income housing. The lien will then continue in the original form until such time as the property is converted to a use other than for the purpose of low/moderate-income housing, at which time the lien will be required to be repaid; or, until such time as the property is actually used to house low/mod-income household(s) as described in Section III.A.3.b., above, at which time the lien will be forgiven.

4. Construction or rehabilitation of emergency/transitional/permanent supportive housing serving of at least 51 percent low- and moderate-income limited clientele.

a. Applicant must provide evidence that the construction or rehabilitation will benefit at least 51 percent low- and moderate-income persons. This evidence must demonstrate that at least 51 percent of daily normal users of the facility are principally low- and moderate-income persons.

b. Applicant must certify that it will not charge any fees for accessing such assisted facilities so as to have the effect of precluding low- and moderate-income persons from obtaining said access.

c. All CDBG applicants must certify that they will comply with the labor standards as set forth in 24 CFR 570.603; HUD regulations at 24 CFR 607 and 609; and the Delaware CDBG Labor Standards Handbook.

d. No such activities will be funded unless additional funding has been secured for the provision of services which are complementary to the programmatic purpose of the activity.

e. The applicant must certify that it will obtain all necessary permits and will comply with all federal, state and local standards and regulations that pertain to the type of activity requested such as building codes, insurance, and the State architectural accessibility standards prescribed by the State of Delaware Architectural Accessibility Board.

f. If the facilities to be assisted are publicly owned, the facilities must be nonresidential buildings which are not used for the general conduct of government such as "city halls, county administration buildings, state capitol or office buildings, or other facilities in which the legislative or general administrative affairs of government are conducted." (Section 102 (a)(21) of the Act); and which meet the requirements of 24 CFR 570.200 (5)(b).

g. If the facilities to be assisted are privately owned by a nonprofit organization, the organization must meet the requirements of 24 CFR 570.204 (c)(1), and be operated so as to be open for use by the general public during all normal hours of operation and otherwise meet the requirements of 24 CFR 570.200 (5)(b).

h. The applicant must comply with all restrictions and limitations regarding the use of CDBG funds by nonprofit organizations which are church-related found at 24 CFR 570.200(j).

5. Relocation assistance as required under the Uniform Relocation Act, Delaware Code, and 24 CFR 570.

6. Substantial reconstruction of housing occupied by 100 percent low- and moderate-income households.

A unit of general local government may use CDBG funds to reconstruct residential structures (i.e. rebuild the structure on the same site) having a low- and moderate-income owner/occupant and consisting of one dwelling unit if either:

a. The need for the reconstruction was not determinable until after rehabilitation on the structure had already commenced; or

b. The housing that is being reconstructed is part of a neighborhood rehabilitation effort in which the unit of general local government is carrying out or proposes to carry out housing rehabilitation

activities, and the housing to be reconstructed would otherwise be a part of the housing rehabilitation in that neighborhood; and the unit of general government determines:

1) That the housing to be reconstructed is unsuitable for rehabilitation based upon severe structural deficiencies and an estimated cost of rehabilitation of more than $40,000;

2) The estimated cost of reconstruction is at least 20 percent less than the estimated cost of purchasing comparable newly constructed housing (including land) located in that neighborhood or in a comparable neighborhood of the unit of general local government; and

3) The estimated cost of the reconstruction is less than the fair market value of the reconstructed housing and land based on an appraisal obtained before reconstruction.

c. The unit of general local government shall document the basis for each of the determinations noted above.

7. Provision of housing-related services in conjunction with activities noted above. Such housing-related services could include: training in housekeeping, fair housing and homeownership counseling, and other housing-related services not provided by other social service agencies, but that support the programmatic purpose of the activities noted above.

8. Set-aside: 60-90 percent of CDBG funds available for allocation to activities, excluding administrative costs. The final percentage of CDBG funds allocated for the Existing Housing set aside will be dependent upon the quality and type of applications received in FY2024.

B. Infrastructure benefiting at least 51 percent low- and moderate-income persons

The following activities in support of this State priority for low- and moderate-income persons are eligible:

1. Architectural/engineering studies for infrastructure directly related to housing development, including feasibility studies, site tests and soil borings;

2. Preparation of grant applications to other grantor agencies;

3. Acquisition of land for new housing development, in accordance with the requirements of the Uniform Relocation Act of Delaware Code;

4. Clearance and site preparation for new housing development for low- and moderate-income persons;

5. Installation or improvement of infrastructure benefiting service areas of at least 51 percent low- and moderate-income persons, including: water, sewer, streets, sidewalks;

6. Planning studies, including comprehensive plans and zoning ordinances, which clearly by their intent and design, encourage the provision of affordable housing for low- and moderate-income persons;

7. Neighborhood facilities activities regarding the rehabilitation or installation of recreational facilities, parks and playgrounds owned and operated by non-profits that are open to the general public. The public facility activity must benefit all residents of an area where at least 51% of the residents are LMI, as evidenced by documentation and data concerning beneficiary family size and income. The operating costs, maintenance and repair of this activity are considered ineligible. And;

8. Homeless facilities activities are considered a public facility activity for the rehabilitation of temporary shelters for the homeless, including victims of domestic violence, dating violence, sexual assault or stalking. The populations served by these facilities are populations that are presumed to be LMI persons or families. The operating costs, maintenance and any future repairs of this activity are considered ineligible.

9. For items 1-8 as applicable above:

   a. The applicant must provide evidence that it will provide a minimum cash or in-kind match for each activity, as described below. Cash matches may be provided through other sources of funding for the same activity;

Infrastructure Match Requirements

Total Activity Cost	Cash Match	***or*** In-Kind Match
Up to $100,000	10% of Activity	15% of Activity
$100,000+ to $199,999	15% of Activity	20% of Activity
$200,000+	20% of Activity	25% of Activity

   b. Applicant must provide evidence that at least 51 percent of the persons benefited by the activity are in fact low- and moderate-income persons;

   c. Applicant must certify that there will be no special assessment against properties owned by low- and moderate-income persons to recover that portion of a capital expenditure funded with CDBG funds. The term special assessment is defined to mean a fee or charge levied or filed as a lien against a parcel of real estate as a direct result of benefit derived from the installation of a public

facility improvement, such as streets, curbs, and gutters. The amount of the fee represents the pro rata share of the capital costs of the public improvement levied against the benefiting properties;

d. Applicant must certify that they will comply with the labor standards as set forth in 24 CFR 570.603; HUD regulations at 24 CFR 607 and 609; and the Delaware CDBG Labor Standards Handbook; and

e. Applicant must certify that they will obtain all necessary permits and will comply with all federal, state, and local standards and regulations that pertain to the type of activity requested.

9. Set-aside: 10-40 percent of CDBG funds available for allocation to activities, excluding administrative costs. The final percentage of CDBG funds allocated for the Infrastructure for Housing Development and Maintenance set-aside will be dependent upon the quality and type of applications received in FY24.

C. Emergency activities (water, sewer, housing rehabilitation and demolition), which have a particular urgency because existing conditions pose a serious and immediate threat to the health and welfare of the community and other financial resources are not available to meet such needs.

1. For emergency water and sewer activities:

a. Applicant must certify that there will be no special assessment against properties owned by low- and moderate-income persons to recover that portion of a capital expenditure funded with CDBG funds;

b. The nature, degree of serious and immediate threat must be documented by letters from appropriate agencies such as the State Division of Public Health, DNREC, State/local fire officials, etc.;

c. The serious and immediate threat must be of recent origin or recently became urgent, that is, the condition developed or became critical within 18 months of a certification that must be made by the applicant in its application;

d. Applicant must certify and document that it is unable to finance the construction of these facilities without CDBG funds. Such documentation shall include: (a) if appropriate, letters from other grantor agencies such as the Department of Natural Resources and Environmental Control, Department of Transportation, Division of Public Health, etc., confirming that funds were not available; (b) appropriate financial statements showing the lack of local funds; and (c) a financial analysis of why the activity is not feasible through use

of other methods of local funding such as the proceeds of general obligation bonds, special assessments, etc.;

e. All CDBG applicants must certify that they will comply with the labor standards as set forth in 24 CFR 570.603; HUD regulations at 24 CFR 607 and 609; and the Delaware CDBG Labor Standards Handbook; and

f. The applicant must certify that it will obtain all necessary permits and will comply with all federal, State and local standards and regulations that pertain to the type of activity requested.

2. For emergency rehabilitation and demolition:

a. Required as a direct result of a natural disaster, such as a tornado, flood, hurricane, or similar catastrophe;

b. State has made a formal request to the Federal Emergency Management Agency for preliminary damage assessment and/or for which federal disaster assistance has been officially sought by the State;

c. At the discretion of the DSHA Director, rehabilitation assistance may be provided to persons not of low/moderate income when the need for such assistance is clearly documented;

d. Emergency rehabilitation and demolition activities will only be provided to cover losses not covered by insurance; and

e. Both emergency rehabilitation and demolition assistance will utilize the same liens and contracts as used for regular rehabilitation and demolition programs.

3. Set-aside: 0-7 percent of CDBG funds available for allocation to activities, excluding administrative costs. The final percentage of CDBG funds allocated for the emergency activities set aside will be dependent upon the quality and type of applications received in FY24.

D. Administration

1. Administrative Funds

Funds for administrative expenses, as defined by DSHA, shall be drawn on a quarterly basis. With each administrative drawdown request, the Subgrantee will submit a summary of current program activities. DSHA will approve quarterly drawdown requests based upon Subgrantee progress. The Subgrantee shall provide at least 50% of the total cost of administration through local Administrative Funds.

Rehabilitation Program Delivery funds are to be used to fund the CDBG portion of Rehabilitation Specialists' salaries of Subgrantee. Rehabilitation Program Delivery funds will be drawn in proportion based on the reimbursement requests of CDBG Program costs.

2. Matching Requirements

These local funds may be drawn from local operating appropriations, nonprofit organization funds, proceeds of general obligation revenue bonds or other funds expended for the same purpose as the CDBG funds are expended. Any costs incurred by the applicant for activities that directly benefit the CDBG activity and meet the requirements of OMB Circular A-87 may be used to meet this match requirement.
However, these funds must be spent in the same consecutive twelve-month period as the CDBG funds. For the purpose of this match requirement an applicant is considered to be: (a) a county's application for its unincorporated areas: (b) incorporated areas applying on their own; or (c) incorporated areas under a county's application.

3. Administrative Costs Limits

Administrative costs allowable to participating units of general local government under the CDBG Program shall be governed by the matching requirement in Paragraph 2. above, the contract budget and by the federal requirement that the State and its CDBG Subgrantees are limited to an aggregate amount of administrative costs that represent twenty percent of the State's total grant from HUD in any given federal fiscal year. It should be noted that the total amount of CDBG funds available for administration in FY24 may be less than the amount currently allocated, depending upon the number and quality of applications received, and the amount of funding allocated by HUD. The maximum allocation for all administrative and program delivery costs for any single applicant shall not exceed $250,000 in any program year. Applications shall provide the salaries of all program administration personnel to be funded through CDBG funds. DSHA may separate rehabilitation specialists' salaries from general administration costs and allocate funding for those salaries as rehabilitation program delivery costs.

4. Draw Process

Subgrantee shall follow Grantor's draw process as necessary. All draw-down support documentation shall follow Grantor's guidelines and be acceptable to Grantor. Subgrantees shall ensure that the following records are maintained and provided as supplementary documentation with all draw submissions: 1) project work write-ups and specification sheets; 2) construction work contract from winning bid contractor; 3) receipts and/or invoices; and 4) proof of payment.

Draw submissions must be for the reimbursement of eligible costs associated with this Grant and at no time will Grantor release funding

for costs not already incurred and paid by the Grantee.

5. Separation of Program

Grantee will be required to separate the CDBG program from all other Grantee programs and will account and report separately all income and expenses in the financial and recordkeeping system, including the audited financial statement.

IV. Application Submission

A. Submission Date

Applications for the State's FY2024 CDBG Program must be received in the DSHA office at 18 The Green, Dover, Delaware 19901, no later than 4:00 p.m. on **February 29, 2024.** Applications for emergency activities and infrastructure for housing development will be considered at any time during the program year, subject to the following conditions: sufficient unallocated CDBG funds must be available to fund the activity(ies); assuming the availability of CDBG funds, a review panel will be convened to evaluate such proposals as well as those activities which were not originally recommended for full funding; and the need for CDBG funds must have arisen after the application deadline and be required for immediate use. **ONE SIGNED ORIGINAL AND ONE ELECTRONIC COPY of the application must be submitted.**

B. Application Content and Format

Applications for CDBG funds must be made on such forms and in accordance with such instructions as are prescribed by DSHA and include all forms and questionnaires as may be applicable to the specific proposed activity.

C. Documentation and Certifications

Application for CDBG funds must include all such documentation and certifications as may be prescribed in these Program Guidelines and in the application, instructions prescribed by DSHA.

D. Program Performance Period

All applications for 2024 funds shall be to finance CDBG-eligible activities that shall be initiated after July 1, 2024, and completed no later than June 30, 2026.

V. Application Review

A. DSHA Staff

1. DSHA staff will review all applications for completeness and to determine whether the applications meet the minimum threshold requirements for all applications.

2. If the assessment by DSHA staff indicates that an application fails to meet any of the applicable threshold requirements, and the applicant has not provided the requested information to make the application complete, DSHA staff will prepare a

report on each such application and submit it to the Director of DSHA. If the Director of DSHA agrees with the assessment by DSHA staff, the application will be considered unresponsive. Such applications will not be forwarded to the review panel(s) referred to below but will be returned to the applicant with a reason for the rejection. Any application that has been assessed as unresponsive shall be precluded from any further consideration in the FY24 CDBG Program, unless it is modified after July 1, 2024 to meet the threshold requirements for activities having a particular urgency or infrastructure for new housing development, and provided it falls within the requirements for a request for "recaptured/ remaining funds" after July 1, 2024 as specified in Section VI.D. of these Program Guidelines.

3. It is essential that the amount of CDBG funds requested in each application be reflected in a budget which is both reasonable and realistic, and which conforms with all the requirements for such budgets contained in these Program Guidelines and the instructions for CDBG applications. Because of this, DSHA staff may, after determining that an application has met all the applicable threshold requirements, enter into direct negotiations with an applicant to reach agreement on any budgetary modifications that should be made before the application is presented to the review panel(s) that will evaluate the proposal(s).

4. The DSHA staff shall provide the review panel(s) with a separate staff report on each application that will at a minimum include the following:

   a. Certification that the application/applicant has met all applicable threshold requirements, including evaluation of low- and moderate-income benefit;

   b. Certification that the proposed budget represents a realistic/reasonable budget which conforms to all applicable instructions and policies;

   c. The conformance of the proposed activities to the goals and objectives of the Delaware Consolidated Plan; and

   d. An evaluation of the applicant's capacity, and past performance under the CDBG Program.

B. Review Panel(s)

1. The review panel(s), composed of persons with the appropriate background and experience, shall evaluate each proposed activity, based upon the following criteria. A maximum total of 100 points may be received by an application.

   a. <u>Low- and Moderate-Income Benefit (Provided by DSHA staff):</u> Applications showing a greater benefit to low- and moderate-income persons for similar activities will be rated higher than those showing a lesser benefit to low- and moderate-income persons. Up to 25 points as follows:

      (1) 90-100% L/M = 25
      (2) 80-89% L/M = 20
      (3) 70-79% L/M = 15
      (4) 60-69% L/M = 10

(5) 51-59% L/M = 5
(6) 0 -50% L/M = 0

b. Management Capacity (provided by DSHA staff): Each applicant's management capacity for each of the activities proposed will be evaluated on the basis of the most recent monitoring report(s), current or proposed staff qualifications, progress achieved in completing its current CDBG Program (if applicable), and most recent audit report(s) (if applicable). Up to 5 points as follows:

(1)	outstanding	=	5
(2)	above standard	=	3
(3)	standard	=	1
(4)	below standard	=	0 (no allocation)

c. Cost/benefit of Activity: Each proposed activity will be evaluated on the basis of the following factors. Up to 70 points as follows:

(1) severity of need, including the number, percent and geographic concentration of low/moderate-income families; number, percent and geographic concentration of substandard housing; number, percent and geographic concentration of housing needing public facilities; health and/or safety conditions; emergency status:

Points	Need
1	not documented
8	moderate
15	severe

(2) holistic impact of activity, meaning, the degree (percentage, from Section IV. B. and C. of application) to which the identified need(s) for the activity(ies) is/are proposed to be addressed:

Points	Impact
1	low
8	moderate
15	high

(3) cost reasonableness, meaning, the reasonableness of the proposed program activity costs taking into account construction estimates and the availability of other resources:

Points	Cost/Reasonableness
1	low
8	moderate
15	high

(4) leveraging of other resources, meaning extent to which other firm, committed funding sources are identified:

Points	Other Resources
1	minimal or no match
8	moderate match
15	significant match

(5) suitability/feasibility of work plan, meaning the extent to which the applicants proposed scope of work will realistically be accomplished within the next fiscal year:

Points	Plan Feasibility
1	poor
3	fair
5	good

a. Targeting Areas of Minority Concentration: Applications showing a greater benefit to areas of minority concentration (see Section I.E.2.g.) for similar activities will be rated higher than those showing a lesser benefit to areas of minority concentration. Up to 5 points as follows:

Points	Minority Targeting
1	poor
3	fair
5	good

e. An oral presentation by the applicant to the review panel will supplement the application scores and serve as a factor in the panel's final decision.

2. Review Panel Recommendations

DSHA staff will prepare a summary evaluation of all applications received, which will include the scores for each proposed activity as described in V.B. above, and a descriptive summary of the review panel's comments and recommended priorities for funding.

C. Director of DSHA

The Director of DSHA will make the final decisions on allocating CDBG funds, based upon the review panel(s) recommendations and any additional relevant information obtained subsequent to those recommendations. Such additional information will only be considered if it reflects a substantive change in the application review criteria noted in Section V.B.1. above.

D. Allocations

Allocations to specific activities will be based on approved contract budgets. The maximum allocation for any single applicant shall not exceed $1,200,000 in any program year. Applicants should be aware that a total of approximately $2,500,000 is expected to be available for program activities. An allocation exceeding $600,000 would need to be extremely competitive.

VI. Additional Funding

A. Program Income Returned to Unit of Local Government

1. The use of program income is subject to all the applicable requirements of federal law, HUD regulations and program memoranda, and the general requirement of these Program Guidelines, which are consistent with said law, regulations and program memoranda. Additionally, the specific requirements for Program Income as are contained in the State's Financial Handbook shall also apply.

2. Program income retained by the unit of local government will:

   a. be added to funds committed to the activity and used to further the same program activity as the income was derived;

   b. not be used to pay administrative costs; and

   c. be expended before additional funds are drawn down from DSHA for the same activity.

3. Program income not authorized for retention and expenditure by the unit of local government will be returned to the State.

B. Program Income Returned to the State of Delaware

Section 104(i) of the Housing and Community Development Act of 1974, as amended by the Housing and Community Development Act of 1992, authorizes States to distribute program income when such income has been returned to the State. Program income returned to the State shall be disbursed to communities under open CDBG Contracts prior to making additional draws from the U.S. Treasury. The funds thus freed up shall be allocated in accordance with Section VI.D. below.

NOTE: Program income generated by CDBG rental rehabilitation loan repayments is considered program income of the unit of local government, even though such repayments are made directly back to DSHA through its loan servicing agreement. All such program income will be distributed to the appropriate unit of local government in accordance with the provisions of Section VI.A. above.

C. Reallocated/Supplementary Funds

Reallocated funds are those HUD has recaptured from a Small Cities Subgrantee and "reallocated" to Delaware. If Delaware should receive any "reallocated funds" from HUD for distribution as part of the FY24 CDBG Program, these funds shall be allocated in the same manner and under the same conditions as described in Section VI.D. below. Supplementary funds are those funds that HUD may award to the State after July 1, 2024, and shall also be allocated in the same manner and under the same conditions as described in Section VI.D. below.

D. Recaptured/Remaining Funds

1. Recaptured funds are those CDBG funds which remain unobligated after a CDBG contract has either been closed out or terminated; or after it has been determined that the total amount of CDBG funds originally allocated in a given contract are not required to complete the proposed activity for which they are allocated.

   Remaining funds are funds for which a method of distribution was contained in a prior year's Program Guidelines, but which have not been, and are no longer intended to be, distributed. Remaining funds may also be an amount left over after the state has awarded all of its contracts, but the left-over amount is too small to fund an application.

2. Recaptured/remaining funds received from its grantees by June 15, 2024 shall be included as part of the FY24 allocations in accordance with all applicable requirements of these Program Guidelines.

3. Recaptured/remaining funds received from its grantees after June 15, 2024 shall be set aside for the following purposes:

   a. To provide additional funding for any activity already under contract so long as the total amount of funds allocated does not exceed the $1,200,000 maximum allocation for any single applicant; in those cases where an unforeseen situation may have arisen after the original contract budget had been approved (the burden of proof will rest with the applicant); or when the activity has not been funded in the total amount originally requested;

   b. At the discretion of the Director of DSHA, eligible applications not originally recommended for funding because of limited resources may be reconsidered for funding after approved activities noted in (a) above have been funded; and

   c. The priorities for distributing funds under this part shall be in accordance with the state's method of distribution found in Section V.

E. Combining Other Funding to Comprehensively Address Rehabilitation Needs

A. Again, in FY24, greater emphasis will be given to applications, which take a holistic approach to community development through comprehensively combining all funding sources, one community at a time. DSHA expects applications responsive to this change in emphasis to combine smaller CDBG funding requests with Housing Preservation Grant (HPG) funding in target areas. Where these other sources of funding are used to comprehensively address rehabilitation needs and to lessen the demand on CDBG rehabilitation funding, greater consideration will be given to CDBG infrastructure requests. As a result, rehabilitation needs will be comprehensively addressed, more CDBG funds will be available for infrastructure activities, and community development needs in general will be holistically addressed. In the scoring of applications, strong emphasis is given to leveraging, and, leveraging funds must be shown and identified in activity budgets. Letters of commitment signed by a majority of the board/council committing the match, and including the source of the match, must accompany any applications claiming to have matching funds.

VII. Waivers of Policy

The Director of DSHA may waive any requirement of these Policies not required by federal/state law or federal regulation, whenever it is determined that undue hardship will result from applying the requirement or where application of the requirement would adversely affect the purposes of the Delaware CDBG Program. Waivers shall be made in writing, citing the policy provision to be waived, the authority for the waiver, and be supported by documentation of the pertinent facts. Where only a portion of the policy provision is to be waived, the waiver must expressively limit itself to that portion.

Attachment A to the Delaware CDBG Program Guidelines

REVISED INCOME LIMITS
(EFFECTIVE 6/15/23)

# of Person per house	Kent County				Sussex County			
	30% of Median	50% of Median	60% of Median	80% of Median	30% of Median	50% of Median	60% of Median	80% of Median
1	$17,150	$28,600	$34,320	$45,750	$18,700	$31,150	$37,380	$49,800
2	$19,600	$32,700	$39,240	$52,300	$21,350	$35,600	$42,720	$56,900
3	$22,050	$36,800	$44,160	$58,850	$24,000	$40,050	$48,060	$64,000
4	$24,500	$40,850	$49,020	$65,350	$26,650	$44,450	$53,340	$71,100
5	$26,500	$44,150	$52,980	$70,600	$28,800	$48,050	$57,660	$76,800
6	$28,450	$47,400	$56,880	$75,850	$30,950	$51,600	$61,920	$82,500
7	$30,400	$50,700	$60,840	$81,050	$33,050	$55,150	$66,180	$88,200
8	$32,350	$53,950	$64,740	$86,300	$35,200	$58,700	$70,440	$93,900

Higher income limits apply to families with more than eight persons, although they are not included in the printed State lists because of space limitations. The lower income limits for families larger than eight persons are determined by adding 6.25 percent of the four-person income limit base to the eight-person limit for each person in excess of eight. For very low-income limits, 8 percent of the four-person base is added to the eight-person limit for each person in excess of eight (e.g., the nine-person very low limit equals 1.4 (1.32 + .08) times the four-person limit.) The limits developed by the use of these factors are to be rounded to the nearest $50.

Attachment B to the Delaware CDBG Program Guidelines

LIST OF LOW/MODERATE-INCOME BENEFIT FIGURES IN KENT AND SUSSEX MUNICIPALITIES (FY2021 HUD LMISD)

Place Number	City / Town	% Persons Low/Mod	Place Number	City / Town	% Persons Low/Mod
07250	Bowers	45.3%	60290	Rehoboth B.	22.7%
10760	Camden	30.9%	64320	Seaford	55.4%
14660	Cheswold	35.2%	64840	Selbyville	49.9%
15440	Clayton	31.6%	67050	Slaughter B.	28.5%
21387	DAFB Housing	58.4%	67700	S. Bethany	27.0%
25840	Farmington	77.7%			
26620	Felton	46.0%			
28440	Frederica	39.8%			
33120	Harrington	61.2%			
33250	Hartly	18.1%			
36760	Houston	38.4%			
39100	Kenton	60.0%			
41700	Leipsic	41.6%			
42870	Little Creek	47.3%			
44430	Magnolia	63.1%			
47420	Milford	46.9%			
67310	Smyrna	34.2%			
74330	Viola	15.1%			
80830	Woodside	40.0%			
81350	Wyoming	38.9%			
05690	Bethany Beach	15.9%			
05820	Bethel	29.4%			
06730	Blades	61.3%			
08680	Bridgeville	41.1%			
18950	Dagsboro	38.7%			
20380	Delmar	54.9%			
20900	Dewey Beach	38.0%			
24020	Ellendale	64.3%			
26880	Fenwick Island	20.2%			
28310	Frankford	45.6%			
29090	Georgetown	63.3%			
31560	Greenwood	41.0%			
33900	Henlopen Acres	16.1%			
41310	Laurel	65.1%			
41830	Lewes	38.4%			
47420	Milford	46.9%			
47940	Millsboro	48.7%			
48200	Millville	30.7%			
48330	Milton	43.6%			
53920	Ocean View	20.5%			

Attachment C to the Delaware
CDBG Program Guidelines

CERTIFICATIONS BY APPLICANTS FOR THE DELAWARE CDBG PROGRAM

The applicant hereby assures and certifies that it will comply with the regulations, policies, guidelines and requirements with respect to the acceptance and use of federal funds for this federally-assisted program. Also, the applicant gives assurance and certifies with respect to the program that:

(a) It possesses legal authority to make an application and to execute a community development program.

(b) Its governing body has duly adopted or passed as an official act a resolution, motion or similar action authorizing the person identified as the official representative of the applicant to submit this application, all understanding and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the submission of the application and to provide such additional information as may be required.

(c) That prior to submission of its application to DSHA, the applicant has met the following citizen participation requirements:

1) Each applicant shall have provided all citizens, especially those living within the area(s) affected by the proposed application, with adequate opportunity for meaningful involvement on a continuing basis and for participation in the planning, implementation and assessment of its community housing and development plans and all CDBG applications related thereto. At the time of preparation of any application for funds under this program, the applicant shall provide adequate information to citizens including reasonable access to records on the past use of CDBG funds; and hold at least one public meeting (pursuant to advertisement in a publication of general local circulation) so that citizens will have the opportunity to comment on the community's past performance under the CDBG Program. A copy of the legal advertisement announcing the date, place and time of the meeting, and a transcript or summary of the comments received at the meeting must be included with the application. (Nothing in these requirements, however, shall be construed to restrict the responsibility and authority of the applicant for the development of the application and the execution of its community development program.);

2) Each applicant certifies that it has obtained the review and comment of its Community Development Advisory Committee as required by the Delaware CDBG Citizen Participation Plan dated July 17, 2017 and Section 508 of the Housing and Community Development Act of 1987; and

3) Each applicant certifies that it has included in its notice of public meeting the following language:

"...In accordance with the Section 106 Review Process established by the National Historic Preservation Act of 1966, as amended, comments are especially encouraged from interested agencies and individuals with respect to undertakings that may affect historic properties of significance to such agencies and individuals..."

(d) It has developed its application so as to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums and blight; and activities which the applicant certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available to meet such needs.

(e) Its chief executive officer or other officer of the applicant approved by DSHA:

(1) Consents to assume the status of a responsible Federal official under the National Environmental Policy Act of 1969 and other authorities as specified in 24 CFR 58.1 (a)(3) and carry out this responsibility in accordance with the "Overview of Environmental Review Procedures" issued for the Delaware CDBG Program and dated July 1989; and meet the requirements of 24 CFR Part 58 and 24 CFR 570.604; and

(2) Is authorized and consents on behalf of the applicant and himself/herself to accept the jurisdiction of the Federal courts for the purpose of enforcement of his/her responsibilities as such an official.

(f) The program will be conducted and administered in compliance with:

(1) Title VI of the Civil Rights Act of 1964 (Pub. L 88-352) and implementing regulations issued in 24 CFR Part 1;

(2) Title VIII of the Civil Rights Act of 1968 (Pub. L. 90-284), as amended, and implementing regulations;

(3) Section 109 of the Housing and Community Development Act of 1974, as amended; and the regulations issued pursuant thereto (24 CFR Section 570.601);

(4) Section 3 of the Housing and Urban Development Act of 1968, as amended and implementing regulations of 24 CFR Part 135;

(5) Executive Order 11246, as amended by Executive Orders 11375 and 12086 and implementing regulations issued at 41 CFR Chapter 60; and the State review requirements of the Architectural Accessibility Act (Chapter 73, Title 29, Delaware Code) and the applicable rules and regulations promulgated by the State Architectural Accessibility Board;

(6) Executive Order 11063 as amended by Executive Order 12259 and implementing regulations at 24 CFR Part 107;

(7) Section 504 of the Rehabilitation Act of 1973 (Pub. L. 93-112), as amended and implementing regulations at 24 CFR Part 8;

(8) The Age Discrimination Act of 1975 (Pub. L. 94-135) and implementing regulations when published;

(9) The relocation requirements of Title II and the acquisition requirements of Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and the implementing regulations at 24 CFR Part 42 and all applicable regulations of the Delaware Uniform Relocation Act (Chapter 93, Title 29, Delaware Code);

(10) The labor standards requirements as set forth in 24 CFR, Parts 3 and 5, and HUD regulations issued to implement such requirements;

(11) Executive Order 11988 relating to the evaluation of flood hazards and Executive Order 11288 relating to the prevention, control, and abatement of water pollution;

(12) The flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234);

(13) The regulations, policies, guidelines and requirements of OMB Circular Nos. A-102, A-87, A-110, A-122, and A-133 as they relate to the acceptance and use of federal funds under this federally-assisted program and the Delaware CDBG Financial Management Handbook;

(14) Section 106 of the National Historic Preservation Act of 1966, as amended via the Advisory Council on Historic Preservation's Regulations, Protection of Historic and Cultural Properties (36 CFR 80);

(15) The provisions of the Hatch Act, which limits the political activity of employees; and

(16) The lead-based paint requirements of 24 CFR Part 35, Subpart B issued pursuant to the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 et. seq.).

(g) It will comply with the CDBG Regulation CFR 570.611, which prohibits conflicts of interest and with the HUD Standards of Conduct issued on November 1, 1985.

(h) No member, officer, or employee of the applicant, or its designees or agents, no member of the governing body of the locality in which the program is situated, and no other public official of such locality or localities who exercises any functions or responsibilities with respect to the program during his/her tenure or for one year thereafter, shall have any interest, direct or indirect, in any contract or subcontract, or the proceeds thereof for work to be performed in connection with the program assisted under the CDBG Program, and that it shall incorporate, or cause to be incorporated, in all such contracts or subcontracts a provision prohibiting such interest pursuant to the purposes of this certification.

(i) It will give HUD, DSHA, the State Auditor and the Federal and State Comptroller Generals or any authorized representatives access to all records, books, papers, or documents related to the CDBG Program.

(j) It certifies to affirmatively further fair housing in accordance with Section 104(b)(2) of the Act as amended, and agrees to participate in fair housing planning by cooperating in any analysis to identify impediments to fair housing choice within the jurisdiction, taking appropriate actions to overcome the effects of any impediments identified through that analysis, and to maintain records reflecting the analysis and actions in this regard.

(k) Because HUD has not issued final regulations implementing the 1983 and 1984 amendments to the Housing and Community Development Act of 1974, as amended, the following "special condition" is incorporated into these Program Guidelines as a certification by the applicant and will also be utilized in all CDBG contracts.

Notwithstanding any other provisions of these Program Guidelines, requirements of the Amendments to Title I of the Housing and Community Development Act of 1974, and HUD's final regulations related thereto, which supersede or are not provided in the FY2024 Program Guidelines shall govern the use of the assistance provided by the State to local government units in FY2024-FY2025.

(l) It will not attempt to recover any capital costs of public improvements assisted in whole or part with the Title I funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless:

1) assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than Title I funds; or

2) for purposes of assessing any amount against properties owned and occupied by persons of low and moderate income, who are not persons of

very low income.

(m) It certifies to adopt and enforce a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations in accordance with Section 519 of Public Law 101-44, (the 1990 HUD Appropriations Act).

_____

Signature of Authorized Official Date

_____

Title of Official

Attachment D to the Delaware
CDBG Program Guidelines

SECTION 8 EXISTING FAIR MARKET RENTS AND CONTRACT RENT ANNUAL ADJUSTMENT FACTORS

I. FAIR MARKET RENTS - (Revised 10/1/23)

KENT COUNTY					
0-BR	1-BR	2-BR	3-BR	4-BR	Manufactured (Mobile) Home Space
1,110	1,117	1,368	1,928	2,152	547

SUSSEX COUNTY					
0-BR	1-BR	2-BR	3-BR	4-BR	Manufactured (Mobile) Home Space
909	988	1,298	1,656	2,037	519

II. CONTRACT RENT ANNUAL ADJUSTMENT FACTORS FOR UNITS WITH NO TURNOVER - (Effective 03/09/23)

HIGHEST COST UTILITY		
	Included	Excluded
Southern Region	1.0198	1.0219

NOTE: The Annual Rent Adjustment Factors shown above may be used by investors/owners after the first year of the rehabilitation loan. However, the rents charged by investors/owners may not exceed the current Fair Market Rents for the duration of the loan.

Attachment E to the Delaware
CDBG Program Guidelines

MONITORING AND COMPLIANCE DOCUMENTS
REQUIRED FROM SUBGRANTEES

☐	Homeowner Application for CDBG Funds
☐	Documentation of Property Ownership (e.g. county tax record, deed)
☐	Household Demographics
☐	Income Verification (e.g. employer pay stubs, Social Security)
☐	Draw/disbursement Documentation (e.g. invoices, checks)
☐	Funding Sources and Amount of Funds Received for Projects
☐	Complete Project Bid Package
☐	Relevant Change Orders
☐	Initial, Progress, and Final Inspection Reports
☐	Certification of Rehabilitation to Code
☐	Certification of Lead-based Paint Notices and Clearances as Applicable
☐	Documentation of Tier-One Environmental Review
☐	Before and After Photos

Attachment F to the Delaware
CDBG Program Guidelines

FACTORY-BUILT HOUSING DEFINITIONS

There is often misunderstanding about various types of factory-built housing. The three included in these Program Guidelines are:

Manufactured Home: A factory-built housing unit designed and constructed to meet the U.S. Department of Housing and Urban Development (HUD) Code. A manufactured home is built on a chassis that supports the structural integrity of the home and to allow transport to the site. Factory built units built to meet the HUD Code and constructed after the code took effect on June 15, 1976 are classified as "manufactured homes".

Mobile Home: A factory-built unit constructed on a chassis and completed before June 15, 1976. Prior to the HUD code, mobile homes were not subject to uniform construction or safety standards.

Modular Home: While often built in the same factories, modular homes are built to the same state or local building codes as site-built homes and are always placed on permanent foundations. Homes are assembled in pieces at a factory and towed to the building site where they are assembled to construct the unit. This may be as simple as two rectangular pieces, similar to a multi-section manufactured home, or very complex.

Other types of factory-built housing not addressed here include:

Trailer: Trailers are technically recreational vehicles that do not conform to either local building codes or the HUD code. While still used by many to refer to mobile or manufactured homes, these are not technically trailers.

Attachment G to the Delaware
CDBG Program Guidelines

Revised 11/2023
CDBG Owner-Occupied Rehab

CDBG OWNER-OCCUPIED REHAB

Understanding DSHA's Grant Restriction Agreement

Frequently Asked Questions (FAQ)

Q: Why am I required to sign a Grant Restriction Agreement (GRA)?

A: Delaware State Housing Authority (DSHA) provides grant funding to nonprofit organizations and units of local general government who develop affordable homeownership opportunities for income eligible Delawareans and/or renovate properties currently owned by income eligible Delawareans. As a condition of this funding, DSHA requires these organizations (Grantees) to place a restriction on all properties in which this funding is used to assist homeowners with the construction costs.

Q: Is the GRA recorded as lien on the property?

A: Yes. The GRA is a secured lien on the property; however, unlike most property liens where the full amount of the lien has to be satisfied upon **sale or refinance** of the property, the GRA is forgiven on a pro-rata basis over the term of the agreement.

Q: How long will the lien remain on the property?

A: The term of the GRA (lien) varies and is established through a Grant Agreement between DSHA and the Grantee.

Q: Does the GRA include any other requirements?

A: Yes. The homeowner is required to use the property as their primary residence during the term of the GRA.

Q: Will I be required to make monthly payments to satisfy the lien?

A: No. Payments are <u>not</u> required during the term of the GRA, as long as you continue to own the house and use it as your primary residence. The total amount of the lien is deferred until the term is completed or the house is **sold or refinanced**. *If the homeowner decides <u>not</u> to use the property as their primary residence or to use the property for rental purposes during the term of the agreement, the GRA becomes due and payable immediately*.

Q: If I sell my house for <u>less</u> than the amount I owe on my first mortgage and second mortgage (if applicable) prior to the end of the GRA term, will I have to repay DSHA?

A: No. In this situation, the GRA will be forgiven in full and upon notification of the sale, DSHA will satisfy the lien.

Q: If I sell my house for <u>more</u> than the amount I owe on my first mortgage and second mortgage (if applicable) prior to the end of the GRA term, will I have to repay DSHA?

A: Yes. Any proceeds from the sale of the property after the first mortgage and second mortgages have

been satisfied are required to be used to repay the outstanding prorated balance of the GRA (lien). If there are not enough funds to repay the GRA in full, the remaining outstanding balance of the GRA will be forgiven and the lien on the property will be null and void (satisfied).

Q: What happens if I refinance my mortgage or I want to use my property as collateral to secure additional financing during the term of the GRA?

A: Both of these actions will require the outstanding prorated balance of the GRA (lien) to be paid in full.

Q: How is the outstanding prorated balance of the GRA calculated?

A: $$\textit{GRA Prorated Balance} = \frac{\textit{Original GRA}}{\textit{GRA term (months)}} * \textit{Remaining term (months)}$$

Below are a few scenarios that demonstrate how DSHA calculates repayment of the GRA:

A homeowner receives $35,000 in rehabilitation/construction work to their home by a nonprofit organization. The organization used CDBG funding to complete the work. At the time of rehab, the homeowner signed a GRA for $35,000 for a term of ten (10) years or 120 months. The home is the homeowner's primary residence.

Scenario 1: After living in the home for a little over ten years, the homeowner decides to sell the house.

Repayment: No repayment is required since the homeowner remained in the home for the full term of the GRA.

Scenario 2: After living in the home for two years, the homeowner sells the home for $128,000. The homeowner's first mortgage payoff balance is $117,000. The net proceeds after the first mortgage, any subsequent mortgages and any fees/adjustments are made are $11,000.

Repayment: The following formula is used to calculate the GRA prorated balance.

$$\textit{GRA Prorated Balance} = \frac{\textit{Original GRA}}{\textit{GRA term (months)}} * \textit{Remaining term (months)}$$

The GRA prorated balance due to DSHA is $28,000. Net proceeds from the sale are $11,000. The homeowner is required to pay DSHA $11,000 and the remaining prorated balance of $17,000 is forgiven and the lien is considered null and void (satisfied).

Scenario 3: After living in the home for eight years, the homeowner sells the home for $130,000. The homeowner's first mortgage payoff balance is $95,000. The net proceeds after the first mortgage, any subsequent mortgages and any fees/adjustments are made are $35,000.

Repayment: The GRA prorated balance due to DSHA is $7,000. Net proceeds from the sale are $35,000. The homeowner is required to pay DSHA $7,000. The GRA (lien) is null and void (satisfied).

Scenario 4: After living in the home for five years, the homeowner passes away. The homeowner's daughter inherits the property and plans to remain living in the home and use it as her primary residence.

Repayment: The remaining prorated balance of the grant at time of death must be repaid to DSHA at transfer of ownership; however, the heir may request permission from DSHA to assume the grant for the remaining term of the grant. DSHA may consider this request if the heir is income eligible and the home is now their primary residence.

Attachment H to the Delaware
CDBG Program Guidelines

Revised 11/2023
CDBG Owner-Occupied Rehab

CDBG EMERGENCY REPAIR

Understanding DSHA's Grant Restriction Agreement

Frequently Asked Questions (FAQ)

Q: Why am I required to sign a Grant Restriction Agreement (GRA)?

A: Delaware State Housing Authority (DSHA) provides grant funding to nonprofit organizations and units of local general government who develop affordable homeownership opportunities for income eligible Delawareans and/or renovate properties currently owned by income eligible Delawareans. As a condition of this funding, DSHA requires these organizations (Grantees) to place a restriction on all properties in which this funding is used to assist homeowners with the construction costs.

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Q: How long will the lien remain on the property?

A: The term of the GRA (lien) varies and is established through a Grant Agreement between DSHA and the Grantee.

Q: Does the GRA include any other requirements?

A: Yes. The homeowner is required to use the property as their primary residence during the term of the GRA.

Q: Will I be required to make monthly payments to satisfy the lien?

A: No. Payments are <u>not</u> required during the term of the GRA, as long as you continue to own the house and use it as your primary residence. The total amount of the lien is deferred until the term is completed or the house is **sold or refinanced**. *If the homeowner decides <u>not</u> to use the property as their primary residence or to use the property for rental purposes during the term of the agreement, the GRA becomes due and payable immediately*.

Q: If I sell my house for <u>less</u> than the amount I owe on my first mortgage and second mortgage (if applicable) prior to the end of the GRA term, will I have to repay DSHA?

A: No. In this situation, the GRA will be forgiven in full and upon notification of the sale, DSHA will satisfy the lien.

Q: If I sell my house for <u>more</u> than the amount I owe on my first mortgage and second mortgage (if applicable) prior to the end of the GRA term, will I have to repay DSHA?

A: Yes. Any proceeds from the sale of the property after the first mortgage and second mortgages have been satisfied are required to be used to repay the outstanding prorated balance of the GRA (lien). If there are not enough funds to repay the GRA in full, the remaining outstanding balance of the GRA will be forgiven and the lien on the property will be null and void (satisfied).

Q: What happens if I refinance my mortgage or I want to use my property as collateral to secure additional financing during the term of the GRA?

A: Both of these actions will require the outstanding prorated balance of the GRA (lien) to be paid in full.

Q: How is the outstanding prorated balance of the GRA calculated?

A: $$\textit{GRA Prorated Balance} = \frac{\textit{Original GRA}}{\textit{GRA term (months)}} * \textit{Remaining term (months)}$$

Below are a few scenarios that demonstrate how DSHA calculates repayment of the GRA:
A homeowner receives $35,000 in rehabilitation/construction work to their home by a nonprofit organization. The organization used CDBG funding to complete the work. At the time of rehab, the homeowner signed a GRA for $35,000 for a term of ten (10) years or 120 months. The home is the homeowner's primary residence.

Scenario 1: After living in the home for a little over ten years, the homeowner decides to sell the house.

Repayment: No repayment is required since the homeowner remained in the home for the full term of the GRA.

Scenario 2: After living in the home for two years, the homeowner sells the home for $128,000. The homeowner's first mortgage payoff balance is $117,000. The net proceeds after the first mortgage, any subsequent mortgages and any fees/adjustments are made are $11,000.

Repayment: The following formula is used to calculate the GRA prorated balance.

$$\textit{GRA Prorated Balance} = \frac{\textit{Original GRA}}{\textit{GRA term (months)}} * \textit{Remaining term (months)}$$

The GRA prorated balance due to DSHA is $28,000. Net proceeds from the sale are $11,000. The homeowner is required to pay DSHA $11,000 and the remaining prorated balance of $17,000 is forgiven and the lien is considered null and void (satisfied).

Scenario 3: After living in the home for eight years, the homeowner sells the home for $130,000. The homeowner's first mortgage payoff balance is $95,000. The net proceeds after the first mortgage, any subsequent mortgages and any fees/adjustments are made are $35,000.

Repayment: The GRA prorated balance due to DSHA is $7,000. Net proceeds from the sale are $35,000. The homeowner is required to pay DSHA $7,000. The GRA (lien) is null and void (satisfied).

Scenario 4: After living in the home for five years, the homeowner passes away. The homeowner's daughter inherits the property and plans to remain living in the home and use it as her primary residence.

Repayment: The remaining prorated balance of the grant at time of death must be repaid to DSHA at transfer of ownership; however, the heir may request permission from DSHA to assume the

grant for the remaining term of the grant. DSHA may consider this request if the heir is income eligible and the home is now their primary residence.

Attachment I to the Delaware
CDBG Program Guidelines

LINKS TO CITED POLICY

AGE DISCRIMINATION ACT (1975):
https://www.dol.gov/agencies/oasam/regulatory/statutes/age-discrimination-act

CIVIL RIGHTS ACT (1964):
https://www.archives.gov/milestone-documents/civil-rights-act

CIVIL RIGHTS ACT (1968): https://www.govinfo.gov/content/pkg/COMPS-343/pdf/COMPS-343.pdf

DELAWARE CITIZEN PARTICIPATION PLAN:
www.destatehousing.com/FormsAndInformation/Publications/citizen_action_plan.pdf

DELAWARE STATE HOUSING CODE:
https://delcode.delaware.gov/title31/c041/sc01/index.html

E-CODE OF FEDERAL REGULATIONS (CFR):
https://www.ecfr.gov

EXECUTIVE ORDER 11063, AS AMENDED:
https://www.archives.gov/federal-register/codification/executive-order/11063.html

EXECUTIVE ORDER 11246, AS AMENDED:
https://www.dol.gov/agencies/ofccp/executive-order-11246/as-amended

FLOOD DISASTER PROTECTION ACT (1973):
https://uscode.house.gov/statutes/pl/93/234.pdf

HATCH ACT:
https://osc.gov/Documents/Outreach%20and%20Training/Posters/The%20Hatch%20Act%20and%20Most%20Federal%20Employees%20Poster.pdf

HOUSING AND COMMUNITY DEVELOPMENT ACT (1974):
https://www.hudexchange.info/resource/2184/housing-and-community-development-hcd-act-of-1974/

HOUSING AND COMMUNITY DEVELOPMENT ACT (1987):
https://www.congress.gov/bill/100th-congress/house-bill/1698?s=1&r=51

HOUSING AND COMMUNITY DEVELOPMENT ACT (1992):
https://www.hud.gov/sites/documents/SCP_HCDA102-550.PDF

HOUSING AND URBAN DEVELOPMENT ACT (1968):
https://www.hud.gov/program_offices/comm_planning/home/section3

NATIONAL ENVIRONMENTAL POLICY ACT (1969):

https://www.energy.gov/nepa/articles/national-environmental-policy-act-1969

NATIONAL HISTORIC PRESERVATION ACT (1966):
https://www.nps.gov/subjects/archeology/national-historic-preservation-act.htm

OMB CIRCULARS

- A-87: https://obamawhitehouse.archives.gov/omb.circulars_ao87_2004/
- A-102: https://www.whitehouse.gov/wp-content/uploads/legacy_drupal_files/omb/circulars/A102/a102.pdf
- A-110: https://www.whitehouse.gov/wp-content/uploads/2017/11/CIrcular-110.pdf
- A-122: https://georgewbush-whitehouse.archives.gov/omb/circulars/a122/a122.html
- A-133: https://www.whitehouse.gov/wp-content/uploads/legacy_drupal_files/omb/circulars/A133/a133.pdf

Attachment J to the Delaware
CDBG Program Guidelines

Build America, Buy America Act ("BABA" or "the Act") the contract holder agrees to the terms under BABA:

The Build America, Buy America Act (the Act), enacted as part of the Infrastructure Investment and Jobs Act on November 15, 2021, established a domestic content procurement preference for all Federal financial assistance over $250,000 that is obligated for infrastructure projects after May 14, 2022. The domestic content procurement preference requires that all iron, steel, manufactured products, and construction materials used in covered infrastructure projects are produced in the United States.

Agencies may waive the domestic content procurement preference if (1) a waiver is in the public interest, (2) the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or satisfactory quality, or (3) the application of the domestic content preference would increase the cost of the overall project by more than 25 percent.

Attachment K to the Delaware
CDBG Program Guidelines

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
Grant Restriction Agreement (GRA)
REQUEST FORM FOR SUBGRANTEES

To request a Grant Restriction Agreement (GRA), please complete and submit this form to DSHA at least three (3) business days prior to the needed by deadline.

Grantee:	
Project:	**DE-CDBG-**
Property Address:	
County:	**Parcel Number:**
Homeowner 1:	
Homeowner 2:	
CDBG Amount:	*This is the lien amount. Draw amount cannot exceed lien amount.*
Date Needed By:	
Requested By:	

DSHA will prepare and sign the GRA within three (3) business days from the receipt of this form and send the original to the CDBG Administrator ( ).

The following documentation must accompany the attached form:

☐ DSHA GRA FAQ signed by homeowner(s)

Grantee acknowledges the following documentation is currently available in the homeowner's file for review by DSHA, upon request:

☐ Initial application for CDBG Funds

☐ Household income calculation worksheet, completed and signed by grantee and homeowner(s)

Household AMI calculated at: ☐ 30% or below ☐ 31% to 50% ☐ 51% to 80%

☐ Proof of Ownership (deed, equivalent) Legal-Ownership effective date:

☐ Initial property inspection notes

☐ Scope of Work

☐ Contractor's Estimate

☐ Final costs (copies of invoices/receipts)

Upon receipt, please submit the following documentation:

☐ Receipt of Recordation

☐ Recorded GRA (original)

RESOLUTION 2023-23

Sussex County

Councilmember _____ submitted to City Council the following Proposed Resolution:

ENDORSING PROJECT TO BE SUBMITTED TO THE DELAWARE STATE HOUSING AUTHORITY FOR FUNDING FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AUTHORIZING TODD F. LAWSON, SUSSEX COUNTY ADMINISTRATOR TO SUBMIT APPLICATION.

WHEREAS, the City of Milford resolves to apply for Community Development funds from the Delaware State Housing Authority in accordance with appropriate regulations governing Community Development Block Grants State of Delaware Program for Block Grants as contained in Sections 570.488-499 24 CFR U.S. Department of Housing and Urban Development; and

WHEREAS, the City of Milford has met the application requirements of (Attachment E Delaware Community Block Grant Program Policies and Procedures) Citizen Participation requirements; and

WHEREAS, Sussex County plans on accomplishing the requested projects with CDBG funds; and

WHEREAS, the City of Milford hereby agrees to allow Sussex County to accomplish the projects in the targeted areas of Milford; and

WHEREAS, the City of Milford and Sussex County are in agreement with this activity.

NOW, THEREFORE, BE IT RESOLVED by the City of Milford and Sussex County that they endorse and grant permission for the following activity:

APPLICATION: Rehabilitation/Infrastructure/Demolition

Total Infrastructure project cost is $_____ , total CDBG grant request is $_____.
Matching funds in the amount of $_____ will be provided by the City of Milford general funds.

NOTE: To be used for Infrastructure projects only.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF A RESOLUTION PASSED BY THE CITY OF MILFORD, SUSSEX COUNTY, ON THE 27th DAY OF NOVEMBER 2023.

WE GIVE MAYOR AUTHORIZATION TO SIGN RESOLUTION:

Councilmembers

Daniel Marabello	Brian Baer
Mike Boyle	Nirmala Samaroo
Andrew Fulton	Jason James Sr.
Todd Culotta	Katrina Wilson

_____
Mayor Arthur J. Campbell

I DO HEREBY CERTIFY THAT THE FOREGOING TITLE OF RESOLUTION ADOPTED BY THE CITY OF MILFORD IS THE SAME TITLE OF RESOLUTION NO. ADOPTED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE ____DAY OF _____, 2023.

_____
Tracy Torbert, Clerk of Sussex County Council

Resolution 2023-24

CITIZEN PARTICIPATION
CERTIFICATE OF ASSURANCE
Sussex County

It is hereby assured and certified to the Delaware State Housing Authority that Sussex County, Delaware, has met application requirements of (Attachment E Delaware Community Development Block Grant Program Policies and procedures) citizen participation requirements, and that Sussex County has:

1) made available information concerning the amount of funds that may be applied for;

2) made known the range of activities that may be undertaken with these funds;

3) made known the fact that more applications will be submitted to the State of Delaware than can be funded;

4) outlined the processes to be followed in soliciting and responding to the views and proposals of citizens, communities, nonprofit agencies, and others in a timely manner; and

5) provided a summary of other important program requirements.

The City of Milford has held a Public Hearing on November 27, 2023 with required notice for all citizens, including low and moderate-income persons, to have an opportunity to present their views and proposals.

The City of Milford has by resolution and following a Public Hearing, endorsed this application.

_____
Mayor Arthur J. Campbell

Attest_____
City Clerk Teresa K. Hudson

Adopted: November 27, 2023

RESOLUTION 2023-25

AFFIRMATIVELY FURTHERING FAIR HOUSING

Sussex County

WHEREAS, City of Milford recognizes the importance of fair housing for the citizens of Milford; and

WHEREAS, the City of Milford supports the goals of the Federal Fair Housing Law.

NOW THEREFORE, **BE IT RESOLVED**, that the City of Milford heartily encourages all parties involved in the renting, selling, or financing of housing in the City of Milford to ensure that no person shall, on the grounds of race, color, national origin, religion, creed, sex, marital status, familial status, age, sexual orientation or disability be discriminated against or denied a fair and equal opportunity to housing.

AND BE IT FURTHER RESOLVED, that the City of Milford take meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially or ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.

AND BE IT FURTHER RESOLVED, that the City of Milford, when acting as administrator of a Community Block Grant, is hereby authorized to take such actions as deemed necessary to affirmatively further fair housing in connection with the said Community Development Block Grant.

The Resolution was adopted by a vote of the Councilmembers of the City of Milford on November 27, 2023.

_____

Mayor Arthur J. Campbell

Attest_____

City Clerk Teresa K. Hudson

RESOLUTION 2023-26

Authorizes Levy Court of Kent County to Submit Application

The City Council of Milford, Delaware, hereby authorizes Mayor Arthur J. Campbell, to submit the Fiscal Year 2023 Community Development Block Grant (CDBG) application and all understandings and assurances therein contained, and furthermore authorizes the Levy Court of Kent County to Act as the official representative of the City of Milford in connection with the submission of the Fiscal Year 2023 CDBG applicant and to provide such additional information as may be required. In the event the City of Milford's application is funded, the Levy Court of Kent County is hereby authorized to administer the funded application on behalf of the City of Milford.

This resolution was adopted by a majority of the Council of the City of Milford on November 27, 2023.

_____
Mayor Arthur J. Campbell

Attest _____
City Clerk Teresa K. Hudson

RESOLUTION 2023-27

AFFIRMATIVELY FURTHERING FAIR HOUSING

Kent County

WHEREAS, City of Milford recognizes the importance of fair housing for the citizens of Milford; and

WHEREAS, the City of Milford supports the goals of the Federal Fair Housing Law.

NOW THEREFORE, **BE IT RESOLVED**, that the City of Milford heartily encourages all parties involved in the renting, selling, or financing of housing in the City of Milford to ensure that no person shall, on the grounds of race, color, national origin, religion, creed, sex, marital status, familial status, age, sexual orientation, or disability be discriminated against or denied a fair and equal opportunity to housing.

AND BE IT FURTHER RESOLVED, that the City of Milford take meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially or ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws; and

AND BE IT FURTHER RESOLVED, that the City of Milford, when acting as administrator of a Community Block Grant, is hereby authorized to take such actions as deemed necessary to affirmatively further fair housing in connection with the said Community Development Block Grant.

The Resolution was passed by a vote of the Councilmembers of the City of Milford on November 27, 2023.

_____

Mayor Arthur J. Campbell

Attest _____

City Clerk Teresa K. Hudson

PUBLIC WORKS FACILITY
180 Vickers Drive
Milford, DE 19963
www.cityofmilford.com

THE CITY of Milford DELAWARE

PLANNING DEPARTMENT
Planning, Economic Development,
Enforcement, and Inspections Office
O 302.424.8396 | F 302.424.3559

TO: Mayor & City Council

FROM: Rob Pierce, AICP - Planning Director

DATE: November 27, 2023

RE: Ordinance 2023-45 – Chapter 180 - Residential Rental Operating Licenses - Amendment

---

On June 5, 2023, City Council discussed potential changes to Chapter 180 - Residential Rental Operating Licenses with regards to residential rental units that are occupied by individuals directly related to the property owner. The proposed amendment reflects the results of this discussion.

The proposed amendment would provide a residential rental license fee waiver for those residential rental units that are occupied by disabled individuals who are directly related to the property owner. These units would still be required to register and would be subject to routine rental inspections.

The ordinance adds definitions for “Directly Related to the Owner” and “Owner” and modifies the definitions for “Landlord” and “Tenant” by removing references to compensation which led to confusion in the enforcement of the current ordinance.

Staff recommends City Council adopt Ordinance 2023-45.

CITY OF MILFORD
NOTICE OF ORDINANCE REVIEW & PUBLIC COMMENT PERIOD
City Council Public Comment Opportunity: Monday, November 27, 2023 @ 6:00 PM

NOTICE IS HEREBY GIVEN that the following Ordinance is currently under review by the City of Milford City Council, with action scheduled to occur on the date and time as indicated.

ORDINANCE 2023-45
AMENDMENT TO CITY OF MILFORD CODE
CHAPTER 180 - RESIDENTIAL RENTAL OPERATING LICENSE

WHEREAS, the City of Milford enacted a Residential Rental Operating License Ordinance to protect the health, safety, and welfare of its residents and to prevent the deterioration of the housing stock in the City; and

WHEREAS, from time to time, City Council determines a need for amendments and additions to the Residential Rental Operating License Ordinance of the City of Milford; and

WHEREAS, it is recommended that clarification be made within the ordinance regarding who is required to obtain a rental license; and

WHEREAS, it is recommended to provide a waiver from the rental license fee for disabled tenants who are directly related to the owner of the property.

NOW, THEREFORE, the City of Milford hereby ordains:

Section 1. Purpose: The Code of the City of Milford is hereby amended to clarify specific definitions within Chapter 180, Residential Rental Operating Licenses and provide a fee exemption for rental units occupied by disabled tenants who are directly related to the property owner.

Section 2. Sections 180-3, 180-4 and 180-9 are hereby amended.

Section 3. Strikethrough text denotes a deletion; underlined, and bold text denotes an addition.

Chapter 180 RESIDENTIAL RENTAL OPERATING LICENSES

§ 180-1. Title.

This chapter shall be known as the "Residential Rental Operating License Ordinance."

§ 180-2. Purpose.

This chapter is adopted to protect the health, safety and welfare of the City residents and to prevent deterioration of the housing stock in the City.

§ 180-3. Definitions.

For purposes of this chapter, the following terms, phrases, words and their derivations shall have the meanings given herein:

CITY — The City of Milford, Delaware.

CODE OFFICIAL — The Building Inspector and/or Code Enforcement Official.

DIRECTLY RELATED TO THE OWNER – Any person who is related by blood, adoption or marriage (i.e. "in-laws") to the following degrees of kinship: husband, wife, father, mother, son, daughter, brother, sister, grandfather, grandmother, grandson, granddaughter, uncle, aunt, niece, nephew.

LANDLORD — A person and/or an authorized representative, heir, successor or assignee of a person who leases or otherwise permits another person to occupy a rental unit ~~for money or other consideration~~.

OWNER – Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian or personal representative of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

PERSON — An individual, proprietorship, partnership, corporation, association, or other legal entity.

RENTAL UNIT — ~~—~~ Any house, building, structure or portion thereof, which is occupied, rented or leased as the home or residence of one or more persons. "Rental unit" does not include motel, hotel or bed-and-breakfast rooms where paying guests stay on a temporary basis. "Rental unit" also does not include rehabilitation or mental health group homes where residents may pay rent, but the home is managed and owned by nonprofit entities for the benefit of the renters' special needs.

TENANT — A person who occupies a rental unit ~~for which said person pays money or gives other consideration~~.

§ 180-4. Rental operating license required.

A. No dwelling unit shall be leased, subleased, or occupied by any person other than the owner until a rental license has been issued by the City. ~~No landlord shall operate a rental unit in the City unless an application has been filed and a current rental operating license has been issued for the specified rental unit for the current year.~~

B. Exceptions.

(1) No rental license shall be required where the owner occupies the dwelling unit.

(2) No fee shall be charged if the tenant is directly related to the owner and the owner provides a written medical affidavit from a doctor or physician satisfactory to the City that the tenants are disabled. The owner shall provide a written affidavit satisfactory to the City that the tenants are directly related to the owner. The owner shall register the rental unit and the unit is subject to required rental inspections.

(3) Any entity existing by virtue of a statutory formation does not qualify for these exemptions.

§ 180-5. Application for rental operating license and agreement to comply.

A. Every landlord shall apply for a rental operating license and shall agree to comply with all provisions of this and any other applicable City ordinance.

B. The application shall be in the form provided by the Code Enforcement Department and shall be accompanied by a check or money order payable to the City of Milford in the amount set forth by City Council.

C. It shall be unlawful for any person to operate any rental dwelling without obtaining a rental license from the City in order to determine compliance. The license shall expire annually on December 31. The fee for the annual license shall be set by City Council as part of the City Fee Schedule.

D. In the event that the license fee set forth herein is not paid on the date due, then the licensee shall incur a penalty fee in the amount of $25 per month per unit until the license fee is paid.

E. An owner whose license has been suspended shall pay a reinstatement fee of $100.

F. The owner or occupant of any rental shall not be entitled to receive utilities until the license fee required is paid in full, and City personnel shall refuse to provide sewage, water and electric to the property until satisfactory proof is furnished that such fee has been paid.

§ 180-6. Contents of applications.

Every landlord shall supply the following information to the City as part of the annual application for a rental operating license and agreement to comply:

A. The mailing and street address of the rental units.

B. Name of responsible party leasing the unit and telephone number at time of application.

C. The total number of persons living in the rental unit at time of application.

D. Landlord's name, mailing address, telephone number, email address, website and leasing agent contact information, if different from the landlord.

§ 180-7. Regulations for issuance of licenses.

A. If violations are found that pose a health or safety risk to the tenants, the unit may be judged as unfit for occupancy by the Code Official.

B. Expiration of permits. Each rental operating license shall expire on December 31 of the year in which it was issued. No prorating, rebate or refund shall be made because of nonuse of the permit.

C. Transfer of license. If a rental property is purchased or sold during the annual licensing period, the license may be transferred from owner to owner upon payment of $50 for administrative expenses. Purchaser must make application as outlined in §180-6.

D. Every rental unit owned shall have a "caretaker" designated by the owner.

(1) The caretaker may be the property owner if residing within a ten-mile radius of Milford, Delaware.

(2) The caretaker shall be an adult person(s) 18 years or older, specifically identified in writing by the owner on the rental license application (stating name, address and telephone numbers) and reside in such proximity to the City as to allow him or her to meet with the Code Official at the rental unit within 48 hours of receipt of notice from the Code Official. The caretaker may also be a management company (corporation, LLC and/or partnership); however, the management company must assign a contact person.

(3) The caretaker shall be charged, by the owner, with responsibility and authority to deal with occupants of the premises on behalf of the owner, to make repairs to the rental unit, to maintain the premises and the common areas thereof, and to accept service of process on behalf of the owner.

(4) Once notified of a defective condition and unless circumstances are beyond the caretaker's control, the caretaker will be given an amount of time to make repairs as deemed reasonable by the Code Official.

(5) The owner shall notify the City in writing of any changes in the name, address, and/or telephone number of the caretaker.

E. No license shall be issued to any person or business unless all taxes, assessments, sewer, water, electric, trash charges and any other fees due the City are paid and in good standing.

F. The owner is subject to penalties as defined in § 180-9 for failure to comply.

§ 180-8. Inspections.

A. The Code Official reserves the right to inspect property at any time to ensure compliance with all property maintenance (Chapter 174), Building Construction (Chapter 88), Zoning (Chapter 230) and other City codes.

B. When such inspections are deemed necessary, the Code Official will provide at least 48 hours' notice to the owner or caretaker. Exceptions to this rule will apply when health or safety conditions exist that require immediate inspection.

C. A rental unit shall be deemed to be not in substantial compliance if:

(1) There are one or more violations that pose a serious and substantial threat to the health, safety or welfare of the occupants.

(2) There are an extensive number of minor violations that, cumulatively, pose a significant threat to the health, safety, and welfare of the occupants.

D. When the Code Official schedules an inspection, it is the responsibility of the property owner to make sure the structure/property is ready by the time the inspector arrives on site.

(1) If an inspection needs to be cancelled or rescheduled, the Code Official must be notified by 4:00 p.m. the day before the inspection.

(2) If an inspector arrives on site and the structure/property is not ready and the inspection was not cancelled or rescheduled, a fee of $50 must be paid at City Hall before the inspection can be rescheduled. This fee may be waived if the property is not ready for inspection due to circumstances beyond the control of the landlord/caretaker.

E. When conditions of a property are such that cause more than one follow-up inspection, for the purpose of ensuring compliance, a fee of $50 per inspection will be imposed.

§ 180-9. Violations and penalties; enforcement.

A. Penalty for violation.

(1) Any property owner who shall violate any provisions of this chapter or who fails to comply with any notice or order issued by a Code Official pursuant to the provisions of this chapter shall be guilty of violating the provisions of this chapter and, upon conviction thereof, shall be fined not less than $500 nor more than $1,000. The minimum fine is not subject to suspension or reduction.

(2) Except where an appeal is taken, each day of a separate and continuing violation shall be deemed a separate offense.

(3) The City as part of the violation penalty has the power to revoke a rental license or an exemption of the rental license fee.

B. Should the aforesaid penalties not be paid within 30 days of being assessed, and after notice of said failure is served, then the property covered by this chapter will be assessed for the unpaid penalties, which shall be collected in the same manner and at the same time as City taxes.

C. If any of the cited violations are not remedied, the Code Official shall revoke the residential rental operating license.

D. The remedies contained within this section shall further not be exclusive but shall be in addition to any other remedy provided by law, so long as not inconsistent herewith, nor shall the invoking of any remedy or procedure contained within this section preclude the pursuit of any and all other remedies, and the same are intended to be cumulative.

Section 4. Dates
Council Introduction: November 13, 2023
Council Public Comments/Determination: November 27, 2023

Section 5.
Ordinance is effective Ten (10) days following adoption date.

101923

DSN 110923

PUBLIC WORKS FACILITY
180 Vickers Drive
Milford, DE 19963
www.cityofmilford.com

THE CITY of Milford DELAWARE

PLANNING DEPARTMENT
Planning, Economic Development,
Enforcement, and Inspections Office
O 302.424.8396 | F 302.424.3559

STAFF REPORT
November 3, 2023

Application Number / Name	**:**	23-027 / Lands of Randall Kenton
Size and Location	**:**	3.72 +/- acres of land located along the north side of NE Front Street and the east side of N. Rehoboth Boulevard, addressed as 609 NE Front Street.
Tax Map & Parcel(s)	**:**	MD-16-183.07-01-12.00 & MD-16-183.07-01-14.00

I. BACKGROUND INFORMATION:

- The applicant is requesting to rezone two parcels of land from I-1 (Limited Industrial) and I-2 (General Industrial) to C-3 (Highway Commercial).

II. STAFF ANALYSIS:

Based on the information presented, the City of Milford Code, and the Comprehensive Plan, staff submits the following regarding the request to amend the Zoning Map:

- The Change of Zone request is consistent with the adopted 2018 Comprehensive Plan Future Land Use maps, as amended. The Future Land Use designation for the properties is Commercial, for which C-3 (Highway Commercial) is a suitable zoning designation. See attached Land Use & Zoning Link table from the comprehensive plan document.

- Per the 2018 Comprehensive Plan, the Commercial Future Land Use category allows for different levels of commercial development intensity. This category includes neighborhood commercial, central business district, highway development, office buildings, and medical services. The individual characteristics of each site should be considered before identifying the level of commercial development suitable for the property. The land use would allow the C-1, C-2, C-2A, C-3, BP, OC-1 and H-1 zoning districts. Highway Commercial should be considered along major State transportation routes, including DE 1, US 113, Route 14 and Business 1.

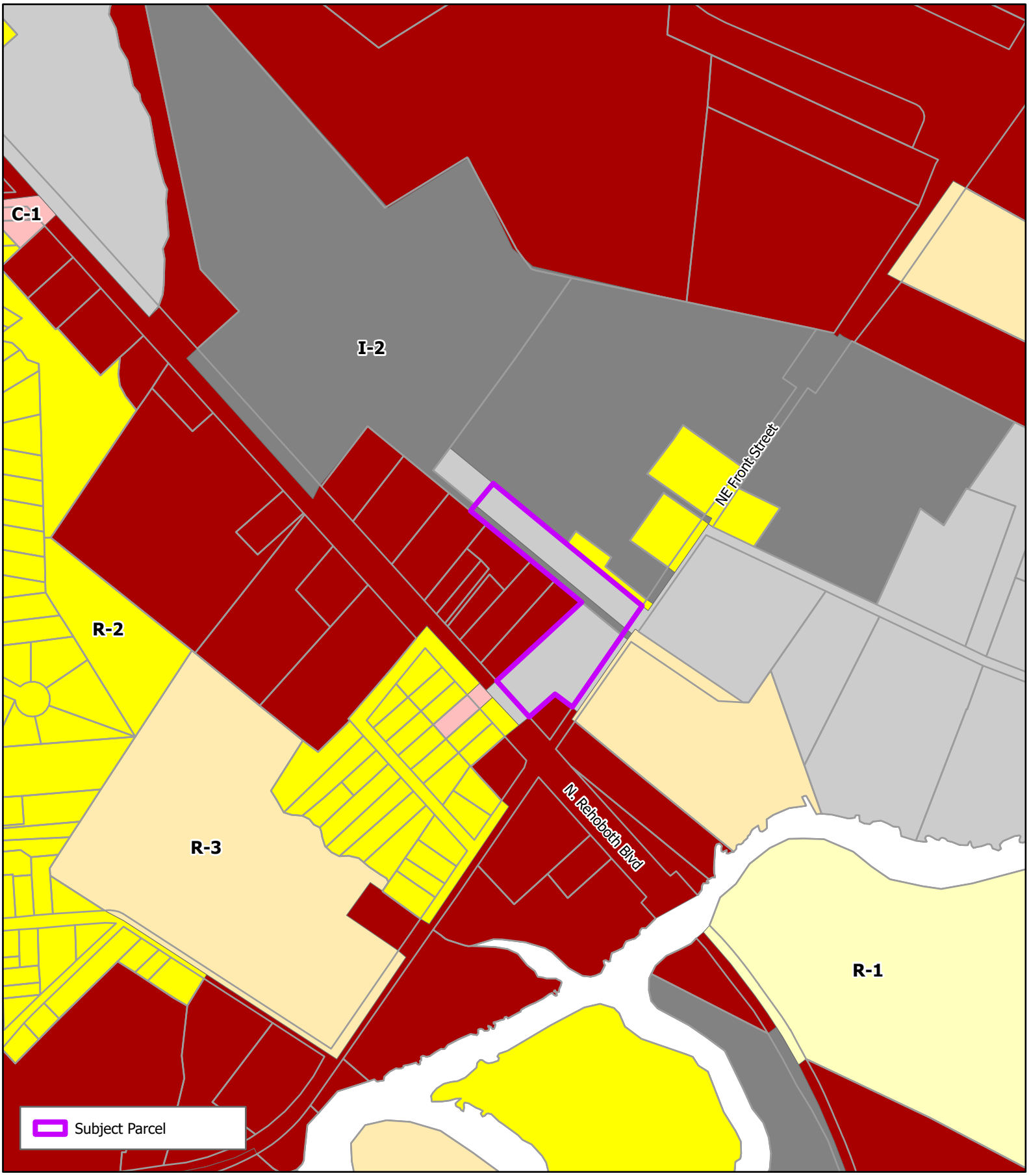
- The subject parcels are located along Business 1 (N. Rehoboth Boulevard) and Route 14 (NE Front Street) which are classified as Major Collectors DelDOT's functional classification map.

- Chapter 230 states, the purpose of the C-3 district is to provide for larger-scale commercial uses that may require large amounts of parking space or have a high traffic impact. These uses generally require locations on major arterial routes and serve both local and regional customers.

- Any future use of the property must comply with Chapter 230 and the C-3 (Highway Commercial District) zoning use and area regulations. Enclosed is a copy of the current permitted and conditional uses within the C-3 District.

III. AGENCY COMMENTS:

- DelDOT – No comments solicited
- Kent Conservation District – No comments solicited.
- State Fire Marshall – No comments solicited.



THE CITY of Milford DELAWARE

Scale: Feet
0 200 400

Drawn by: WRP

Date: 11/03/23

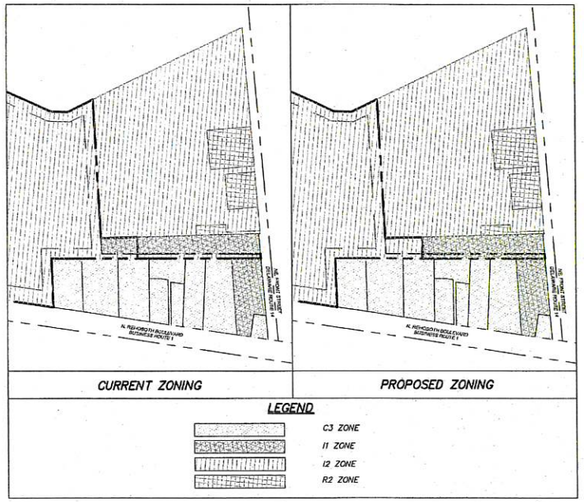
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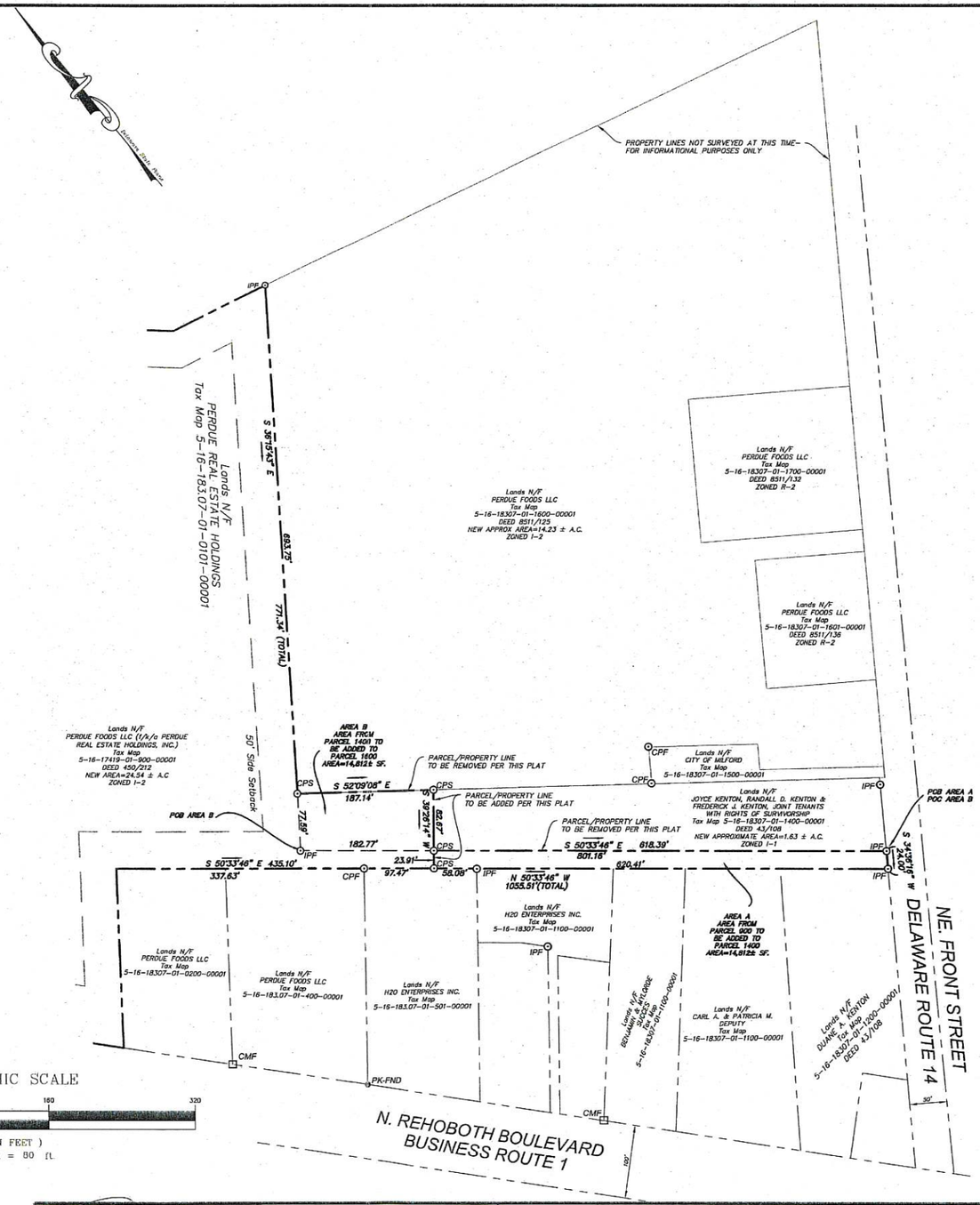
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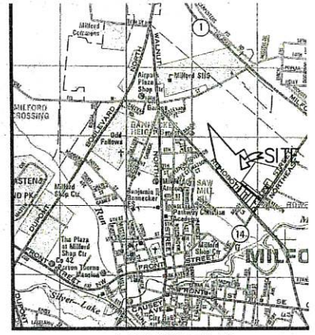
Change of Zone

Kenton Property

Location & Zoning Map







VICINITY MAP

SCALE: 1"=2000'±

COPYRIGHT ADC THE MAP PEOPLE PERMITTED USE NO. 21006232

PLAT BOOK 175 PAGE 97
SIZE 36 X 24

RECEIVED FOR RECORD
Feb 2, A.D. 2022
TIME 2:16 PM.
RECORDER

GRAPHIC SCALE

80 0 40 80 160 320

(IN FEET)
1 inch = 80 ft.

SITE DATA:

1. OWNERS:
   PERDUE FOODS LLC (f/k/a PERDUE REAL ESTATE HOLDINGS, INC.)
   31149 OLD OCEAN CITY ROAD
   SALISBURY, MD 21802

   JOYCE KENTON, RANDALL D KENTON & FREDERICK J KENTON,
   JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP
   15886 WINNERS CIRCLE
   LINCOLN, DE 19960

2. TAX MAP & PARCELS:
   5-16-17419-01-1400-00001 – DEED REF.: 43/108
   5-16-18307-01-1600-00001 – DEED REF.: 8511/125
   5-16-18307-01-0900-00001 – DEED REF.: 450/212

3. PARCELS 1600 & 900 ARE ZONED GENERAL INDUSTRIAL (I-2)
   SETBACKS:
   FRONT = 75'
   SIDE = 50'
   REAR = 50'
   MAX. BUILDING HEIGHT = 50'

4. PARCEL 1400 IS ZONED GENERAL INDUSTRIAL (I-1)
   SETBACKS:
   FRONT = 75'
   SIDE = 40'
   REAR = 45'
   MAX. BUILDING HEIGHT = 50'

5. PROPERTY IS IN FLOOD ZONE X (UNSHADED) – AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FIRM MAP NUMBER 10005C0041J, MAP REVISED JANURARY 6. 2005.

6. HORIZONTAL DATUM – DELAWARE STATE PLAN, NAD83/2011

7. PERDUE FOODS LLC WILL FORMALLY REQUEST A ZONING MAP AMENDMENT TO ADJUST THE BOUNDARY OF THE I-2 DISTRICT TO MATCH THE NEW LOT LINE.

OWNER'S CERTIFICATION

I/WE HEREBY CERTIFY THAT I/WE ARE THE OWNER OF PARCELS 900.00, 1600.00 AND 1400.00 AS SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, THAT I ACKNOWLEDGE THE SAME IN OR ACT AND DESIRE THE PLAN TO BE SUBDIVIDED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

Randall D Kenton Joyce Kenton
JOYCE KENTON, RANDALL D. KENTON & FREDERICK J. KENTON, JOINT TENANTS WITH RIGHTS TO SURVIVORSHIP – PARCEL 1400 — DATE

Bruce Dalton 1/31/22
NAME / TITLE –PARCEL 900 — DATE
PERDUE FOODS LLC (f/k/a PERDUE REAL ESTATE HOLDINGS, INC.)
31149 OLD OCEAN CITY ROAD, SALISBURY, MD 21804

Bruce Dalton 1/31/22
NAME / TITLE –PARCEL 1600 — DATE
PERDUE FOODS LLC (f/k/a PERDUE REAL ESTATE HOLDINGS, INC.)
31149 OLD OCEAN CITY ROAD, SALISBURY, MD 21804

I HEREBY CERTIFY TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THAT THE SURVEY SHOWN HEREON IS CORRECT. THAT IT IS A SURVEY OF PARCELS 5-16-17419-01-1400-00001 & 5-16-18307-01-0900-00001 IN THE CITY OF MILFORD, MILFORD HUNDRED, KENT COUNTY, DELAWARE. DEED RECORDED FOR RECORD IN THE OFFICE OF RECORDER OF DEEDS IN KENT COUNTY, DELAWARE IN DEED VOLUMES 43/108, 450/212, & 145/180.

ROBERT S. HANEL, DELAWARE PROFESSIONAL ENGINEER # 13538 — Date 1/21/2022

CITY OF MILFORD APPROVAL

MARK WHITFIELD — CITY MANAGER — DATE 2/1/2022

CITY PLANNING DEPARTMENT APPROVAL

PLANS HAVE BEEN REVIEWED AND ARE FOUND TO BE IN GENERAL CONFORMANCE WITH THE MOST RECENTLY ADOPTED AND/OR CERTIFIED VERSIONS OF THE CITY OF MILFORD'S CODE OF ORDINANCES AND COMPREHENSIVE LAND USE PLAN. THE OWNER AND THEIR ENGINEER AND/OR SURVEYOR ASSUME ALL RESPONSIBILITY FOR THE DESIGN AS CONTEMPLATED HEREIN AND ACCURACY OF ALL INFORMATION SHOWN HEREON.

CITY OF MILFORD APPROVED 1/21/22 PLANNING DEPT.

CITY ENGINEER APPROVAL

CONSTRUCTION IMPROVEMENTS PLANS HAVE BEEN REVIEWED AND ARE FOUND TO BE IN GENERAL CONFORMANCE WITH THE CITY OF MILFORD'S STANDARD SPECIFICATIONS FOR INSTALLATION OF UTILITY CONSTRUCTION PROJECTS AND SUBDIVISION PAVEMENT DESIGN. THE OWNER AND THEIR ENGINEER AND/OR SURVEYOR ASSUME ALL RESPONSIBILITY FOR THE DESIGN AS CONTEMPLATED HEREIN AND ACCURACY OF ALL INFORMATION SHOWN HEREON.

CITY ENGINEER — DATE 2/1/2022

LEGEND

PROPERTY LINE	
RIGHT OF WAY LINE	
PROPERTY LINE TO BE REMOVED	
SETBACK LINE	
CONCRETE MONUMENT FOUND	CMF □
CAPPED PIN FOUND	CPF ⊙
IRON PIPE FOUND	IPF ⊙
PK NAIL FOUND	PK-FND ●
CAPPED PIPE SET	CPS ⊙

ROBERT S. HANEL LICENSE No. 13538 PROFESSIONAL ENGINEER DELAWARE

SEAL 1-21-2022
DATE

REVISIONS

REV. #	DATE	DESCRIPTION

McCRONE
ENGINEERS ■ SURVEYORS ■ PLANNERS
ANNAPOLIS ■ CENTREVILLE ■ ELKTON ■ SALISBURY ■ DELAWARE
119 NAYLOR MILL ROAD, SUITE 6
SALISBURY, MD 21801
(410) 548-1492
www.mccrone-engineering.com

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DATE:	04/01/2021
JOB NUMBER:	D2200012
SCALE:	1"=80'
DRAWN BY:	TS/SG
DESIGNED BY:	MB
APPROVED BY:	RK
FOLDER REFERENCE:	

MINOR LOT LINE ADJUSTMENT

FOR

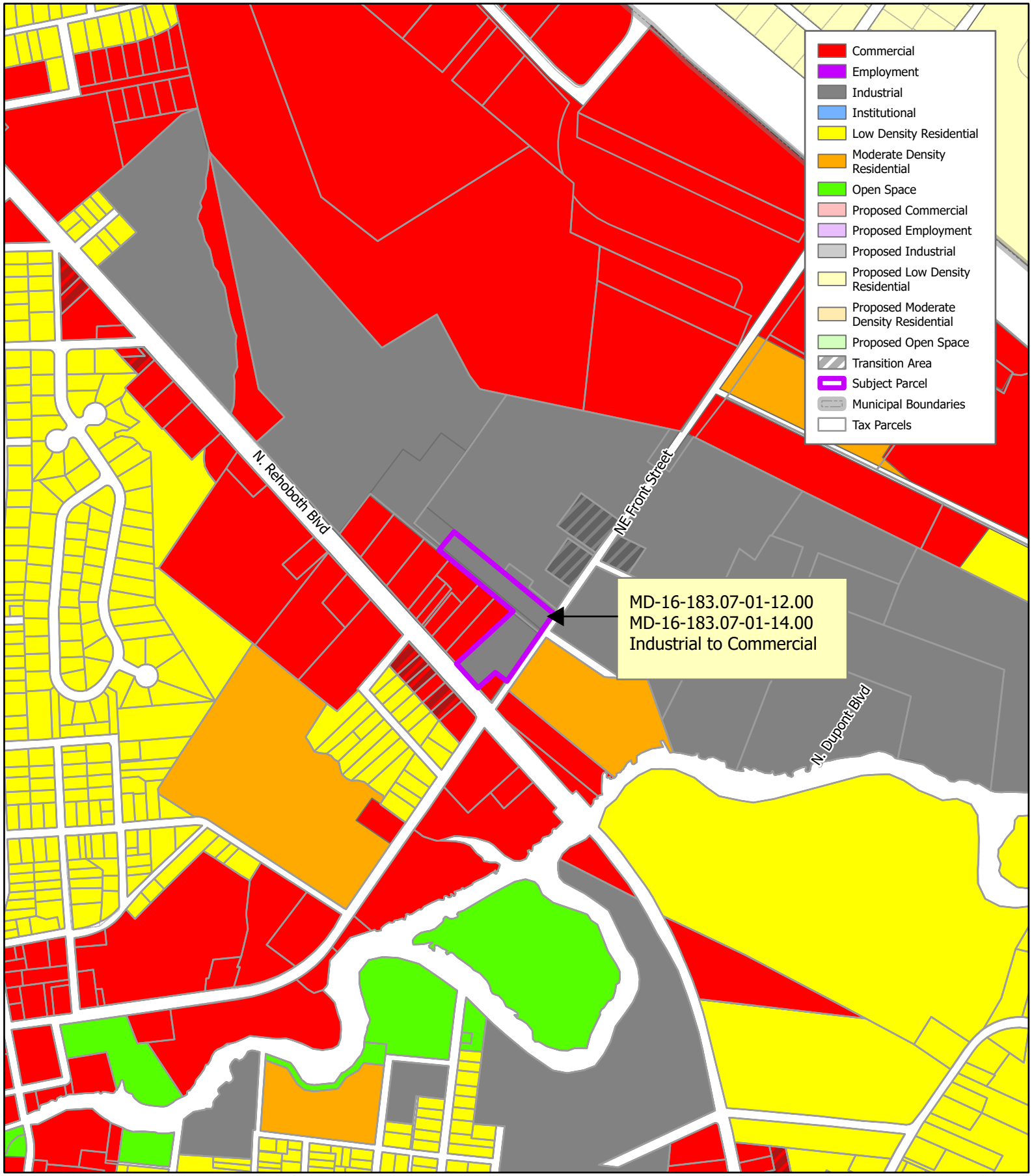
PERDUE FOODS LLC

AND

JOYCE KENTON, RANDALL D. KENTON, & FREDERICK J KENTON
JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP
CITY OF MILFORD
MILFORD, HUNDRED
KENT COUNTY, DELAWARE

SHEET NO.: 1

FILE NO.:



THE CITY of Milford DELAWARE

Scale: 0 360 720 Feet

Drawn by: WRP

Date: 06/14/23

Filepath: 2023_CompPlanAmendment_ExhibitB.aprx

Title:

Exhibit B

2023 Comprehensive Plan Map Amendment

Future Land Use Map

right to do so). The city's future land use map is largely a reflection of its understanding of likely growth and development. Wherever possible, the future land use attempts to anticipate likely changes. A key feature of the 2017 Comprehensive Plan Update is the "transition" future land use category.

The "transition" future land use designation, conceptually, helps with all three key considerations. It is straightforward and simple to see on the overall and neighborhood maps. It limits the potential need for plan amendments, in that each time a residential property requests rezoning to a commercial or industrial use, it will still be in compliance with the existing future land use map. It maintains flexibility in the identified areas. If and when properties petition for rezoning, procedural changes can be made to the zoning ordinance without it conflicting with the Milford Comprehensive Plan.

The transitional future land use classification has the added benefit of allowing the existing, largely residential uses, as by-right uses to ensure that existing property owners who wish to remain residential are not classified as non-conforming uses.

10-4. Land Use and Zoning

10-4a. Future Land Use Categories

Employment

The employment category is intended to serve as a primary location for a large employer to bring jobs and economic development to the city. Potential uses include schools and healthcare-related uses that would provide many jobs and services for the region. This land use category is similar to the H-1, IM, and IS zoning districts found in the Milford Zoning Ordinance.

Commercial

The commercial category allows for different levels of commercial development intensity. This category includes neighborhood commercial, central business district, highway development, office buildings, and medical services. The *Future Land Use and Urban Growth Boundary* map designates all commercial areas in one category, but the individual characteristics of each site would be considered before identifying the level of commercial development that is suitable for each property. Each level of commercial use differs by the size of the site and use intensity. This land use is similar to the C-1, C-2, C-2A, C-3, BP, OC-1, and H-1 zoning districts found in the Milford Zoning Ordinance.

Regular Highway Commercial for the city is located along major state transportation routes, including DE 1, US 113, Route 14 and Business 1.

Industrial

The industrial category is intended to serve as a primary location for light to moderate industrial and manufacturing uses. This land use is similar to the I-1 and I-2 zoning districts found in the Milford Zoning Ordinance.

Institutional

The institutional category includes government, civic, and community facilities such as libraries, schools, colleges, hospitals, medical facilities, community centers, places of worship, nursing homes, assisted living facilities, and other similar uses. Institutional uses may be found within residential, commercial, and employment areas.

Low Density Residential

The Low Density Residential District represents typical single-family detached dwellings and duplex development. These units receive full urban services. Other dwelling types may be allowed as part of a density bonus by providing additional open space and amenities of development or through a conditional use of a Planned Unit Development by Milford City Council. Neighborhood commercial and office-type uses that do not detract from the residential character of the area may be found in this area as well. This land use is similar to the R-1, R-2, C-1, and OB-1 zoning districts found in the Milford Zoning Ordinance.

Moderate-Density Residential

The Moderate Density Residential District represents typical single-family detached dwellings, attached single-family dwelling units, patio homes, duplexes, triplexes, quadplexes, townhomes/row houses, condominiums, apartments, and loft-style units. Availability of open space and walkable sidewalks are also key components. Neighborhood commercial and office-type uses that do not detract from the residential character of the area may be found in this area as well. This land use is similar to the R-3, R-8, C-1, and OB-1 zoning districts and the PUD conditional use for residential development found in the Milford Zoning Ordinance.

Transitional Commercial and Industrial Areas

These areas are designed to allow for a migration from residential to the underlying future land use categories depicted on the *Future Land Use and Urban Growth Boundary* map. There are two main transitional areas, commercial and industrial. The commercial transition areas are located along major roadways, including US 113 and Rehoboth Boulevard (Route 1A). The Industrial transition area is located along Route 14 between Routes 1A and 1.

The transitional areas will allow the property owners to maintain their current residential zoning until such time they wish to change their zoning to either commercial or industrial. This will allow the area to transition slowly along these corridors, without forcefully rezoning properties and potentially creating non-conforming properties and uses. Once the property owner changes the zoning of the property from residential to commercial or industrial, the property will remain industrial or commercial unless there is an amendment to the Milford Comprehensive Plan that would allow otherwise. The Comprehensive Plan will be reviewed again in five years, where the future land use exhibits can be updated to permanently show the properties that have transitioned from the residential categories to the more intense uses, and reduce the footprint of the transitional area on the maps.

Open Space

The Open Space category includes both existing open space owned by the city as well as the large area of open space located east of DE 1. Milford may elect to annex existing developed residential properties within the proposed Open Space future land use areas at the lowest intensity residential zoning category and provide services if deemed cost effective.

One of the recommendations of the Milford Comprehensive Plan is to prepare an Open Space Preservation Plan. Local governments and conservation groups offer many tools to preserve farmland and other open space. Some rely on the donation or sale of property development rights by a property owner, while other tools may include marketing assistance or protective planning and zoning. The primary goals of the Open Space designation east of DE 1 are the following:

- Promote the Transfer of Development Rights (TDR) – A TDR is a legal agreement that allows a developer who wants to build at a higher density than is permitted to purchase or trade for additional development rights from a willing seller who owns land in an area designated for preservation. The goal of the Open Space designation is to use the land as a sending area either into designated areas of the City of Milford or designated areas of Sussex County, thus protecting the open space area.
- Promote Conservation Easements – A conservation easement is a legal agreement between a landowner and a land trust or government agency whereby a landowner sells or donates the rights to develop his or her property to a conservation organization.
- Protective Rural Zoning – This type of zoning allows a very low density per acre. This is one of the most effective ways to protect rural and agricultural land and maintain a mass of land required to support agriculture economies without buying conservation easements.

- Purchase of Land – In the interest of Milford City Council to protect our recharge areas, funding could be used to protect our recharge areas and preserve open space.

10-4b. Land Use and Zoning Link

The link between land use and zoning is important because Title 22, Section 702(c) of the Delaware Code requires that Milford:

"…within 18 months of the adoption of a comprehensive development plan or revision thereof, amend its official zoning map to rezone all lands within the municipality in accordance with the uses of land provided for in the comprehensive development plan."

Table 27 shows the link between the future land use designations depicted on the *Future Landuse and Urban Growth Boundary* map and the zoning districts summarized in Table 28. Table 27 provides guidance as to the zoning districts that would be considered consistent with each land use designation.

Table 27. Land Use and Zoning Link

Future Land Use Designation	Corresponding Zoning District(s)
Employment	H-1 – Institutional Development
	IM – Institutional Medical
	IS – Institutional Service
Commercial	C-1 – Community Commercial
	C-2 – Central Business
	C-2A – Riverfront Development
	C-3 – Highway Commercial
	OC-1 – Office Complex
	BP – Business Park
	H-1 – Institutional Development
Industrial	I-1 – Limited Industrial
	I-2 – General Industrial
Institutional	Institutional uses may be permitted or conditionally permitted in residential, commercial, and employment zones

Future Land Use Designation	Corresponding Zoning District(s)
Low Density Residential	R-1 – Single Family Residential
	R-2 - Residential
	C-1 – Community Commercial
	OB-1 – Office Building
Moderate Density Residential	R-3 – Garden Apartment & Townhouse
	R-8 – Garden Apartment & Townhouse
	C-1 – Community Commercial
	OB-1 – Office Building
Open Space	Designed for preservation. Existing residential properties may be zoned R-1.

Disclaimer: Table 27 shows the relationship between the future land use designations depicted on the future land use map and the zoning districts summarized in Table 28. This table describes how Milford's zoning districts might match up with the land uses recommended on the future land use map. These match ups are intended as guidance for the Milford City Council to consider during the rezoning process. They are not intended to preclude the development of new zoning districts or revisions to the zoning ordinance, the subdivision ordinance, or any other land use regulations.

10-4c. Zoning Districts

The current zoning map depicts Milford's zoning districts, and Table 28 provides a list of the current zoning classifications.

As of the date of the plan adoption, Table 28 and the existing zoning exhibit represent a fixed period in time and Milford reserves the right to create new zoning categories and change property zonings as long as the intent of the Comprehensive Plan is upheld. This table and section is for informational purposes only.

Zoning is the chief means for implementing the Milford Comprehensive Plan, consisting of a written document and a series of maps. The maps show a number of districts or zones into which the municipality is divided to regulate the use of land. The document specifies the types of activities (uses) that can occur in each district either as a matter of right (in all circumstances) or under certain conditions (conditional uses). It also regulates building height, lot sizes, setbacks, yards and green space, the number and sizes of signs, and space for off-street parking. Some municipalities incorporate environmental protection standards in zoning ordinances, while others have stand-alone ordinances with cross-references to zoning standards.

Table 28. Milford Zoning Districts

Zoning District
BP – Business Park
R-1 – Single Family Residential
R-2 – Residential
R-3 – Garden Apartment & Townhouse
R-8 – Garden Apartment & Townhouse
C-1 – Community Commercial
C-2 – Central Business
C-2A – Riverfront Development
C-3 – Highway Commercial
H-1 – Institutional Development
IM – Institutional Medical
IS – Institutional Service
I-1 – Limited Industrial
I-2 – General Industrial
OB-1 – Office Building
OC-1 – Office Complex

Zoning works with subdivision regulations. Subdivision refers to the process of splitting up or assembling land for development. The regulations governing this process designate utility locations, street rights-of-way, open space, and common areas. They also outline the services, such as water, sewer, gas, and electricity and amenities that a developer must supply prior to sale of subdivided (or assembled) land.

Increasingly, the distinction between zoning and subdivision regulations is becoming blurred.

Development plan approvals cannot take place without making sure that plans are in compliance with zoning and subdivision codes. Over the past several years, a number of Delaware municipalities have consolidated subdivision and zoning regulations into a single land use code.

10-5. Land Use and Growth Management Goals and Recommendations

Milford has, and continues to, work diligently to build its economic and employment base through development of all types. It has also made significant efforts to include relevant state agencies, county and municipal governments, school districts, property owners, and development interests. Milford has successfully utilized a master planning approach for its southeastern area and now envisions undertaking a similar initiative for potential growth, development, and redevelopment in its Northeastern area.

GOAL

Encourage compatible, resilient, connected development, redevelopment, and growth within Milford's municipal boundary and entertain annexation or growth opportunities within the municipality's established Urban Growth Boundary, provided cost-effective services can be provided.

OBJECTIVES

- Create a variety of suitable zoning categories and targeted land use areas within the city to accommodate the assortment of business sectors.
- Update the zoning ordinance to reflect the objectives of the city's Comprehensive Plan.
- Refer to the Milford Comprehensive Plan for rezoning and annexation agreements.
- See the State Strategy mapping to guide growth.
- Ensure that the design of new developments complement and enhance the city's unique character by developing and implementing architectural review standards for major residential and commercial developments.
- Encourage infill and redevelopment of vacant, underutilized, or in-need-of-repair properties, particularly within the Downtown Development District.
- Prioritize growth on the significant developable and vacant areas within the existing municipal boundaries.
- Establish a process to review comprehensive plan amendment requests once a year, which may be needed to harmonize proposed development plans with the Milford Comprehensive Plan.

(3) Minimum lot width shall be 50 feet.

(4) Maximum lot coverage shall be 60%

(5) Minimum front yard setback shall be 15 feet minimum

(6) Side yard setback shall be 14 feet aggregate total with a minimum of 6 feet.

(7) Minimum rear yard setback shall be 20 feet.

(8) Height of buildings shall not exceed 50 feet.

(9) Minimum separation distance between dwelling structures on the same lot shall not be less than 15 feet.

(10) Parking shall comply with the requirements provided in Article IV of this chapter.

(11) Signs shall comply with the requirements provided in Article VI of this chapter.

(12) For mixed use residential and commercial projects, off-street parking, parking beneath buildings, front, side and rear setbacks, landscaping and buffering, lot coverage, number of units per building and building separation shall be as determined by the Planning Commission.

(13) Landscape screening shall comply with the requirements provided in Article V of this chapter.

(14) Accessory structures in aggregate shall occupy no more than 30 percent of the required rear and side yard of the lot area and may not dominate in area, extent or purpose to the principal use or structure. The area of the principal structure shall be calculated using the definition of floor area in this chapter.

(15) Accessory structures shall be located in the side and rear lot areas.

(16) Accessory structures for residential and non-residential uses shall be located at least 5 feet from the rear lot line and at least 5 feet from the side lot line and shall not be located less than 5 feet from a principal structure.

§ 230-14. - C-3 Highway Commercial District.

In a C-3 District no building or premises shall be used and no building shall be erected or altered which is arranged, intended or designed to be used except for one or more of the following uses and complying with the requirements so indicated.

A. Purpose. The purpose of the C-3 District is to provide for larger-scale commercial uses that may require large amounts of parking space or have a high traffic impact. These uses generally require locations on major arterial routes and serve both local and regional customers.

B. Permitted uses. Permitted uses for the C-3 District shall be as follows:

(1) Those permitted uses in the C-2 District.

(2) Warehouses.

(3) Large retail outlets.

(4) Indoor storage accessory building.

(5) Fast-food restaurants and drive-in restaurants.

(6) Supermarkets.

(7) Truck and trailer rentals.

(8) Roadside produce market.

(9) Outdoor commercial recreational facilities, not motorized vehicles.

(10) Swimming club.

(11) Indoor facility for amusement or assembly.

(12) Bus station.

(13) Motels or hotels.

(14) Commercial greenhouse.

(15) Wholesale establishment.

(16) Contractors', craftsmen's or general service shops, including welding and similar shops.

(17) Laboratory, testing and research.

(18) Car wash.

C. Conditional uses subject to special requirements. All uses specified as conditional uses in the C-2 zoning district and the following uses are permitted subject to receiving a conditional use permit by the City Council as provided in Article IX of this chapter:

~~(1) Motels or hotels.~~

~~(2) Commercial greenhouse.~~

~~(3) Wholesale establishment.~~

~~(4) Contractors', craftsmen's or general service shops, including welding and similar shops.~~

~~(5) Laboratory, testing and research.~~

(1~~6~~) Automotive sales.

(2~~7~~) Automotive repair, subject to the following special requirements:

(a) All facilities shall be located and all services shall be conducted on the lot.

(b) All repair work shall be conducted within an entirely enclosed building.

(c) No equipment for the service of gasoline or oil shall be placed closer to any street or property line than 20 feet.

(d) No portion of such structure or its equipment shall be located within 500 feet of the premises of any school, hospital, church or public recreation building.

(e) No service station shall be located within 800 feet of another service station on the same side of the street within the same block.

(f) Any such use shall be permitted only where it is determined that it will not materially interfere with the main pedestrian movement in conjunction with a compact retail area.

(3~~8~~) Shopping center, subject to the following site requirements:

~~(a) The total shall not be less than one acre.~~

(a~~b~~) Traffic and parking.

~~[1] The internal circulation of traffic shall be separated from the external street system, and pedestrian and vehicular traffic shall be separated through traffic control devices and appropriate site design.~~

[1~~2~~] The minimum distance between accessways and a residential district shall be 50 feet.

[2~~3~~] Spacing of accessway.

[a] From adjoining property: 50 feet.

[b] From minor intersections: 50 feet.

[c] From major intersections: 100 to 150 feet.

(b~~c~~) Setback.

~~[1] From street right-of-way: 15 feet.~~

[1~~2~~] From nonresidential districts: 15 feet.

[2~~3~~] From residential districts: 100 feet.

~~(9) Car wash.~~

(4~~10~~) All uses permitted in the R-3 Zoning District subject to its area regulations.

(5~~11~~) Business, commercial or industrial uses that do not adversely affect neighboring properties.

(6~~12~~) Aquarium.

(7) Community energy generating facility.

(a) The footprint of the solar array, as defined as the by the outer limit of the panels and exclusive of buffers shall be no larger than fifty (50) acres in size.

(b) No more than one Community Solar Energy Facility (SEF) shall be permitted on a parcel. All separate parcels in existence on June 1, 2023, shall be considered original parcels. Future subdivision of an original parcel shall not enable the development of additional Community Solar Energy Facilities.

(c) Facility location and siting shall be in accordance with the requirements of Title 26 Public Utilities of the Delaware Administrative Code, 3001 (Rules for Certification and Regulation of Electric Suppliers) as amended.

(d) Setbacks for the Facility shall be:

[1] Front setback shall be 75 feet.

[2] Side setback shall be 50 feet.

[3] Rear setback shall be 50 feet.

[4] Distance from any off-site dwelling unit shall be 100 feet.

[5] Distance from any State recognized Scenic Byway shall be 150 feet.

[6] Distance from any wetlands shall be 100 feet.

(e) The site area shall be planted to achieve a minimum six (6) foot high four-season visual barrier in accordance with the following guidelines:

[1] Include a variety of native evergreen trees. Existing native vegetation may be used to achieve the required planted buffer.
[2] A minimum of two (2) rows shall be installed and trees shall be planted in staggered rows. Plantings shall be placed at maximum 20 feet apart within the same row and 10 feet apart from the adjacent, staggered row.
[3] Include groundcover to minimize growth of invasive species or provide a mowing schedule until the area is fully established in a natural condition.
[4] The buffer shall be maintained to prevent disease from spreading and any trees that don't survive shall be replaced.
[5] A raised berm with a 1:4 side slope and flat top may be used to achieve minimum height at planting.

(f) The required buffer may be counted toward planting requirements included in this Chapter.

(g) If topsoil is removed for improvements, it shall remain on the site.

(h) Noninvasive, perennial vegetative ground cover must be maintained or established in all areas containing solar arrays and in required setbacks to prevent erosion and manage run-off. A seed mix will be used to promote the growth of a ground cover that is favorable to future use of the land by animals. The height of the vegetation growth shall be maintained as to reduce the possibility of the airborne spreading of weeds and seeds transmitted to other adjacent lands.

(i) A soils study establishing the presence of any contaminants shall be completed prior to construction and every five (5) years thereafter. Surface Soil samples shall be collected from the first six inches of soil. One composite sample shall be collected every 5 acres of SEF footprint. The composite sample should be a maximum of 10 aliquots collected from evenly spaced locations throughout the 5-acre footprint. A baseline sample shall be collected prior to the start of the SEF construction. The composite sample should be analyzed for the primary component of the installed solar panel via the prevailing EPA method for Inorganic Compounds. A letter report of findings shall be submitted within 45 days from receipt of the laboratory results to the City and shall include a summary table showing current and past results and the original certified laboratory results. A sketch showing the sample locations should be provided with the letter report. The full report shall be kept on file by the applicant and available for review by the City. If contaminate levels appear to exceed the baseline, the City will forward the report to DNREC to determine appropriate mitigation measures. If the 5 year and 10 year tests do not show material increase in the metal constituents tested, then testing interval may be extended to every 10 years.

(j) Signage, not to exceed six (6) square feet, identifying the operator, its contact numbers, 911 address and emergency contact information shall be posted at each entrance or exit of the property.

(k) Abandonment. A Community Energy Generating Facility that does not produce energy for a continuous period of one year or more shall be presumed to have been abandoned. The Applicant may request a Good Cause Exemption that may not be unreasonably withheld so long as all Real Estate and Personal Property Taxes are in Good Standing. Any Facility that has been abandoned without attaining a Good Cause Exemption must be decommissioned and removed within 180 days. Decommissioning must consist of:

[1] Physical removal of all solar photovoltaic facilities, structures, equipment, security barriers and transmission lines from the site.

[2] Recycling or disposal of all solid and hazardous waste in accordance with local, state, and federal regulations.

[3] Stabilization or re- vegetation of the site as necessary to minimize erosion. The Planning Director is authorized to allow the owner or operator to leave landscaping or designated below-grade foundations in place in order to minimize erosion and disruption to vegetation and/or agriculture.

(l) Decommissioning plan.

[1] A decommissioning plan outlining the anticipated means and costs of removing the solar facility must be submitted, with the application.

[2] The decommissioning plan should ensure that the owner or operator properly removes the equipment and facilities upon the end of project life or after their useful life. The plan must include provisions for the removal of all structures and foundations, the removal of all electrical transmission components and the restoration of soil and vegetation.

[3] The owner/operator must provide a present-day decommissioning cost estimate and identify the parties responsible for decommissioning.

(m) Financial Assurance. The operator or property owner shall provide a bond, surety, letter of credit, or other financial assurance in a form and amount acceptable to the Department to secure payment of one hundred (100) percent of the anticipated cost of removal of all associated site improvements and restoration of the site to its pre-development condition. The financial assurance shall remain in full force and effect as long as the solar Facility remains in place. The financial assurance shall be reviewed and renewed every five (5) years to ensure the amount reflects the current market.

(8) Energy system utility scale solar & wind.

(a) The following are conditions specific to Solar Facilities:

[1] Setbacks for a Solar facility shall be:

[a] Front setback shall be 100 feet.

[b] Side setback shall be 75 feet.

[c] Rear setback shall be 75 feet.

[d] Distance from any off-site dwelling unit shall be 100 feet.

[e] Distance from any State recognized Scenic Byway shall be 150 feet.

[f] Distance from any wetlands shall be 100 feet.

[2] The required setback shall be planted to achieve a minimum six (6) foot high four-season visual barrier in accordance with the following guidelines:

[a] Include a variety of native evergreen trees. Existing native vegetation may be used to achieve the required planted buffer.

[b] A minimum of two (2) rows shall be installed and trees shall be planted in staggered rows. Plantings shall be placed at maximum 20 feet apart within the same row and 10 feet apart from the adjacent, staggered row.

[c] Include groundcover to minimize growth of invasive species or provide a mowing schedule until the area is fully established in a natural condition.

[d] The buffer shall be maintained to prevent disease from spreading and any trees that don't survive shall be replaced.

[e] A raised berm with a 1:4 side slope and flat top may be used to achieve minimum height at planting.

[3] A soils study establishing the presence of any contaminants shall be completed prior to construction and every five (5) years thereafter. Surface Soil samples shall be collected from the first six inches of soil. One composite sample shall be collected every 5 acres of SEF footprint. The composite sample should be a maximum of 10 aliquots collected from evenly spaced locations throughout the 5-acre footprint. A baseline sample shall be collected prior to the start of the SEF construction. The composite sample should be analyzed for the primary component of the installed solar panel via the prevailing EPA method for Inorganic Compounds. A letter report of findings shall be submitted within 45 days from receipt of the laboratory results to the City and shall include a summary table showing current and past results and the original certified laboratory results. A sketch showing the sample locations should be provided with the letter report. The full report shall be kept on file by the applicant and available for review by the City. If contaminate levels appear to exceed the baseline, the City will forward the report to DNREC to determine appropriate mitigation measures. If the 5 year and 10 year tests do not show material increase in the metal constituents tested, then testing interval may be extended to every 10 years.

[4] Signage, not to exceed six (6) square feet, identifying the operator, its contact numbers, 911 address and emergency contact information shall be posted at each entrance or exit of the property.

(b) The following are conditions specific to Wind Facilities:

[1] Setbacks for a Wind Facility shall be:

[a] Front setback shall be 800 feet.

[b] Side setback shall be 800 feet.

[c] Rear setback shall be 800 feet.

[d] Distance from any off-site dwelling unit shall be 1,000 feet.

[e] Distance from any State recognized Scenic Byway shall be 800 feet.

[f] Distance from any wetlands shall be 100 feet.

[2] No climbing pegs or tower ladders shall be located closer than 12 feet to the ground level at the base of the structure for freestanding single poles.

[3] The facility shall be designed to prevent unauthorized external access to electrical and mechanical components and shall have access doors that are kept securely locked.

[4] All access roads shall be gated and locked.

[5] All power transmission lines from the tower to any other building or other structure shall be located underground to the maximum extent practical.

[6] No tower shall be lit except to comply with Federal Aviation Administration requirements. Minimum-security lighting for ground level facilities shall be allowed as approved on the site plan. Security lighting shall be designed to minimize light pollution, including the use of light hoods, low-glare fixtures, and directing lights at the ground.

[7] All structures in a project shall be finished in a single, non-reflective, matte color or a camouflage scheme.

[8] Signs

[a] No advertising signs are allowed on any part of the WECS, including fencing and support structures.

[b] No lettering, company insignia, advertising, or graphics shall be on any part of the tower, hub, or blades.

[c] Appropriate warning signs shall be posted. At least one sign shall be posted at the base of the tower warning of electrical shock or high voltage. A sign shall be posted on the entry area of the fence around each tower or group of towers and any building (or on the tower or building if there is no fence) containing emergency contact information, 911 address, including a local telephone number with 24-hour, 7-days-a-week coverage. The City may require additional signs based on safety needs.

[9] Noise level shall not exceed 50 dBA, including constructive interference at existing off-site residences, businesses, and public buildings.

(c) The following are conditions required for all Utility Solar and Wind Energy Facilities

[1] Required buffers may be counted toward planting requirements included in this Chapter.

[2] If topsoil is removed for improvements, it shall remain on the site.

[3] Noninvasive, perennial vegetative ground cover must be maintained or established in all areas containing solar arrays and in required setbacks to prevent erosion and manage run-off. A seed mix will be used to promote the growth of a ground cover that is favorable to future use of the land by animals. The height of the vegetation growth shall be maintained as to reduce the possibility of the airborne spreading of weeds and seeds transmitted to other adjacent lands.

[4] Abandonment. A Utility Solar or Wind Facility that does not produce energy for a continuous period of one year or more shall be presumed to have been abandoned. The Applicant may request a Good Cause Exemption that may not be unreasonably withheld so long as all Real Estate and Personal Property Taxes are in Good Standing. Any Utility Solar Facility that has been abandoned without attaining a Good Cause Exemption must be decommissioned and removed within 180 days. Decommissioning must consist of:

[a] Physical removal of all solar photovoltaic facilities, wind turbines, structures, equipment, security barriers and transmission lines from the site.

[b] Recycling or disposal of all solid and hazardous waste in accordance with local, state, and federal regulations.

[c] Stabilization or re-vegetation of the site as necessary to minimize erosion. The Planning Director is authorized to allow the owner or operator to leave landscaping or designated below-grade foundations in place in order to minimize erosion and disruption to vegetation.

[5] Decommissioning plan.

[a] A decommissioning plan outlining the anticipated means and costs of removing the facility must be submitted, with the application.

[b] The decommissioning plan should ensure that the owner or operator properly removes the equipment and facilities upon the end of project life or after their useful life. The plan must include provisions for the removal of all structures and foundations, the removal of all electrical transmission components and the restoration of soil and vegetation and/or agriculture.

[c] The owner/operator must provide a present-day decommissioning cost estimate and identify the parties responsible for decommissioning.

[6] Financial Assurance. Prior to final plan approval, the operator or property owner shall provide a bond, surety, letter of credit, or other financial assurance in a form and amount acceptable to the Department to secure

payment of one hundred (100) percent of the anticipated cost of removal of all associated site improvements and restoration of the site to its pre-development condition. The financial assurance shall remain in full force and effect as long as the facility remains in place. The financial assurance shall be reviewed and renewed every five (5) years to ensure the amount reflects the current market.

(9) Emergency shelter facility.

(a) The lot on which an emergency shelter facility is located shall not be within 500 feet of a lot on which another emergency shelter facility or group home is located.

(b) All state licenses and permits for such a facility have been obtained.

D. Area regulations.

(1) Minimum lot area shall be one acre.

(2) Maximum lot coverage shall be 80%.

(3) Minimum lot width shall be as follows: for an interior lot 150 feet and for a corner lot 170 feet.

(4) Height of buildings shall not exceed 35 feet, with the following exception: a motel, hotel, or aquarium may be erected to a height not exceeding 60 feet.

(5) Minimum front yard setback shall be 30 feet.

(6) Side yards shall be provided as follows: each lot shall have two side yards a minimum of 20 feet with a minimum aggregate width of two side yards of 50 feet.

(7) Minimum rear yard shall be 50 feet.

(8) Parking shall comply with the requirements provided in Article IV of this chapter.

(9) Landscape screening shall comply with the requirements provided in Article V of this chapter.

(10) Signs shall comply with the requirements provided in Article VI of this chapter.

(11) Accessory structures in aggregate shall occupy no more than 30 percent of the required rear and side yard of the lot area and may not dominate in area, extent or purpose to the principal use or structure. The area of the principal structure shall be calculated using the definition of floor area in this chapter.

(12) Accessory structures shall be located in the side and rear lot areas.

(13) Accessory structures for residential uses shall be located at least 5 feet from the rear lot line and at least 5 feet from the side lot line and shall not be located less than 10 feet from a principal structure.

(14) Accessory structures for non-residential uses shall meet the principal use setbacks and shall not be located less than 5 feet from a principal structure.

§ 230-15. - H-1 Institutional Development District.

In an H-1 District no building or premises shall be used and no building shall be erected or altered which is arranged, intended or designed to be used except for one or more of the following uses and complying with the requirements so indicated.

CITY OF MILFORD
NOTICE OF PUBLIC HEARINGS

Planning Commission Hearing: Tuesday, November 21, 2023 @ 6:00 p.m.
City Council Hearing: Monday, November 27, 2023 @ 6:00 p.m.

NOTICE IS HEREBY GIVEN that the proposed Ordinance is currently under review by the City of Milford Planning Commission and City Council. City Council has the option to approve or deny the application. By not adopting the ordinance, City Council will deny the application. By adopting the ordinance, City Council will approve the application and the reason for the language being written in the affirmative. This form of writing is not used to influence any decision of City Council:

ORDINANCE 2023-46
Legal Owner Randall Kenton for a Change of Zone from
I-1 (Limited Industrial District), I-2 (General Industrial District)
to C-3 (Highway Commercial)
on 3.72 +/- acres of land located along the north side
of NE Front Street and the east side of N. Rehoboth Boulevard
Address: 609 NE Front Street , Milford, DE
Present Use Pallet Recycling; Proposed Use Pallet Recycling
Tax Map & Parcels MD-16-183.07-01-12.00 & MD-16-183.07-01-14.00

WHEREAS, the property owner has petitioned the City of Milford Planning and Zoning Office for a Change of Zone from I-1, I-2 to C-3 on 3.72 +/- acres of land at 609 NE Front Street; and

WHEREAS, the Change of Zone to request to Commercial is consistent with the Adopted 2018 Comprehensive Plan Future Land Use Map, as amended; and

WHEREAS, the City of Milford Planning Commission considered the application during their regular meeting on November 21, 2023, at which time interested parties had the opportunity to comment on the application to assist in an informed recommendation to City Council; and

WHEREAS, Milford City Council held a Public Hearing on November 27, 2023 to allow additional public comment, after which City Council made a final determination; and

WHEREAS, as required by Chapter 230, the Public Notice was published in the Delaware State News on October 31, 2023 and provided to property owners within 200 feet of the subject parcel; and

WHEREAS, this Ordinance becomes effective ten days following the date of its adoption by City Council.

NOW, THEREFORE, BE IT RESOLVED the City of Milford hereby ordains as follows:

Section 1. Chapter 230 states the purpose of the C-3 district is to provide for larger-scale commercial uses that may require large amounts of parking space or have a high traffic impact, and generally require locations on major arterial routes and serve both local and regional customers.

Section 2. Pallet Recycling is a permitted use within the C-3 Zoning District.

Section 3. The adoption of this Ordinance grants Lands of Randall Kenton a Change of Zone to C-3 on 3.72 +/- acres of land at 609 NE Front Street in Kent County, Milford, Delaware, Tax Map/Parcels MD-16-183.07-01-12.00 & MD-16-183.07-01-14.00

Section 4. Any future use of the property must comply with Chapter 230 (Zoning Code) and the C-3 (Highway Commercial District) uses and area regulations.

Section 5. Dates.
Planning Commission Review & Public Hearing: November 21, 2023
City Council Introduction: November 13, 2023
City Council Public Hearing: November 27, 2023
Effective: Ten Days following Adoption

For additional information, please contact Rob Pierce in the Planning & Zoning Department either by e-mail at RPierce@milford-de.gov or by phone at 302.424.8396.

Published: Delaware State News 10/31/2023

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180 Vickers Drive
Milford, DE 19963
www.cityofmilford.com

THE CITY of Milford DELAWARE

PLANNING DEPARTMENT
Planning, Economic Development,
Enforcement, and Inspections Office
O 302.424.8396 | F 302.424.3559

DATA SHEET FOR IGLESIA PENTECOSTAL BETHEL DELAWARE, INC.

Planning Commission Meeting: November 21, 2023

Application Number / Name	:	23-030 / Iglesia Pentecostal Bethel Delaware, Inc.
Applicant	:	Iglesia Pentecostal Bethel Delaware, Inc. 805 SE Front Street Milford, DE 19963
Owner	:	Same
Application Type	:	Conditional Use
Present Comprehensive Plan Map Designation	:	Low Density Residential
Present Zoning District	:	R-2 (Residential District)
Present Use	:	Church (095.00) Church Parking (094.00) Former Single-family Dwelling (096.00)
Proposed Use	:	Church with associated parking
Size and Location	:	0.808 +/- acres of land located along the north side of SE Front Street approximately 55 feet east of the Charles Street intersection, addressed as 803, 805 & 807 SE Front Street.
Tax Map & Parcel	:	3-30-7.17-094.00, 3-30-7.17-095.00 & 3-30-7.17-096.00

ENC: Staff Analysis Report
Exhibit A – Location & Zoning Map
Exhibit B – Survey

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STAFF REPORT
November 3, 2023

Application Number / Name	**:**	23-030 / Iglesia Pentecostal Bethel Delaware, Inc.
Tax Map & Parcel	**:**	3-30-7.17-094.00, 3-30-7.17-095.00 & 3-30-7.17-096.00
Size and Location	**:**	0.808 +/- acres of land located along the north side of SE Front Street approximately 55 feet east of the Charles Street intersection, addressed as 803, 805 & 807 SE Front Street.

I. BACKGROUND INFORMATION:

- The applicant proposes to consolidate three parcels of land located along SE Front Street owned by the church into a single parcel. One of the properties formerly contained a single-family detached dwelling which was recently demolished by the applicant. In order to consolidate the parcels, the applicant must obtain approval from City Council to expand the conditional use onto parcel 096.00.

- Chapter 230-9(C)(1) states "churches and other places of worship and cemeteries" may be permitted subject to receiving a conditional use permit by the City Council.

II. STAFF ANALYSIS:

Based on the information presented, the City of Milford Code, and the Comprehensive Plan, staff submits the following regarding the request for the Conditional Use:

- Evaluation based on the criteria found under Chapter 230-48 Conditional Uses.

  A. The presence of adjoining similar uses.

  The subject parcels are bound on the west by a two-unit residential building, to the east by a single-family detached dwelling, to the north by an existing industrial use and to the south by SE Front Street. The immediate vicinity is generally characterized as a low-density residential neighborhood with one and two-family residential dwellings.

B. An adjoining district in which the use is permitted.

The use is allowed by conditional use approval by City Council in the R-1, R-2, R-3 and R-8 residential districts and is permitted by right in the C-2, C-2A and C-3 districts.

C. There is a need for the use in the area proposed as established by the Comprehensive Plan.

The Comprehensive Plan states institutional uses may be found within residential, commercial, and employment areas.

D. There is sufficient area to screen the conditional use from adjacent different uses.

There is an existing chain-link fence with privacy slats along the rear of the property between the church and the existing industrial use. There is a wooden fence along the majority of the western side property line, except for the area along SE Front Street directly adjacent to the existing parking lot area. The applicant is proposing a new privacy fence along the eastern side property line to separate the church use from the single-family detached dwelling to the east. No other screening exists or is proposed on the properties at this time.

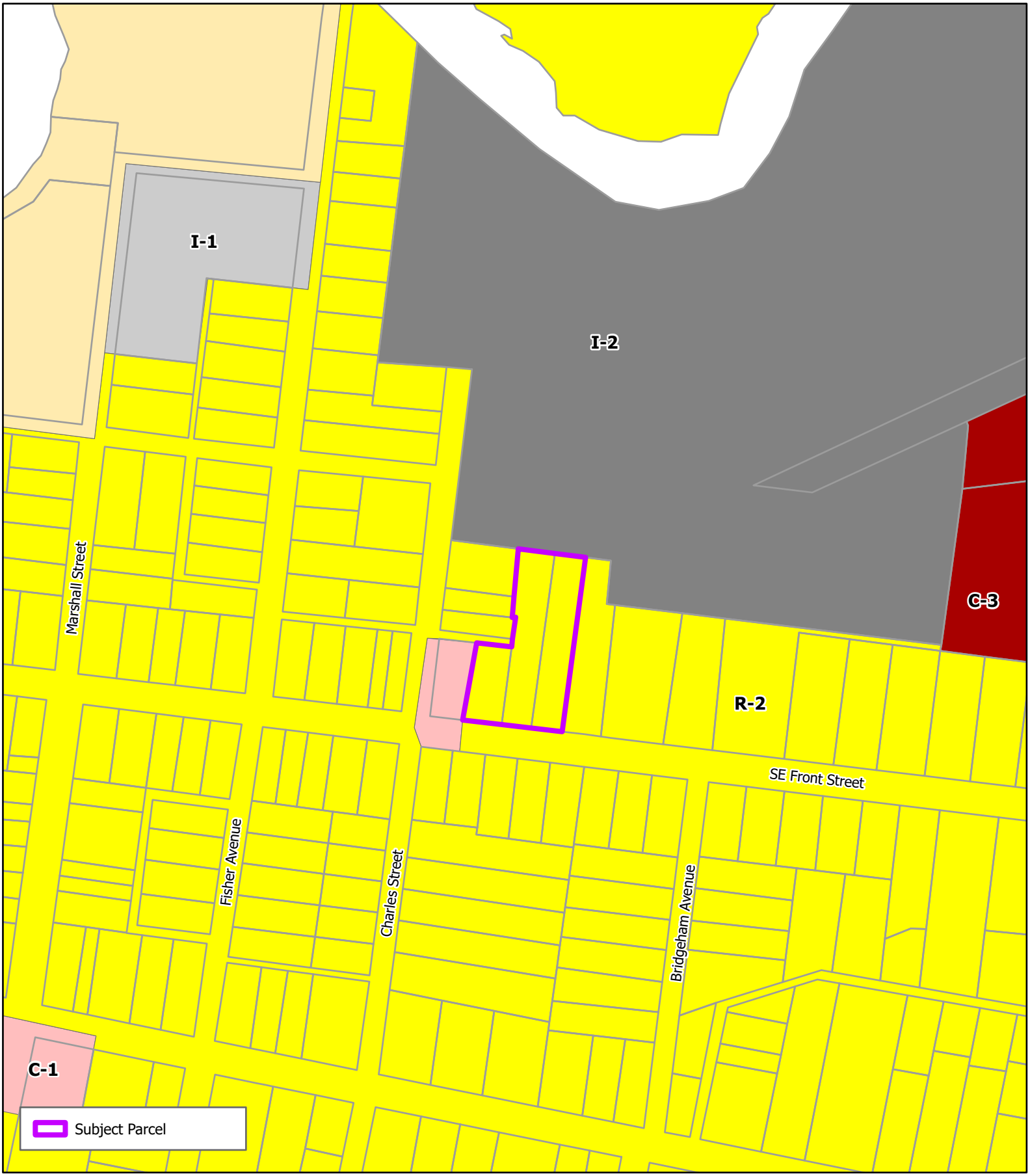
E. The use will not detract from permitted uses in the district.

The application involves the expansion of an existing church already located on SE Front Street. The applicant purchased the adjacent property to the east and removed the single-family residential dwelling from the lot and proposes to incorporate this residential lot into the church property. The proposed use should not detract from permitted uses in the district since it is just an expansion in land area. The applicant would be required to come back to City Council for any additions or parking modifications to the site, which could have adverse impacts on neighboring properties.

F. Sufficient safeguards, such as traffic control, parking, screening and setbacks, can be implemented to remove potential adverse influences on adjoining uses.

The applicant proposes to construct a privacy fence along the east side of the subject parcels, separating the church use from the single-family detached dwelling to the east. There are no other proposed improvements to the site at this time.

- If the Planning Commission and City Council elect to approve the applicant's request, staff has no recommended conditions of approval.



THE CITY of Milford DELAWARE

Scale: 0 100 200 Feet

Drawn by: WRP

Date: 11/03/23

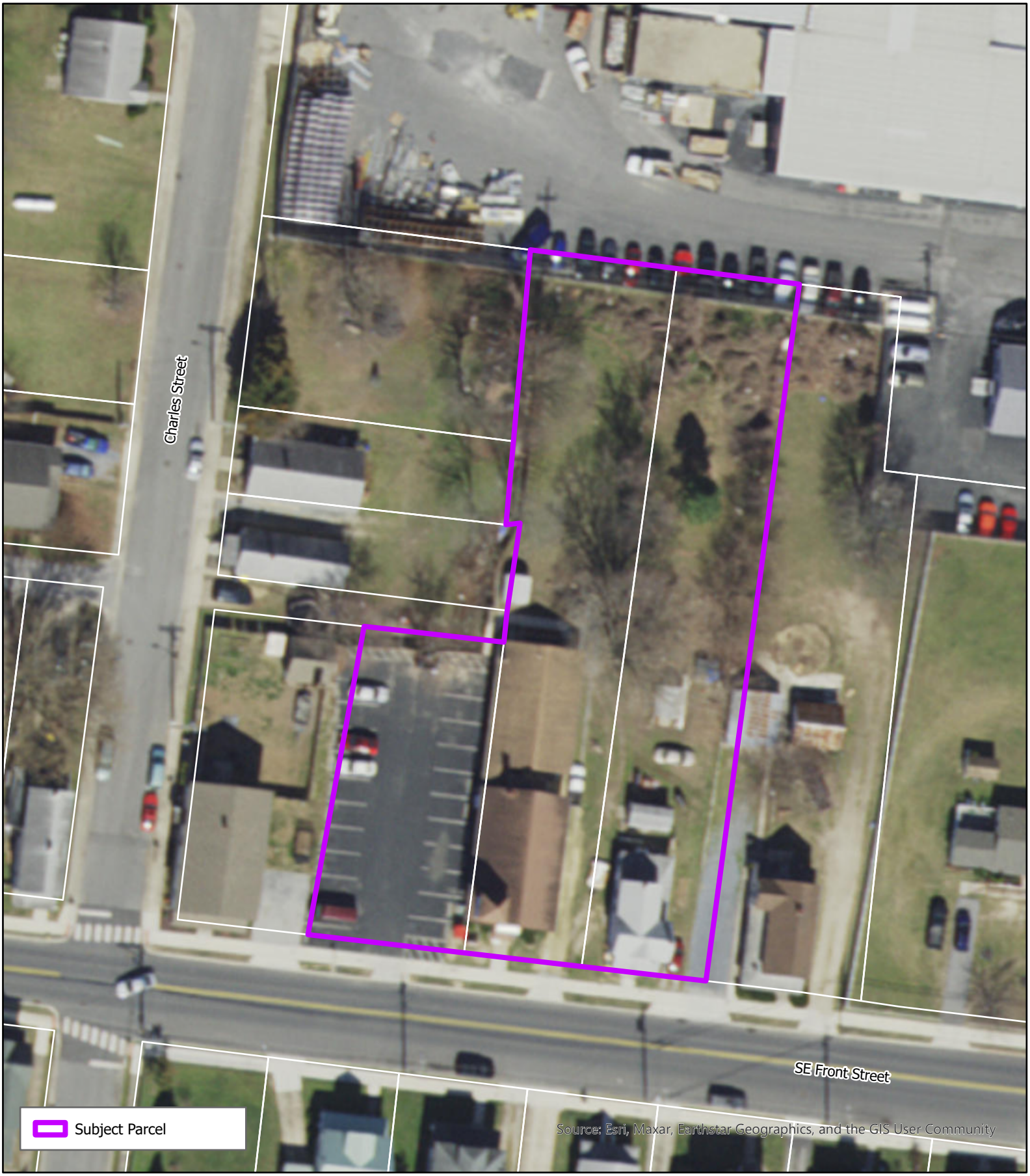
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Title:

Conditional Use

Iglesia Pentecostal Bethel Delaware, Inc.

Location & Zoning Map



THE CITY of Milford DELAWARE

Scale: 0 25 50 Feet

Drawn by: WRP

Date: 11/03/23

Filepath: CU_IglesiaPentecostal_Aerial.aprx

Title:

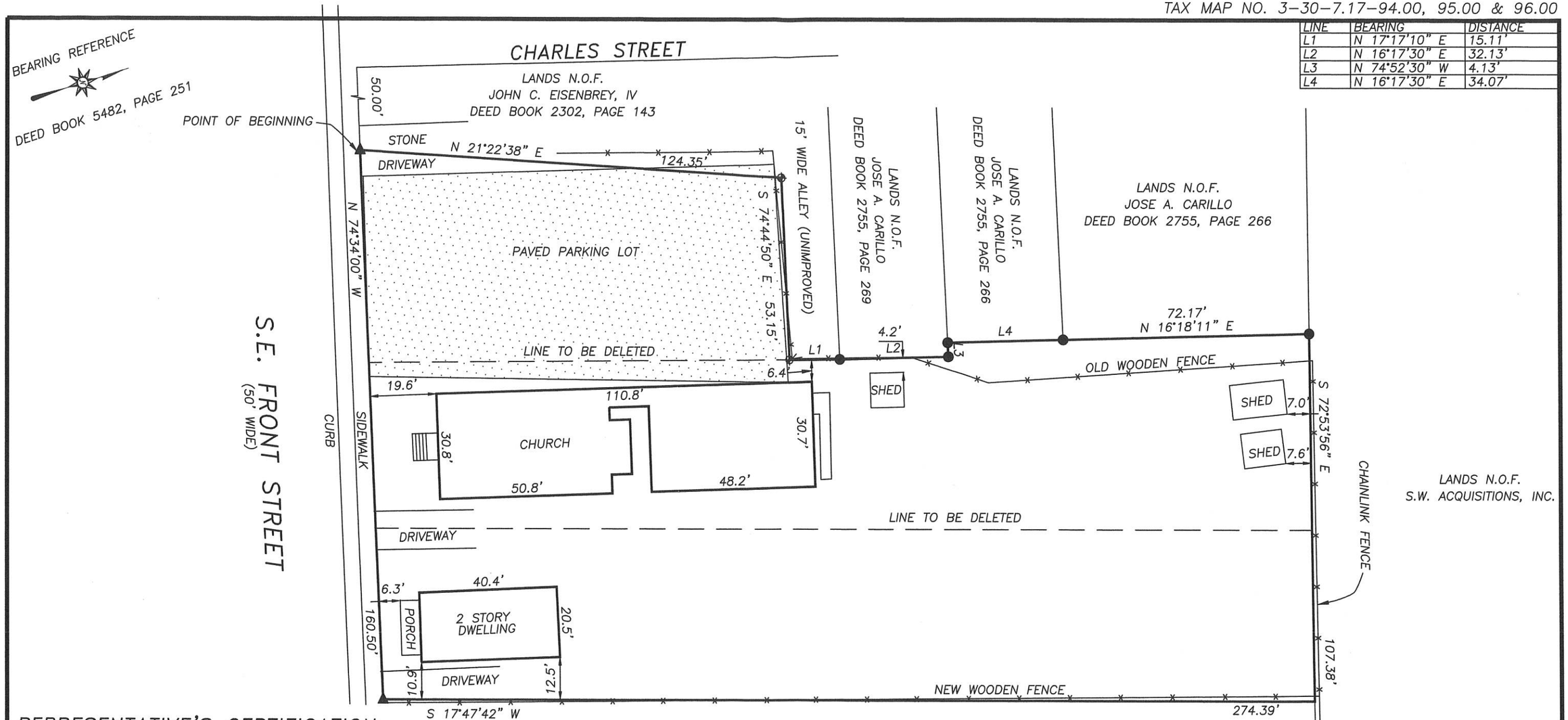
Conditional Use

Iglesia Pentecostal Bethel Delaware, Inc.

Aerial Map

TAX MAP NO. 3-30-7.17-94.00, 95.00 & 96.00

LINE	BEARING	DISTANCE
L1	N 17°17'10" E	15.11'
L2	N 16°17'30" E	32.13'
L3	N 74°52'30" W	4.13'
L4	N 16°17'30" E	34.07'



REPRESENTATIVE'S CERTIFICATION:

WE, THE UNDERSIGNED, HEREBY CERTIFY THAT WE ARE THE LEGAL REPRESENTATIVES OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, AND THAT WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND THAT WE DESIRE THE PLAN TO BE RECORDED ACCORDING TO THE LAW.

CELSO RENE LOPEZ GOMEZ _____ DATE _____

CESAR DOMINGUEZ GARCIA _____ DATE _____

CARLOS A. PEREZ _____ DATE _____

Prepared By
DOUGLAS J. ANNAND
PROFESSIONAL LAND SURVEYOR
10027 NORTH OLD STATE ROAD
LINCOLN, DELAWARE 19960
PHONE: (302) 448-0320
douglasannand7@gmail.com

LANDS N.O.F.
FERNANDO FLORES SAUCEDA
DEED BOOK 3068, PAGE 247

DOUGLAS J. ANNAND, PLS 622

LEGEND:

- ▲ SET SPIKE
- ● FOUND IRON PIPE
- ⌖ FOUND IRON BAR

NOTES:

1) CLASS "B", SUBURBAN SURVEY
2) SOURCE OF TITLE: DEED BOOK 5482, PAGE 251
   DEED BOOK 5787, PAGE 328

LOT CONSOLIDATION SURVEY PLAN

PREPARED FOR

IGLESIA PENTECOSTAL BETHEL DELAWARE, INC.

FOR PROPERTY KNOWN AS
803, 805 & 807 S.E. FRONT ST.
SITUATED IN
CITY OF MILFORD, SUSSEX COUNTY, STATE OF DELAWARE
AREA: 35,211 SQ. FT.
SCALE: 1" = 30'
DATE: DECEMBER 12, 2022

IGLESIA PENTECOSTAL BETHEL DELAWARE

805 SE FRONT STREET

MILFORD, DELAWARE 19963

September 29, 2023

Dear Sirs,

We are looking to obtain a "conditional use" for the property recently purchased by our church at 807 S.E. Front Street, Milford Delaware. The purpose of our petition is to consolidate the three lots into one as shown in the "lot consolidation survey plan" submitted with this application.

We considered purchasing land outside of the city of Milford that would allow us to build a church that would accommodate our growing congregation but realizing that over 50 percent of our members live within walking distance of our current church we decided to plan for renovations that would serve our members without imposing on them undue travel or inconvenience.

Our schedule of services will not change from our current one which is:

Sundays from 12 noon to 2:00 pm

Wednesdays from 8 pm to 9:30 pm

Fridays from 8 pm to 10 pm

Saturdays from 8 am to 11:30 am

We hope to make improvements to our current building within the next 3 years and consolidating our three lots would help us meet the required City, County and State prerequisites for those improvements.

We thank you in advance for your consideration.

Sincerely

Celso Rene Lopez Gomez

Pastor

ARTICLE III - Use and Area Regulations

§ 230-9. - R-1 Single-Family Residential District.

In an R-1 District no building or premises shall be used and no building shall be erected or altered which is arranged, intended or designed to be used except for one or more of the following uses and complying with the requirements so indicated.

A. Purpose. The intent of the R-1 Residential District is to preserve the spacious residential atmosphere and quality of living of existing low-density residential development, to provide for the orderly and appropriate development of new low-density housing and to allow related uses that would not be detrimental to the residential character of the district.

B. Permitted uses. Permitted uses for the R-1 District shall be as follows:

(1) A single-family detached residential dwelling.

(2) Farming, agricultural activities and roadside stands for the sale of farm and nursery products produced on the property where offered for sale.

(3) Municipal and public services and facilities, including City Hall, water storage towers, water reservoirs, water pumping stations, water treatment plants, sewage pumping stations, sewers (storm and sanitary), street rights-of-way, utility transmission and distribution lines, public transportation bus or transit stops, police and fire stations and substations for electric, gas and telephone facilities.

(4) Parks, playgrounds, athletic fields, recreation buildings, swimming pools and community centers operated on a noncommercial basis for recreation purposes.

(5) Customary residential accessory uses, such as private garages, swimming pools~~, and~~ storage sheds, **and small scale solar & wind energy systems** may be located in any required side or rear yard provided:

(a) The primary residence must exist or be under construction.

(b) All such buildings in the aggregate shall not occupy more than 30 percent of the area of the required rear and side yard.

(c) An accessory structure may not dominate in area, extent or purpose to the principal use or structure. The area of the principal structure shall be calculated using the definition of floor area in this chapter with the inclusion of attached garages.

(d) Such buildings shall be setback five feet from any lot line and shall not be located less than five feet from a principal structure.

(e) Accessory small scale solar & wind energy systems which are attached to a principal structure or other accessory structure must meet the area regulations for principal structures and accessory structures outlined in this Chapter.

~~**(6) Chicken Hens. The keeping of chickens at single-family detached dwellings and single-family semi-detached separately owned dwellings are permitted provided the following conditions are met.**~~

~~**(a) No more than four chicken hens shall be kept per property.**~~

~~**(b) Keeping of roosters shall be prohibited.**~~

~~(c) Slaughtering of chickens shall be prohibited.~~

~~(d) All chicken hens shall be housed in a roofed coop that is stationary, secure and enclosed in a way that contains the chickens.~~

~~(e) The minimum coop size shall be three square feet per chicken. The maximum overall coop size shall not exceed 20 square feet.~~

~~(f) An outside run is permitted when attached to the coop.~~

~~(g) If an outside run is provided, it shall be no bigger than 10 square feet per chicken and shall be enclosed in a way that contains the chickens.~~

~~(h) The coop and outside run shall be constructed in a rear yard and shall not be within 30 feet of any main building on an adjacent lot.~~

~~(i) All coops and runs are subject to setbacks for accessory structures.~~

~~(j) All coops and runs shall be screened from the view at ground level from adjacent lots by using fencing, landscaping, or a combination thereof.~~

~~(k) Chickens shall be registered with the Delaware Department of Agriculture.~~

~~(l) A building permit shall be required for the construction of the coops and outside runs.~~

(7~~6~~) Home occupational/office (subject to the following special requirements):

(a) The business activity shall be compatible with the residential zoning of the property and surrounding uses.

(b) The use is carried on entirely by the inhabitants of the dwelling, and shall employ no employees other than family members residing in the dwelling.

(c) The use does not involve any customer, client, or patient visits, whether vehicular or pedestrian, to the dwelling.

(d) Such use involves no pickup, delivery, or removal functions to or from the premises in excess of those normally associated with the residential use.

(e) There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.

(f) There shall be no outside appearance of a business use, including, but not limited to, parking, signs or lights.

(g) The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference detectable to normal senses beyond the property in excess of levels customarily generated by a residential use.

(h) The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.

(i) The business activity shall only be conducted within the dwelling and the floor area devoted to such use shall not exceed 30 percent of the total floor area for the principal residential structure.

(j) As long as all other criteria is met, more than one home occupation shall be permitted per lot or dwelling.

(k) The practice of a home occupation shall be conducted entirely within the dwelling which is the bona fide residence and under ownership of the principal practitioner or contained entirely within an accessory building and located on the same lot as the dwelling.

(l) There shall be no change in the exterior appearance of the dwelling, any accessory building and/or the lot, which would cause the premises to differ from its residential character.

(m) There shall be no storage or use upon the premises (beyond normal household use) of toxic, explosive, polluting, dangerous, or other substances defined as hazardous by DNREC, or through applicable regulations.

(n) There shall be no unenclosed exterior storage of material or refuse resulting from the home occupation.

(o) Prohibited minor home occupations. Minor home occupations shall not include the following uses:

[1] Animal shelter, commercial kennel or veterinary office;

[2] Rooming or boarding home;

[3] Bed and Breakfast;

[4] Funeral home;

[5] Restaurant;

[6] Outdoor café;

[7] Club or lodge;

[8] Medical or dental office;

[9] Retail shop;

[10] Rental business;

[11] Furniture stripping;

[12] Auto or small engine repair;

[13] Painting of vehicles, trailers, or boats;

[14] Manufacturing, repairing or other mechanical work performed in connection with the home occupation performed in any outdoor area;

[15] Private school with organized classes; private schools are defined as any building or groups of buildings, the use of which meets state requirements for elementary, secondary or higher education and which does not secure the major part of its funding from any governmental agency;

[16] Welding shop;

[17] Other uses of similar character to those listed above.

(8~~7~~) Family day care home. An occupied residence in which a person provides care for children other than his/her own family and the children of close relatives for compensation. Such care in a family day care home is limited to that care given to six or fewer children with a maximum of three children allowed for after school care. Such child care facility shall be permitted as an accessory use.

(9) Group Home, for the care of disabled or elderly persons.

(10) Model home (Sample Home)/Sales Office

(11) Short-term Rental.

(a) The structure rented must be a legal residential unit in the zoning district either as the principal dwelling, a room or area within said dwelling, or an approved accessory dwelling unit. In no case shall a tent, recreational vehicle, or travel trailer be used as a short-term rental.

(b) The primary unit shall remain owner occupied.

(c) Trash service requested from the property cannot be increased as part of this use.

(d) No more than one listing can occur per property and must be habitable space as defined by this chapter.

C. Conditional uses subject to special regulations. The following uses may be permitted with the approval of a conditional use permit by the Milford City Council in accordance with the provisions in Article IX of this chapter:

(1) Churches and other places of worship and cemeteries.

(2) Public and private elementary, junior or senior high schools.

(3) Day-care facilities, including large family day cares involving more than six children.

(4) Conversion of a one-family dwelling into multiple dwelling units, if such dwelling is structurally sound but too large to be in demand for one-family use and if that conversion would not impair the character of the neighborhood, subject to conformance with the following requirements:

(a) There shall be a lot area of at least 2,000 square feet for each unit to be accommodated.

(b) There shall be a gross leasable floor area, computed as the sum of those areas enclosed by the outside faces of all exterior walls surrounding each story used for the residence, exclusive of any area for any accessory private garage, of at least 500 square feet per family to be accommodated.

(c) Fire escapes and outside stairways leading to a second or higher story shall, where practicable, be located on the rear of the building and shall not be located on any building wall facing a street.

(5) Accessory dwelling units. Accessory dwelling units include accessory apartments and accessory cottages and are subject to the following requirements;

(a) One dwelling unit on the property shall be owner-occupied. A notice and declaration of land use restriction to this effect shall be signed and recorded prior

to issuance of a certificate of use and/or building permit for the accessory dwelling unit.

(b) Only one accessory dwelling unit (either apartment or cottage) shall be permitted per property.

(c) Accessory Apartments.

[1] Accessory apartments are only permitted within single-family detached dwellings.

[2] The floor area of an accessory apartment shall not exceed 35% of the single-family detached dwelling.

(d) Accessory Cottages.

[1] An accessory cottage shall contain at least 220 square feet of floor area. The floor area of an accessory cottage shall not exceed 40% of the floor area of the single-family detached dwelling to which it is accessory or 1,200 square feet, whichever is greater.

[2] For an accessory cottage which will be a new structure, the exterior materials, roof form, and window spacing and proportions of the accessory cottage shall approximate those of the existing or proposed single-family detached dwelling.

[3] For an accessory cottage located within an existing garage or other outbuilding, the structure is not required to approximate the exterior features of the existing single-family detached dwelling, but any exterior modification should be consistent with the architectural style of that structure unless the building is upgraded per the requirements for new structures.

[4] Accessory cottages shall comply with the principal structure setbacks for the respective zoning district, unless the accessory cottage is located within an existing garage or other outbuilding, for which the structure must meet the accessory structure setbacks for the respective zoning district.

(6) Major Home Occupation. A home occupation that does not meet one or more of the criteria for a minor home occupation shall be defined as a major home occupation and subject to the following requirements:

(a) Major home occupations shall be permitted only in single-family detached dwellings or an accessory structure to a single-family detached dwelling

(b) The area used for a major home occupation shall not exceed 30 percent or 600 square feet of the total floor area of the principal residential structure or accessory structure.

(c) No more than one person, other than resident members of the immediate family may be employed or subcontracted at the residence. Use of nonresident employees must have prior approval from City Council.

(d) No more than two clients at any one given time shall be permitted to visit the premises to conduct business related to the major home occupation.

(e) No articles shall be sold or offered for sale except those produced on the premises. Such sales must have prior approval from City Council.

(f) Where employees or customer visits are anticipated, off-street parking shall be provided in a sufficient capacity to prevent interference with normal residential parking in the neighborhood. Minimum off-street parking shall apply as outlined in Article IV Off-street Parking and Loading Standards.

(g) Beauty parlors and barber shops may be permitted as a major home occupation provided that no more than two stylist or barber chairs are provided and all other provisions of this ordinance are met.

(h) Instructional services may be permitted as a major home occupation provided that a maximum of three students may be instructed at any one time, and there shall be no more than two trips per hour.

(i) The practice of a home occupation shall be conducted entirely within the dwelling which is the bona fide residence and under ownership of the principal practitioner or contained entirely within an accessory building and located on the same lot as the dwelling.

(j) There shall be no change in the exterior appearance of the dwelling, any accessory building and/or the lot, which would cause the premises to differ from its residential character.

(k) The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference detectable to normal senses beyond the property in excess of levels customarily generated by a residential use.

(l) Deliveries from major commercial suppliers which may be disruptive to the neighborhood shall not be made between the hours of 8:00 pm prevailing time and 8:00 am prevailing time.

(m) There shall be no storage or use upon the premises (beyond normal household use) of toxic, explosive, polluting, dangerous, or other substances defined as hazardous by DNREC, or through applicable regulations.

(n) There shall be no unenclosed exterior storage of material or refuse resulting from the home occupation.

(o) All commercial vehicles shall be parked on the same lot as the home occupation, and only one commercial vehicle may be parked outside of a garage, enclosed structure, or screened parking space within the lot boundaries. Such a commercial vehicle shall have no more than two axles. There shall be not storage of tractor-trailers on the lot on which the home occupation is located.

(p) Prohibited major home occupations. Major home occupations shall not include the following uses:

[1] Animal shelter, commercial kennel or veterinary office;

[2] Rooming or boarding home;

[3] Bed and Breakfast;

[4] Funeral home;

[5] Restaurant;

[6] Outdoor café;

[7] Club or lodge;

[8] Medical or dental clinic (two or more doctors or dentists);

[9] Retail shop;

[10] Rental business;

[11] Furniture stripping;

[12] Auto or small engine repair;

[13] Painting of vehicles, trailers, or boats;

[14] Manufacturing, repairing or other mechanical work performed in connection with the home occupation performed in any outdoor area;

[15] Private school with organized classes; private schools are defined as any building or groups of buildings, the use of which meets state requirements for elementary, secondary or higher education and which does not secure the major part of its funding from any governmental agency;

[16] Welding shop;

[17] Other uses of similar character to those listed above.

(7) Social club or fraternal, social service, union or civic organization.

(8) Cultural facilities, including a library, museum or art gallery.

(9) Country club, regulation golf course, including customary accessory uses, provided that all buildings have a minimum setback of 120 feet from all street and property lines.

(10) Planned unit development, see requirements in Chapter 230-19.9.

(11) Bed-and-breakfast, subject to the following requirements:

(a) The bed-and-breakfast establishment does not adversely affect the residential character of the neighborhood and such use is carried on in an existing residential structure.

(b) The building proposed for use as a bed-and-breakfast must have the owner of the bed-and-breakfast residing in the building as his/her principal residence.

(c) The serving of meals shall be limited to breakfast and afternoon tea for overnight guests and customers.

(d) Rooms used for sleeping shall be part of the primary residential structure and shall not have been specifically constructed for rental purposes.

(e) No exterior alterations other than a sign and those required by law to ensure the safety of the structure shall be made.

(f) The bed-and-breakfast operation shall not use more than 50% of the floor area of the principal residence. Common areas such as the kitchen, foyer, living room or dining room are not included in this calculation.

(g) No areas shall be floodlit. Drives and parking areas shall not be illuminated by lighting fixtures higher than 20 feet. Sidewalks shall not be illuminated by lighting fixtures higher than 15 feet. Exterior lighting shall be ~~so~~ shaded as to prevent illumination off-site. All external lighting, except for demonstrated security needs, shall be extinguished by 10:00 p.m.

(12) Funeral Home or undertaker

(13) Group Home, other than for the care of disabled and elderly persons.

(a) The lot on which the group home is proposed shall not be located within 500 feet of a lot on which another group home is located.

(b) All required state licenses and permits for such a facility shall be obtained prior to the issuance of a Certificate of Occupancy for said use and shall be maintained as current throughout the period of such usage as a group home.

(c) Floor plans and a plot plan shall be submitted with the application.

(d) No alteration, addition, or other structural change to the interior or the exterior of any single-family building in which a group home is proposed to be located shall be permitted is such alteration, addition, or other structural change would alter the essential single-family character of the building.

(14) Emergency shelter facility.

(a) The lot on which an emergency shelter facility is located shall not be within 500 feet of a lot on which another emergency shelter facility or group home is located.

(b) All state licenses and permits for such a facility have been obtained.

D. Area regulations.

(1) Minimum lot area shall be 10,000 square feet. Minimum interior lot shall be 10,000 square feet. Minimum corner lot shall be 13,000 square feet.

(2) Maximum lot coverage shall be 40%.

(3) Minimum lot width shall be 80 feet.

(4) Height of buildings shall not exceed 35 feet. Accessory buildings **or structures** shall not exceed 15 feet in height.

(5) Minimum front yard setback line shall be 25 feet.

(6) Minimum rear yard shall be 25 feet. For corner lots the rear yard may be reduced 20% in depth to allow for skewing of a residential dwelling on the lot.

(7) Side yards shall be provided as follows: each lot shall have two side yards with a minimum of 12 feet each.

(8) Parking shall comply with the requirements provided in Article IV of this chapter.

(9) Signs shall comply with the requirements provided in Article VI of this chapter.

(10) Landscape screening shall comply with the requirements provided in Article V of this chapter.

(11) Open space and recreational requirements shall comply with Chapter 230-19.7.

(12) Accessory structures for non-residential uses in aggregate shall occupy no more than 30 percent of the required rear and side yard of the lot area and may not dominate in area, extent or purpose to the principal use or structure. The area of the principal structure shall be calculated using the definition of floor area in this chapter.

(13) Accessory structures for non-residential uses shall be located in the side and rear lot areas.

(14) Accessory structures for non-residential uses shall meet the principal use setbacks and shall not be located less than 5 feet from a principal structure.

§ 230-10. - R-2 Residential District.

In an R-2 District no building or premises shall be used and no building shall be erected or altered which is arranged, intended or designed to be used except for one or more of the following uses and complying with the requirements so indicated.

A. Purpose. The purpose of the R-2 District is to permit housing at a greater density than in the R-1 District by providing for the orderly development of low- to medium-density residential housing into those areas where public services are available. This district also allows for professional home occupations. Finally, it protects existing developments of this nature and excludes noncompatible ones.

B. Permitted uses: **Permitted uses of the R-2 District shall be as follows:** ~~all permitted uses in the R-1 District.~~

(1) All permitted uses in an R-1 District.

(2) Single-family semidetached dwelling.

C. Conditional uses: all uses specified as conditional uses in the R-1 District subject to its area regulations, ~~and the following uses~~ may be permitted with the approval of a conditional use permit by the Milford City Council in accordance with Article IX of this chapter:

~~(1) Single-family semidetached dwelling.~~

D. Area regulations.

(1) For permitted uses and single-family semidetached dwellings not separately owned:

(a) Minimum interior lot area shall be 8,000 square feet and minimum corner lot area shall be 13,000 square feet.

(b) Maximum lot coverage shall be 40%.

(c) Minimum lot width shall be 80 feet.

(d) Height of buildings shall not exceed 35 feet. Accessory buildings shall not exceed 15 feet in height.

(e) Minimum front yard setback line shall be 30 feet.

(f) Minimum rear yard setback shall be 15 feet. For lower lots the rear yard may be reduced 20% in depth to allow for the skewing of a residential dwelling on its lot.

(g) Side yards shall be provided as follows: each lot shall have two side yards a minimum width of eight feet on each side.

(2) For single-family semidetached dwellings separately owned:

(a) Minimum interior lot area shall be 4,000 square feet and minimum corner lot area shall be 6,500 square feet.

(b) Maximum lot coverage shall be 40%.

(c) Minimum lot width shall be 40 feet.

(d) Height of buildings shall not exceed 35 feet. Accessory buildings shall not exceed 15 feet in height.

(e) Minimum front yard setback line shall be 30 feet.

(f) Minimum rear yard setback shall be 15 feet. For lower lots the rear yard may be reduced 20% in depth to allow for the skewing of a residential dwelling on its lot.

(g) Side yard shall be provided as follows: each lot shall have one side yard a minimum width of eight feet.

(3) Parking shall comply with the requirements provided in Article IV of this chapter.

(4) Signs shall comply with the requirements of Article VI of this chapter.

(5) Landscape screening shall comply with the requirements of Article V of this chapter.

(6) Open space and recreational amenities shall comply with Chapter 230-19.7.

(7) Accessory structures for non-residential uses in aggregate shall occupy no more than 30 percent of the required rear and side yard of the lot area and may not dominate in area, extent or purpose to the principal use or structure. The area of the principal structure shall be calculated using the definition of floor area in this chapter.

(8) Accessory structures for non-residential uses shall be located in the side and rear lot areas.

(9) Accessory structures for non-residential uses shall meet the principal use setbacks and shall not be located less than 5 feet from a principal structure.

§ 230-11. - R-3 Garden Apartment and Townhouse District.

In an R-3 District no building or premises shall be used and no building shall be erected or altered which is arranged, intended or designed to be used except for one or more of the following uses and complying with the requirements so indicated.

A. Purpose. The purpose of the R-3 District is to provide for the orderly development of existing and proposed medium- to high-density residential areas where adequate public facilities exist. The district will permit development of garden-type apartments as well as townhouses that will yield high densities in selected areas, multifamily dwellings and a variety of housing types.

B. Permitted uses. Permitted uses for the R-3 District shall be as follows:

CITY OF MILFORD
NOTICE OF PUBLIC HEARINGS

Planning Commission Hearing: Tuesday, November 21, 2023 @ 6:00 p.m.
City Council Hearing: Monday, November 27, 2023 @ 6:00 p.m.

NOTICE IS HEREBY GIVEN that the proposed Ordinance is currently under review by the City of Milford Planning Commission and City Council. City Council has the option to approve or deny the application. By not adopting the ordinance, City Council will deny the application. By adopting the ordinance, City Council will approve the application and the reason for the language being written in the affirmative.
This form of writing is not used to influence any decision of City Council:

ORDINANCE 2023-47
Conditional Use Application of Iglesia Pentecostal Bethel Delaware, Inc.
0.808 +/- acres of land located along the north side of
SE Front Street approximately 55 feet east of the Charles Street intersection
Address: 803, 805 & 807 SE Front Street
Comprehensive Plan Designation: Low Density Residential
Zoning District: R-2 (Residential District)
Present Use: Church (095.00), Church Parking (094.00),
Former Single-family Dwelling (096.00)
Proposed Use: Church with associated parking
Tax Parcel: 3-30-7.17-094.00, 3-30-7.17-095.00 & 3-30-7.17-096.00

WHEREAS, the owners of the property as above described herein have petitioned the City of Milford for a Conditional Use to construct an accessory dwelling; and

WHEREAS, the City of Milford Planning Commission will consider the application at a Public Hearing on November 21, 2023; and

WHEREAS, Milford City Council will hold a Public Hearing on November 27, 2023 to allow for public comment and further review of the ordinance; and

WHEREAS, it is deemed in the best interest of the City of Milford to approve the Conditional Use, as herein described.

NOW, THEREFORE, the City of Milford hereby ordains as follows:

Section 1. Chapter 230-9(C)(5) states accessory dwellings are allowed upon conditional use approval from City Council subject to conditions.

Section 2. Following adoption of Ordinance 2023-47, and upon the effective date, Iglesia Pentecostal Bethel Delaware, Inc. is hereby granted a Conditional Use to construct a church with associated parking at 803, 805 & 807 SE Front Street.

Section 3. Construction or operation shall commence within one year of the date of issuance of the permit otherwise the conditional use becomes void.

Section 4. Dates.
Planning Commission Review & Public Hearing: November 21, 2023
City Council Introduction: November 13, 2023
City Council Public Hearing: November 27, 2023
Effective: Ten Days following Adoption

For additional information, please contact Rob Pierce in the Planning & Zoning Department either by e-mail at RPierce@milford-de.gov or by phone at 302.424.8396.

Advertised: Delaware State News 10/31/2023

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Advertised: Delaware State News 10/31/2023

FINANCE DEPARTMENT
10 SE Second Street
Milford, DE 19963

PHONE 302.424.5140
FAX 302.424.5932
www.cityofmilford.com

To: Mayor and City Council
Cc: Mark Whitfield, City Manager; Finance Department
From: Louis C. Vitola, Finance Director
Date: November 27, 2023
Re: Financial Reporting Package – October 2023

The Financial Reporting Package for the FYTD period ended October 31, 2023 is enclosed. The executive summary below highlights this month's notable developments. The "Quick Reference" section of this memo recaps key financial highlights and changes planned in FY24 to help shorten the executive summaries.

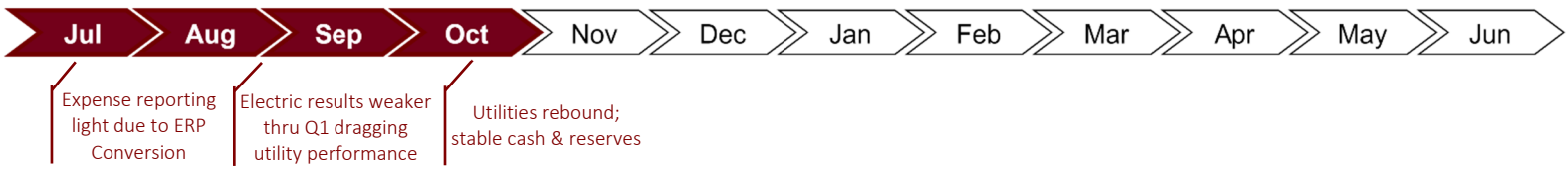
Operating cash balances rebounded last month, driven by property tax receipts in the general fund. Tax collections and cash postings invariably spill into October each year. Reserve cash balances remained stable, as investment returns partially mitigated the cash outflows of $137k related to capital spending. Special purpose and permit/fee related cash balances were higher in each of the last two months on receipts that outstripped funding needs. As capital projects continue, special purpose cash and reserves will be consumed.

The utility funds were strong in October; results are positive compared to the FY24 seasonalized budget, though lagging versus the first four months of FY23. Electric revenue was seasonally weak on milder weather versus summer 2022, resulting in the shortfall versus the same period last fiscal year. Further, O&M was unseasonably low last year, exacerbating the comparison between FY23 and FY24, while payroll expenses are naturally higher in FY24. Typically, when the summer season kicks off the fiscal year with light results, the variance persists throughout the fiscal year, but October's results are promising.

The general fund is ahead of the seasonalized FY24 budget but behind FY23 results for the same period. Capital spending is greater in the first several months this year than last, while personnel expenses are contributing to the variance, as staffing levels hadn't quite normalized completely by October 2022. Higher revenue from permits and fees as well as a higher transfer from utilities helped to partially offset the shortfall. And despite the mixed negative variance across departments versus FY23, the total results versus the seasonalized budget through October reflect improvement in the general fund since last month.

Quick Reference for FY24 Financial Developments and Report Upgrades

Recap FY24 Financial Highlights



Summary of Planned Reporting Changes

- Addition of consolidated balance sheet
- Frequency of ARPA Appendix to quarterly after the September report

Financial Reporting Package

As of and For the Period Ended October 31, 2023

Net Cash and Funding Availability Summary *(in thousands)*

Cash & Investment Balance Rollforward

Restricted Cash Reserves Report

Enterprise Funds YTD Revenue & Expenditure Report

General Fund YTD Revenue & Expenditure Report

Appendix: Milford Police Facility Project Spending vs Budget

Legacy Revenue Report with MTD & YTD vs Annual Budget

Legacy Expenditure Report with MTD & YTD vs Annual Budget

Legacy Interservice Department Cost Allocation

City of Milford, Delaware

Net Cash and Funding Availability Summary *(in thousands)* [1]

For the Period Ended October 31, 2023

Operating Cash Balances

▼ *Marks Ref Closing Bal* [3]

Description	Opening Balance (Sep 30, 2023)		Closing Balance (Oct 31, 2023)	Projected Cashflows	Commitments & Restrictions	Minimum Cash Requirement/ERR	Uncommitted / Unrestricted
General Fund	$ 4,709	↑	$ 7,053	$ 58	$ (487)	$ (1,509)	$ 5,115
Electric Fund	3,784	→	3,949	112	(1,278)	(1,652)	1,131
Water Fund	3,813	→	3,911	80	(2,199)	(294)	1,498
Sewer Fund	2,442	→	2,424	48	(1,629)	(205)	638
Solid Waste Fund	428	↑	485	8	(132)	(190)	172
Operating Cash Totals [3]	**$ 15,175**	●	**$ 17,822**	**$ 306**	**$ (5,725)**	**$ (3,849)**	**$ 8,554**

Federal, State and Other Special Purpose Cash Balances

Description	Opening Balance (Sep 30, 2023)		Closing Balance (Oct 31, 2023)	Projected Cashflows	Commitments & Restrictions	Minimum Cash Requirement/ERR	Uncommitted / Unrestricted
General Improvement	$ 1,403	→	$ 1,408	$ -	$ (1,408)	$ -	$ -
Municipal Street Aid (MSA)	660	→	662	-	(662)	-	-
Realty Transfer Tax (RTT)	754	→	802	5,544	(4,165)	(1,280)	901
Economic Development	515	→	515	89	(419)	-	185
Lodging Tax Fund	645	→	651	99	(750)	-	-
ARPA Grant Fund	441	→	431	-	(431)	-	-
Special Purpose Cash Totals [3]	**$ 4,417**	●	**$ 4,470**	**$ 5,731**	**$ (7,836)**	**$ (1,280)**	**$ 1,086**

Reserve Fund Cash Balances [1]

Description	Opening Balance (Sep 30, 2023)		Closing Balance (Oct 31, 2023)	Projected Cashflows	Commitments & Restrictions	Minimum Cash Requirement/ERR	Uncommitted / Unrestricted
General Fund Capital Reserves	$ 2,022	→	$ 1,954	$ 2,935	$ (4,613)	$ (249)	$ 27
Water Fund Capital Reserves	2,030	→	1,991	2,199	(1,333)	(2,758)	98
Sewer Fund Capital Reserves	4,459	→	4,468	1,629	(1,782)	(3,887)	428
Solid Waste Fund Capital Reserves	127	→	127	140	(227)	(40)	1
Electric Fund Capital Reserves [2]	12,309	→	12,353	3,778	(7,646)	(7,018)	1,467
Operating Cash Totals [3]	**$ 20,947**	●	**$ 20,893**	**$ 10,681**	**$ (15,601)**	**$ (13,952)**	**$ 2,021**

Impact Fees and Police/General Facilities Cash Balances

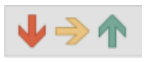
Description	Opening Balance (Sep 30, 2023)		Closing Balance (Oct 31, 2023)	Projected Cashflows	Commitments & Restrictions	Minimum Cash Requirement/ERR	Uncommitted / Unrestricted
Police & General Gov't Facilities	$ 516	→	$ 526	$ 73	$ (599)	$ -	$ -
Carlisle Fire Co Permit Fund	721	→	724	24	(748)	-	-
Parks & Recreation Facilities	152	→	152	-	(152)	-	-
Water Impact Fee Reserves	5,526	→	5,557	246	(5,803)	-	-
Sewer Impact Fee Reserves	3,144	→	3,162	145	(3,306)	-	-
Electric Impact Fee Reserves	1,240	→	1,245	38	(1,283)	-	-
Impact Fees & Police/GF Totals [3]	**$ 11,299**	●	**$ 11,365**	**$ 526**	**$ (11,891)**	**$ -**	**$ -**

Grand Totals [3]	**$ 51,838**	✓	**$ 54,550**	**$ 17,245**	**$ (41,053)**	**$ (19,081)**	**$ 11,661**

[1] New report merges Cash Roll (p.2) and Restricted Reserves (p.3) into one single reference for net funds available after commitments & restrictions.

[2] Realty Transfer Taxes (RTT) and Electric Fund Reserves totaling $7.5 million are being temporarily consumed to offset interest costs associated with the PD Facility construction. The recovery of the funds through project financing is reflected in the Projected Cashflows columns for RTT and Electric ($5 million and $2.5 million, respectively).

[3] Closing Balance Indicator sets ***Red,*** ***Yellow*** and ***Green*** signify month-to-month cash variance as follows:



-10% ≤ Variance ≤ 10%



-5% ≤ Variance ≤ 5%



-2.5% ≤ Variance ≤ 2.5%

City of Milford, Delaware

Cash and Investment Balance[1] Rollforward

For the Period Ended October 31, 2023

Operating Cash Balances

▼*Marks Ref Closing Bal*[5]

Description	Opening Balance (Sep 30, 2023)	Receipts	Interest Earned[4]	Disbursements	Closing Balance (Oct 31, 2023)
General Fund[2]	$ 4,708,892	$ 2,705,494	$ 6,690	$ (368,220)	$ 7,052,856
Electric Fund	3,784,071	2,678,502	4,399	(2,517,810)	3,949,161
Water Fund	3,812,550	202,589	4,393	(108,911)	3,910,621
Sewer Fund	2,441,807	259,390	2,768	(279,912)	2,424,053
Solid Waste Fund	427,519	146,275	519	(88,879)	485,435
Operating Cash Totals[5]	**$ 15,174,840**	**$ 5,992,249**	**$ 18,769**	**$ (3,363,732)**	**$ 17,822,127**

Federal, State and Other Special Purpose Cash Balances

Description	Opening Balance (Sep 30, 2023)	Receipts	Interest Earned[4]	Disbursements[3]	Closing Balance (Oct 31, 2023)
General Improvement	$ 1,402,932	$ -	$ 5,554	$ -	$ 1,408,486
Municipal Street Aid (MSA)	659,756	-	2,612	-	662,368
Realty Transfer Tax (RTT)	753,690	62,083	3,074	(16,667)	802,180
Economic Development	515,247	-	-	-	515,247
Lodging Tax Fund	644,776	5,892	-	-	650,668
ARPA Grant Fund[3]	440,599	-	-	(9,400)	431,199
Special Purpose Cash Totals[5]	**$ 4,416,999**	**$ 67,976**	**$ 11,240**	**$ (26,067)**	**$ 4,470,148**

Reserve Fund Cash Balances

Description	Opening Balance (Sep 30, 2023)	Receipts	Interest Earned[4]	Disbursements[3]	Closing Balance (Oct 31, 2023)
General Fund Capital Reserves	$ 2,021,863	$ -	$ 7,856	$ (75,336)	$ 1,954,383
Water Fund Capital Reserves	2,030,069	-	7,943	(47,510)	1,990,502
Sewer Fund Capital Reserves	4,459,459	-	17,636	(9,471)	4,467,624
Solid Waste Fund Capital Reserves	126,977	-	503	-	127,479
Electric Fund Capital Reserves[2]	12,308,612	-	48,722	(4,500)	12,352,834
Reserve Fund Cash Totals[5]	**$ 20,946,980**	**$ -**	**$ 82,659**	**$ (136,817)**	**$ 20,892,822**

Impact Fees and Police/General Facilities Cash Balances

Description	Opening Balance (Sep 30, 2023)	Receipts	Interest Earned[4]	Disbursements	Closing Balance (Oct 31, 2023)
Police & General Gov't Facilities[3]	$ 516,432	$ 9,128	$ -	$ -	$ 525,560
Carlisle Fire Co Permit Fund	720,788	3,043	-	-	723,830
Parks & Recreation Facilities	151,700	-	-	-	151,700
Water Impact Fee Reserves	5,526,191	30,758	-	-	5,556,950
Sewer Impact Fee Reserves	3,143,663	18,077	-	-	3,161,741
Electric Impact Fee Reserves	1,239,990	4,800	-	-	1,244,790
Impact Fees & Police/GF Totals[5]	**$ 11,298,765**	**$ 65,806**	**$ -**	**$ -**	**$ 11,364,571**

Grand Totals[5]	**$ 51,837,585**	**$ 6,126,031**	**$ 112,668**	**$ (3,526,616)**	**$ 54,549,668**

[1]Balances are not indicative of funding availability; see enclosed Restricted Cash Reserves and Net Cash & Funding Availability Reports for detail.

[2]General Fund Operating Cash (Row 3) rebounded with tax receipts as expected with tax receipts in September and October.

[3]$9k in ARPA funding (Line 16) is related to water infrastructure. $137k disbursed from reserves (lines 20-24) is attributable to the ERP project, ongoing CIP projects and budgeted equipment purchases.

[4]Investments with PFM total $30.1 million and consist of total reserves (line 25), impact fees (lines 31-33), and special purpose funds (lines14-15).

[4]Closing Balance Indicator sets ***Red,*** ***Yellow*** and ***Green*** signify month-to-month cash variance as follows:



-10% ≤ Variance ≤ 10%



-5% ≤ Variance ≤ 5%



-2.5% ≤ Variance ≤ 2.5%

City of Milford, Delaware

Restricted Cash Reserves Report

As of October 31, 2023

General Fund Capital Reserves		Amount
Cash/Investment Balance (10/31/23)	$	1,946,527
Expected Contributions & Interest		934,913
Restricted Funds:		
Vehicle & Equipment Replacement		(640,677)
Street Repair		(1,115,364)
Parking Enhancements		(320,000)
Parkland, Trails & Recreation		(870,976)
Other Proj, Incl MCC Design		(668,196)
OpEx Support (PD R/M)		(998,036)
Support Policy with RTT[1]		2,000,000
Reserve (MCR) Policy[6]		-
Equipment Replacement Reserve[2]		(248,870)
Uncommitted Reserve Balance	**$**	**19,321**

Water Fund Capital Reserves		Amount
Cash/Investment Balance (10/31/23)	$	1,982,559
Expected Contributions & Interest		2,198,753
Restricted Funds:		
Vehicle & Equipment Replacement		(136,859)
Street-Utility Engineering/Infra		(606,000)
		-
Milford Business Campus		-
Reserve-Funded Projects		(590,349)
Reserve (MCR) Policy[3,6]		(2,607,752)
Equipment Replacement Reserve[3]		(150,545)
Uncommitted Reserve Balance	**$**	**89,806**

Sewer Fund Capital Reserves		Amount
Cash/Investment Balance (10/31/23)	$	4,449,988
Expected Contributions & Interest		1,629,122
Restricted Funds:		
Sewer Vehicles & Equipment		(48,112)
Citywide Projects & Engineering		(2,869)
Utility Engineering		-
Reserve-Funded Projects		(1,730,721)
Reserve (MCR) Policy[3,6]		(3,834,077)
Equipment Replacement Reserve[3]		(52,923)
Uncommitted Reserve Balance	**$**	**410,408**

Electric Fund Capital Reserves		Amount
Cash/Investment Balance (10/31/23)	$	12,304,112
Expected Contributions & Interest		3,778,489
Restricted Funds:		
Electric Vehicles & Equipment		(359,306)
Lighting & System Improvements		(584,637)
Traffic Signal Upgrades		(289,464)
Citywide Projects		(2,352,515)
Investment Policy/Rate Stability[7]		(4,060,000)
Reserve (MCR) Policy[3,6]		(6,623,223)
Equipment Replacement Reserve[3]		(395,237)
Uncommitted Reserve Balance	**$**	**1,418,221**

Solid Waste Reserves		Amount
Cash/Investment Balance (10/31/23)	$	126,977
Expected Contributions & Interest		139,924
Restricted Funds:		
Solid Waste Vehicles & Equipment[4]		(150,760)
Solid Waste Alloc of PW Projects		(76,063)
Reserve (MCR) Policy[4]		-
Equipment Replacement Reserve[4]		(39,582)
Uncommitted Reserve Balance	**$**	**496**

MSA & RTT Reserves	Amount
RTT Balance (10/31/23)	799,106
MSA Balance (10/31/23)	659,756
MSA & RTT Est Receipts thru FY24:	5,543,517
MSA: Street & Bridge Improvements	(1,190,958)
RTT: Transfer to Police Dept	(133,333)
RTT: Sidewalk Project Funding	(632,170)
MSA & RTT: 2020 Combined St-Util	(871,000)
	-
RTT: Support GF Policies[1]	(2,000,000)
RTT: Reserve Policy[5]	(1,280,031)
Uncommitted Reserve Balance	**$ 894,887**

[1]Approved GF Reserve Policies permit support from an eligible funding source; portion of RTT balance pledged to support GF Reserves for forseeable future

[2]Approved GF Reserve Policies recommend MCR of 45 days OpEx & Equip Repl Res minimum of 110% of upcoming CIP budget

[3]Approved Reserve Policies split Minimum Cash Req'd from COS study into new MCR & Equip Repl Reserve (20% of CIP)

[4]Solid Waste Reserves initiated in FY22 with seed funding from interfund loan forgiveness. Funds accumulated through FY23 used for collection equipment; 100% being reserved in FY24+.

[5]Approved Reserve Policies recommend dynamic MCR based on average of trailing-three-year RTT receipts; FY24 increase related to strong FY23 vs FY20, which fell out of T3 Avg

[6]The Days Operating Expenditures (Days OpEx) piece of MCRs reclassified from Reserve balances here to Operating Cash; the Total MCR has not changed

[7]This funding has been deployed pursuant to the City's Investment Policy to achieve rate stability and structured returns. Interest rate increases and land investments prompted a revised strategy to benefit both the electric and sewer funds over a 13-year investment horizon.

City of Milford, Delaware

Enterprise Funds: Statement of Revenues & Expenditures

For the YTD Period Ended October 31, 2023 vs Prior FYTD & Current Budget (in thousands)

	Enterprise Funds Profit & Loss (P&L) Statement	Electric	Water	Sewer	Solid Waste	Total	FY24 Total *(as % of Rev)*	FY23 Total *(as % of Rev)*
1	Operating Revenue	$ 10,265	$ 1,252	$ 1,866	$ 562	$ 13,945	100.0%	100.0%
2	Cost of Revenue[1]	(7,353)	(136)	(969)	(126)	(8,584)	-61.6%	-61.7%
3	Gross Margin	2,913	1,116	898	436	5,362	38.4%	38.3%
4	Operating Expenses							
5	Operations & Maintenance	(750)	(353)	(440)	(267)	(1,810)	-13.0%	-9.3%
6	Personnel	(461)	(104)	(102)	(126)	(793)	-5.7%	-6.0%
7	Total Operating Expenses	(1,211)	(457)	(542)	(393)	(2,603)	-18.7%	-15.3%
8	**Operating Income**	**$ 1,702**	**$ 659**	**$ 355**	**$ 42**	**$ 2,759**	**19.8%**	**22.9%**
9	Non-Operating Revenue (Expense)	24	-	(6)	-	18	0.1%	0.1%
10	Surplus (Deficit) for debt service & capital	1,726	659	350	42	2,777	19.9%	23.0%
11	Debt Service - Principal & Interest	-	-	(13)	-	(13)	-0.1%	-1.3%
12	Capital Spending / Contributions from (to) Reserves	(5)	(113)	(115)	-	(233)	-1.7%	-2.0%
13	Surplus (deficit) available for transfers	1,721	546	222	42	2,531	18.2%	19.7%
14	Transfers Out	(1,083)	(100)	(100)	-	(1,283)	-9.2%	-5.4%
15	**Net Surplus (Deficit) - FYTD through Oct 2023**	**$ 638**	**$ 446**	**$ 122**	**$ 42**	**$ 1,248**	**8.9%**	**14.3%**
16	***Net Surplus (Deficit) - FYTD through Oct 2022***	*$ 607*	*$ 485*	*$ 674*	*$ 94*	*$ 1,860*	*14.3%*	
17	*Current vs Prior - Favorable (Unfavorable)[2]*	*$ 30*	*$ (39)*	*$ (552)*	*$ (52)*	*$ (612)*	*-5.4%*	
18	***Net Surplus (Deficit) - Current FYTD Budget***	*$ (207)*	*$ 196*	*$ 69*	*$ 10*	*$ 68*	0.5%	
19	*Current vs Budget - Favorable (Unfavorable)[2]*	*$ 844*	*$ 250*	*$ 53*	*$ 32*	*$ 1,180*	*8.4%*	

[1]Cost of Revenue reported in the electric fund reflects wholesale cost of power and serves as an ideal revenue offset to arrive at gross margin. Cost of revenue in the water, sewer and solid waste funds are estimated based on a limited set of known, direct inputs to the cost of providing the utility services billed. Aside from Kent County sewer treatment charges, costs of revenue in the water, sewer and solid waste funds are likely understated.

[2]Comparative Indicators ***Green*** , ***Yellow*** and ***Red*** signify favorable variance greater than 5%, marginal variance within ±5%, and unfavorable variance below -5%, respectively, for departmental comparisons. Total variance carries tighter bounds of >2.5%, ±2.5% and <2.5%, while the percentage variance uses >1.0%, ±1.0% and <1.0%, respectively.

City of Milford, Delaware

General Fund: Statement of Revenues & Expenditures[1]

For the YTD Period Ended October 31, 2023 vs Prior FYTD & Current Budget (in thousands)

	General Fund Sources and Uses of Funding	Admin & Council	Public Safety	Parks & Rec	Planning & All Other	Total	FY24 Total *(as % of Rev)*	FY23 Total[2] *(as % of Rev)*
1	***Sources of Funding:***							
2	Real Estate (Property) Taxes	$ 5,679	$ -	$ -	$ -	$ 5,679	71.7%	77.9%
3	Permits, Licensing & Franchise Fees	69	-	-	153	222	2.8%	2.5%
4	Fines, Fees & Misc Revenue	18	249	-	-	267	3.4%	3.5%
5	General Revenue Subtotal	5,767	249	0	153	6,169	77.8%	83.9%
6	Utility Transfers & Cost Allocation	1,283	-	-	-	1,283	16.2%	14.9%
7	Grant Revenue	-	-	-	-	-	0.0%	0.1%
8	Application of Reserve Balances	407	67	-	-	473	6.0%	1.2%
9	General Fund Operating Support	1,690	67	0	0	1,757	22.2%	16.1%
10	**Total Sources of Funding**	**$ 7,457**	**$ 316**	**$ -**	**$ 153**	**$ 7,925**	**100.0%**	**100.0%**
11	***Uses of Funding:***							
12	Operations & Maintenance	121	412	233	211	977	12.3%	18.3%
13	Personnel	284	1,652	220	624	2,780	35.1%	40.7%
14	Total Operating Expenses	405	2,064	453	835	3,756	47.4%	59.0%
15	**Surplus (Deficit) for Debt Svc & Capital**	**$ 7,052**	**$ (1,747)**	**$ (453)**	**$ (682)**	**$ 4,169**	**52.6%**	**41.0%**
16	Debt Service - Principal & Interest	-	-	-	-	-	0.0%	0.0%
17	Capital Spending / Transfers from (to) Reserves	100	842	295	89	1,327	16.7%	2.8%
18	**Net Surplus (Deficit) - FYTD through Oct 2023**	**$ 6,951**	**$ (2,590)**	**$ (748)**	**$ (771)**	**$ 2,842**	**35.9%**	**38.2%**
19	***Net Surplus (Deficit) - FYTD through Oct 2022***	*$ 5,211*	*$ (1,755)*	*$ (431)*	*$ (627)*	*$ 2,240*	36.6%	
20	*Current vs Prior - Favorable (Unfavorable)[2]*	↑ *$ 1,740*	↓ *$ (835)*	↓ *$ (317)*	↓ *$ (144)*	↑ *$ 602*	↓ *-0.8%*	
21	***Net Surplus (Deficit) - Current FYTD Budget***	*$ 5,094*	*$ (3,304)*	*$ (531)*	*$ (1,164)*	*$ 94*	1.5%	
22	*Current vs Budget - Favorable (Unfavorable)[3]*	↑ *$ 1,857*	↑ *$ 715*	↓ *$ (217)*	↑ *$ 394*	↑ *$ 2,748*	↑ *34.4%*	

[1]This Statement presents the same general fund financial performance available in the legacy Revenue and Expenditure Reports in a one-page consolidated executive summary. The common size reporting (two rightmost columns) benefits readers in two ways; first, each line is scaled with total revenue to add context, and second, the common size format is comparable across fiscal years and budgets. This report should be considered a working draft that will be improved over time to improve its usefulness to readers.

[2]This format presents expeditures in the context of funding sources while comparing subtotals (rightmost column) and the net surplus (deficit) to the prior YTD period (rows 19 & 20)

[3]Comparative Indicators ***Green*** , ***Yellow*** and ***Red*** signify favorable variance greater than 5%, marginal variance within ±5%, and unfavorable variance below -5%, respectively, for departmental comparisons. Total variance carries tighter bounds of >2.5%, ±2.5% and <2.5%, while the percentage variance uses >1.0%, ±1.0% and <1.0%, respectively.

Appendix: Milford Police Facility Project Spending vs Budget

Project Inception through October 31, 2023

	Actual Spending by Category & Subcategory vs Budget							
Bid Category	**Awarded Contracts / Budget**	**Project Activity**	**Less: Retainage**	**Total Payable**	**PNC BAN Payments**	**Facility Fund Payments**	**General Fund Payments**	**Notes**
Pre-Construction	**$ 835,265**	**$ 738,892**	**$ -**	**$ 738,892**	**$ -**	**$ (709,221)**	**$ (29,671)**	
Design / Architecture[3]	805,594	709,221	-	709,221	-	(709,221)	-	FY19-FY23
Referendum / Administrative	29,671	29,671	-	29,671	-	-	(29,671)	FY19-FY22
Construction Management	**$ 649,392**	**$ 604,406**	**$ -**	**$ 604,406**	**$ (556,460)**	**$ -**	**$ -**	
Fixed/On-Stie Construction Mgmt: RYJ	266,260	335,241	-	335,241	(311,295)	-	-	FY23
Variable Const Mgmt Fees: RYJ	383,132	269,165	-	269,165	(245,165)	-	-	FY23
Construction: 16 Core Contracts	**$ 13,314,149**	**$ 12,822,825**	**$ 641,141**	**$ 12,181,684**	**$ (11,327,151)**	**$ -**	**$ -**	
Sitework: Zack Excavating	1,976,508	1,878,164	93,908	1,784,256	(1,695,030)	-	-	FY23 / Current
Concrete: Gullwing	293,000	293,000	14,650	278,350	(278,350)	-	-	FY23 / Current
Masonry: L. Wilson	790,000	788,500	39,425	749,075	(749,075)	-	-	FY23 / Current
Steel Work: R.C. Fabricators	868,000	856,082	42,804	813,278	(813,278)	-	-	June (FY22) - Current
Carpentry & Gen: Conventional	1,076,360	1,097,108	54,855	1,042,253	(958,694)	-	-	Sept (FY22) - Current
Roofing: Quality Exteriors	933,252	923,252	46,163	877,089	(877,089)	-	-	June (FY22) - Current
Hardware: Precision	232,231	224,367	11,218	213,149	(125,953)	-	-	Jan (FY23) - Current
Glasswork: Walker & LaBarge	183,600	173,600	8,680	164,920	(164,920)	-	-	Oct (FY22) - Current
Drywall/Stud: Peninsula	1,317,000	1,317,000	65,850	1,251,150	(1,206,398)	-	-	FY23 / Current
Acoustical: Master Interiors	259,080	235,522	11,776	223,746	(142,728)	-	-	June (FY22) - Current
Floor Covering: Tri-State	492,124	490,624	24,531	466,093	(355,418)	-	-	June (FY22) - Current
Caulk & Paint: M&S Painting	66,570	49,119	2,456	46,663	(40,298)	-	-	Feb (FY23) - Current
Casework: Modular Concepts	116,465	113,873	5,694	108,179	-	-	-	Sept (FY23)
Mechanical: J.F Sobieski	2,081,649	2,069,461	103,473	1,965,988	(1,871,173)	-	-	June (FY22) - Current
Fire Sprinkler: Bear Industries	98,780	88,780	4,439	84,341	(84,341)	-	-	FY23 / Current
Electrical: Filec Services	2,529,530	2,224,373	111,219	2,113,154	(1,964,406)	-	-	FY23 / Current
Construction: Other Activity	**$ 600,000**	**$ 93,837**	**$ -**	**$ 93,837**	**$ (23,837)**	**$ -**	**$ (23,837)**	
Technology	150,000	-	-	-	-	-	-	FY23 - Orders Placed
Furniture, Fixtures & Equip	450,000	93,837	-	93,837	(23,837)	-	(23,837)	FY23 / Current
Post-Construction / Contingencies	**$ 1,101,194**	**$ 856,108**	**$ 670,705**	**$ 185,403**	**$ (185,403)**	**$ -**	**$ -**	
Builder's Contingency[1]	520,062	340,720	340,720	-	-	-	-	Jan/Feb (FY23) - Current
Owner's Contingency[2]	581,132	515,388	329,985	185,403	(185,403)	-	-	FY22 - Current
Grand Total	**$ 16,500,000**	**$ 15,116,067**	**$ 1,311,846**	**$ 13,804,221**	**$ (12,092,851)**	**$ (709,221)**	**$ (53,508)**	

[1,2]Builder's and Owner's Contingency were established to account for anticipated but unknown project expenditures arising at the site as construction unfolded (Builder's) and a mix of known and unknown project expenditures related to project financing, permitting and administration. About $270k of Builder's Contingency arose from Jan-Feb 2023 and was presented to Council February 27, 2023.

[1]About $270k of Builder's Contingency was related to the facility's electric service emerging in Jan-Feb 2023 and was presented to Council February 27, 2023.

[2]$160k of Owner's Contingency consists primarily of interest on temporary financing and is paid monthly with loan proceeds, while about $330k is the estimated cost of the communications upgrade.

[3]BMG Contract Reconciliation reflects amounts billed against architectural contract - full design services tasks 6 & 9 only.

City of Milford, Delaware

Legacy Revenue Report: MTD and YTD Actual vs Annual Budget

For the YTD Period Ended October 31, 2023

33.3% of Year Elapsed

	Account / Function	FY24 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget
1	**General Fund:**				
2	Economic Development Fund	$ 105,860	$ 8,822	$ 35,287	33.3%
3	General Fund Reserves	1,114,525	92,877	371,508	33.3%
4	ARPA Funding - Operating Support	21,245	-	-	0.0%
5	Realty Transfer Tax - Police	200,000	16,667	66,667	33.3%
6	Real Estate Tax	5,732,358	4,205	5,679,486	99.1%
7	Business License	67,000	1,050	5,250	7.8%
8	Rental License	120,000	625	3,425	2.9%
9	Building Permits	250,000	21,860	86,730	34.7%
10	Planning & Zoning	65,000	34,557	51,806	79.7%
11	Leases and Franchise Fees	430,069	10,323	69,194	16.1%
12	Grasscutting Revenue	20,000	1,333	5,333	26.7%
13	Police Revenues	523,680	27,358	249,432	47.6%
14	Misc. Revenues	20,500	6,799	17,935	87.5%
15	Transfers In	5,221,976	320,833	1,283,333	24.6%
16	**Total General Fund Revenue**	**$ 13,892,213**	**$ 547,310**	**$ 7,925,386**	**57.0%**
17	**Enterprise Funds:**				
18	Water Fund Revenues	3,601,227	325,127	1,252,153	34.8%
19	Sewer Fund Revenues	3,271,974	265,401	1,076,696	32.9%
20	Kent County Sewer	2,533,811	190,392	789,458	31.2%
21	Solid Waste Fund Revenues	1,710,494	160,976	561,715	32.8%
22	Electric Fund Revenues	28,893,293	3,044,190	10,267,983	35.5%
23	**Total Enterprise Fund Revenue**	**$ 40,010,799**	**$ 3,986,085**	**$ 13,948,006**	**34.9%**
24	Other Enterprise Revenue	-	330	1,335	
25	Other Enterprise Expense	-	(24,329)	-	
26	**Total General & Enterprise Fund Revenue**	**$ 53,903,012**	**$ 4,509,396**	**$ 21,874,727**	**40.6%**

City of Milford, Delaware

Legacy Expenditure Report: MTD and YTD Actual vs Annual Budget

For the YTD Period Ended October 31, 2023

33.3% of Year Elapsed

	Fund / Account / Divisional Groupings	FY24 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
1	**General Fund**					
2	City Administration					
3	Personnel	$ 621,570	$ 29,550	$ 184,631	29.7%	$ 436,939
4	Operation & Maintenance (O&M)	137,511	8,509	24,202	17.6%	113,309
5	Capital	-	-	-		-
6	Subtotal: City Administration	759,081	38,060	208,833	27.5%	550,247
7	City Clerks					
8	Personnel	337,869	24,894	87,375	25.9%	$ 250,494
9	Operation & Maintenance (O&M)	81,851	622	17,297	21.1%	64,553
10	Capital	-	-	-		-
11	Subtotal: City Clerks	419,720	25,516	104,673	24.9%	315,047
7	Planning & Zoning					
8	Personnel	$ 676,580	45,404	177,424	26.2%	499,157
9	O&M	154,432	12,107	42,914	27.8%	111,518
10	Capital	70,000	-	-	0.0%	70,000
11	Subtotal: Planning & Zoning	901,012	57,511	220,337	24.5%	680,675
12	Council					
13	Personnel	54,990	4,161	11,987	21.8%	43,003
14	Legal	30,150	-	7,538	25.0%	22,613
15	City Hall Building Expense	38,961	-	3,247	8.3%	35,714
16	Insurance	17,650	-	444	2.5%	17,206
17	Council Expense	40,000	-	7,825	19.6%	32,175
18	Codification	18,000	-	3,618	20.1%	14,382
19	Carlisle Fire Company	205,000	-	-	0.0%	205,000
20	Museum	40,000	-	-	0.0%	40,000
21	Downtown Milford, Inc.	50,000	-	-	0.0%	50,000
22	Milford Public Library	28,000	-	-	0.0%	28,000
23	Armory Expenses	25,000	-	1,154	4.6%	23,846
24	Community Festivals	70,000	-	-	0.0%	70,000
25	Election Expense	3,000	-	-	0.0%	3,000
26	Other O&M	76,390	25,786	31,024	40.6%	45,366
27	Emergency Operations	50,000	24,756	24,756	49.5%	25,244
28	Subtotal: Council	747,141	54,703	91,592	12.3%	655,549

City of Milford, Delaware

Legacy Expenditure Report: MTD and YTD Actual vs Annual Budget

For the YTD Period Ended October 31, 2023

33.3% of Year Elapsed

	Fund / Account / Divisional Groupings	FY24 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
29	Finance					
30	Personnel	643,770	49,372	$ 177,062	27.5%	466,708
31	O&M	35,080	2,779	13,576	38.7%	21,504
32	Capital	-	-	-		-
33	Subtotal: Finance	678,850	52,151	190,638	28.1%	488,212
34	Information Technology					
35	Personnel	482,545	36,321	138,454	28.7%	344,091
36	O&M	524,445	37,817	88,261	16.8%	436,184
37	Capital	973,743	2,700	75,657	7.8%	898,085
38	Subtotal: Information Technology	1,980,733	76,838	302,372	15.3%	1,678,360
39	Police Department					
40	Personnel	5,530,716	597,461	1,769,261	32.0%	3,761,455
41	O&M	1,388,456	164,910	411,606	29.6%	976,850
42	Capital	-	0	725,023		(725,023)
43	Subtotal: Police Department	6,919,172	762,372	2,905,890	42.0%	4,013,282
44	Streets & Grounds Division					
45	Personnel	425,400	34,480	131,175	30.8%	294,226
46	O&M	565,968	13,591	65,997	11.7%	499,971
47	Capital	182,330	-	88,634	48.6%	93,697
48	Subtotal: Streets & Grounds Division	1,173,699	48,071	285,806	24.4%	887,893
49	Parks & Recreation					
50	Personnel	790,970	49,551	219,651	27.8%	571,318
51	O&M	701,910	85,345	233,361	33.2%	468,549
52	Capital	1,034,676	72,636	295,457	28.6%	739,219
53	Subtotal: Parks & Recreation	2,527,556	207,531	748,468	29.6%	1,779,087
54	**Total General Fund Expenditures**	**$ 15,687,243**	**$ 1,297,236**	**$ 5,058,609**	**32.2%**	**$ 10,628,633**

City of Milford, Delaware

Legacy Expenditure Report: MTD and YTD Actual vs Annual Budget

For the YTD Period Ended October 31, 2023

33.3% of Year Elapsed

	Fund / Account / Divisional Groupings	FY24 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
55	**Enterprise Funds:**					
56	Water Division					
57	Personnel	$ 412,740	$ 23,968	$ 103,973	25.2%	$ 308,766
58	O&M	1,787,676	89,892	352,744	19.7%	1,434,932
59	Transfer to General Fund	300,000	25,000	100,000	33.3%	200,000
60	Capital	735,536	47,510	113,193	15.4%	622,343
61	Debt Service	365,275	-	-	0.0%	365,275
62	Subtotal: Water Division	3,601,227	186,369	669,911	18.6%	2,931,316
63	Sewer Division					
64	Personnel	$ 402,430	23,597	102,017	25.4%	300,412
65	O&M	1,928,765	105,533	440,077	22.8%	1,488,688
66	Transfer to General Fund	300,000	25,000	100,000	33.3%	200,000
67	Capital	231,927	9,471	114,741	49.5%	117,186
68	Debt Service	408,853	-	12,735	3.1%	396,117
69	Subtotal: Sewer Division (excl. Kent County)	3,271,974	163,601	769,570	23.5%	2,502,404
70	Kent County Sewer	2,533,811	200,617	799,742	31.6%	1,734,069
71	Subtotal: Sewer Division (Comprehensive)	5,805,785	364,218	1,569,312	27.0%	4,236,473
72	Solid Waste Division					
73	Personnel	403,570	35,391	126,330	31.3%	277,240
74	O&M	1,306,924	26,586	267,170	20.4%	1,039,754
75	Capital	-	-	-		-
76	Subtotal: Solid Waste Division	1,710,494	61,977	393,500	23.0%	1,316,994
77	Subtotal: Water, Sewer & Solid Waste	11,117,506	612,565	2,632,722	23.7%	8,484,784
78	Electric Division					
79	Personnel	$ 1,803,070	111,382	461,010	25.6%	1,342,060
80	O&M	3,018,229	209,995	749,521	24.8%	2,268,708
81	Transfer to General Fund	3,250,000	270,833	1,083,333	33.3%	2,166,667
82	Capital	993,014	4,500	4,966	0.5%	988,048
83	Debt Service	322,590	-	-	0.0%	322,590
84	Subtotal: Electric Division (excl. Power)	9,386,904	596,710	2,298,830	24.5%	7,088,073
85	Power Purchased	20,492,823	1,516,615	7,352,671	35.9%	13,140,153
86	Subtotal: Electric Division (Comprehensive)	29,879,727	2,113,325	9,651,501	32.3%	20,228,226
87	**Total Enterprise Fund Expenditures**	**$ 40,997,232**	**$ 2,725,890**	**$ 12,284,223**	**30.0%**	**$ 28,713,009**
88	**Grand Total Operating Budget**	**$ 56,684,475**	**$ 4,023,126**	**$ 17,342,832**	**30.6%**	**$ 39,341,643**

City of Milford, Delaware

Legacy Interservice Department Expenditures: MTD and YTD Actual vs Annual Budget

For the YTD Period Ended October 31, 2023

33.3% of Year Elapsed

Account / Divisional Groupings	FY24 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
Interservice Departments					
Garage					
Personnel	$ 178,430	$ 13,802	$ 52,971	29.7%	$ 125,459
Operation & Maintenance (O&M)	134,410	7,702	22,367	16.6%	112,043
Capital	-	-	-		-
Subtotal: Garage	312,840	21,504	75,338	24.1%	237,503
Public Works					
Personnel	921,530	67,608	276,377	30.0%	645,153
O&M	265,540	11,384	62,638	23.6%	202,902
Capital	-	-	-		-
Subtotal: Public Works	1,187,070	78,992	339,015	28.6%	848,055
Tech Services					
Personnel	304,930	23,442	91,139	29.9%	213,792
O&M	509,816	10,037	79,241	15.5%	430,575
Capital	-	-	-		-
Subtotal: Tech Services	814,746	33,479	170,380	20.9%	644,366
Billing & Collections					
Personnel	800,480	56,769	222,937	27.9%	577,544
O&M	451,020	24,952	74,656	16.6%	376,364
Capital	-	-	-		-
Subtotal: Billing & Collections	1,251,500	81,721	297,593	23.8%	953,907
City Hall Cost Allocation					
O&M	83,600	2,704	14,912	17.8%	68,688
Capital	-	-	-		-
Subtotal: City Hall Cost Allocation	83,600	2,704	14,912	17.8%	68,688
Interdepartmental Cost Allocation	**$ (3,649,757)**	**$ (218,400)**	**$ (897,238)**	**24.6%**	**$ (2,752,519)**
Net Interdepartmental Costs[1]	**$ -**	**$ -**	**$ -**		**$ -**

[1]All costs reported here are allocated to and entirely funded by the various departments that use the services provided internally by these shared departments.

BECKER MORGAN GROUP

ARCHITECTURE ENGINEERING

PLANNING OUR CLIENTS' SUCCESS

October 20, 2023

Mr. Rob Pierce – Planning Director
City of Milford Planning & Zoning
Public Works Facility
180 Vickers Drive
Milford, Delaware 19963

RE: **Extension of Approval**
RED CEDAR FARMS
Milford, Delaware
BMG Project No. 2021161.00

Dear Rob:

We are hereby requesting an extension of the approval for the above-referenced project. City Council Granted preliminary site plan approval on October 24, 2022. However, the project was contingent upon adoption of the TID which was not adopted by the city until April 10, 2023. As a result, final entrance plan engineering could not commence until the TID was in effect. In addition, an underground burial site was located on the property which was previously unknown. An archeologist was consulted to map the location of the grave sites and the plan was revised to eliminate disturbance of the subject area. Final engineering of the site could not be completed until this process was completed. To date, construction plans have been completed and filed with all agencies for review, which we are currently awaiting.

We respectfully request an extension of the preliminary approval.

Sincerely,

BECKER MORGAN GROUP, INC.

J. Michael Riemann, PE
Vice President

JMR/rlh

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BECKER MORGAN GROUP, INC.

309 SOUTH GOVERNORS AVENUE
DOVER, DELAWARE 19904
302.734.7950

THE TOWER AT STAR CAMPUS
100 DISCOVERY BOULEVARD, SUITE 102
NEWARK, DELAWARE 19713
302.369.3700

PORT EXCHANGE
312 WEST MAIN STREET, SUITE 300
SALISBURY, MARYLAND 21801
410.546.9100

3333 JAECKLE DRIVE, SUITE 120
WILMINGTON, NORTH CAROLINA 28403
910.341.7600

615 SOUTH COLLEGE STREET, SUITE 8-158
CHARLOTTE, NORTH CAROLINA 28202
980.270.9100

www.beckermorgan.com

PUBLIC WORKS FACILITY
180 Vickers Drive
Milford, DE 19963
www.cityofmilford.com

THE CITY of Milford DELAWARE

PLANNING DEPARTMENT
Planning, Economic Development,
Enforcement, and Inspections Office
O 302.424.8396 | F 302.424.3559

DATA SHEET FOR RED CEDAR FARMS

Planning Commission Meeting: November 21, 2023

Application Number / Name	:	22-004 / Red Cedar Farms
Applicant	:	Becker Morgan Group, Inc. 309 South Governors Avenue Dover, DE 19904
Owner	:	Red Cedar Farms, Inc. 2160 NW 69th Terrace Margate, FL 33063
Application Type	:	Preliminary Major Subdivision Extension #1
Comprehensive Plan Designation	:	Low Density Residential
Zoning District	:	R-2
Present Use	:	Vacant
Proposed Use	:	200-unit Single-family Detached Dwelling Subdivision
Area and Location	:	101.42 +/- acres of land located along the east side of Bucks Road north of Cedar Neck Road.
Property Identification Numbers	:	3-30-11.00-068.00

ENC: Staff Analysis Report
Exhibit A - Location & Zoning Map
Exhibit B - Preliminary Major Subdivision

PUBLIC WORKS FACILITY
180 Vickers Drive
Milford, DE 19963
www.cityofmilford.com

THE CITY of Milford DELAWARE

PLANNING DEPARTMENT
Planning, Economic Development,
Enforcement, and Inspections Office
O 302.424.8396 | F 302.424.3559

STAFF ANALYSIS REPORT
November 3, 2023

Application Number / Name	**:**	22-004 / Red Cedar Farms
Application Type	**:**	Preliminary Major Subdivision Extension #1
Property Identification Numbers	**:**	3-30-11.00-068.00
Area and Location	**:**	101.42 +/- acres of land located along the east side of Bucks Road north of Cedar Neck Road.

I. BACKGROUND INFORMATION:

- The applicant received Preliminary Major Subdivision approval from City Council on October 24, 2022. See attached for a copy of the approval letter.

- The applicant proposes to construct a 200-unit single-family detached dwelling subdivision as shown on the provided preliminary major subdivision plans. The development includes a clubhouse and pool which will need to be reviewed under a separate site plan application.

II. AGENCY & DEPARTMENT COMMENTS:

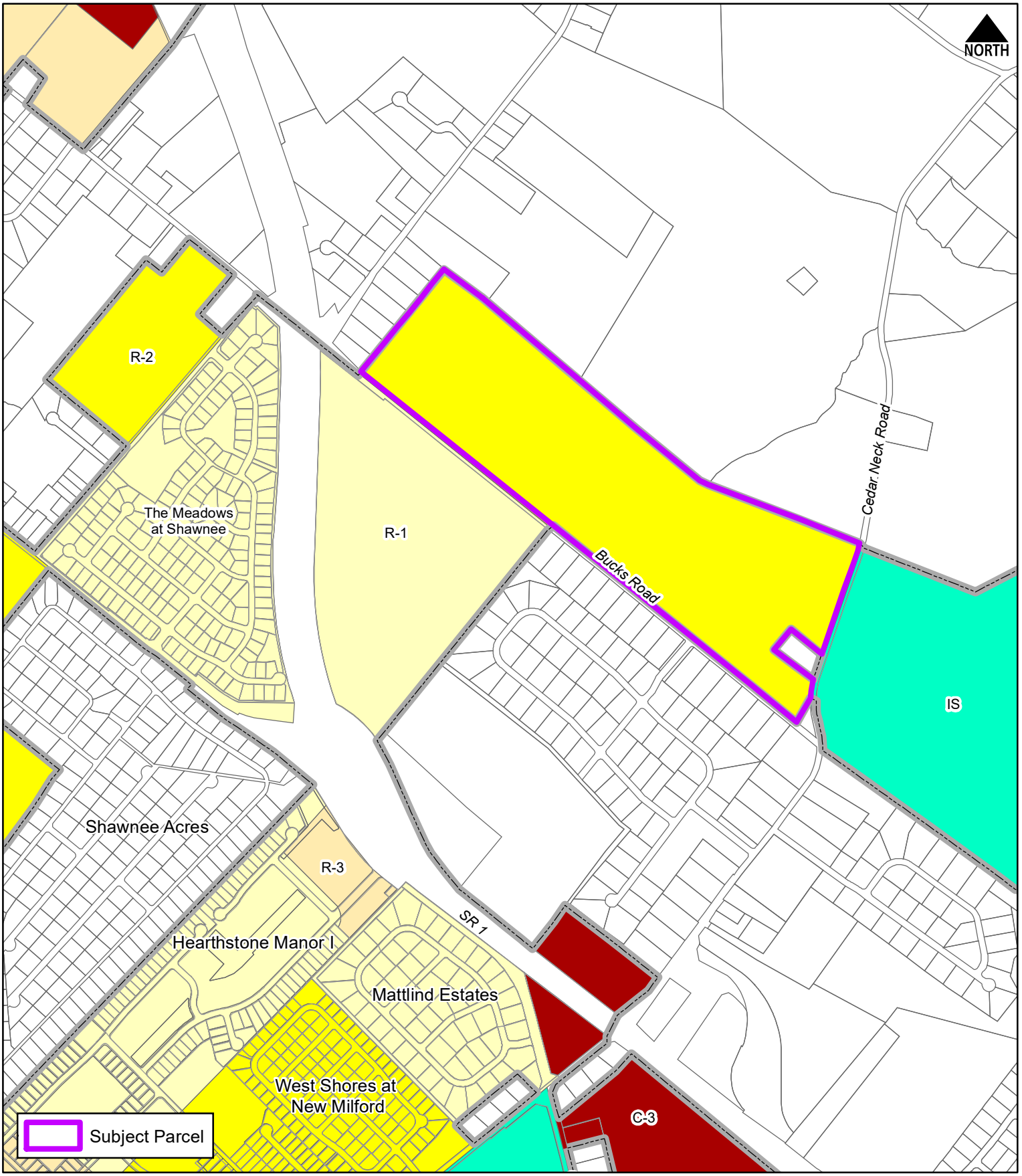
- **DelDOT Planning, Development Coordination**
  No approvals to date.

- **Delaware Health and Social Services – Division of Public Health**
  No approvals to date.

- **Sussex Conservation District**
  No approvals to date.

- **Delaware State Fire Marshal's Office**
  See attached comments.

- **City of Milford Public Works Department, City Engineer**
  The City received final construction plan submission on October 16, 2023 and the City is currently reviewing the submission.



THE CITY of Milford DELAWARE

Scale: 0 500 1,000 Feet

Drawn by: WRP

Date: 02/03/22

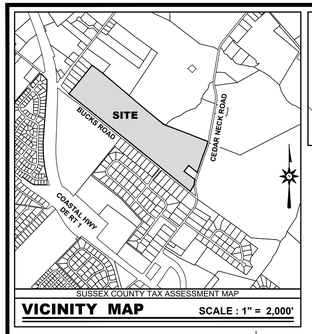
Filepath: PreliminaryMajor_RedCedarFarms.mxd

Title:

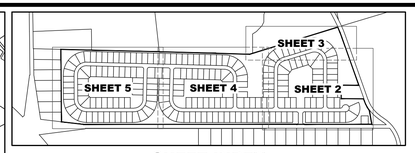
Preliminary Major Subdivision

Red Cedar Farms

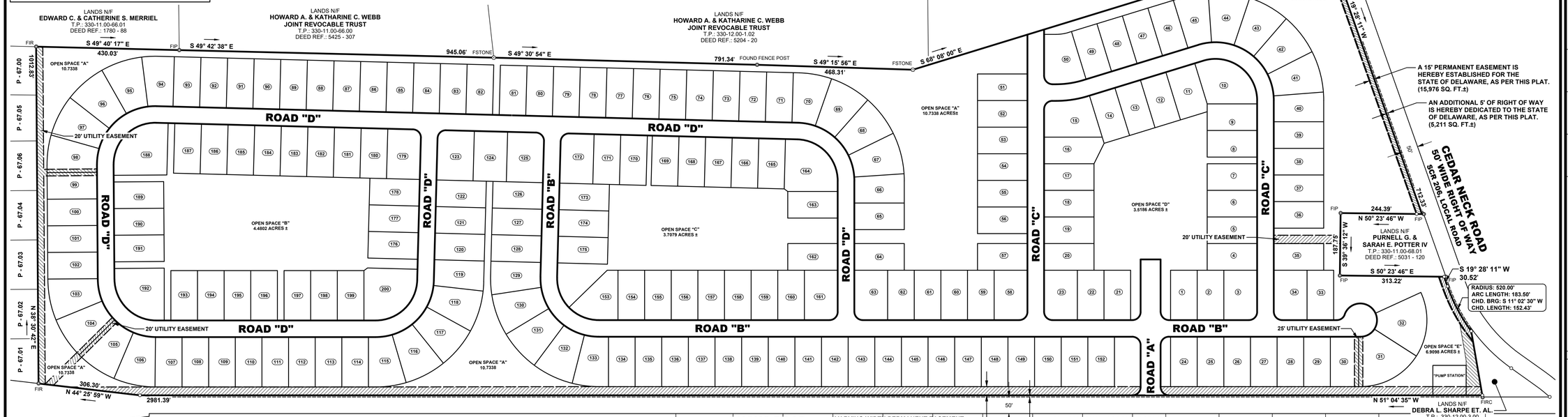
Location & Zoning Map



VICINITY MAP SCALE : 1" = 2,000'



SHEET INDEX



PARCEL OWNER TABLE		
TAX PARCEL	LANDS NOW OR FORMERLY OF	DEED REFERENCE
330-11.00-56.00	MR WIGGLES LLC	3815 - 29
330-11.00-67.00	JAMES M. TISHER SR., TRUSTEE ET. AL.	3825 - 84
330-11.00-67.01	CAPGROW HOLDINGS JV SUB I LLC	4369 - 93
330-11.00-67.02	JACLYN AMANDA FACCIOLO	5376 - 58
330-11.00-67.03	JOSEPH H. & LORI L. WEBB III	2716 - 29
330-11.00-67.04	DOUGLAS COOK CONKLING	4908 - 256
330-11.00-67.05	JAMES M. TISHER SR., TRUSTEE ET. AL.	5193 - 116
330-11.00-67.06	ANTHONY R. PERRINO	5118 - 304
330-11.00-70.01	MARK D. & TANYA J. STURGEON	3040 - 60
330-11.00-343.00	WILLIAM C. HAGGERTY	2614 - 238
330-11.00-344.00	RICHARD JOHN & EILEEN BAER	4338 - 180
330-11.00-345.00	MICHAEL E. & COLETTE L. HAYCRAFT	2005 - 282
330-11.00-346.00	PETER & CAROL W. GOLDRING	5147 - 134
330-11.00-347.00	RAYMOND HENDRICK	4593 - 222
330-11.00-348.00	JAMES B. ADAMS, TRUSTEE	551 - 265
330-11.00-349.00	JAMES & SHELIA C. SWEENEY	5085 - 210
330-11.00-411.00	GARY J. & MANON T. LICSKO	4367 - 88
330-11.00-412.00	LINDA A. WHITE	4296 - 158
330-11.00-413.00	RONALD N. & GAIL M. ESPERSEN	4251 - 128
330-11.00-414.00	MATTHEW B. CROUCH	3979 - 33
330-11.00-415.00	CHRISTOPHER & JAIME HILL	5416 - 293
330-11.00-416.00	PASQUALE D. & PENNY M VISIOLI, TRUSTEES	5237 - 264
330-11.00-417.00	THOMAS J. & SHANNON L. PEERS	3271 - 71
330-11.00-418.00	JOESEPH S. & KAREN M. KRISS	2719 - 294

CITY OF MILFORD APPROVAL

CITY MANAGER: MARK WHITFIELD — DATE

OWNERS CERTIFICATION

WE, RED CEDAR FARMS, INC., HEREBY CERTIFY THAT WE ARE THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, AND THAT WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

SIGNATURE — DATE

SURVEYOR CERTIFICATION

I, JEFFREY C. DODD, REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE AS ESTABLISHED BY THE STATE OF DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES TO THE PROPERTY CONDITIONS, IMPROVEMENTS, BOUNDARY OR PROPERTY CORNERS AFTER THE DATE SHOWN HEREON SHALL NECESSITATE A NEW REVIEW AND CERTIFICATION FOR ANY OFFICIAL OR LEGAL USE.

JEFFREY C. DODD — P.L.S.NO. 782 — DATE

GENERAL NOTES

1. THE BOUNDARY & TOPOGRAPHIC DATA SHOWN HEREON WAS COMPILED FROM A FIELD RUN SURVEY PERFORMED BY BECKER MORGAN GROUP, INC., DOVER, DE. IN AUGUST 2021.
2. THE BOUNDARY LINES PORTRAYED HEREON HAVE BEEN ESTABLISHED BASED SOLELY ON PHYSICAL EVIDENCE DISCOVERED IN THE FIELD IN CONJUNCTION WITH DETERMINATIONS DERIVED FROM SOURCE OF TITLE AND ADJACENT DEED RECORD INFORMATION.
3. PROPERTY SHOWN HEREON IS SUBJECT TO ANY RIGHT-OF-WAY, EASEMENTS, RESTRICTIONS, ETC. AS MAY BE SHOWN OR NOTED IN ANY RECORD, PUBLIC OR OTHERWISE, OR ANY REQUIREMENT OR REGULATION OF ANY PUBLIC AGENCY.
4. PARCEL IS LOCATED WITHIN ZONE "X", AREA OF MINIMAL FLOODING HAZARD, BASED ON FEMA FIRM MAP 10005C0044K, EFFECTIVE DATE MARCH 16, 2015.

SITE DATA

1.	OWNER OF RECORD:	RED CEDAR FARMS, INC 2160 NW 69TH TERRACE MARGATE, FLORIDA 33063
2.	ENGINEER / SURVEYOR:	BECKER MORGAN GROUP INC. 309 SOUTH GOVERNORS AVE. DOVER, DELAWARE 19904 302-734-7950
3.	PROPERTY LOCATION:	6367 BUCKS ROAD LATITUDE N N38° 54' 10.70" GRS80 - NAD83 LONGITUDE W 075° 23' 18.90" GRS80 - NAD83
4.	TAX PARCEL NUMBER:	3-30-11.00-068.00
5.	DEED REFERENCE:	3497 - 199
6.	SITE AREA SUMMARY:	101.4166 ACRES ± ROW DEDICATION: -25,283 SQ. FT. / 0.5804 ACRES ± **100.8362 ACRES ±**
7.	ZONING CLASSIFICATION:	PRESENT: R-2 RESIDENTIAL DISTRICT PROPOSED: R-2 RESIDENTIAL DISTRICT
8.	PRESENT USE:	RESIDENTIAL / AGRICULTURE
9.	PROPOSED USE:	RESIDENTIAL
10.	ROAD CLASSIFICATION:	BUCKS ROAD - LOCAL ROAD (40 MPH) CEDAR NECK ROAD - LOCAL ROAD (50 MPH)
11.	SURVEY DATUM:	NGS MONUMENTS VERTICAL: NAVD 88 - GPS S6A HORIZONTAL: NAD 83 (2011) - DEMI
12.	MONUMENTATION:	11 FOUND / 7 SET
13.	SURVEY UNIT:	LINEAR: US SURVEY FOOT ANGULAR: DEGREES MINUTES SECONDS (DMS) COORDINATE: GROUND
14.	MIN. LOT AREA:	REQUIRED: 8,000 SFT (INTERIOR LOT) 13,000 SFT (CORNER LOT) PROPOSED: 12,000 SFT (INTERIOR LOT) 13,000 SFT (CORNER LOT)
15.	MIN. LOT DIMENSIONS:	REQUIRED: WIDTH: 80' LENGTH: N/A PROPOSED: WIDTH: 80' LENGTH: 150'
16.	SETBACKS:	R-2 RESIDENTIAL DISTRICT: FRONT: 30' SIDE: 8' REAR: 15'
17.	BUILDING HEIGHT:	PERMITTED: 35'
18.	OPEN SPACE:	MIN. REQUIRED: 25% PROVIDED: 29.3503 AC± / 100.8362 AC± = 0.29.1%
19.	LOT COVERAGE:	MAX ALLOWABLE: 30% MAX PROPOSED: 56.9731 AC± x 0.30 = 17.0919 AC±
20.	PARKING:	REQUIRED: 2.5 SPACES PER DWELLING UNIT PROPOSED: 80' WIDTH LOT - 20' WIDE DRIVEWAY = 60' FOR PARKING / 20' PARKING SPACE = 3 PARKING SPACES / DWELLING UNIT
21.	UTILITY PROVIDERS:	SEWER: CITY OF MILFORD WATER: CITY OF MILFORD ELECTRIC: CITY OF MILFORD
22.	TOTAL EDUs:	SINGLE FAMILY DWELLING = 1 EDU TOTAL: 200 SINGLE FAMILY * 1 = 200 EDUs
23.	DWELLING UNIT TOTAL:	SINGLE FAMILY DWELLING: 200 DWELLING UNITS
24.	MAX DWELLING PER ACRE:	MAX ALLOWED: 8 DU PER ACRE PROPOSED: 200 DU / 101.41 AC = 1.97 PER ACRE

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

Delaware
309 South Governors Avenue
Dover, DE 19904
302.734.7950

The Tower at STAR Campus
100 Discovery Boulevard, Suite 102
Newark, DE 19713
302.369.3700

Maryland
312 West Main Street, Suite 300
Salisbury, MD 21801
410.546.9100

North Carolina
3333 Jaeckle Drive, Suite 120
Wilmington, NC 28403
910.341.7600

www.beckermorgan.com

NAD 83 / DSP

PROJECT TITLE

RED CEDAR FARMS, INC

6367 BUCKS ROAD
CITY OF MILFORD
SUSSEX COUNTY, DE

SHEET TITLE

MAJOR SUBDIVISION PLAN

0 75 150 300

SCALE: 1" = 150'

ISSUE BLOCK		
1.	6/1/22	REVISE DRAWING PER CITY OF COMMENTS DATED 3/16/22
MARK	DATE	DESCRIPTION

LAYER STATE: COVER

PROJECT NO.: 2021161.00
DATE: 01/18/2022
SCALE: 1" = 150'
DRAWN BY: J.H.K. | PROJ. MGR.: J.C.D.

SHEET

1 OF 5

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FOR CONTINUATION - SEE SHEET 3

FOR CONTINUATION - SEE SHEET 4

OPEN SPACE "A"
10.7338

OPEN SPACE "D"
3.5186 ACRES ±

OPEN SPACE "E"
6.9098 ACRES ±

STORMWATER MANAGEMENT AREA

ROAD "C"
50' WIDE RIGHT OF WAY
DEDICATED TO PUBLIC USE

ROAD "B"
50' WIDE RIGHT OF WAY
DEDICATED TO PUBLIC USE

ROAD "A"
60' WIDE RIGHT OF WAY
DEDICATED TO PUBLIC USE

CEDAR NECK ROAD
50' WIDE RIGHT OF WAY
SCR 205, LOCAL ROAD

BUCKS ROAD
50' WIDE RIGHT OF WAY
SCR 210, LOCAL ROAD

AN ADDITIONAL 5' OF RIGHT OF WAY IS HEREBY DEDICATED TO THE STATE OF DELAWARE, AS PER THIS PLAT. (4,327 SQ. FT.±)

A 15' PERMANENT EASEMENT IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE, AS PER THIS PLAT. (12,932 SQ. FT.±)

20' WIDE UTILITY IS HEREBY ESTABLISHED PER THIS PLAT (4,234 SQ. FT.)

LANDS N/F
PURNELL G. & SARAH E. POTTER IV
T.P.: 330-11.00-68.01
DEED REF.: 5031 - 120

A 15' PERMANENT EASEMENT IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE, AS PER THIS PLAT. (3,044 SQ. FT.±)

AN ADDITIONAL 5' OF RIGHT OF WAY IS HEREBY DEDICATED TO THE STATE OF DELAWARE, AS PER THIS PLAT. (884 SQ. FT.±)

RADIUS: 520.00'
ARC LENGTH: 183.50'
CHD. BRG: S 11° 02' 30" W
CHD. LENGTH: 182.43'

A UTILITY EASEMENT IS HEREBY ESTABLISHED PER THIS PLAT - WIDTH VARIES (5,461 SQ. FT.)

25' WIDE UTILITY IS HEREBY ESTABLISHED PER THIS PLAT (3,751 SQ. FT.)

"PUMP STATION"
9,000 SQ. FT.±

AN ADDITIONAL 5' OF RIGHT OF WAY IS HEREBY DEDICATED TO THE STATE OF DELAWARE, AS PER THIS PLAT. (20,072 SQ. FT.±)

VARYING WIDTH PERMANENT EASEMENT HEREBY ESTABLISHED FOR THE STATE OF DELAWARE, AS PER THIS PLAT. (2.4074 AC. ±)

NAD 83 / DSP

SHEET INDEX

SHEET 2

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

Delaware
309 South Governors Avenue
Dover, DE 19904
302.734.7950

The Tower at STAR Campus
100 Discovery Boulevard, Suite 102
Newark, DE 19713
302.369.3700

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312 West Main Street, Suite 300
Salisbury, MD 21801
410.546.9100

North Carolina
3333 Jaeckle Drive, Suite 120
Wilmington, NC 28403
910.341.7600

www.beckermorgan.com

PROJECT TITLE

RED CEDAR FARMS, INC

6367 BUCKS ROAD
CITY OF MILFORD
SUSSEX COUNTY, DE

SHEET TITLE

MAJOR SUBDIVISION PLAN

SCALE: 1" = 50'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1.	6/1/22	REVISE DRAWING PER CITY OF COMMENTS DATED 3/16/22

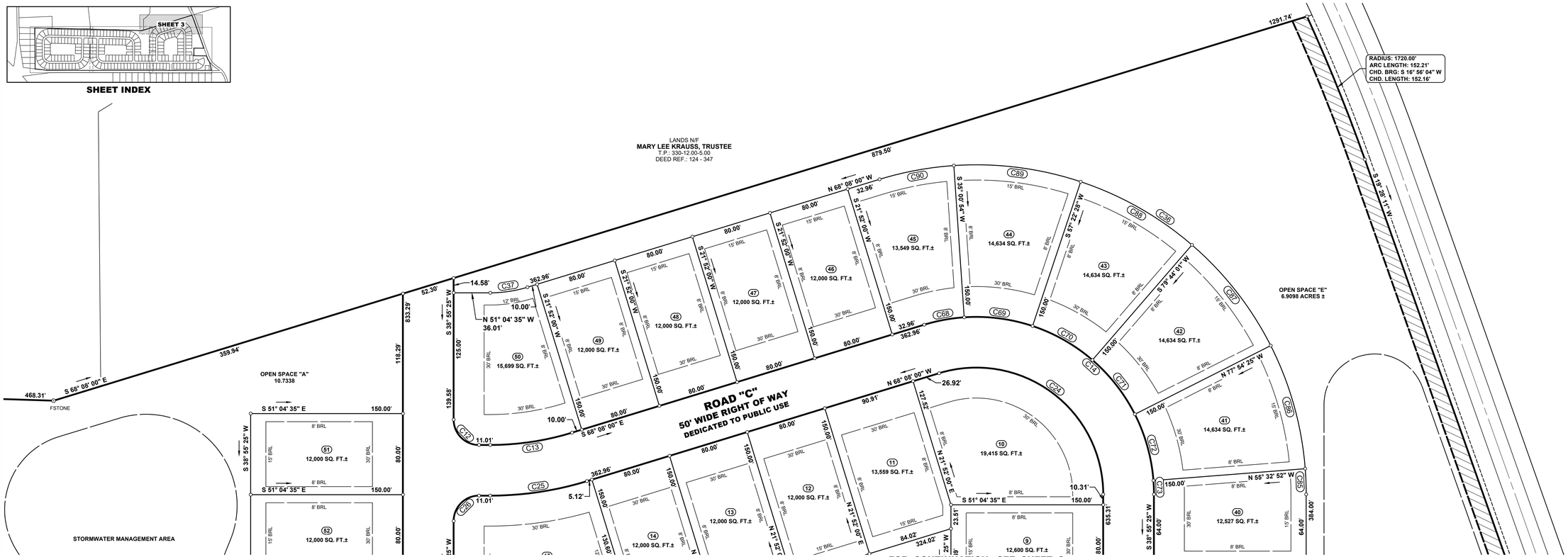
LAYER STATE: SHEETS

PROJECT NO.: 2021161.00
DATE: 01/18/2022
SCALE: 1" = 50'
DRAWN BY: J.H.K. | PROJ. MGR.: J.C.D.

SHEET
2 OF 5

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CURVE TABLE

CURVE	RADIUS	LENGTH	CHD. BEARING	CHD. LENGTH
C1	25.00'	39.27'	N83° 55' 25"E	35.36'
C2	25.00'	39.27'	N06° 04' 35"W	35.36'
C3	175.00'	279.42'	S05° 20' 07"E	250.67'
C4	25.00'	39.27'	N04° 35' 39"W	35.36'
C5	25.00'	39.27'	S85° 24' 21"W	35.36'
C6	175.00'	270.36'	N84° 39' 53"E	244.27'
C7	175.00'	273.63'	S06° 16' 57"E	246.60'
C8	175.00'	280.35'	S84° 24' 22"W	251.32'
C9	175.00'	268.99'	N05° 06' 41"W	243.28'
C10	25.00'	39.27'	S06° 04' 35"E	35.36'
C11	25.00'	39.27'	N83° 55' 25"E	35.36'
C12	25.00'	39.27'	S06° 04' 35"E	35.36'
C13	275.00'	81.87'	S59° 36' 18"E	81.56'
C14	175.00'	326.99'	N14° 36' 18"W	281.45'
C15	25.00'	39.27'	S06° 04' 35"E	35.36'
C16	25.00'	30.77'	S86° 20' 27"E	28.87'
C17	50.00'	218.63'	N03° 39' 33"E	81.65'
C18	25.00'	39.27'	S83° 55' 25"W	35.36'
C19	25.00'	39.27'	S06° 04' 35"E	35.36'
C20	25.00'	39.27'	S06° 04' 35"E	35.36'

CURVE TABLE

CURVE	RADIUS	LENGTH	CHD. BEARING	CHD. LENGTH
C21	25.00'	39.27'	N83° 55' 25"E	35.36'
C22	25.00'	39.27'	S06° 04' 35"E	35.36'
C23	25.00'	39.27'	N83° 55' 25"E	35.36'
C24	125.00'	233.56'	N14° 36' 18"W	201.04'
C25	325.00'	96.75'	N59° 36' 18"W	96.39'
C26	25.00'	39.27'	S83° 55' 25"W	35.36'
C27	25.00'	39.27'	N83° 55' 25"E	35.36'
C28	125.00'	191.96'	N05° 04' 13"W	173.65'
C29	25.00'	39.27'	S85° 24' 21"W	35.36'
C30	125.00'	199.58'	S05° 20' 07"E	179.05'
C31	25.00'	39.27'	N04° 35' 39"W	35.36'
C32	125.00'	193.12'	N84° 39' 53"E	174.48'
C33	125.00'	195.45'	S06° 16' 57"E	176.14'
C34	125.00'	200.48'	S84° 27' 32"W	179.67'
C35	200.00'	400.00'	N71° 37' 40"E	336.59'
C36	325.00'	607.26'	N14° 36' 18"W	522.70'
C37	125.00'	37.21'	N59° 36' 18"W	37.07'
C38	325.00'	500.24'	N05° 10' 15"W	452.30'
C39	325.00'	520.81'	S84° 25' 12"W	466.85'
C40	325.00'	508.17'	S06° 16' 57"E	457.96'

CURVE TABLE

CURVE	RADIUS	LENGTH	CHD. BEARING	CHD. LENGTH
C41	325.00'	502.10'	N84° 39' 53"E	453.64'
C42	325.00'	518.92'	S05° 20' 07"E	465.53'
C43	175.00'	43.44'	N43° 57' 54"W	43.33'
C44	175.00'	68.29'	N25° 40' 26"W	67.86'
C45	175.00'	68.29'	N03° 18' 52"W	67.86'
C46	175.00'	68.29'	N19° 02' 42"E	67.86'
C47	175.00'	31.10'	N35° 18' 55"E	31.06'
C48	175.00'	15.27'	S42° 54' 23"W	15.27'
C49	175.00'	68.29'	S56° 35' 11"W	67.86'
C50	175.00'	68.29'	S78° 56' 45"W	67.86'
C51	175.00'	68.29'	N78° 41' 42"W	67.86'
C52	175.00'	50.21'	N59° 17' 45"W	50.04'
C53	175.00'	1.61'	S50° 48' 49"E	1.61'
C54	175.00'	68.29'	S39° 22' 16"E	67.86'
C55	175.00'	68.29'	S17° 00' 43"E	67.86'
C56	175.00'	68.29'	S05° 20' 51"W	67.86'
C57	175.00'	67.15'	S27° 31' 10"W	66.74'
C58	175.00'	49.37'	N46° 35' 36"E	49.20'
C59	175.00'	68.29'	N65° 51' 16"E	67.86'
C60	175.00'	68.29'	N88° 12' 49"E	67.86'

CURVE TABLE

CURVE	RADIUS	LENGTH	CHD. BEARING	CHD. LENGTH
C61	175.00'	68.29'	S69° 25' 37"E	67.86'
C62	175.00'	26.11'	S53° 58' 24"E	26.08'
C63	175.00'	52.51'	S40° 32' 58"E	52.32'
C64	175.00'	68.29'	S20° 46' 23"E	67.86'
C65	175.00'	68.29'	S01° 35' 11"W	67.86'
C66	175.00'	68.29'	S23° 56' 44"W	67.86'
C67	175.00'	11.60'	S37° 01' 28"W	11.60'
C68	175.00'	40.16'	S61° 33' 33"E	40.07'
C69	175.00'	68.29'	S43° 48' 19"E	67.86'
C70	175.00'	68.29'	S21° 26' 46"E	67.86'
C71	175.00'	68.29'	S00° 54' 48"W	67.86'
C72	175.00'	68.29'	S23° 16' 22"W	67.86'
C73	175.00'	13.66'	S36° 41' 17"W	13.65'
C74	50.00'	118.63'	N53° 38' 12"W	92.70'
C75	50.00'	50.00'	N42° 58' 47"E	47.94'
C76	50.00'	50.00'	N79° 43' 28"W	47.94'
C81	125.00'	99.79'	S17° 32' 07"W	97.16'
C82	125.00'	99.79'	S28° 12' 21"E	97.16'
C83	200.00'	200.00'	S79° 43' 28"E	191.77'
C84	200.00'	200.00'	N42° 58' 47"E	191.77'

CURVE TABLE

CURVE	RADIUS	LENGTH	CHD. BEARING	CHD. LENGTH
C85	325.00'	25.36'	N36° 41' 17"E	25.36'
C86	325.00'	126.83'	N23° 16' 22"E	126.03'
C87	325.00'	126.83'	N00° 54' 48"E	126.03'
C88	325.00'	126.83'	N21° 26' 46"W	126.03'
C89	325.00'	126.83'	N43° 48' 19"W	126.03'
C90	325.00'	74.58'	N61° 33' 33"W	74.42'
C91	325.00'	21.54'	N37° 01' 28"E	21.54'
C92	325.00'	126.83'	N23° 56' 44"E	126.03'
C93	325.00'	126.83'	N01° 35' 11"E	126.03'
C94	325.00'	126.83'	N20° 46' 23"W	126.03'
C95	325.00'	98.20'	N40° 36' 33"W	97.83'
C96	325.00'	48.64'	N53° 57' 34"W	48.60'
C97	325.00'	126.83'	N69° 25' 37"W	126.03'
C98	325.00'	126.83'	S88° 12' 49"W	126.03'
C99	325.00'	126.83'	S65° 51' 16"W	126.03'
C100	325.00'	91.68'	S46° 35' 36"W	91.38'
C101	325.00'	124.70'	S27° 31' 10"W	123.94'
C102	325.00'	126.83'	S05° 20' 51"W	126.03'
C103	325.00'	126.83'	S17° 00' 43"E	126.03'
C104	325.00'	126.83'	S39° 22' 16"E	126.03'

CURVE TABLE

CURVE	RADIUS	LENGTH	CHD. BEARING	CHD. LENGTH
C105	325.00'	2.98'	S50° 48' 49"E	2.98'
C106	325.00'	93.25'	S59° 17' 45"E	92.93'
C107	325.00'	126.83'	S78° 41' 42"E	126.03'
C108	325.00'	126.83'	N78° 56' 45"E	126.03'
C109	325.00'	126.83'	N56° 35' 11"E	126.03'
C110	325.00'	28.37'	N42° 54' 23"E	28.36'
C111	325.00'	57.75'	S35° 18' 55"W	57.68'
C112	325.00'	126.83'	S19° 02' 42"W	126.03'
C113	325.00'	126.83'	S03° 18' 52"E	126.03'
C114	325.00'	126.83'	S25° 40' 26"E	126.03'
C115	325.00'	80.68'	S43° 57' 54"E	80.47'

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

Delaware
309 South Governors Avenue
Dover, DE 19904
302.734.7950
The Tower at STAR Campus
100 Discovery Boulevard, Suite 102
Newark, DE 19713
302.369.3700

Maryland
312 West Main Street, Suite 300
Salisbury, MD 21801
410.546.9100

North Carolina
3333 Jaeckle Drive, Suite 120
Wilmington, NC 28403
910.341.7600

www.beckermorgan.com

NAD 83 / DSP

PROJECT TITLE

RED CEDAR FARMS, INC

6367 BUCKS ROAD
CITY OF MILFORD
SUSSEX COUNTY, DE

SHEET TITLE

MAJOR SUBDIVISION PLAN

0 25 50 100

SCALE: 1" = 50'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1.	6/1/22	REVISE DRAWING PER CITY OF COMMENTS DATED 3/16/22

LAYER/STATE: SHEETS

PROJECT NO.: 2021161.00
DATE: 01/18/2022
SCALE: 1" = 50'
DRAWN BY: **J.H.K.** | PROJ. MGR.: **J.C.D.**

SHEET

3 OF 5

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FOR CONTINUATION - SEE SHEET 5

FOR CONTINUATION - SEE SHEET 2

LANDS N/F
HOWARD A. & KATHARINE C. WEBB JOINT REVOCABLE TRUST
T.P.: 330-12.00-1.02
DEED REF.: 5204 - 20

FSTONE

S 49° 30' 54" E

898.75'

791.34'

S 49° 15' 56" E

FOUND FENCE POST

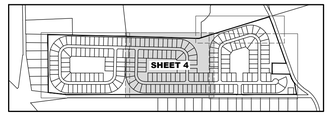
359.94'

468.31'

S 68° 08' 00" E

FSTONE

SHEET INDEX



OPEN SPACE "A"
10.7338

STORMWATER MANAGEMENT AREA

ROAD "D"
50' WIDE RIGHT OF WAY
DEDICATED TO PUBLIC USE

ROAD "B"
50' WIDE RIGHT OF WAY
DEDICATED TO PUBLIC USE

OPEN SPACE "C"
3.7079 ACRES ±

STORMWATER MANAGEMENT AREA

ROAD "D"
50' WIDE RIGHT OF WAY
DEDICATED TO PUBLIC USE

ROAD "B"
50' WIDE RIGHT OF WAY
DEDICATED TO PUBLIC USE

OPEN SPACE "A"
10.7338

BUCKS ROAD
50' WIDE RIGHT OF WAY
SCR 210, LOCAL ROAD

50'

VARYING WIDTH PERMANENT EASEMENT HEREBY ESTABLISHED FOR THE STATE OF DELAWARE, AS PER THIS PLAT. (2.4074 AC. ±)

AN ADDITIONAL 5' OF RIGHT OF WAY IS HEREBY DEDICATED TO THE STATE OF DELAWARE, AS PER THIS PLAT. (20,072 SQ. FT.±)

2981.39'

25'

FOR CONTINUATION - SEE SHEET 5

FOR CONTINUATION - SEE SHEET 2

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NAD 83 / DSP

PROJECT TITLE

RED CEDAR FARMS, INC

6367 BUCKS ROAD
CITY OF MILFORD
SUSSEX COUNTY, DE

SHEET TITLE

MAJOR SUBDIVISION PLAN

0 25 50 100

SCALE: 1" = 50'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1.	6/1/22	REVISE DRAWING PER CITY OF COMMENTS DATED 3/16/22

LAYER/STATE: SHEETS

PROJECT NO.:	2021161.00
DATE:	01/18/2022
SCALE:	1" = 50'
DRAWN BY: J.H.K.	PROJ. MGR.: J.C.D.

SHEET

4 OF 5

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LANDS N/F
EDWARD C. & CATHERINE S. MERRIEL
T.P.: 330-11.00-66.01
DEED REF.: 1780 - 88

LANDS N/F
HOWARD A. & KATHARINE C. WEBB JOINT REVOCABLE TRUST
T.P.: 330-11.00-66.00
DEED REF.: 5425 - 307

LANDS N/F
JAMES M. TISHER SR., TRUSTEE ET. AL.
T.P.: 330-11.00-67.00
DEED REF.: 3825 - 84

LANDS N/F
JAMES M. TISHER SR., TRUSTEE ET. AL.
T.P.: 330-11.00-67.05
DEED REF.: 5193 - 116

LANDS N/F
ANTHONY R. PERRINO
T.P.: 330-11.00-67.06
DEED REF.: 5118 - 304

LANDS N/F
DOUGLAS COOK CONKLING
T.P.: 330-11.00-67.04
DEED REF.: 4908 - 256

LANDS N/F
JOSEPH H. & LORI L. WEBB III
T.P.: 330-11.00-67.03
DEED REF.: 2716 - 29

LANDS N/F
JACLYN AMANDA FACCIOLO
T.P.: 330-11.00-67.02
DEED REF.: 5376 - 58

LANDS N/F
CAPGROW HOLDINGS JV SUB I LLC
T.P.: 330-11.00-67.01
DEED REF.: 4369 - 93

S 49° 40' 17" E 430.03' S 49° 42' 38" E 945.06' S 49° 30'

1012.83'

1009.56'

OPEN SPACE "A"
10.7338

20' WIDE UTILITY IS HEREBY ESTABLISHED PER THIS PLAT (23,475 SQ. FT.)

OPEN SPACE "A"
10.7338

OPEN SPACE "B"
4.4802 ACRES ±

STORMWATER MANAGEMENT AREA

OPEN SPACE "A"
10.7338

20' WIDE UTILITY IS HEREBY ESTABLISHED PER THIS PLAT (23,475 SQ. FT.)

20' WIDE UTILITY IS HEREBY ESTABLISHED PER THIS PLAT (5,542 SQ. FT.)

OPEN SPACE "A"
10.7338

ROAD "D"
50' WIDE RIGHT OF WAY
DEDICATED TO PUBLIC USE

BUCKS ROAD
50' WIDE RIGHT OF WAY
SCR 210, LOCAL ROAD

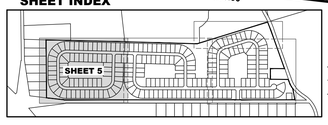
VARYING WIDTH PERMANENT EASEMENT HEREBY ESTABLISHED FOR THE STATE OF DELAWARE, AS PER THIS PLAT. (2.4074 AC. ±)

AN ADDITIONAL 5' OF RIGHT OF WAY IS HEREBY DEDICATED TO THE STATE OF DELAWARE, AS PER THIS PLAT. (20,072 SQ. FT.±)

FOR CONTINUATION - SEE SHEET 4

FOR CONTINUATION - SEE SHEET 4

SHEET INDEX



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0 25 50 100

SCALE: 1" = 50'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1.	6/1/22	REVISE DRAWING PER CITY OF COMMENTS DATED 3/16/22

LAYER STATE: SHEETS

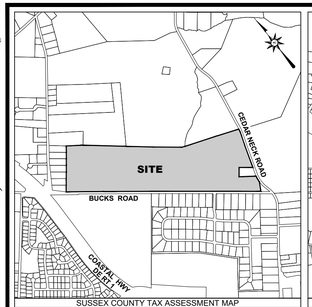
PROJECT NO.: 2021161.00
DATE: 01/18/2022
SCALE: 1" = 50'
DRAWN BY: J.H.K. PROJ. MGR.: J.C.D.

SHEET
5 OF 5

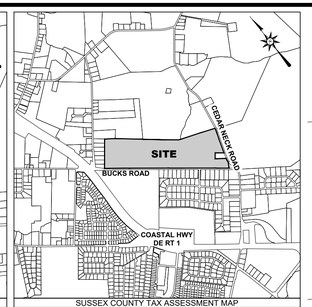
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BECKER MORGAN GROUP ARCHITECTURE - ENGINEERING DOVER, DE SALISBURY, MD WILMINGTON, NC www.beckermorgan.com



VICINITY MAP SCALE : 1" = 1,600'



LOCATION MAP SCALE : 1" = 2,500'

OPEN SPACE SUMMARY

OPEN SPACE	TOTAL S.F.	TOTAL AC.
A	467,563 S.F.	10.7338 AC.
B	195,156 S.F.	4.4802 AC.
C	161,516 S.F.	3.7079 AC.
D	153,272 S.F.	3.5186 AC.
E	300,993 S.F.	6.9098 AC.
TOTAL	**1,278,500 S.F.**	**29.3503 AC.**

LEGEND

ITEM	EXISTING	PROPOSED
CONCRETE CURB & GUTTER		
CONCRETE SIDEWALK, SLAB / PAVING		
IMPERVIOUS SURFACED ROAD, DRIVE OR PARKING LOT		N/A
INDIVIDUAL TREE OR BUSH	EVERGREEN DECIDUOUS	
WIRE FENCE	X X X	X X X
CHAINLINK FENCE		
STOCKADE FENCE		N/A
STRUCTURE (CONCRETE, WOOD, METAL, ETC.)		
DRAINAGE DITCH OR SWALE		
WETLAND BOUNDARY LINE	V V	N/A
CONTOUR	49	55
ELEVATION SPOT SHOT	43.55	25.15 / 25.50 T.C. 25.00 B.C.
BENCH MARK		N/A
PROPERTY OR RIGHT-OF-WAY LINE		
CENTERLINE		
LIGHT POLE		

ITEM	EXISTING	PROPOSED
SANITARY GRAVITY SEWER LINE (S) SIZE & FLOW DIRECTION		10" S
SANITARY SEWER FORCE MAIN (F.M.) SIZE & FLOW DIRECTION	EX. 10" S	EX. 10" F.M. 12" F.M.
SANITARY SEWER MANHOLE (S.S.M.H.)		
SANITARY SEWER CLEANOUT (C.O.)		
WATER MAIN & SIZE	EX. 10" W	12" W
FIRE HYDRANT (F.H.)		F.H.
WATER VALVE (W.V.) OR METER (W.M.)	W.M. W.V.	
STORM DRAIN MANHOLE (S.D.M.H.)		
STORM DRAIN LINE (CMP, RCP, HDPE)		
CATCH BASIN (C.B.)		
UTILITY POLE W/ OVERHEAD SERVICE (TELEPHONE (O.T.), ELECTRIC (O.E.)		
UNDERGROUND ELECTRIC (U.E.)	U.E.	U.E.
UNDERGROUND TELEPHONE (U.T.)	U.T.	U.T.
UNDERGROUND GAS MAIN (G)	EX. 2" G	2" G

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EDWARD C. & CATHERINE S. MERRIEL
T.P.: 330-11.00-66.01
DEED REF.: 1780 - 88

LANDS N/F
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T.P.: 330-11.00-66.00
DEED REF.: 5425 - 307

LANDS N/F
HOWARD A. & KATHARINE C. WEBB JOINT REVOCABLE TRUST
T.P.: 330-12.00-1.02
DEED REF.: 5204 - 20

LANDS N/F
MARY LEE KRAUSS, TRUSTEE
T.P.: 330-12.00-5.00
DEED REF.: 124 - 347

LANDS N/F
JAMES M. TISHER SR., TRUSTEE ET. AL.
T.P.: 330-11.00-67.00
DEED REF.: 3825 - 84

LANDS N/F
JAMES M. TISHER SR., TRUSTEE ET. AL.
T.P.: 330-11.00-67.05
DEED REF.: 5193 - 116

LANDS N/F
ANTHONY R. PERRINO
T.P.: 330-11.00-67.06
DEED REF.: 5118 - 304

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JACLYN AMANDA FACCIOLO
T.P.: 330-11.00-67.02
DEED REF.: 5376 - 58

FIP
FSTONE
FOUND FENCE POST
FIR
FIRC

PROPOSED STORMWATER MANAGEMENT AREA
OPEN SPACE "B"
4.4802 AC.

PROPOSED SWM AREA
OPEN SPACE "C"
3.7079 AC.

PROPOSED SWM AREA
OPEN SPACE "A"

OPEN SPACE "A"
10.7338 AC.

PROPOSED POOL & CLUBHOUSE
OPEN SPACE "D"
3.5186 AC.
PLAYGROUND EQUIPMENT

OPEN SPACE "E"
6.9098 AC.

PROPOSED SWM AREA

CEDAR NECK ROAD
50' WIDE RIGHT OF WAY
SCR 206, STATE MAINTAINED
LOCAL ROAD

50'

LANDS N/F
PURNELL Q. & SARAH E. POTTER IV
T.P.: 330-11.00-68.01
DEED REF.: 5031 - 120

LANDS N/F
DEBRA L. SHARPE ET. AL.
T.P.: 330-12.00-3.00

BEAVER DAM ROAD

COASTAL HIGHWAY

KIRBY ROAD

LANDS N/F
CAPGROW HOLDINGS JV SUB I LLC
T.P.: 330-11.00-67.01
DEED REF.: 4369 - 93

55'

BUCKS ROAD
50' WIDE RIGHT OF WAY
SCR 210, STATE MAINTAINED
LOCAL ROAD

55'

LANDS N/F
MR WIGGLES LLC
T.P.: 330-11.00-56.00
DEED REF.: 3815 - 29

LANDS N/F
MARK D. & TANYA J. STURGEON
T.P.: 330-11.00-64.00
DEED REF.: 3040 - 60

LANDS N/F
JOSEPH S. & KAREN M. KRISS
T.P.: 330-11.00-65.00
DEED REF.: 2719 - 294

LANDS N/F
THOMAS J. & SHANNON L. PEERS
T.P.: 330-11.00-70.00
DEED REF.: 3271 - 71

LANDS N/F
PASQUALE D. & PENNY M. TESTANI
T.P.: 330-11.00-4.16.00
DEED REF.: 5237 - 264

LANDS N/F
CHRISTOPHER & JENNIFER HALL
T.P.: 330-11.00-415.00
DEED REF.: 5416 - 283

LANDS N/F
MATTHEW B. CROUCH
T.P.: 330-11.00-4.14.00
DEED REF.: 3979 - 33

LANDS N/F
RONALD & GAIL M. ESPERSEN
T.P.: 330-11.00-413.00
DEED REF.: 3041 - 105

LANDS N/F
LINDA WHITE
T.P.: 330-11.00-412.00
DEED REF.: 4296 - 158

LANDS N/F
GARY J. & MARGARET SOSKO
T.P.: 330-11.00-411.00
DEED REF.: 4367 - 88

THAWLEY LANE

LANDS N/F
JAMES A. & AMELIA C. SWEENEY
T.P.: 330-11.00-349.00
DEED REF.: 5082 - 210

LANDS N/F
JAMES A ADAMS, TRUSTEE
T.P.: 330-11.00-343.00
DEED REF.: 551 - 265

LANDS N/F
RAYMOND HENDRICK
T.P.: 330-11.00-341.00
DEED REF.: 4983 - 252

LANDS N/F
PETER & CAROL COLLINSWORTH
T.P.: 330-11.00-340.00
DEED REF.: 5147 - 134

LANDS N/F
MICHAEL E. & CONSTANCE CRAFT
T.P.: 330-11.00-345.00
DEED REF.: 2005 - 282

LANDS N/F
RICHARD JOHN & MARY ANN
T.P.: 330-11.00-344.00
DEED REF.: 4338 - 160

LANDS N/F
WILLIAM C. HAGGERTY
T.P.: 330-11.00-343.00
DEED REF.: 2614 - 238

GENERAL NOTES

1. TOPOGRAPHIC AND BOUNDARY RETRACEMENT SURVEY WAS PREPARED BY BECKER MORGAN GROUP, DOVER, DE, IN AUGUST OF 2021.
2. THE BOUNDARY LINES PORTRAYED HEREON HAVE BEEN ESTABLISHED BASED SOLELY ON PHYSICAL EVIDENCE DISCOVERED IN THE FIELD IN CONJUNCTION WITH DETERMINATIONS DERIVED FROM SOURCE OF TITLE AND ADJACENT DEED RECORD INFORMATION.
3. PROPERTY SHOWN HEREON IS SUBJECT TO ANY RIGHT-OF-WAY, EASEMENTS, RESTRICTIONS, ETC. AS MAY BE SHOWN OR NOTED IN ANY RECORD, PUBLIC OR OTHERWISE, OR ANY REQUIREMENT OR REGULATION OF ANY PUBLIC AGENCY.
4. PARCEL IS LOCATED WITHIN ZONE "X", AREA OF MINIMAL FLOOD HAZARD, BASED ON FEMA FIRM MAP 10005C0044K, EFFECTIVE DATE MARCH 16, 2015.
5. THIS PROPERTY DOES NOT LIE WITHIN A SOURCE WATER PROTECTION AREA.
6. BECKER MORGAN GROUP CERTIFIES THAT THERE ARE NO FRESH WATER WETLANDS LOCATED IN THE IMPROVED AREA.
6. THE EXISTING UTILITIES ARE SHOWN IN ACCORDANCE WITH THE BEST AVAILABLE INFORMATION. COMPLETENESS OR CORRECTNESS THEREOF IS NOT GUARANTEED. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CONTACT THE UTILITY COMPANIES INVOLVED IN ORDER TO SECURE THE MOST ACCURATE INFORMATION AVAILABLE AS TO UTILITY LOCATION AND ELEVATION. NO CONSTRUCTION AROUND OR ADJACENT TO UTILITIES SHALL BEGIN WITHOUT NOTIFYING THEIR OWNERS AT LEAST 48 HOURS IN ADVANCE. THE CONTRACTOR SHALL TAKE THE NECESSARY PRECAUTIONS TO PROTECT THE EXISTING UTILITIES AND MAINTAIN UNINTERRUPTED SERVICE AND ANY DAMAGE DONE TO THEM DUE TO HIS/HER NEGLIGENCE SHALL BE IMMEDIATELY AND COMPLETELY REPAIRED AT THE CONTRACTOR'S EXPENSE. TO LOCATE EXISTING UTILITIES IN THE FIELD PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL CONTACT MISS UTILITY OF DELMARVA SHALL BE NOTIFIED THREE (3) CONSECUTIVE WORKING DAYS PRIOR TO EXCAVATION, AT 1-800-282-8555.
7. ALL MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS, MATERIALS AND WORKMANSHIP SHALL MEET THE REQUIREMENTS OF THE CITY OF MILFORD STANDARD SPECIFICATIONS FOR INSTALLATION OF UTILITY CONSTRUCTION AND SUBDIVISION PAVEMENT DESIGN, AND ALL APPLICABLE AGENCIES HAVING JURISDICTION OVER THE PROPOSED IMPROVEMENTS.
8. USE ONLY SUITABLE AND APPROVED GRANULAR MATERIAL FOR BACK FILLING TRENCHES.
9. THE CONTRACTOR SHALL DETERMINE THE LOCATION OF ALL RIGHT-OF-WAY LINES AND PROPERTY LINES TO HIS OWN SATISFACTION. ANY DISTURBED AREAS BEYOND THE RIGHT-OF-WAY OR EASEMENT LINES SHALL BE RESTORED IMMEDIATELY TO THEIR ORIGINAL CONDITION.
10. ALL VALVE CLOSURES AND CUT-INS SHALL BE COORDINATED WITH THE CITY. CITY OFFICIALS WILL CARRY OUT ALL NECESSARY VALVE CLOSURES; CONTRACTOR SHALL COORDINATE ISOLATION OF EXISTING WATER MAINS WITH THE CITY AND NOTIFY AFFECTED RESIDENTS AT LEAST 48 HOURS PRIOR TO CUT-IN.
11. PIPELINE DETECTION TAPE SHALL BE COLOR CODED, APPROPRIATELY LABELED, AND INSTALLED 18 INCHES BELOW THE GROUND SURFACE AND DIRECTLY ABOVE ALL PROPOSED NON-METALLIC WATER MAIN, SEWER MAIN, SEWER LATERALS, AND WATER SERVICES.
12. CONDUCTIVE TRACER WIRE SHALL BE INSTALLED WITH ALL NON-METALLIC WATER PIPE AND SERVICES; AND ALONG ALL SEWER LATERALS AND FORCEMAIN. WIRE SHALL BE SECURED TO THE PIPE AND SHALL BE SECURELY BONDED TOGETHER AT ALL WIRE JOINTS WITH APPROVED WATERTIGHT CONNECTORS. TRACER WIRE SHALL BE ACCESSIBLE AT ALL VALVE BOXES, METER PITS, CLEANOUTS, AND AIR RELEASE VALVES.
13. PRIOR TO ISOLATION AND CUT-IN PROCEDURES, CONTRACTOR SHALL EXCAVATE, LOCATE, AND OBSERVE FUNCTION OF ALL EXISTING VALVES TO ASSIST IN THE SYSTEM ISOLATION.
14. SHOP DRAWINGS FOR ANY ITEM(S) WHICH WILL EVENTUALLY BE TAKEN OVER BY THE CITY SHALL BE SUBMITTED TO THE CITY FOR REVIEW AND APPROVAL PRIOR TO THE INSTALLATION OF THE ITEM(S).
15. ALL SANITARY SEWER MAINS AND FORCEMAINS SHALL HAVE A MINIMUM COVER OF 36 INCHES AND ALL WATER MAINS SHALL HAVE A MINIMUM COVER OF 42 INCHES AS MEASURED FROM THE TOP OF PIPE TO PROPOSED GRADE. SEWER LATERALS SHALL HAVE A MINIMUM DIAMETER OF SIX (6) INCHES AND HAVE A MINIMUM COVER OF 36 INCHES.
16. THERE SHALL BE A MINIMUM HORIZONTAL SEPARATION BETWEEN WATER MAINS AND SANITARY SEWER MAINS AND FORCEMAINS OF 10 FEET, AS MEASURED FROM EDGE OF PIPE TO EDGE OF PIPE. THERE SHALL BE A MINIMUM VERTICAL SEPARATION OF 18 INCHES BETWEEN WATER MAINS AND SANITARY SEWER MAINS OR FORCEMAINS AT CROSSINGS. ONE FULL LENGTH OF WATER PIPE SHALL BE LOCATED SO THAT BOTH JOINTS WILL BE AS FAR FROM THE SEWER AS POSSIBLE AT CROSSINGS.
17. THERE SHALL BE A MINIMUM VERTICAL SEPARATION OF 12 INCHES BETWEEN ANY STORM DRAIN PIPE AND ANY WATER MAIN OR SEWER MAIN. IF 12 INCHES CANNOT BE MAINTAINED, A MINIMUM OF SIX (6) INCHES IS REQUIRED AND PROVISIONS SHALL BE MADE ACCEPTABLE TO THE CITY OF MILFORD FOR PROPERLY ENCASING THE PIPE IN CONCRETE.
18. ALL ROADWAYS ARE TO BE SWEPT FREE OF SEDIMENT ON A DAILY BASIS.
19. THE CONTRACTOR SHALL REMOVE AND IMMEDIATELY REPLACE, RELOCATE, RESET OR RECONSTRUCT ALL OBSTRUCTIONS IN THE WORK AREA, INCLUDING, BUT NOT LIMITED TO, MAILBOXES, SIGNS, LANDSCAPING, LIGHTING, PLANTERS, CULVERTS, DRIVEWAYS, PARKING AREAS, CURBS, GUTTERS, FENCES, OR OTHER NATURAL OR MAN-MADE OBSTRUCTIONS. TRAFFIC CONTROL REGULATORY, WARNING AND INFORMATIONAL SIGNS SHALL REMAIN FUNCTIONAL AND VISIBLE TO THE APPROPRIATE LANES OF TRAFFIC AT ALL TIMES, WITH THEIR RELOCATION KEPT TO A MINIMUM DISTANCE. THE COST SHALL BE INCLUDED IN THE COST OF ITEMS BID.
20. IT IS THE CONTRACTOR'S RESPONSIBILITY TO INSURE THAT PAVING IS INSTALLED TO THE ELEVATIONS SHOWN AND THAT NO PONDING OF WATER WILL OCCUR AFTER PAVING IS COMPLETE.
21. ALL FIRE LANES, FIRE HYDRANTS, EXITS, AND STANDPIPES WILL BE MARKED IN ACCORDANCE WITH STATE FIRE PREVENTION REGULATIONS.
22. THE STORM DRAINAGE SYSTEM HAS BEEN DESIGNED USING THE CRITERIA OF THE STATE OF DELAWARE DEPARTMENT OF TRANSPORTATION DEVELOPMENT COORDINATION MANUAL, LATEST EDITION.

GENERAL NOTES

23. DELAWARE REGULATIONS PROHIBIT THE BURIAL OF CONSTRUCTION DEMOLITION DEBRIS, INCLUDING TREES AND STUMPS ON CONSTRUCTION SITES. ANY SOLID WASTE FOUND DURING THE EXCAVATION FOR STRUCTURES AND UTILITY LINES ON AND OFF SITE MUST BE REMOVED AND PROPERLY DISCARDED. ANY REMEDIAL ACTION REQUIRED IS THE RESPONSIBILITY OF THE OWNER.
24. DRAWINGS DO NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE PERFORMED IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970, AS AMENDED AND ALL RULES AND REGULATIONS THERETO APPURTENANT.
25. CONTRACTOR SHALL GRADE, TOPSOIL, SEED AND MULCH ALL DISTURBED AREAS OF CONSTRUCTION, INCLUDING PIPE INSTALLATION OR DITCH CONSTRUCTION. EROSION CONTROL MATTING SHALL BE PROVIDED ON ALL SLOPES GREATER THAN 3:1.
26. A PROFESSIONAL SURVEYOR LICENSED IN THE STATE OF DELAWARE SHALL BE RESPONSIBLE FOR PERMANENTLY RE-ESTABLISHING ANY PROPERTY MARKERS OR MONUMENTS DISTURBED DURING CONSTRUCTION. A SURVEY AND METES AND BOUNDS THAT INCLUDES THE RE-ESTABLISHED MARKER(S) OR MONUMENT(S) SHALL BE PRESENTED TO THE PROPERTY OWNER FOR COMPARISON WITH THE ORIGINAL PLAT, FOR VERIFICATION.
27. THE CONTRACTOR WILL BE RESPONSIBLE FOR THE SHORT TERM (DURING CONSTRUCTION) MAINTENANCE OF THE STORMWATER MANAGEMENT AND STORM SEWER SYSTEMS.
28. RED CEDAR FARMS, INC. WILL BE RESPONSIBLE FOR THE LONG TERM (AFTER FINAL ACCEPTANCE BY THE CITY) MAINTENANCE OF THE STORMWATER MANAGEMENT AND STORM SEWER SYSTEMS.
29. THE CITY OF MILFORD WILL ASSUME OWNERSHIP AND MAINTENANCE RESPONSIBILITY OF WATER AND SEWER PIPES AND APPURTENANCES INSTALLED WITHIN CITY RIGHT-OF-WAY, AND EASEMENTS DEDICATED TO THE CITY; AND, ALL STORM SEWER PIPES AND CATCH BASINS FULLY WITHIN CITY RIGHT-OF-WAY, AFTER ALL ITEMS HAVE PASSED CITY INSPECTION; AFTER THE CITY HAS RECEIVED AND APPROVED DIGITAL AND HARD COPIES OF THE RECORD DRAWINGS; AFTER THE RIGHTS-OF-WAY HAVE BEEN DEEDED TO THE CITY; AND AFTER ALL THE WATER, SEWER, AND STORM SEWER ITEMS HAVE BEEN TRANSFERRED TO THE CITY BY BILL OF SALE.
30. SEWER AND WATER CAPACITY ARE NOT GUARANTEED UNTIL BUILDING PERMITS ARE ISSUED, ALL FEES ARE PAID, AND SUITABLE UTILITIES ARE IN PLACE FOR PROPER CONVEYANCE, TREATMENT, AND DISPOSAL.
31. PRELIMINARY APPROVAL FROM PLANNING COMMISSION SHALL BE VOID AFTER ONE (1) YEAR, UNLESS AN EXTENSION IS REQUESTED BY THE OWNER AND APPROVED FOR GOOD CAUSE BY THE PLANNING COMMISSION PRIOR TO THE DATE OF EXPIRATION.
32. THE APPROVAL OF A CONDITIONAL USE IS VALID FOR ONE YEAR. UNLESS PERMITS ARE OBTAINED OR CONSTRUCTION OR USE IS SUBSTANTIALLY UNDERWAY, ALL PROVISIONS OF THE CONDITIONAL USE ARE AUTOMATICALLY RESCINDED. FINAL APPROVAL FROM THE CITY SHALL BECOME VOID IF THE FINAL RECORD PLAT IS NOT RECORDED WITHIN 90 DAYS OF THE DATE OF PLANNING COMMISSION'S GRANTING OF FINAL APPROVAL. IF CONSTRUCTION OF THE APPROVED IMPROVEMENTS IS NOT SUBSTANTIALLY UNDERTAKEN WITHIN ONE (1) YEAR OF FINAL SITE PLAN APPROVAL, THE SITE PLAN APPROVAL SHALL BE VOID. THE APPLICANT MAY REQUEST A ONE (1) YEAR EXTENSION FROM THE PLANNING COMMISSION FOR GOOD CAUSE.
33. THE APPLICANT IS RESPONSIBLE TO ENSURE THAT ALL CITY AND/OR AGENCY CONSTRUCTION PERMIT APPLICATIONS HAVE BEEN COMPLETED, SUBMITTED, AND ALL APPLICABLE FEES HAVE BEEN PAID PRIOR TO COMMENCING CONSTRUCTION. THE CITY SHALL NOT BE HELD RESPONSIBLE FOR AN UNANTICIPATED CONSTRUCTION START DATE THAT IS NOT MET DUE TO THE APPLICANT OR HIS/HER CONTRACTOR NOT HAVING MET THE CONSTRUCTION PERMITTING REQUIREMENTS.
34. AS A CONDITION OF THE APPROVAL OF THE CONSTRUCTION DRAWINGS, AND PRIOR TO THE START OF CONSTRUCTION, THE APPLICANT WILL BE REQUIRED TO ENTER INTO A FORMAL DEVELOPER'S AGREEMENT WITH THE CITY AND TO POST A COMPLETION GUARANTY FOR ANY IMPROVEMENTS WHICH WILL EVENTUALLY BE TAKEN OVER BY THE CITY. THE GUARANTY SHALL BE IN AN AMOUNT EQUAL TO 150% OF THE COST OF THE IMPROVEMENTS AS ESTIMATED OR APPROVED BY THE CITY ENGINEER. THE GUARANTY SHALL BE IN THE FORM OF A BOND OR FUNDS DEPOSITED IN AN ESCROW ACCOUNT. THE PUBLIC WORKS AGREEMENT AND THE GUARANTY SHALL BE REVIEWED AND APPROVED BY THE CITY SOLICITOR. THE COMPLETION GUARANTEE SHALL NOT BE RELEASED UNTIL A MAINTENANCE BOND IN THE AMOUNT OF 10% OF THE IMPROVEMENTS HAS BEEN SUBMITTED.
35. A MAINTENANCE BOND IN THE AMOUNT OF 10% OF THE AMOUNT OF THE COMPLETION GUARANTY PRIOR TO FINAL ACCEPTANCE OF THE IMPROVEMENTS AND RELEASE OF THE COMPLETION GUARANTY. THE MAINTENANCE PERIOD SHALL BE A MINIMUM OF ONE YEAR. AN AGREEMENT REVIEWED AND APPROVED BY THE CITY SOLICITOR SHALL ACCOMPANY THE BOND AND SHALL DESCRIBE THE TERMS OF THE BOND.
36. UPON COMPLETION AND PRIOR TO THE RELEASE OF THE DEVELOPER'S COMPLETION GUARANTEE, THE DEVELOPER SHALL PROVIDE THE CITY ENGINEER A DRAFT PAPER SET OF DETAILED RECORD PLANS (PLAN VIEW AND PROFILE SHEETS). RECORD PLAN INFORMATION SHALL INCLUDE SURVEYED AS-BUILT ELEVATIONS AND HORIZONTAL LOCATIONS OF ALL PROPERTY MONUMENTS/MARKERS; SEWER MANHOLE RIMS, PIPES SIZES & INVERTS' PUMP STATIONS' FORCE MAINS (INVERTS EVERY 50 FEET), CLEANOUTS, AIR RELEASE VALVES, AND GREASE TRAPS; ALL WATER VALVES, HYDRANTS, VAULTS, METER PITS, AND CURB STOPS; ALL STORM SEWER CATCH BASINS, MANHOLE RIMS, PIPE SIZES & INVERTS, AND ANY OTHER ITEM WHICH WILL BE TAKEN OVER BY THE TOWN. RECORD INFORMATION SHALL BE PLACED ON THE APPROPRIATE APPROVED DRAWINGS. ORIGINAL DESIGN ELEVATION AND/OR DISTANCE INFORMATION SHALL BE STRUCK THROUGH WITH A FINE LINE AND THE RECORD INFORMATION SHALL BE INSERTED NEXT TO IT. WHEN THE DRAFT SET OF DRAWINGS HAS BEEN APPROVED BY THE CITY, THREE (3) FINAL PAPER COPIES SHALL BE SUBMITTED, SIGNED AND SEALED BY THE OWNER'S ENGINEER. A CD SHALL ALSO BE PROVIDED WITH DIGITAL RECORD INFORMATION IN AUTOCAD FORMAT (VERSION 2010 OR LATER). THE DIGITAL INFORMATION SHALL BE ON DELAWARE STATE PLANE, NAD 83 HORIZONTAL CONTROL AND NAVD88 VERTICAL CONTROL
37. THE CONTRACTOR SHALL NOTIFY THE CITY OF MILFORD A MINIMUM OF TWO WEEKS PRIOR TO THE START OF CONSTRUCTION AND SCHEDULE A PRE-CONSTRUCTION MEETING. THE SITE CONTRACTOR AND THE OWNER, OR HIS/HER REPRESENTATIVE SHALL BE IN ATTENDANCE. CITY OF MILFORD (302) 424-8396

SITE DATA

1. OWNER OF RECORD: RED CEDAR FARMS, INC, 2160 NW 69TH TERRACE, MARGATE, FLORIDA 33063
2. ENGINEER / SURVEYOR: BECKER MORGAN GROUP INC., 309 SOUTH GOVERNORS AVE., DOVER, DELAWARE 19904, 302-734-7950
3. PROPERTY LOCATION: 6367 BUCKS ROAD; LATITUDE N N38° 54' 10.70" GRS80 - NAD83; LONGITUDE W 075° 23' 18.90" GRS80 - NAD83
4. TAX PARCEL NUMBER: 3-30-11.00-068.00
5. DEED REFERENCE: 3497 - 199
6. SITE AREA SUMMARY: 101.4166 ACRES ±; ROW DEDICATION: -25.283 SQ. FT. / 0.5804 ACRES ±; **100.8362 ACRES ±**
7. ZONING CLASSIFICATION: PRESENT: R-2 RESIDENTIAL DISTRICT; PROPOSED: R-2 RESIDENTIAL DISTRICT
8. PRESENT USE: RESIDENTIAL / AGRICULTURE
9. PROPOSED USE: RESIDENTIAL
10. ROAD CLASSIFICATION: BUCKS ROAD - LOCAL ROAD (40 MPH); CEDAR NECK ROAD - LOCAL ROAD (50 MPH)
11. SURVEY DATUM: NGS MONUMENTS; VERTICAL: NAVD 88 - GPS S6A; HORIZONTAL: NAD 83 (2011) - DEMI
12. MONUMENTATION: 11 FOUND / 7 SET
13. SURVEY UNIT: LINEAR: US SURVEY FOOT; ANGULAR: DEGREES MINUTES SECONDS (DMS); COORDINATE: GROUND
14. MIN. LOT AREA: REQUIRED: 8,000 SFT (INTERIOR LOT) 13,000 SFT (CORNER LOT); PROPOSED: 12,000 SFT (INTERIOR LOT) 13,000 SFT (CORNER LOT)
15. MIN. LOT DIMENSIONS: REQUIRED: WIDTH: 80' LENGTH: N/A; PROPOSED: WIDTH: 80' LENGTH: 150'
16. SETBACKS: R-2 RESIDENTIAL DISTRICT: FRONT: 30' SIDE: 8' REAR: 15'
17. BUILDING HEIGHT: PERMITTED: 35'
18. OPEN SPACE: MIN. REQUIRED: 25%; PROVIDED: 29.3503 AC± / 100.8362 AC± = 0.29.1%
19. LOT COVERAGE: MAX ALLOWABLE: 30%; MAX PROPOSED: 56.9731 AC± x 0.30 = 17.0919 AC±
20. PARKING: REQUIRED: 2.5 SPACES PER DWELLING UNIT; PROPOSED: 80' WIDTH LOT - 20' WIDE DRIVEWAY = 60' FOR PARKING / 20' PARKING SPACE = 3 PARKING SPACES / DWELLING UNIT
21. UTILITY PROVIDERS: SEWER: CITY OF MILFORD; WATER: CITY OF MILFORD; ELECTRIC: CITY OF MILFORD; GAS: CHESAPEAKE UTILITIES
22. TOTAL EDUs: SINGLE FAMILY DWELLING = 1 EDU; TOTAL: 200 SINGLE FAMILY * 1 = 200 EDUs
23. DWELLING UNIT TOTAL: SINGLE FAMILY DWELLING: 200 DWELLING UNITS
24. MAX DWELLING PER ACRE: MAX ALLOWED: 8 DU PER ACRE; PROPOSED: 200 DU / 101.41 AC = 1.97 PER ACRE

CITY OF MILFORD APPROVAL

MARK WHITFIELD — CITY MANAGER — DATE

CITY PLANNING DEPARTMENT APPROVAL

PLANS HAVE BEEN REVIEWED AND ARE FOUND TO BE IN GENERAL CONFORMANCE WITH THE MOST RECENTLY ADOPTED AND/OR CERTIFIED VERSIONS OF THE CITY OF MILFORD'S CODE OF ORDINANCES AND COMPREHENSIVE LAND USE PLAN. THE OWNER AND THEIR ENGINEER AND/OR SURVEYOR ASSUME ALL RESPONSIBILITY FOR THE DESIGN AS CONTEMPLATED HEREIN AND ACCURACY OF ALL INFORMATION SHOWN HEREON.

CITY ENGINEER APPROVAL

CONSTRUCTION IMPROVEMENTS PLANS HAVE BEEN REVIEWED AND ARE FOUND TO BE IN GENERAL CONFORMANCE WITH THE CITY OF MILFORD'S STANDARD SPECIFICATIONS FOR INSTALLATION OF UTILITY CONSTRUCTION PROJECTS AND SUBDIVISION PAVEMENT DESIGN. THE OWNER AND THEIR ENGINEER AND/OR SURVEYOR ASSUME ALL RESPONSIBILITY FOR THE DESIGN AS CONTEMPLATED HEREIN AND ACCURACY OF ALL INFORMATION SHOWN HEREON.

CITY ENGINEER — DATE

OWNERS CERTIFICATION

WE, RED CEDAR FARMS, INC., HEREBY CERTIFY THAT WE ARE THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION AND THAT WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

SIGNATURE — DATE

ENGINEERS CERTIFICATION

I, JONATHAN S. FALKOWSKI, P.E, HEREBY CERTIFY THAT I AM A REGISTERED ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

JONATHAN S. FALKOWSKI — P.E. NO. 18828 — DATE

SHEET INDEX

COVER SHEET
C-001 PRELIMINARY SITE PLAN COVER SHEET
EXISTING CONDITIONS AND DEMOLITION PLANS
C-101 EXISTING CONDITIONS PLAN
SITE PLANS
C-200 OVERALL PRELIMINARY SITE PLAN
C-201 - 213 PRELIMINARY SITE PLAN
C-214 PRELIMINARY SITE PLAN (CLUBHOUSE)

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

Delaware
309 South Governors Avenue
Dover, DE 19904
302.734.7950
The Tower at STAR Campus
100 Discovery Boulevard, Suite 102
Newark, DE 19713
302.369.3700

Maryland
312 West Main Street, Suite 300
Salisbury, MD 21801
410.546.9100

North Carolina
3333 Jaeckle Drive, Suite 120
Wilmington, NC 28403
910.341.7600

www.beckermorgan.com

PROJECT TITLE

RED CEDAR FARMS, INC

6367 BUCKS ROAD
CITY OF MILFORD
SUSSEX COUNTY, DE

SHEET TITLE

PRELIMINARY SITE PLAN COVER SHEET

0 100 200 400

SCALE: 1" = 200'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1	08/08/22	REVISED PER THE CITY OF MILFORD REVIEW COMMENTS

LAYER STATE: C-001

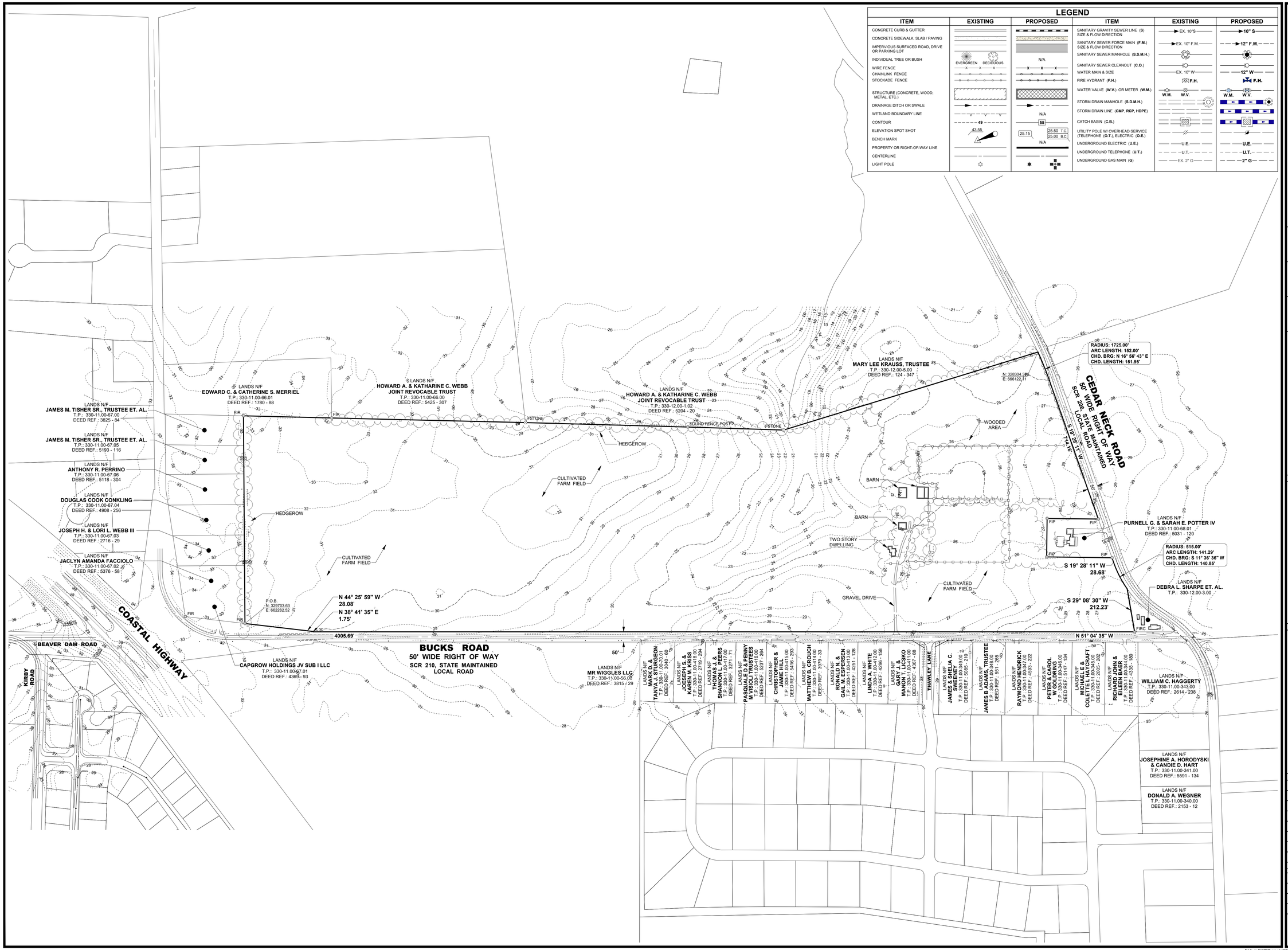
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DATE:	2022-09-09
SCALE:	1" = 200'
DRAWN BY: K.N.G.	PROJ. MGR.: C.D.C.

SHEET

C-001

2022

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Delaware
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Dover, DE 19904
302.734.7950
The Tower at STAR Campus
100 Discovery Boulevard, Suite 102
Newark, DE 19713
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www.beckermorgan.com

PROJECT TITLE

RED CEDAR FARMS, INC

6367 BUCKS ROAD
CITY OF MILFORD
SUSSEX COUNTY, DE

SHEET TITLE

EXISTING CONDITIONS PLAN

0 100 200 400

SCALE: 1" = 200'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1	08/08/22	REVISED PER THE CITY OF MILFORD REVIEW COMMENTS

LAYER STATE: Color

PROJECT NO.:	2021161.00
DATE:	01/21/2022
SCALE:	1" = 200'
DRAWN BY: K.N.G.	PROJ. MGR.: C.D.C.

SHEET

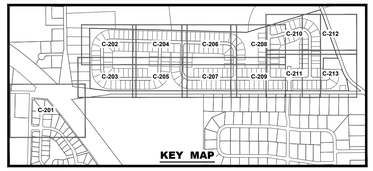
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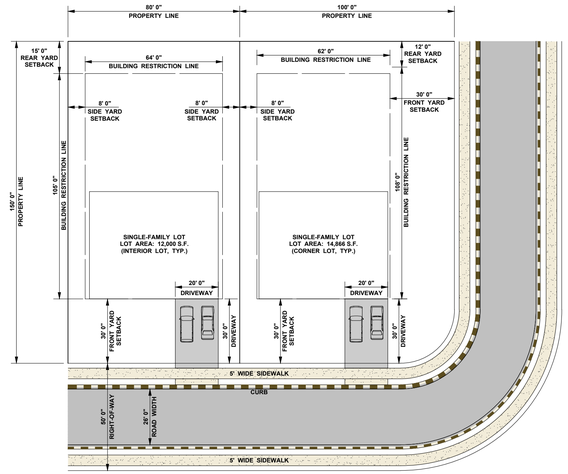
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LEGEND

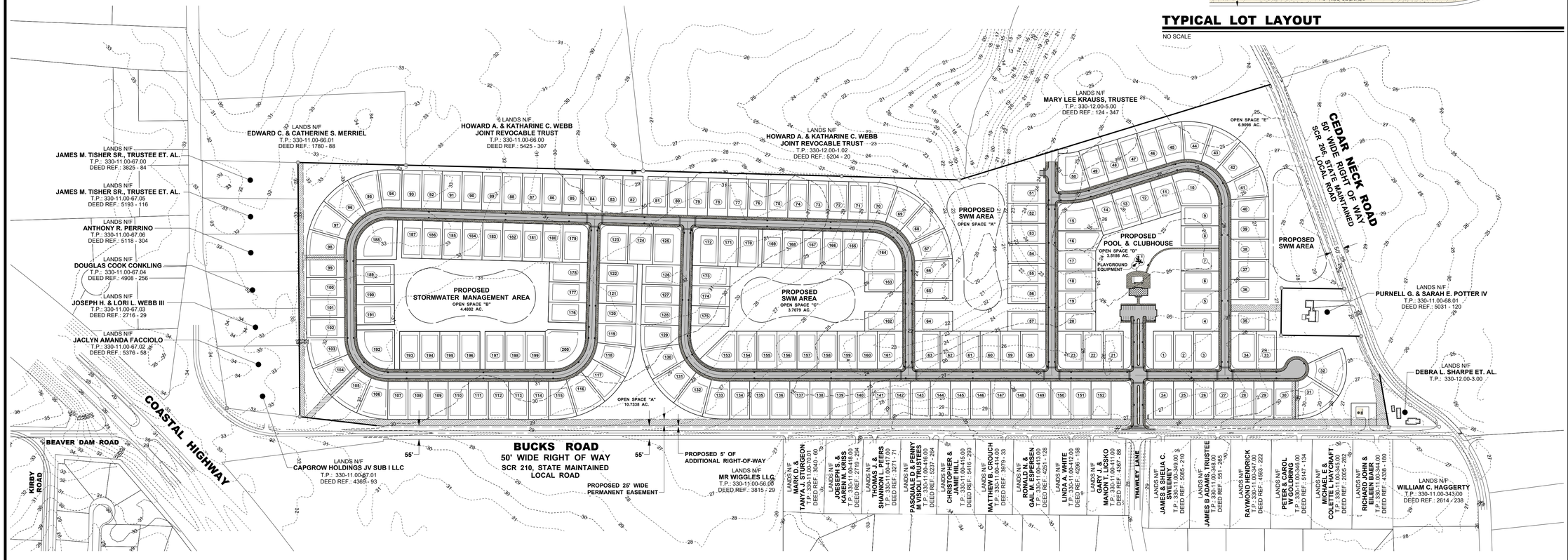
ITEM	EXISTING	PROPOSED
SANITARY GRAVITY SEWER LINE (S) SIZE & FLOW DIRECTION	EX. 10"S	10" S
SANITARY SEWER FORCE MAIN (F.M.) SIZE & FLOW DIRECTION	EX. 10" F.M.	12" F.M.
SANITARY SEWER MANHOLE (S.S.M.H.)		
SANITARY SEWER CLEANOUT (C.O.)		
WATER MAIN & SIZE	EX. 10" W	12" W
FIRE HYDRANT (F.H.)	F.H.	F.H.
WATER VALVE (W.V.) OR METER (W.M.)	W.M. W.V.	W.M. W.V.
STORM DRAIN MANHOLE (S.D.M.H.)		
STORM DRAIN LINE (CMP, RCP, HDPE)		
CATCH BASIN (C.B.)		
UTILITY POLE W/ OVERHEAD SERVICE (TELEPHONE (O.T.), ELECTRIC (O.E.)		
UNDERGROUND ELECTRIC (U.E.)	U.E.	U.E.
UNDERGROUND TELEPHONE (U.T.)	U.T.	U.T.
UNDERGROUND GAS MAIN (G)	EX. 2" G	2" G
CONCRETE CURB & GUTTER		
CONCRETE SIDEWALK, SLAB / PAVING		
IMPERVIOUS SURFACED ROAD, DRIVE OR PARKING LOT		
INDIVIDUAL TREE OR BUSH	EVERGREEN DECIDUOUS	N/A
WIRE FENCE	X X X	X X X
CHAINLINK FENCE		
STOCKADE FENCE		
STRUCTURE (CONCRETE, WOOD, METAL, ETC.)		
DRAINAGE DITCH OR SWALE		
WETLAND BOUNDARY LINE	V V V	N/A
CONTOUR	49	55
ELEVATION SPOT SHOT	43.55	25.15 / 25.50 T.C. 25.00 B.C.
BENCH MARK		N/A
PROPERTY OR RIGHT-OF-WAY LINE		
CENTERLINE		
LIGHT POLE		

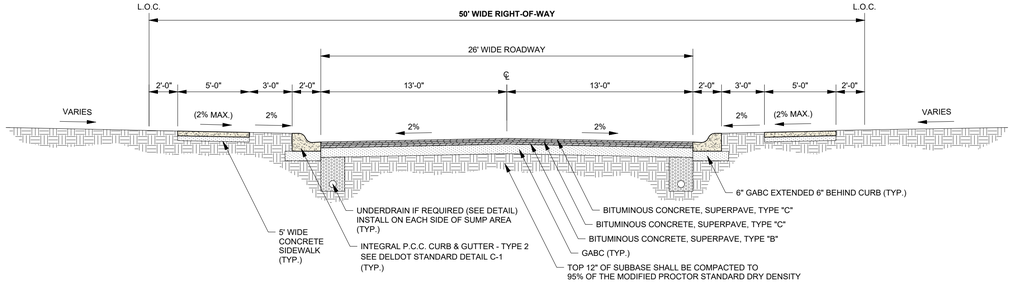




TYPICAL LOT LAYOUT

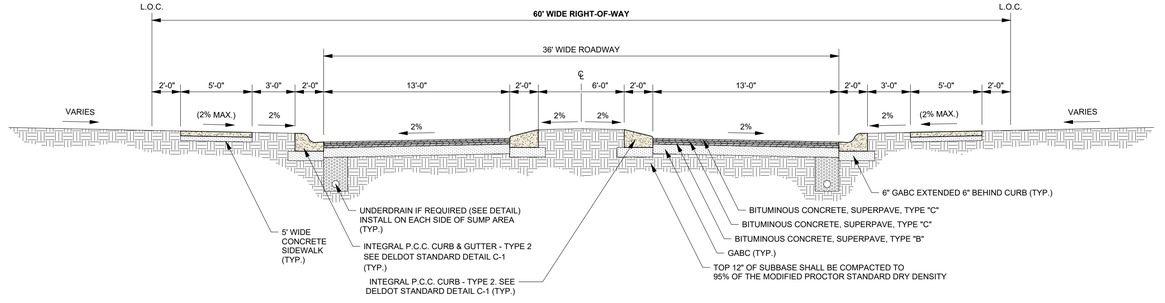
NO SCALE





TYPICAL 50' ROW ROADWAY SECTION

SCALE: 1" = 5'



TYPICAL 60' ROW ROADWAY SECTION

SCALE: 1" = 5'

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ARCHITECTURE
ENGINEERING

Delaware
309 South Governors Avenue
Dover, DE 19904
302.734.7950
The Tower at STAR Campus
100 Discovery Boulevard, Suite 102
Newark, DE 19713
302.369.3700

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312 West Main Street, Suite 300
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PROJECT TITLE

RED CEDAR FARMS, INC

6367 BUCKS ROAD
CITY OF MILFORD
SUSSEX COUNTY, DE

SHEET TITLE

OVERALL PRELIMINARY SITE PLAN

0 100 200 400

SCALE: 1" = 200'

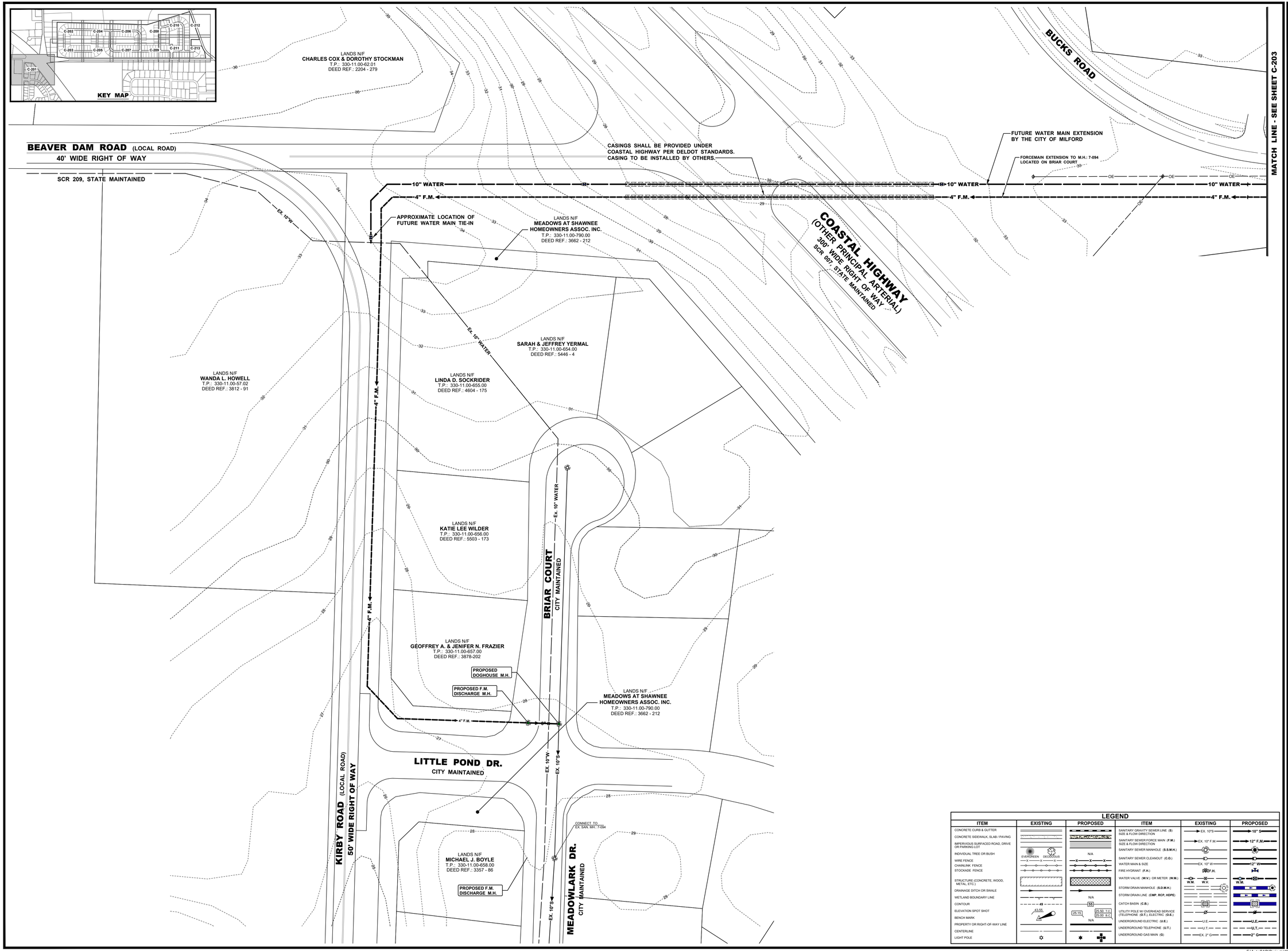
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1	08/08/22	REVISED PER THE CITY OF MILFORD REVIEW COMMENTS
MARK	DATE	DESCRIPTION

LAYER/STATE: C-200

PROJECT NO.:	2021161.00
DATE:	2022-09-09
SCALE:	1" = 200'
DRAWN BY: K.N.G.	PROJ. MGR.: J.S.F.

SHEET
C-200
2022

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LEGEND

ITEM	EXISTING	PROPOSED	ITEM	EXISTING	PROPOSED
CONCRETE CURB & GUTTER			SANITARY GRAVITY SEWER LINE (S) SIZE & FLOW DIRECTION	EX. 10"S	10" S
CONCRETE SIDEWALK, SLAB / PAVING			SANITARY SEWER FORCE MAIN (F.M.) SIZE & FLOW DIRECTION	EX. 10" F.M.	12" F.M.
IMPERVIOUS SURFACED ROAD, DRIVE OR PARKING LOT		N/A	SANITARY SEWER MANHOLE (S.S.M.H.)		
INDIVIDUAL TREE OR BUSH	EVERGREEN DECIDUOUS		SANITARY SEWER CLEANOUT (C.O.)		
WIRE FENCE	X X X	X X X	WATER MAIN & SIZE	EX. 10" W	12" W
CHAINLINK FENCE			FIRE HYDRANT (F.H.)		F.H.
STOCKADE FENCE			WATER VALVE (W.V.) OR METER (W.M.)	W.M. W.V.	W.M.
STRUCTURE (CONCRETE, WOOD, METAL, ETC.)			STORM DRAIN MANHOLE (S.D.M.H.)		S
DRAINAGE DITCH OR SWALE		N/A	STORM DRAIN LINE (CMP, RCP, HDPE)		
WETLAND BOUNDARY LINE		N/A	CATCH BASIN (C.B.)		
CONTOUR	49	55	UTILITY POLE W/ OVERHEAD SERVICE (TELEPHONE (O.T.), ELECTRIC (O.E.)		
ELEVATION SPOT SHOT	43.55	25.15 25.50 T.C. 25.00 B.C.	UNDERGROUND ELECTRIC (U.E.)		U.E.
BENCH MARK		N/A	UNDERGROUND TELEPHONE (U.T.)		U.T.
PROPERTY OR RIGHT-OF-WAY LINE			UNDERGROUND GAS MAIN (G)	EX. 2" G	2" G
CENTERLINE					
LIGHT POLE					

BECKER MORGAN GROUP

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PROJECT TITLE

RED CEDAR FARMS, INC

6367 BUCKS ROAD
CITY OF MILFORD
SUSSEX COUNTY, DE

SHEET TITLE

PRELIMINARY SITE PLAN

0 20 40 80

SCALE: 1" = 40'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1	08/08/22	REVISED PER THE CITY OF MILFORD REVIEW COMMENTS

LAYER STATE: C-201-C213

PROJECT NO.:	2021161.00
DATE:	2022-09-09
SCALE:	1" = 30'
DRAWN BY: K.N.G.	PROJ. MGR.: J.S.F.

SHEET

C-201

2022

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LEGEND

ITEM	EXISTING	PROPOSED
CONCRETE CURB & GUTTER		
CONCRETE SIDEWALK, SLAB / PAVING		
IMPERVIOUS SURFACED ROAD, DRIVE OR PARKING LOT		
INDIVIDUAL TREE OR BUSH	EVERGREEN DECIDUOUS	N/A
WIRE FENCE		
CHAINLINK FENCE		
STOCKADE FENCE		
STRUCTURE (CONCRETE, WOOD, METAL, ETC.)		
DRAINAGE DITCH OR SWALE		
WETLAND BOUNDARY LINE		N/A
CONTOUR	49	50
ELEVATION SPOT SHOT	43.55	25.15
BENCH MARK		25.50 T.C. 25.00 B.C.
PROPERTY OR RIGHT-OF-WAY LINE		N/A
CENTERLINE		
LIGHT POLE		

ITEM	EXISTING	PROPOSED
SANITARY GRAVITY SEWER LINE (S) SIZE & FLOW DIRECTION	EX. 12"S	10" S
SANITARY SEWER FORCE MAIN (F.M.) SIZE & FLOW DIRECTION	EX. 10" F.M.	12" F.M.
SANITARY SEWER MANHOLE (S.S.M.H.)		
SANITARY SEWER CLEANOUT (C.O.)		
WATER MAIN & SIZE	EX. 10" W	12" W
FIRE HYDRANT (F.H.)	F.H.	
WATER VALVE (W.V.) OR METER (W.M.)	W.M. W.V.	W.M.
STORM DRAIN MANHOLE (S.D.M.H.)		
STORM DRAIN LINE (CMP, RCP, HDPE)		
CATCH BASIN (C.B.)		
UTILITY POLE W/ OVERHEAD SERVICE (TELEPHONE (O.T.), ELECTRIC (O.E.)		
UNDERGROUND ELECTRIC (U.E.)	U.E.	U.E.
UNDERGROUND TELEPHONE (U.T.)	U.T.	U.T.
UNDERGROUND GAS MAIN (G)	EX. 2" G	2" G

LANDS N/F
EDWARD C. & CATHERINE S. MERRIEL
T.P.: 330-11.00-66.01
DEED REF.: 1780 - 88

LANDS N/F
HOWARD A. & KATHARINE C. WEBB JOINT REVOCABLE TRUST
T.P.: 330-11.00-66.00
DEED REF.: 5425 - 307

LANDS N/F
JAMES M. TISHER SR., TRUSTEE ET. AL.
T.P.: 330-11.00-67.00
DEED REF.: 3825 - 84

LANDS N/F
JAMES M. TISHER SR., TRUSTEE ET. AL.
T.P.: 330-11.00-67.05
DEED REF.: 5193 - 116

LANDS N/F
ANTHONY R. PERRINO
T.P.: 330-11.00-67.06
DEED REF.: 5118 - 304

LANDS N/F
DOUGLAS COOK CONKLING
T.P.: 330-11.00-67.04
DEED REF.: 4908 - 256

LANDS N/F
DOUGLAS COOK CONKLING
T.P.: 330-11.00-67.04
DEED REF.: 4908 - 256

KEY MAP

ROAD D
MINOR STREET

PROPOSED SEWER MANHOLE NO.: 34
PROPOSED SEWER MANHOLE NO.: 33
PROPOSED SEWER MANHOLE NO.: 35
PROPOSED SEWER MANHOLE NO.: 36
PROPOSED SEWER MANHOLE NO.: 37
PROPOSED SEWER MANHOLE NO.: 37A

PROPOSED 5' WIDE SIDEWALK (typ.)

PROPOSED CATCH BASIN (typ.)

INSTALL 5' STUB WITH CAP FOR FUTURE EXTENSION AND PLUG WITHIN THE MANHOLE

PROPOSED 20' WIDE UTILITY EASEMENT

PROPOSED STORMWATER MANANGEMENT AREA
OPEN SPACE "B"
4.4802 AC.

MATCH LINE A - A, SEE SHEET C-204

MATCH LINE B - B, SEE SHEET C-203

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

Delaware
309 South Governors Avenue
Dover, DE 19904
302.734.7950

The Tower at STAR Campus
100 Discovery Boulevard, Suite 102
Newark, DE 19713
302.369.3700

Maryland
312 West Main Street, Suite 300
Salisbury, MD 21801
410.546.9100

North Carolina
3333 Jaeckle Drive, Suite 120
Wilmington, NC 28403
910.341.7600

www.beckermorgan.com

PROJECT TITLE

RED CEDAR FARMS, INC

6367 BUCKS ROAD
CITY OF MILFORD
SUSSEX COUNTY, DE

SHEET TITLE

PRELIMINARY SITE PLAN

SCALE: 1" = 30'

ISSUE BLOCK

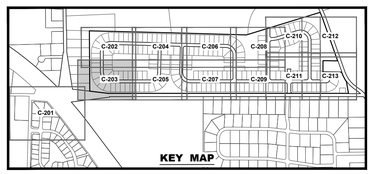
MARK	DATE	DESCRIPTION
1	08/08/22	REVISED PER THE CITY OF MILFORD REVIEW COMMENTS.

LAYER STATE: C201-C213

PROJECT NO.:	2021161.00
DATE:	2022-09-09
SCALE:	1" = 30'
DRAWN BY: K.N.G.	PROJ. MGR.: J.S.F.

SHEET
C-202
2022

F:\AutoCAD\Projects\2021\2021161\DWG\2021161-Site-C3d21.dwg, Sep 09, 2022 - 2:12pm



MATCH LINE B - B, SEE SHEET C-202

LANDS N/F
DOUGLAS COOK CONKLING
T.P.: 330-11.00-67.04
DEED REF.: 4908 - 256

LANDS N/F
JOSEPH H. & LORI L. WEBB III
T.P.: 330-11.00-67.03
DEED REF.: 2716 - 29

LANDS N/F
JACLYN AMANDA FACCIOLO
T.P.: 330-11.00-67.02
DEED REF.: 5376 - 58

LANDS N/F
CAPGROW HOLDINGS JV SUB I LLC
T.P.: 330-11.00-67.01
DEED REF.: 4369 - 93

ROAD D
MINOR STREET

26'
50'

8" W

8" S

8" B.R.L.

15' B.R.L.

F.H.

PROPOSED SEWER MANHOLE NO.: 38

PROPOSED SEWER MANHOLE NO.: 39

PROPOSED SEWER MANHOLE NO.: 45

PROPOSED SEWER MANHOLE NO.: 44

100 101 102 103 104 105 106 190 191 192 193 194 195 196 107 108 109 110 111

PROPOSED STORMWATER MANANGEMENT AREA

OPEN SPACE "B"
4.4802 AC.

PROPOSED CATCH BASIN (typ.)

PROPOSED INTEGRAL CONCRETE CURB & GUTTER, TYPE 2 (typ.)

PROPOSED 5' WIDE SIDEWALK (typ.)

30' B.R.L.

3'

5'

20'

PROPOSED 20' WIDE UTILITY EASEMENT

10' B.R.L.

10" WATER

FUTURE WATER MAIN EXTENSION BY THE CITY OF MILFORD

FORCEMAIN EXTENSION TO M.H.: LOCATED ON BRIAR COURT

4" F.M.

5' OF ADDITIONAL RIGHT-OF-WAY SHALL BE DEDICATED TO THE STATE OF DELAWARE, PER THE RECORD PLAN (20,071 S.F.)

A 26' WIDE PERMANENT EASEMENT SHALL BE DEDICATED TO THE CITY OF MILFORD AND THE STATE OF DELAWARE, PER THE RECORD PLAN. (2.4074 AC. ±)

BUCKS ROAD (LOCAL ROAD)
50' WIDE RIGHT OF WAY
SCR 210, STATE MAINTAINED

MATCH LINE - SEE SHEET C-201

MATCH LINE C - C, SHEET C-205

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

Delaware
309 South Governors Avenue
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302.734.7950
The Tower at STAR Campus
100 Discovery Boulevard, Suite 102
Newark, DE 19713
302.369.3700

Maryland
312 West Main Street, Suite 300
Salisbury, MD 21801
410.546.9100

North Carolina
3333 Jaeckle Drive, Suite 120
Wilmington, NC 28403
910.341.7600

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PROJECT TITLE

RED CEDAR FARMS, INC

6367 BUCKS ROAD
CITY OF MILFORD
SUSSEX COUNTY, DE

SHEET TITLE

PRELIMINARY SITE PLAN

0 15 30 60

SCALE: 1" = 30'

ISSUE BLOCK		
1	08/08/22	REVISED PER THE CITY OF MILFORD REVIEW COMMENTS.
MARK	DATE	DESCRIPTION

LAYER STATE: C201-C213

PROJECT NO.:	2021161.00
DATE:	2022-09-09
SCALE:	1" = 30'
DRAWN BY: K.N.G.	PROJ. MGR.: J.S.F.

SHEET

C-203

2022

F:\AutoCAD\Projects\2021\2021161\DWG\2021161-Site-C3d21.dwg, Sep 09, 2022 - 2:13pm

LANDS N/F
HOWARD A. & KATHARINE C. WEBB JOINT REVOCABLE TRUST
T.P.: 330-11.00-66.00
DEED REF.: 5425 - 307

LANDS N/F
HOWARD A. & KATHY C. WEBB JOINT REVOCABLE TRUST
T.P.: 330-12.00-1.02
DEED REF.: 5204 - 20

MATCH LINE A - A, SEE SHEET C-202

MATCH LINE E - E, SHEET C-206

ROAD D MINOR STREET

ROAD B COLLECTOR STREET

PROPOSED SEWER MANHOLE NO.: 32

PROPOSED CATCH BASIN (typ.)

PROPOSED SEWER MANHOLE NO.: 31

PROPOSED SEWER MANHOLE NO.: 30

PROPOSED SEWER MANHOLE NO.: 24

PROPOSED SEWER MANHOLE NO.: 40

PROPOSED 5' WIDE SIDEWALK (typ.)

PROPOSED INTEGRAL CONCRETE CURB & GUTTER, TYPE 2 (typ.)

PROPOSED STOP SIGN (typ.)

8" WATER

10" WATER

8" W

10" W

8" S

26'

50'

3'

5'

15' B.R.L.

30' B.R.L.

8' B.R.L.

AREA

KEY MAP

MATCH LINE D - D, SEE SHEET C-205

BECKER MORGAN GROUP

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302.734.7950
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Newark, DE 19713
302.369.3700

Maryland
312 West Main Street, Suite 300
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3333 Jaeckle Drive, Suite 120
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PROJECT TITLE

RED CEDAR FARMS, INC

6367 BUCKS ROAD
CITY OF MILFORD
SUSSEX COUNTY, DE

SHEET TITLE

PRELIMINARY SITE PLAN

0 15 30 60

SCALE: 1" = 30'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
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LAYER/STATE: C-201-C-213

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DATE:	2022-09-09
SCALE:	1" = 30'
DRAWN BY: K.N.G.	PROJ. MGR.: J.S.F.

SHEET
C-204
2022

F:\AutoCAD\Projects\2021\2021161\DWG\2021161-Site-C3d21.dwg, Sep 09, 2022 - 2:13pm

MATCH LINE D - D, SHEET C-204

T AREA

PROPOSED SEWER MANHOLE NO.: 40

PROPOSED SEWER MANHOLE NO.: 41

PROPOSED SEWER MANHOLE NO.: 42

PROPOSED SEWER MANHOLE NO.: 43

PROPOSED SEWER MANHOLE NO.: 23

ROAD D
MINOR STREET

ROAD
COLLECTOR S

8" S

10" W

26'
50'

3'

5'

15' B.R.L.

8' B.R.L.

30' B.R.L.

177 176 121 120 119 200 118 197 198 199 117 116 127 128 129 130 131 132 175

PROPOSED 5' WIDE SIDEWALK (typ.)

PROPOSED INTEGRAL CONCRETE CURB & GUTTER, TYPE 2 (typ.)

OPEN SPACE "A"
10.7338 AC.

5' OF ADDITIONAL RIGHT-OF-WAY SHALL BE DEDICATED TO THE STATE OF DELAWARE, PER THE RECORD PLAN (20,071 S.F.)

A 26' WIDE PERMANENT EASEMENT SHALL BE DEDICATED TO THE CITY OF MILFORD AND THE STATE OF DELAWARE, PER THE RECORD PLAN. (2.4074 AC. ±)

FORCEMAIN EXTENSION TO M.H.: LOCATED ON BRIAR COURT

ENSION TO M.H.:
RIAR COURT

4" F.M.

BUCKS ROAD (LOCAL ROAD)
50' WIDE RIGHT OF WAY
SCR 210, STATE MAINTAINED

MATCH LINE C - C, SEE SHEET C-203

MATCH LINE F - F, SHEET C-207

KEY MAP
C-201 C-202 C-203 C-204 C-205 C-206 C-207 C-208 C-209 C-210 C-211 C-212 C-213

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Dover, DE 19904
302.734.7950
The Tower at STAR Campus
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Newark, DE 19713
302.369.3700

Maryland
312 West Main Street, Suite 300
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3333 Jaeckle Drive, Suite 120
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PROJECT TITLE

RED CEDAR FARMS, INC

6367 BUCKS ROAD
CITY OF MILFORD
SUSSEX COUNTY, DE

SHEET TITLE

PRELIMINARY SITE PLAN

0 15 30 60

SCALE: 1" = 30'

ISSUE BLOCK

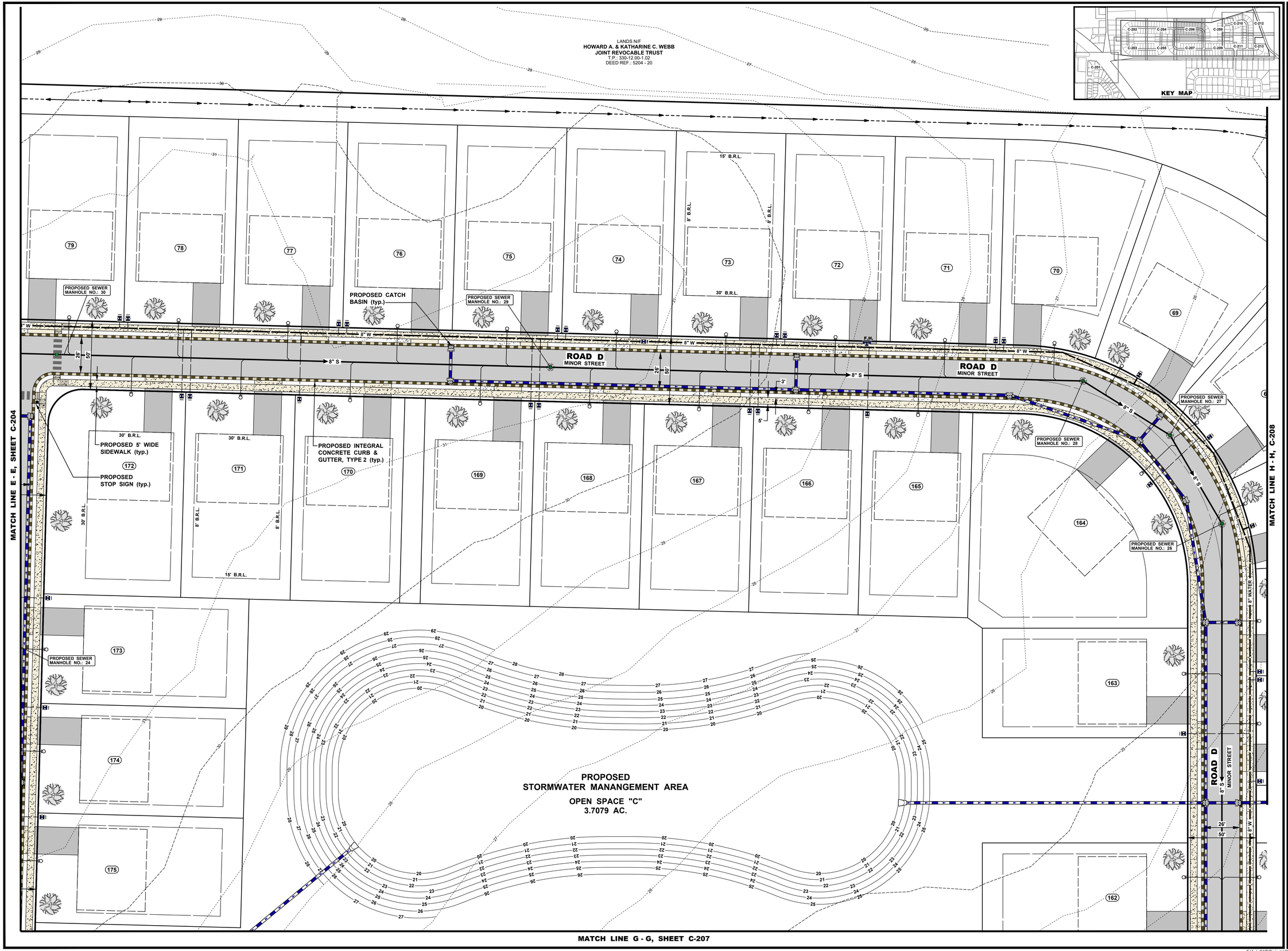
MARK	DATE	DESCRIPTION
1	08/08/22	REVISED PER THE CITY OF MILFORD REVIEW COMMENTS

LAYER STATE: C-201-C-213

PROJECT NO.:	2021161.00
DATE:	2022-09-09
SCALE:	1" = 30'
DRAWN BY: K.N.G.	PROJ. MGR.: J.S.F.

SHEET
C-205
2022

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Newark, DE 19713
302.369.3700

Maryland
312 West Main Street, Suite 300
Salisbury, MD 21801
410.546.9100

North Carolina
3333 Jaeckle Drive, Suite 120
Wilmington, NC 28403
910.341.7600

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PROJECT TITLE

RED CEDAR FARMS, INC

6367 BUCKS ROAD
CITY OF MILFORD
SUSSEX COUNTY, DE

SHEET TITLE

PRELIMINARY SITE PLAN

SCALE: 1" = 30'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
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LAYER STATE: C-201-C-213

PROJECT NO.:	2021161.00
DATE:	2022-09-09
SCALE:	1" = 30'
DRAWN BY: K.N.G.	PROJ. MGR.: J.S.F.

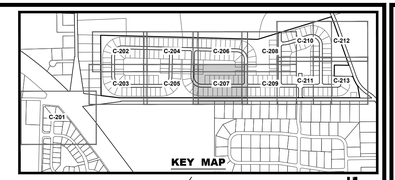
SHEET
C-206
2022

F:\AutoCAD\Projects\2021\2021161\DWG\2021161-Site-C3d21.dwg, Sep 09, 2022 - 2:14pm

MATCH LINE G - G, SHEET C-206

MATCH LINE F - F, SHEET C-205

MATCH LINE I - I, SHEET C-209



PROPOSED
STORMWATER MANANGEMENT AREA

OPEN SPACE "C"
3.7079 AC.

ROAD B
COLLECTOR STREET

F.H.

8" S

26'
50'

10" WATER

PROPOSED SEWER MANHOLE NO.: 23

PROPOSED SEWER MANHOLE NO.: 22

PROPOSED SEWER MANHOLE NO.: 21

PROPOSED CATCH BASIN (typ.)

PROPOSED SEWER MANHOLE NO.: 20

PROPOSED SEWER MANHOLE NO.: 19

PROPOSED SEWER MANHOLE NO.: 25

PROPOSED STOP SIGN (typ.)

PROPOSED 5' WIDE SIDEWALK (typ.)

PROPOSED INTEGRAL CONCRETE CURB & GUTTER, TYPE 2 (typ.)

5' OF ADDITIONAL RIGHT-OF-WAY SHALL BE DEDICATED TO THE STATE OF DELAWARE, PER THE RECORD PLAN (20,071 S.F.)

A 26' WIDE PERMANENT EASEMENT SHALL BE DEDICATED TO THE CITY OF MILFORD AND THE STATE OF DELAWARE, PER THE RECORD PLAN. (2.4074 AC. ±)

FORCEMAIN EXTENSION TO M.H.: LOCATED ON BRIAR COURT

15' B.R.L.
30' B.R.L.
8' B.R.L.

PE
4" F.M.

BUCKS ROAD (LOCAL ROAD)
50' WIDE RIGHT OF WAY
SCR 210, STATE MAINTAINED

OE

LANDS N/F
MARK D. STURGEON & TANYA J.
T.P.: 330-11.00-70.01
DEED REF.: 3040 - 60

LANDS N/F
JOSEPH MRISS & KAREN M.
T.P.: 330-11.00-416.00
DEED REF.: 2719 - 294

LANDS N/F
THOMAS J. PEERS & SHANNON L. PEERS
T.P.: 330-11.00-417.00
DEED REF.: 3271 - 71

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ARCHITECTURE
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Delaware
309 South Governors Avenue
Dover, DE 19904
302.734.7950

The Tower at STAR Campus
100 Discovery Boulevard, Suite 102
Newark, DE 19713
302.369.3700

Maryland
312 West Main Street, Suite 300
Salisbury, MD 21801
410.546.9100

North Carolina
3333 Jaeckle Drive, Suite 120
Wilmington, NC 28403
910.341.7600

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PROJECT TITLE

RED CEDAR FARMS, INC

6367 BUCKS ROAD
CITY OF MILFORD
SUSSEX COUNTY, DE

SHEET TITLE

PRELIMINARY SITE PLAN

0 15 30 60

SCALE: 1" = 30'

ISSUE BLOCK

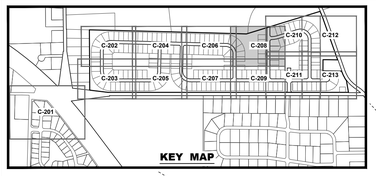
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LAYER STATE: C-201-C-213

PROJECT NO.:	2021161.00
DATE:	2022-09-09
SCALE:	1" = 30'
DRAWN BY: K.N.G.	PROJ. MGR.: J.S.F.

SHEET
C-207
2022

F:\AutoCAD\Projects\2021\2021161\DWG\2021161-Site-C3d21.dwg, Sep 09, 2022 - 2:15pm



INSTALL 145' SEWER MAIN EXTENSION AND CAP FOR FUTURE EXTENSION. PLUG WITHIN THE MANHOLE

PROPOSED STORMWATER MANANGEMENT AREA

PROPOSED STOP SIGN (typ.)

PROPOSED SEWER MANHOLE NO.: 27

PROPOSED SEWER MANHOLE NO.: 26

PROPOSED SEWER MANHOLE NO.: 12

PROPOSED SEWER MANHOLE NO.: 11

PROPOSED SEWER MANHOLE NO.: 13

PROPOSED CATCH BASIN (typ.)

ROAD C
MINOR STREET

ROAD D
MINOR STREET

8" WATER

8" S

8" W

30' B.R.L.

15' B.R.L.

8' B.R.L.

26'
50'

3'
5'

F.H.

PROPOSED PLAYGROU

OPEN SPACE
3.5186 AC

MATCH LINE H - H, SHEET C-206

MATCH LINE K - K, SHEET C-210

MATCH LINE J - J, SHEET C-209

BECKER MORGAN GROUP

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Dover, DE 19904
302.734.7950
The Tower at STAR Campus
100 Discovery Boulevard, Suite 102
Newark, DE 19713
302.369.3700

Maryland
312 West Main Street, Suite 300
Salisbury, MD 21801
410.546.9100

North Carolina
3333 Jaeckle Drive, Suite 120
Wilmington, NC 28403
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PROJECT TITLE

RED CEDAR FARMS, INC

6367 BUCKS ROAD
CITY OF MILFORD
SUSSEX COUNTY, DE

SHEET TITLE

PRELIMINARY SITE PLAN

0 15 30 60

SCALE: 1" = 30'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
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LAYER/STATE: C-201-C-213

PROJECT NO.:	2021161.00
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DRAWN BY: K.N.G.	PROJ. MGR.: J.S.F.

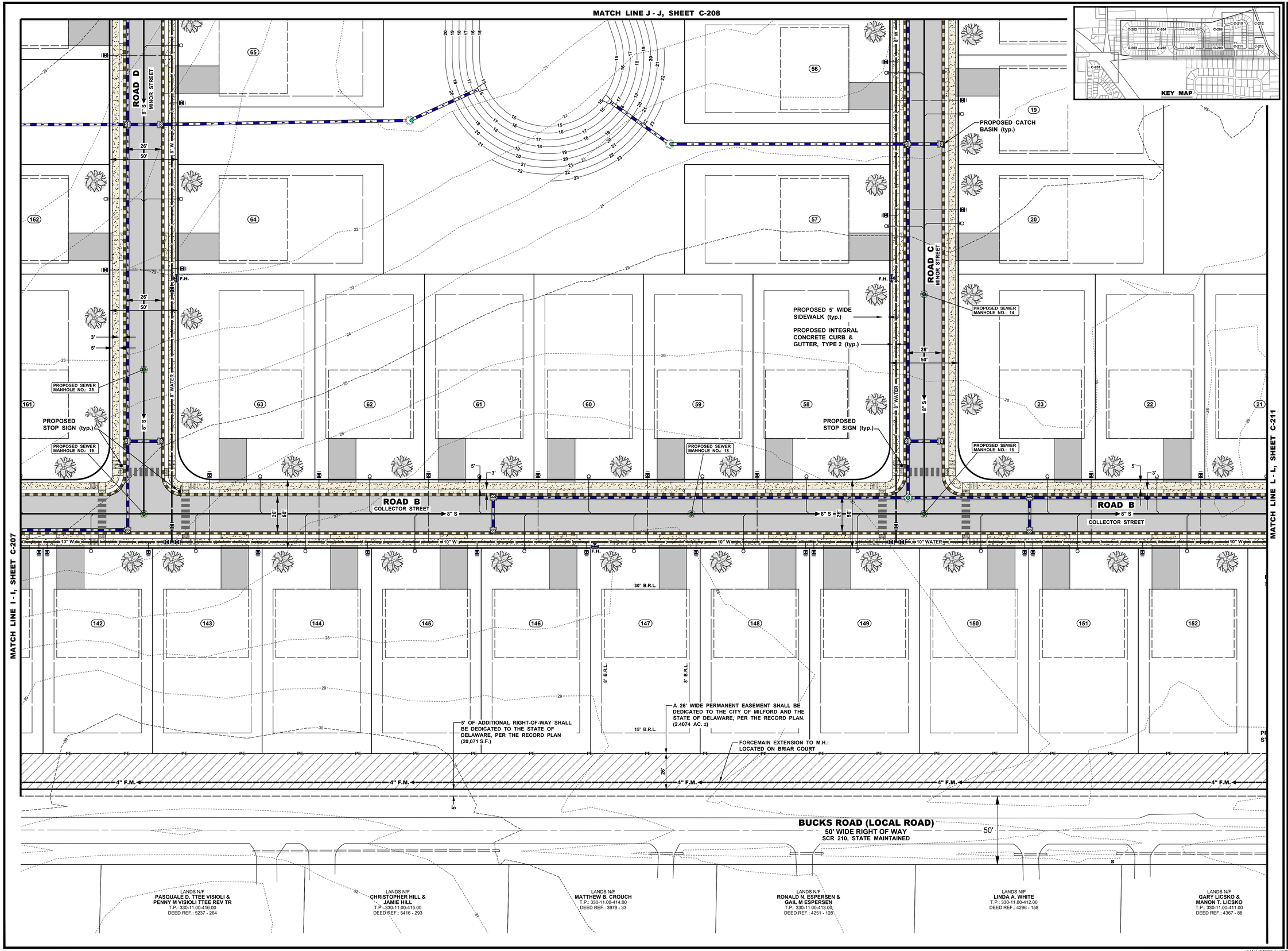
SHEET
C-208
2022

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MATCH LINE J - J, SHEET C-208

MATCH LINE I - I, SHEET C-207

MATCH LINE L - L, SHEET C-211



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Newark, DE 19713
302.369.3700

Maryland
312 West Main Street, Suite 300
Salisbury, MD 21801
410.546.9100

North Carolina
3333 Jaeckle Drive, Suite 120
Wilmington, NC 28403
910.341.7600

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PROJECT TITLE

RED CEDAR FARMS, INC

6367 BUCKS ROAD
CITY OF MILFORD
SUSSEX COUNTY, DE

SHEET TITLE

PRELIMINARY SITE PLAN

0 15 30 60

SCALE: 1" = 30'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
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PROJECT NO.:	2021161.00
DATE:	2022-09-09
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DRAWN BY: K.N.G.	PROJ. MGR.: J.S.F.

SHEET

C-209

2022

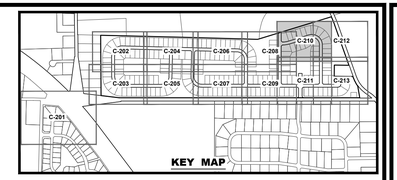
F:\AutoCAD\Projects\2021\2021161\DWG\2021161-Site-C3d21.dwg, Sep 09, 2022 - 2:16pm

LEGEND

ITEM	EXISTING	PROPOSED
CONCRETE CURB & GUTTER		
CONCRETE SIDEWALK, SLAB / PAVING		
IMPERVIOUS SURFACED ROAD, DRIVE OR PARKING LOT		
INDIVIDUAL TREE OR BUSH	EVERGREEN DECIDUOUS	N/A
WIRE FENCE	X X X	X X X
CHAINLINK FENCE		
STOCKADE FENCE		
STRUCTURE (CONCRETE, WOOD, METAL, ETC.)		
DRAINAGE DITCH OR SWALE		N/A
WETLAND BOUNDARY LINE		
CONTOUR	49	50
ELEVATION SPOT SHOT	43.55	25.15 / 25.50 T.C. 25.00 B.C.
BENCH MARK		N/A
PROPERTY OR RIGHT-OF-WAY LINE		
CENTERLINE		
LIGHT POLE		

ITEM	EXISTING	PROPOSED
SANITARY GRAVITY SEWER LINE (S) SIZE & FLOW DIRECTION	EX. 12"S	10" S
SANITARY SEWER FORCE MAIN (F.M.) SIZE & FLOW DIRECTION	EX. 10" F.M.	12" F.M.
SANITARY SEWER MANHOLE (S.S.M.H.)		
SANITARY SEWER CLEANOUT (C.O.)		
WATER MAIN & SIZE	EX. 10" W	12" W
FIRE HYDRANT (F.H.)	F.H.	
WATER VALVE (W.V.) OR METER (W.M.)	W.M. W.V.	W.M.
STORM DRAIN MANHOLE (S.D.M.H.)		
STORM DRAIN LINE (CMP, RCP, HDPE)		
CATCH BASIN (C.B.)		
UTILITY POLE W/ OVERHEAD SERVICE (TELEPHONE (O.T.), ELECTRIC (O.E.)		
UNDERGROUND ELECTRIC (U.E.)	U.E.	U.E.
UNDERGROUND TELEPHONE (U.T.)	U.T.	U.T.
UNDERGROUND GAS MAIN (G)	EX. 2" G	2" G

LANDS N/F
MARY LEE KRAUSS, TRUSTEE
T.P.: 330-12.00-5.00
DEED REF.: 124 - 347



MATCH LINE K - K, SEE SHEET C-208

MATCH LINE N - N, SEE SHEET C-213

MATCH LINE M - M, SEE SHEET C-211

ROAD C
MINOR STREET

PROPOSED SEWER MANHOLE NO.: 10
PROPOSED SEWER MANHOLE NO.: 9
PROPOSED SEWER MANHOLE NO.: 8
PROPOSED SEWER MANHOLE NO.: 7
PROPOSED SEWER MANHOLE NO.: 6
PROPOSED SEWER MANHOLE NO.: 5
PROPOSED SEWER MANHOLE NO.: 12
PROPOSED SEWER MANHOLE NO.: 11
PROPOSED SEWER MANHOLE NO.: 13

PROPOSED STOP SIGN (typ.)

PROPOSED INTEGRAL CONCRETE CURB & GUTTER, TYPE 2 (typ.)

PROPOSED CATCH BASIN (typ.)

PROPOSED 5' WIDE SIDEWALK (typ.)

PROPOSED PLAYGROUND EQUIPMENT

OPEN SPACE "D"
3.5186 AC.

8" WATER
8" S
8" W
F.H.
30' B.R.L.
15' B.R.L.
8' B.R.L.
26'
50'
5'
3'

BECKER MORGAN GROUP

ARCHITECTURE
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PROJECT TITLE

RED CEDAR FARMS, INC

6367 BUCKS ROAD
CITY OF MILFORD
SUSSEX COUNTY, DE

SHEET TITLE

PRELIMINARY SITE PLAN

0 15 30 60

SCALE: 1" = 30'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
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DRAWN BY: K.N.G.	PROJ. MGR.: J.S.F.

SHEET

C-210

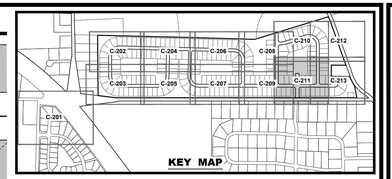
2022

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MATCH LINE M - M, SHEET C-210

MATCH LINE L - L, SEE SHEET C-209

MATCH LINE O - O, SEE SHEET C-213



PROPOSED POOL AREA

PROPOSED CLUBHOUSE 2,500 S.F. +/-

W.M.

PROPOSED 5' WIDE SIDEWALK (typ.)

PROPOSED INTEGRAL CONCRETE CURB & GUTTER, TYPE 2 (typ.)

PROPOSED CATCH BASIN (typ.)

PROPOSED SEWER MANHOLE NO.: 17

PROPOSED SEWER MANHOLE NO.: 5

PROPOSED 25' WIDE UTILITY EASEMENT

PROPOSED SEWER MANHOLE NO.: 14

PROPOSED 5' WIDE SIDEWALK (typ.)

PROPOSED INTEGRAL CONCRETE CURB & GUTTER, TYPE 2 (typ.)

PROPOSED STOP SIGN (typ.)

PROPOSED SEWER MANHOLE NO.: 15

PROPOSED SEWER MANHOLE NO.: 4

PROPOSED CATCH BASIN (typ.)

PROPOSED STOP SIGN (typ.)

PROPOSED SEWER MANHOLE NO.: 16

PROPOSED MONUMENT SIGN

A 26' WIDE PERMANENT EASEMENT SHALL BE DEDICATED TO THE CITY OF MILFORD AND THE STATE OF DELAWARE, PER THE RECORD PLAN. (2.4074 AC. ±)

5' OF ADDITIONAL RIGHT-OF-WAY SHALL BE DEDICATED TO THE STATE OF DELAWARE, PER THE RECORD PLAN (20,071 S.F.)

ROAD C
MINOR STREET

ROAD A
COLLECTOR STREET

ROAD B
COLLECTOR STREET

ROAD B
MINOR STREET

LOCAL ROAD)
IT OF WAY
MAINTAINED

50'

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

Delaware
309 South Governors Avenue
Dover, DE 19904
302.734.7950
The Tower at STAR Campus
100 Discovery Boulevard, Suite 102
Newark, DE 19713
302.369.3700

Maryland
312 West Main Street, Suite 300
Salisbury, MD 21801
410.546.9100

North Carolina
3333 Jaeckle Drive, Suite 120
Wilmington, NC 28403
910.341.7600

www.beckermorgan.com

PROJECT TITLE

RED CEDAR FARMS, INC

6367 BUCKS ROAD
CITY OF MILFORD
SUSSEX COUNTY, DE

SHEET TITLE

PRELIMINARY SITE PLAN

0 15 30 60

SCALE: 1" = 30'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1	08/08/22	REVISED PER THE CITY OF MILFORD REVIEW COMMENTS

LAYER STATE: C-261-G23

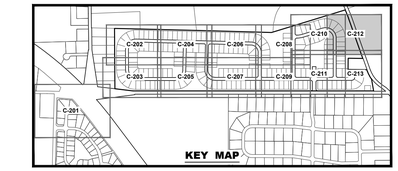
PROJECT NO.:	2021161.00
DATE:	2022-09-09
SCALE:	1" = 30'
DRAWN BY: K.N.G.	PROJ. MGR.: J.S.F.

SHEET

C-211

2022

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Newark, DE 19713
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Maryland
312 West Main Street, Suite 300
Salisbury, MD 21801
410.546.9100

North Carolina
3333 Jaeckle Drive, Suite 120
Wilmington, NC 28403
910.341.7600

www.beckermorgan.com

PROJECT TITLE

RED CEDAR FARMS, INC

6367 BUCKS ROAD
CITY OF MILFORD
SUSSEX COUNTY, DE

SHEET TITLE

PRELIMINARY SITE PLAN

0 15 30 60

SCALE: 1" = 30'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1	08/08/22	REVISED PER THE CITY OF MILFORD REVIEW COMMENTS.

LAYER/STATE: C-201-C-213

PROJECT NO.:	2021161.00
DATE:	2022-09-09
SCALE:	1" = 30'
DRAWN BY: K.N.G.	PROJ. MGR.: J.S.F.

SHEET
C-212
2022

MATCH LINE N - N, SEE SHEET C-210

MATCH LINE P - P, SEE SHEET C-213

CEDAR NECK ROAD (LOCAL ROAD)
50' WIDE RIGHT-OF-WAY
SCR 206, STATE MAINTAINED

ROAD C
MINOR STREET

8" S

8" W

6" WATER

PROPOSED 5' WIDE SIDEWALK (typ.)

8' B.R.L.

30' B.R.L.

15' B.R.L.

8' B.R.L.

PROPOSED 25' WIDE UTILITY EASEMENT

5' OF ADDITIONAL RIGHT-OF-WAY SHALL BE DEDICATED TO THE STATE OF DELAWARE, PER THE RECORD PLAN (4,327 S.F.)

PROPOSED
STORMWATER MANANGEMENT AREA
OPEN SPACE "E"
6.9098 AC.

A 15' WIDE PERMANENT EASEMENT SHALL BE DEDICATED TO THE STATE OF DELAWARE, PER THE RECORD PLAN (12,931 S.F.)

LANDS N/F
PURNELL G. & SARAH E. POTTER IV
T.P.: 330-11.00-68.01
DEED REF.: 5031 - 120

42 41 40 39 38 37 36

PE

LEGEND

ITEM	EXISTING	PROPOSED
CONCRETE CURB & GUTTER		
CONCRETE SIDEWALK, SLAB / PAVING		
IMPERVIOUS SURFACED ROAD, DRIVE OR PARKING LOT		N/A
INDIVIDUAL TREE OR BUSH	EVERGREEN DECIDUOUS	
WIRE FENCE	X X X	X X X
CHAINLINK FENCE		
STOCKADE FENCE		
STRUCTURE (CONCRETE, WOOD, METAL, ETC.)		
DRAINAGE DITCH OR SWALE		
WETLAND BOUNDARY LINE		N/A
CONTOUR	49	55
ELEVATION SPOT SHOT	43.55	25.50 T.C. 25.00 B.C.
BENCH MARK		N/A
PROPERTY OR RIGHT-OF-WAY LINE		
CENTERLINE		
LIGHT POLE		

ITEM	EXISTING	PROPOSED
SANITARY GRAVITY SEWER LINE (S) SIZE & FLOW DIRECTION	EX. 10"S	10" S
SANITARY SEWER FORCE MAIN (F.M.) SIZE & FLOW DIRECTION	EX. 10" F.M.	12" F.M.
SANITARY SEWER MANHOLE (S.S.M.H.)		
SANITARY SEWER CLEANOUT (C.O.)	C	C
WATER MAIN & SIZE	EX. 10" W	12" W
FIRE HYDRANT (F.H.)	F.H.	
WATER VALVE (W.V.) OR METER (W.M.)	W.M. W.V.	W.M.
STORM DRAIN MANHOLE (S.D.M.H.)		
STORM DRAIN LINE (CMP, RCP, HDPE)		
CATCH BASIN (C.B.)		
UTILITY POLE W/ OVERHEAD SERVICE (TELEPHONE (O.T.), ELECTRIC (O.E.)		
UNDERGROUND ELECTRIC (U.E.)	U.E.	U.E.
UNDERGROUND TELEPHONE (U.T.)	U.T.	U.T.
UNDERGROUND GAS MAIN (G)	EX. 2" G	2" G

MATCH LINE P - P, SEE SHEET C-212

MATCH LINE O - O, SEE SHEET C-211

OF DELAWARE, PER THE RECORD PLAN (12,931 S.F.)

LANDS N/F
PURNELL G. & SARAH E. POTTER IV
T.P.: 330-11.00-68.01
DEED REF.: 5031 - 120

PROPOSED 25' WIDE UTILITY EASEMENT

CEDAR NECK ROAD (LOCAL ROAD)
50' WIDE RIGHT OF WAY
SCR 206, STATE MAINTAINED

ROAD C
MINOR STREET

PROPOSED 5' WIDE SIDEWALK (typ.)

PROPOSED INTEGRAL CONCRETE CURB & GUTTER, TYPE 2 (typ.)

PROPOSED CATCH BASIN (typ.)

PROPOSED SEWER MANHOLE NO.: 3

ROAD B
MINOR STREET

5' OF ADDITIONAL RIGHT-OF-WAY SHALL BE DEDICATED TO THE STATE OF DELAWARE, PER THE RECORD PLAN (3,044 S.F.)

A 15' WIDE PERMANENT EASEMENT SHALL BE DEDICATED TO THE STATE OF DELAWARE, PER THE RECORD PLAN (3,044 S.F.)

A PERMANENT EASEMENT SHALL BE DEDICATED TO THE CITY OF MILFORD, PER THE RECORD PLAN - WIDTH VARIES (5,461 S.F. ±)

LANDS N/F
DEBRA L. SHARPE ET. AL.
T.P.: 330-12.00-3.00

PROPOSED PUMP STATION

SHALL BE D AND THE ORD PLAN.

5' OF ADDITIONAL RIGHT-OF-WAY SHALL BE DEDICATED TO THE STATE OF DELAWARE, PER THE RECORD PLAN (20,071 S.F.)

PROPOSED SEWER MANHOLE NO.: 2

A 26' WIDE PERMANENT EASEMENT SHALL BE DEDICATED TO THE CITY OF MILFORD AND THE STATE OF DELAWARE, PER THE RECORD PLAN. (2.4074 AC. ±)

FORCEMAIN EXTENSION TO M.H.: LOCATED ON BRIAR COURT

PROPOSED SEWER MANHOLE NO.: 1

BUCKS ROAD (LOCAL ROAD)
50' WIDE RIGHT OF WAY
SCR 210, STATE MAINTAINED

INSTALL 5' STUB WITH CAP FOR FUTURE EXTENSION AND PLUG WITHIN THE MANHOLE

LANDS N/F
RAYMOND HENDRICK
T.P.: 330-11.00-347.00
DEED REF.: 4593 - 222

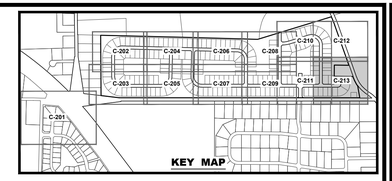
LANDS N/F
PETER GOLDRING & CAROL W GOLDRING
T.P.: 330-11.00-346.00
DEED REF.: 5147 - 134

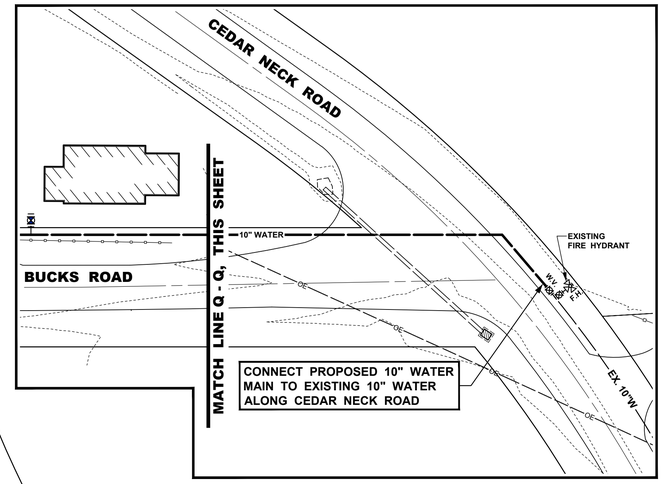
LANDS N/F
MICHAEL E HAYCRAFT & COLETTE L
T.P.: 330-11.00-345.00
DEED REF.: 2005 - 282

LANDS N/F
RICHARD JOHN BAER
T.P.: 330-11.00-344.00
DEED REF.: 4338 - 180

LANDS N/F
WILLIAM C. HAGGERTY
T.P.: 330-11.00-343.00
DEED REF.: 2614 - 238

MATCH LINE Q - Q, THIS SHEET





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ARCHITECTURE
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Delaware
309 South Governors Avenue
Dover, DE 19904
302.734.7950
The Tower at STAR Campus
100 Discovery Boulevard, Suite 102
Newark, DE 19713
302.369.3700

Maryland
312 West Main Street, Suite 300
Salisbury, MD 21801
410.546.9100

North Carolina
3333 Jaeckle Drive, Suite 120
Wilmington, NC 28403
910.341.7600

www.beckermorgan.com

PROJECT TITLE

RED CEDAR FARMS, INC

6367 BUCKS ROAD
CITY OF MILFORD
SUSSEX COUNTY, DE

SHEET TITLE

PRELIMINARY SITE PLAN

0 15 30 60

SCALE: 1" = 30'

ISSUE BLOCK		
1	08/08/22	REVISED PER THE CITY OF MILFORD REVIEW COMMENTS
MARK	DATE	DESCRIPTION

LAYERSTATE: SDP-C-213

PROJECT NO.:	2021161.00
DATE:	2022-09-09
SCALE:	1" = 30'
DRAWN BY: K.N.G.	PROJ. MGR.: J.S.F.

SHEET

C-213

2022

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PROPOSED SEWER MANHOLE NO.: 13

15' B.R.L.

PROPOSED CATCH BASIN (typ.)

PROPOSED 5' WIDE SIDEWALK (typ.)

PROPOSED PLAYGROUND EQUIPMENT

OPEN SPACE "D"
3.5186 AC.

PROPOSED POOL AREA

PROPOSED CLUBHOUSE
2,500 S.F. +/-

W.M.

PROPOSED 5' WIDE SIDEWALK (typ.)

PROPOSED INTEGRAL CONCRETE CURB & GUTTER, TYPE 2 (typ.)

PROPOSED CATCH BASIN (typ.)

PROPOSED SEWER MANHOLE NO.: 17

PROPOSED SEWER MANHOLE NO.: 5

16 17 18 19 8 7 6 5 4 22

18' 9' 24' 2" W 4" S 6" W F.H. 8" W 13' 13' 10'

LEGEND

ITEM	EXISTING	PROPOSED
SANITARY GRAVITY SEWER LINE (S) SIZE & FLOW DIRECTION	EX. 10"S	10" S
SANITARY SEWER FORCE MAIN (F.M.) SIZE & FLOW DIRECTION	EX. 10" F.M.	12" F.M.
SANITARY SEWER MANHOLE (S.S.M.H.)		
SANITARY SEWER CLEANOUT (C.O.)		
WATER MAIN & SIZE	EX. 10" W	12" W
FIRE HYDRANT (F.H.)	F.H.	F.H.
WATER VALVE (W.V.) OR METER (W.M.)	W.M. W.V.	W.M. W.V.
STORM DRAIN MANHOLE (S.D.M.H.)		
STORM DRAIN LINE (CMP, RCP, HDPE)		
CATCH BASIN (C.B.)		
UTILITY POLE W/ OVERHEAD SERVICE (TELEPHONE (O.T.), ELECTRIC (O.E.)		
UNDERGROUND ELECTRIC (U.E.)	U.E.	U.E.
UNDERGROUND TELEPHONE (U.T.)	U.T.	U.T.
UNDERGROUND GAS MAIN (G)	EX. 2" G	2" G
CONCRETE CURB & GUTTER		
CONCRETE SIDEWALK, SLAB / PAVING		
IMPERVIOUS SURFACED ROAD, DRIVE OR PARKING LOT		
INDIVIDUAL TREE OR BUSH	EVERGREEN DECIDUOUS	N/A
WIRE FENCE	X X X	X X X
CHAINLINK FENCE		
STOCKADE FENCE		
STRUCTURE (CONCRETE, WOOD, METAL, ETC.)		
DRAINAGE DITCH OR SWALE		
WETLAND BOUNDARY LINE		N/A
CONTOUR	43	55
ELEVATION SPOT SHOT	43.55	25.15 25.50 T.C. 25.00 B.C.
BENCH MARK		N/A
PROPERTY OR RIGHT-OF-WAY LINE		
CENTERLINE		
LIGHT POLE		

BECKER MORGAN GROUP

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ENGINEERING

Delaware
309 South Governors Avenue
Dover, DE 19904
302.734.7950
The Tower at STAR Campus
100 Discovery Boulevard, Suite 102
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302.369.3700

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Salisbury, MD 21801
410.546.9100

North Carolina
3333 Jaeckle Drive, Suite 120
Wilmington, NC 28403
910.341.7600

www.beckermorgan.com

PROJECT TITLE

RED CEDAR FARMS, INC

6367 BUCKS ROAD
CITY OF MILFORD
SUSSEX COUNTY, DE

SHEET TITLE

CLUBHOUSE SITE PLAN

0 10 20 40

SCALE: 1" = 20'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1	08/08/22	REVISED PER THE CITY OF MILFORD REVIEW COMMENTS

LAYER STATE: C214

PROJECT NO.:	2021161.00
DATE:	01/21/2022
SCALE:	1" = 20'
DRAWN BY: K.N.G.	PROJ. MGR.: J.S.F.

SHEET

C-214

2022

F:\AutoCAD\Projects\2021\2021161\DWG\2021161-Site-C3d21.dwg, Sep 09, 2022 - 2:18pm

PUBLIC WORKS FACILITY
180 Vickers Drive
Milford, DE 19963
www.cityofmilford.com

THE CITY of Milford DELAWARE

PLANNING DEPARTMENT
Planning, Economic Development,
Enforcement, and Inspections Office
O 302.424.8396 | F 302.424.3559

October 26, 2022

Jonathan S. Falkowski, P.E.
Becker Morgan Group
309 S. Governors Avenue
Dover, DE 19904

RE: Application Number: 22-004
Application Name: Red Cedar Farms
Application Type: Preliminary Major Subdivision
Tax Parcel Number(s): 3-30-11.00-068.00

Mr. Falkowski,

According to our records, City of Milford City Council granted Preliminary Major Subdivision approval for the Red Cedar Farms development on October 24, 2022. As part of the preliminary approval, City Council granted a waiver from Chapter 200-8(D)(3) allowing an increase in the maximum block widths within the development as follows; 595 feet for Block 'A', 559 feet for Block 'B' and 640 feet for Block 'C'.

Per Chapter 200-4(A)(5), "*Preliminary approval from City Council shall be void after one year, unless an extension is requested by the owner and approved by City Council prior to the expiration.*" Final Major Subdivision Approval or an extension must be obtained prior to October 24, 2023 in order to avoid expiration of the preliminary approval.

Please contact me at 302-424-8396 or via email at rpierce@milford-de.gov should you have any questions and to coordinate final construction plan and final major subdivision review for the development.

Sincerely,

William R. Pierce II

Rob Pierce, AICP
Planning Director

cc: James Puddicombe, P.E. – City Engineer
Tony Chipola – Electric Director

BECKER MORGAN GROUP

ARCHITECTURE ENGINEERING

PLANNING OUR CLIENTS' SUCCESS

October 20, 2023

Mr. Rob Pierce – Planning Director
City of Milford Planning & Zoning
Public Works Facility
180 Vickers Drive
Milford, Delaware 19963

RE: **Extension of Approval**
RED CEDAR FARMS
Milford, Delaware
BMG Project No. 2021161.00

Dear Rob:

We are hereby requesting an extension of the approval for the above-referenced project. City Council Granted preliminary site plan approval on October 24, 2022. However, the project was contingent upon adoption of the TID which was not adopted by the city until April 10, 2023. As a result, final entrance plan engineering could not commence until the TID was in effect. In addition, an underground burial site was located on the property which was previously unknown. An archeologist was consulted to map the location of the grave sites and the plan was revised to eliminate disturbance of the subject area. Final engineering of the site could not be completed until this process was completed. To date, construction plans have been completed and filed with all agencies for review, which we are currently awaiting.

We respectfully request an extension of the preliminary approval.

Sincerely,

BECKER MORGAN GROUP, INC.

J. Michael Riemann, PE
Vice President

JMR/rlh

202116100bh-ltr-Ext.docx

BECKER MORGAN GROUP, INC.

309 SOUTH GOVERNORS AVENUE
DOVER, DELAWARE 19904
302.734.7950

THE TOWER AT STAR CAMPUS
100 DISCOVERY BOULEVARD, SUITE 102
NEWARK, DELAWARE 19713
302.369.3700

PORT EXCHANGE
312 WEST MAIN STREET, SUITE 300
SALISBURY, MARYLAND 21801
410.546.9100

3333 JAECKLE DRIVE, SUITE 120
WILMINGTON, NORTH CAROLINA 28403
910.341.7600

615 SOUTH COLLEGE STREET, SUITE 8-158
CHARLOTTE, NORTH CAROLINA 28202
980.270.9100

www.beckermorgan.com

RESOLUTION 2023-31

Reappointment of DEMEC Director & Change of Alternate Director

WHEREAS, the City of Milford is a member of the Delaware Municipal Electric Company ("DEMEC"), a municipal electric company established pursuant to 22 Del. C. Chapter 13;

WHEREAS, the City of Milford is authorized to appoint an individual to serve on the DEMEC Board of Directors pursuant to 22 Del. C. § 1304(3);

WHEREAS, Article V, Section I of the DEMEC Agreement and Articles of Incorporation, grants the Member City the authority to appoint an alternate director to serve in the absence of the director.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Milford:

(1) The City Manager shall continue to serve as the Director representing the City of Milford on the DEMEC Board of Directors.

(2) The Electric Director shall serve as the Alternate Director in the absence of the Director.

(3) In the absence of the Director, the Alternate Director shall have full power and authority to act on the City of Milford's behalf.

(4) This resolution supersedes all prior resolutions related to the appointment of a DEMEC Director and Alternate Director from the City of Milford.

This certifies that this is a true and correct copy of the Resolution duly adopted by the City Council of the City of Milford at its meeting on November 27, 2023.

_____
Mayor Arthur J. Campbell

Attest:

_____
City Clerk Teresa K. Hudson