

**Preliminary Land Use Service (PLUS)  
Comprehensive Plan Amendments and Municipal Ordinances**

Delaware State Planning Coordination  
122 William Penn Street • Dover, DE 19901 • Phone: 302-739-3090 • Fax: 302-739-5661

<b>Name of Municipality: Town of Felton</b>	
<b>Address</b> PO Box 329 Felton DE 19943	<b>Contact Person: Rebecca Greene</b>
	<b>Phone Number: 302-284-9365</b>
	<b>Fax Number: 302-284-3449</b>
	<b>E-mail Address: rgreene@townoffelton.com</b>

**Date of Most Recently Certified Comprehensive Plan: Application Type:**

**Comprehensive Plan Amendment: November 10, 2008**

**Ordinance:** \_\_\_\_\_

**Other:** \_\_\_\_\_

**Link to the proposed ordinance:**

<b>Comprehensive Plan Amendment or Municipal Ordinance prepared by: Davis, Bowen &amp; Friedel</b>	
<b>Address:</b> PO Box 809 Milford DE 19963	<b>Contact Person: Scott Adkisson</b>
	<b>Phone Number: 302-424-1441</b>
	<b>Fax Number: 302-424-0430</b>
	<b>E-mail Address: sma@dbfinc.com</b>

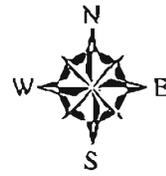
<b>Maps Prepared by: Davis, Bowen &amp; Friedel</b>	
<b>Address:</b> PO Box 809 Milford DE 19963	<b>Contact Person: Scott Adkisson</b>
	<b>Phone Number: 302-424-1441</b>
	<b>Fax Number: 302-424-0430</b>
	<b>E-mail Address: sma@dbfinc.com</b>

**Preliminary Land Use Service (PLUS)  
Comprehensive Plan Amendments and Municipal Ordinances**

Delaware State Planning Coordination  
122 William Penn Street • Dover, DE 19901 • Phone: 302-739-3090 • Fax: 302-739-5661

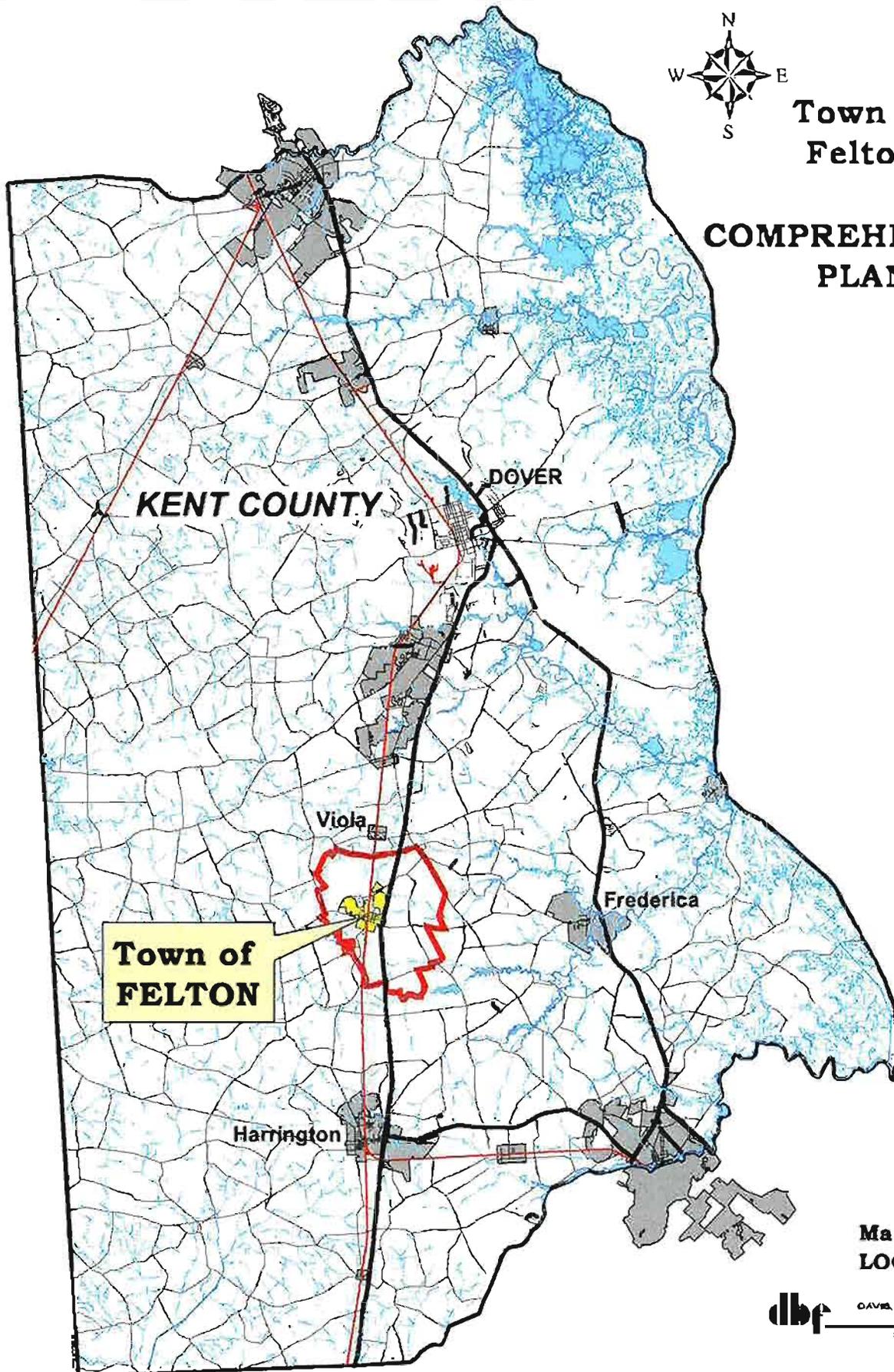
**Please describe the submission:**

The Town has completed the five year review of our Comprehensive Plan and decided to amend the Plan. We have up-dated various information in the Plan and also all of the demographics.



**Town of  
Felton**

**COMPREHENSIVE  
PLAN**



**Town of  
FELTON**

**Map 1 -  
LOCATION MAP**



DAVIS, BOWEN & FRIEDEL, INC.  
ARCHITECT, ENGINEER & PLANNERS  
2000 W. MARKET STREET, SUITE 200  
DOVER, DELAWARE 19904

February, 2014

The Town of Felton  
2008  
Comprehensive Plan

Final

November 10, 2008

Amended February, 2014

Prepared by the Town of Felton  
Planning Committee

*and/And*

Davis, Bowen & Friedel, Inc.  
23 North Walnut St.  
Milford, Delaware

Formatted: Font: Not Italic

Table of Contents

TOWN, COUNTY, AND STATE OFFICIALS SERVING IN 2008 .....3  
 ACKNOWLEDGEMENTS .....4

*MAP PREPARATION*.....4

THE AUTHORITY TO PLAN .....4  
 SUMMARY OF THE 2008 PLANNING PROCESS & PUBLIC PARTICIPATION .....6

CHAPTER 1. INTRODUCTION TO FELTON .....8

1.1 PREFACE .....9  
 1.2 LOCATION .....9  
 1.3 HISTORY OF FELTON .....10

CHAPTER 2. FELTON'S COMMUNITY CHARACTER .....~~12~~~~14~~

2.1 INTRODUCTION .....~~13~~~~13~~~~12~~  
 2.2 POPULATION .....~~13~~~~13~~~~12~~  
 2.3 HOUSING .....~~18~~~~18~~~~16~~  
 2.4 ECONOMIC PROFILE .....19  
 2.5 RACIAL COMPOSITION .....~~23~~~~23~~~~20~~  
 2.6 EDUCATIONAL ATTAINMENT .....~~23~~~~23~~~~20~~  
 2.7 ECONOMIC DEVELOPMENT .....~~24~~~~24~~~~20~~  
 2.8 SUMMARY OF ISSUES .....21  
 2.9 RECOMMENDATIONS .....22

CHAPTER 3. COMMUNITY SERVICES .....~~28~~~~28~~~~24~~

3.1 FELTON POLICE DEPARTMENT .....~~29~~~~29~~~~25~~  
 3.2 FELTON COMMUNITY FIRE COMPANY AND EMS .....~~29~~~~29~~~~25~~  
 3.3 SCHOOLS .....~~30~~~~30~~~~26~~  
 3.4 TRASH COLLECTION .....~~30~~~~30~~~~26~~  
 3.5 LIBRARY .....~~30~~~~30~~~~26~~  
 3.6 MUSEUM .....~~30~~~~30~~~~26~~  
 3.7 FELTON COMMUNITY CENTER .....~~31~~~~31~~~~27~~  
 3.8 COMMUNITY CLUBS AND ORGANIZATIONS .....~~31~~~~31~~~~27~~  
 3.9 SUMMARY OF ISSUES & RECOMMENDATIONS .....~~31~~~~31~~~~27~~

CHAPTER 4. RESOURCE PROTECTION .....~~33~~~~33~~~~29~~

4.1 COMMUNITY HISTORY AND CHARACTER .....	343430
4.2 OPEN SPACE AND RECREATION.....	353531
4.3 ENVIRONMENTAL RESOURCES .....	363632
4.4 SUMMARY OF ISSUES AND RECOMMENDATIONS .....	383834
 CHAPTER 5. INFRASTRUCTURE.....	 414137
5.1 FELTON WATER SYSTEM .....	424238
5.2 WASTEWATER SYSTEM.....	454541
5.3 STORMWATER SYSTEM .....	464641
5.4 TRANSPORTATION.....	474742
5.5 SUMMARY OF ISSUES AND RECOMMENDATIONS .....	494944
 CHAPTER 6. LAND USE PLANNING.....	 515146
6.1 STRATEGIES FOR STATE POLICIES AND SPENDING .....	525247
6.1a CURRENT STATE STRATEGIES MAP IN THE FELTON AREA.....	49
6.2 LAND USE IN FELTON .....	565649
6.2a GOALS AND OBJECTIVES .....	565650
6.2b PLANNING AND REGULATION PROCESS.....	575750
6.3 GROWTH AND ANNEXATION .....	585851
6.3a THE ROLE OF THE TOWN COUNCIL .....	585851
6.3b ANNEXATION STRATEGY .....	585851
6.3c SPRAWL AVOIDANCE STRATEGIES.....	53
6.4 FELTON'S LAND USE PLAN.....	616154
6.4a THE STUDY AREA .....	616154
6.4b ANNEXATION AREA .....	636255
6.4c ADMINISTRATIVE RESPONSIBILITIES .....	656457
6.5 IMPLEMENTATION STRATEGIES.....	666558
6.5a COORDINATION.....	666558
6.5b NEXT STEPS .....	60
 MAP APPENDIX.....	 696961
MAP 1. LOCATION MAP .....	696961
MAP 2. PLANNING AREA (AMENDED).....	696961
MAP 3. CRITICAL FACILITIES AND HISTORIC DISTRICT .....	61
MAP 4. CURRENT LAND USE WITHIN TOWN LIMITS .....	61
MAP 5. FUTURE LAND USE WITHIN TOWN LIMITS .....	696961
MAP 6. STATE STRATEGIES.....	61
MAP 7. PLANNING AREAS AND ANNEXATION PLAN .....	61
MAP 8. FUTURE LAND USE IN 5-YEAR PLANNING AREA .....	61
MAP 9. CPCN TERRITORIES .....	696961
MAP 10. CONSERVATION AREAS .....	61

Town, County, and State Officials serving in 201408

Town of Felton

*Town Council of Felton*

David L. Kelley, Mayor

JoAnne Clendaniel, Vice Mayor

~~Michael Reuth~~ Anthony Carroll, Councilman

Joe Yapsuga, Councilman

~~Henry Twardus~~ Kevin Fletcher, Councilman

*Planning and Zoning Commission*

Scott Thornton, Chairman

Miguel Corti, Commissioner

~~Jaek Liss~~ Bob Stronsky, Commissioner

Kathy Thornton, Commissioner

Anita Yapsuga, Commissioner

*Town Staff*

Rebecca Greene, Town Manager

Levi Brown, Chief of Police

~~Sarah Ferguson~~ Amy Lupinetti, Town Clerk

Ralph Hughes, Public Works Director

John T. Jaywork, Solicitor

Kent County

P. Brooks Banta, Commissioner 1st District, President

~~Bradley S. Eaby, Commissioner 2nd District, Vice President~~

Alan F. Angel, Commissioner 3rd District, ~~Vice President~~

~~Bradley S. Eaby, Commissioner 2nd District~~

Eric L. Buckson, Commissioner 4th District

~~W.G. Edman~~ G. Jody Sweeney, Commissioner 5th District

~~Harold K. Brode~~ Glen M. Howell, Commissioner 6th District

~~Richard E. Ennis, Sr.~~ Terry L. Pepper, Commissioner At-Large

Michael Petit De Mange, AICP, County Administrator

Sarah E. Keifer, AICP, Director of Planning Services

State of Delaware

The Honorable ~~Ruth Ann Minner~~ Jack Markell, Governor

The Honorable ~~Naney Cook~~ David G. Lawson, Senator, 15th District

The Honorable William R. Outten, Representative, 30th District

Ms. Constance Holland, AICP, State Planning ~~Coordinator~~ Director

## Acknowledgements

Davis, Bowen & Friedel, Inc., serves the Town of Felton as consulting municipal engineers and planners. The firm provided assistance to the Town during the completion of the 2014 Comprehensive Plan amendments, the 2008 Comprehensive Plan text and maps, and the 2006 amendments to the previously adopted 2003 Comprehensive Plan. Davis, Bowen & Friedel, Inc., along with the Institute for Public Administration of the College of Human Resources, Education and Public Policy at the University of Delaware assisted the Town of Felton in drafting the previous Comprehensive Plan adopted in 2003. The Town also acknowledges assistance from the Office of State Planning Coordination and Kent County Circuit Rider, David Edgell, AICP, for time and advice.

### *Map Preparation*

Maps included with this update were produced using Geographic Information Systems (GIS) technology. Sources for map features are listed briefly on each figure. The geographic framework layers (waterways, roadways, municipal boundaries, et cetera) were originally distributed by the Delaware Coastal Management Program in 1998, and have been supplemented by updated layers from the Department of Natural Resources and Environment Control (DNREC), Delaware Department of Transportation (DelDOT), Office of State Planning Coordination (OSPC), Delaware Geological Survey (DGS), and the Delaware Department of Agriculture (DDA). Tax parcel polygons have been provided by Kent County Planning Services and the Delaware DataMILL.

All elements presented on the maps are subject to change and are used here for informational purposes only. Tax parcel information, agricultural preservation status or other issues should be confirmed through the appropriate agency. The Town of Felton commends the Delaware Geographic Data Committee – an organization composed of representatives from State agencies, county and local governments, the University of Delaware and private organizations – for its leadership in standardization of GIS data, and for advancing the policy of low-cost GIS data sharing, throughout the State of Delaware.

## The Authority to Plan

The preparation of a comprehensive development plan is the legal responsibility of the Town of Felton Planning & Zoning Commission under Delaware enabling legislation. Title 22 of the Delaware Code Chapter 7 Section 702 specifies that

"[a] planning commission established in any incorporated city or town under this chapter shall make a comprehensive development plan for the development of the entire area of such city or town or of such part or parts thereof as said commission may deem advisable."

Section 702 also establishes the contents of such a comprehensive development plan as the following:

“(b) Comprehensive plan means a document in text and maps, containing at a minimum, a municipal development strategy setting forth the jurisdiction’s position on population and housing growth within the jurisdiction, expansion of its boundaries, development of adjacent areas, redevelopment potential, community character, and the general uses of land within the community, and critical community development and infrastructure issues. The comprehensive planning process shall demonstrate coordination with other municipalities, the county and the State during plan preparation.”

| The Town of Felton ~~is~~ has a population of less than 2,000 persons and does not plan to grow to more than 2,000 persons within the time frame of this Comprehensive Plan, therefore the Town does not need to address in detail issues relating to transportation, economic development, affordable housing, community facilities, open spaces and recreation, protection of sensitive areas, community design, adequate water and wastewater systems, protection of historic and cultural resources, and annexation. The plan proposes annexation and therefore annexation, transportation, public services, and sewer and water issues are addressed.

Section 702 establishes the comprehensive plan as a basis for zoning as follows:

“(c) The comprehensive plan shall be the basis for the development of zoning regulations as permitted pursuant to Chapter 3 of this title. Should a jurisdiction exercise its authority to establish municipal zoning regulations pursuant to Chapter 3 of this title, it shall, 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.”

Section 702 establishes the comprehensive plan certification process as follows:

“(f) The comprehensive plan or amendments or revisions thereto shall be submitted to the Governor or designee at such time as the plan is made available for public review. The municipality shall provide sufficient copies for review by the Governor’s Advisory Council on Planning Coordination. The Advisory Council, within 30 days of plan submission, shall conduct a public meeting, at which time the municipality shall make a presentation of the plan and its underlying goals and development policies, except when the Advisory Council determines that the comprehensive plan, amendments or revisions are fully consistent with statewide land development goals, policies and criteria as adopted by the Governor or Cabinet Committee on State Planning Issues. Following the public meeting the plan shall be subject to the state review and certification process set forth in § 9103 of Title 29. If the Advisory Council determines that a public meeting is not required as provided above, the plan shall be submitted directly to the Governor or his or her designee for certification provided in § 9103 of Title 29.”

The policies that form the Felton plan are consistent with the variety of statewide land development goals, policies and criteria as adopted by the Governor and Cabinet Committee on State Planning Issues.

Section 703 provides additional legal authority for the planning commission as stated:

"The planning commission shall have the full power and authority to make such investigations, maps and reports of the resources, possibilities and needs of the city or town as it deems desirable..."

A comprehensive plan shall also be the basis for annexation. Title 22 of the Delaware Code Chapter 1 Section 101 specifies that

"(1) All annexations must be consistent with the most recently adopted municipal comprehensive plan meeting the requirements of Chapter 7 of this title. The area(s) being considered must be depicted as area(s) for future annexation on the adopted plan. If a municipality does not have an adopted comprehensive plan, or if its adopted comprehensive plan does not depict areas for future annexation, it shall prepare and adopt a plan or plan amendment within 12 months of July 13, 2001. The municipality shall not approve any annexations until such plan or plan amendment is adopted, notwithstanding any other charter provisions..."

## Planning Process and Public Participation Summary

This amended 2008 Comprehensive Plan has been updated in order to meet the State of Delaware's five-year review requirement request. The vision from the original 2003 Comprehensive Plan and the 2006 Comprehensive Plan amendment remains the vision the Town has chosen to follow in order to meet its future growth needs. The 2006 Comprehensive Plan amendment has been incorporated into the 2003 Comprehensive Plan in order to create a seamless document. This Comprehensive Plan incorporates the 2003, and 2006, 2008, and 2014 visions for the Town of Felton and provides updated data and information where applicable.

The 2003 vision was developed through forming a Planning Committee composed of members of the Town Council, the Planning & Zoning Commission and engaged citizens. The Planning Committee was charged with developing the 2003 Comprehensive Plan to be presented to the Planning & Zoning Commission, and ultimately to be adopted by the Town through a Council resolution.

On February 18, 2002, a public workshop was held where Town officials and local residents were prompted to identify planning issues, areas with development potential, and ideas for the future of Felton. A public participation workshop was held on June 13, 2002 to engage the public in the planning process. A second workshop was held on August 20, 2002 to discuss the proposed land use plans. The planning maps were reviewed at meetings on September 19, 2002 and October 16, 2002. Although the meetings were advertised and posted, limited public involvement was generated beyond the appointed Planning Committee.

In 2006, Davis, Bowen & Friedel, Inc. was asked by the Town of Felton to amend the Town's Comprehensive Plan in order to meet the Town's increased need to manage its future growth based on a surge in population and increased requests for annexation. The Comprehensive Plan was fully updated and amended as part of the 2006 amendment process. The vision adopted through the public participation workshops and public hearings for the 2003 Comprehensive Plan and the 2006 Comprehensive Plan amendment and update remain the guiding policy for the Town of Felton.

The 2008 Comprehensive Plan update was presented to the Planning Commission at their regularly scheduled meeting on June 3<sup>rd</sup>, 2008. The update was presented to Town Council at their regularly scheduled meeting on June 9<sup>th</sup>, 2008. Revisions requested by the Planning Commission were made and presented to Town Council on July 14<sup>th</sup>, 2008 and Council voted at that meeting to make application and submit the updated Comprehensive Plan to the State.

Advertised Public Hearings for the first draft of the updated plan were held on August 11<sup>th</sup> and September 8<sup>th</sup>, 2008.

The 2014 amended Comprehensive Plan was presented to the Planning Commission at their regularly scheduled meeting on ??????????????. After receiving approval from the Planning Commission, the Plan was presented to Council at their regularly scheduled meeting on ??????????????. Council voted and passed a motion at the meeting to make application and submit the amended Comprehensive plan to the State.

## **CHAPTER 1. INTRODUCTION TO FELTON**

1.1 Preface

1.2 Location

1.3 History of Felton

## 1.1 Preface

The Town of Felton Comprehensive Plan has several purposes. The Town initiated this planning project in response to increasing growth, development, transportation and annexation issues that highlighted the need for a land use plan. First and foremost, the Comprehensive Plan is a unified advisory document for the Town Council and the Planning & Zoning Commission on land use and growth issues. Each section contains current information, future projections and recommendations. These will be used to guide future development decisions, rezoning, annexations, and capital improvements throughout the Town.

This plan is also an informational document for the public. Citizens, business people and government officials can use the plan to learn more about Felton and its policies for future land use decisions. Potential new residents can use the document as an informational resource about the Town, its characteristics, and facilities to help them make decisions about moving to Felton. This document contains current information on population, transportation, housing, employment, and the environment, which will be of interest to land developers, economic development professionals and financiers.

Lastly, the Felton Comprehensive Plan is a legal document. The Delaware Code specifies that "... any incorporated municipality under this chapter shall prepare a comprehensive plan for the city or town or portions thereof as the commission deems appropriate." The code further specifies that, "after a comprehensive plan or portion thereof has been adopted by the municipality in accordance with this chapter, the comprehensive plan shall have the force of law and no development shall be permitted except as consistent with the plan." (§ 702, Title 22, Delaware Code)

This Comprehensive Plan amends the 2008 Comprehensive Plan, which modified and replaced the Comprehensive Plan update of 2006. The 2006 Comprehensive Plan, which corrected and amended the plan adopted in 2003.

## 1.2 Location

Felton is located one mile northwest of the geographic center of Delaware in the southwestern portion of Kent County. The Town is approximately 89 miles from Philadelphia, Pennsylvania, 76 miles from Baltimore, Maryland and 95 miles from Washington, D.C. At a more local level, the City lies 11 miles south of Dover, the Kent County seat and State Capitol.

It is incorporated just west of the intersection of US 13 and State Route 12. Nearby communities include Viola, Frederica, and Harrington. (See Map 1 Location Map.)

The Town is located within a number of jurisdictions with planning mandates. The Town of Felton is within the Lake Forest School District and the Felton Fire District. At the

State level, elected officials of the General Assembly Senate District 15, and House District 30 represent Felton's citizens.

Kent County is divided into six Levy Court districts, which elect the County's governing commissioners. Felton is located within the 6<sup>th</sup> District.

Because of its location within the Delaware Bay drainage, Felton's water use planning is overseen by the interstate Delaware River Basin Commission. The Town is located in the South Murderkill Hundred geopolitical divisions for property ownership location.

### 1.3 History of Felton

The Town of Felton was laid out in 1856 when the Delaware Railroad reached southwestern Kent County. Located between Berrytown to the west and Johnny Cake Landing (Frederica) to the east, the Town became a "whistle" stop on the new railroad line. Owing its' founding to the railroad, Felton was named in honor of Samuel M. Felton, President of the Philadelphia, Wilmington, and Baltimore Railroad and a major force in bringing railroad service to central and southern Delaware. Incorporated on February 2, 1861, reincorporated in 1869, and expanded in 1883, Felton's boundaries formed a one-half mile square with the railroad line running north-south through the middle of Town. The center of the one-half mile square is the intersection of Main Street running east to west and today's Norfolk Southern railroad line.

With the opening of the railroad, it was more convenient for local farmers to send their products, primarily peaches and lumber, out of Felton by rail to Wilmington, than to ship them via the Choptank River to Denton, Maryland. As a result, the Town thrived and grew during the late nineteenth and twentieth centuries although passenger rail service to Felton ended in the 1950s.

The 1920s were a peak point in Felton's industrial history. The Town was flourishing with basket factories, sawmills, a creamery, a canning factory, a poultry processing plant, a wide range of stores, and a hotel. In 1930, Felton suffered an \$80,000 fire in the heart of the business district, which devastated the Town. Since water needed to be brought in from Harrington on railcars to fight the fire, the Town decided to create its own water supply, which was completed in 1939. Even after completion of water service, the fire's negative economic impact caused a steady decline in population from 771 in 1920 to a steady state of 450 to 500 persons. With the influx of people moving to Delaware in the last decade Felton's population has increased to 873 in 2001.

In the mid 1800s, the land that is now Felton was owned by two individuals. Joseph Simpson owned the land to the north of Main Street, and Alfred Clifton owned the land south of Main Street. After the railroad was built, Simpson sold parcels of his land for building but Clifton was less willing to sell his land. He agreed to allow people to build if they paid him rent for the land. As recently as the 1980's, his heirs were still collecting land rent on those properties. This difference in development in the late nineteenth

century explains, in part, why the Town today is more developed north of Main Street than south.

## CHAPTER 2. FELTON'S COMMUNITY CHARACTER

2.1 Introduction

2.2 Population

2.3 Housing

2.4 Economic Profile

2.5 Racial Composition

2.6 Educational Attainment

2.7 Economic Development

2.8 Summary of Issues

2.9 Recommendations

## 2.1 Introduction

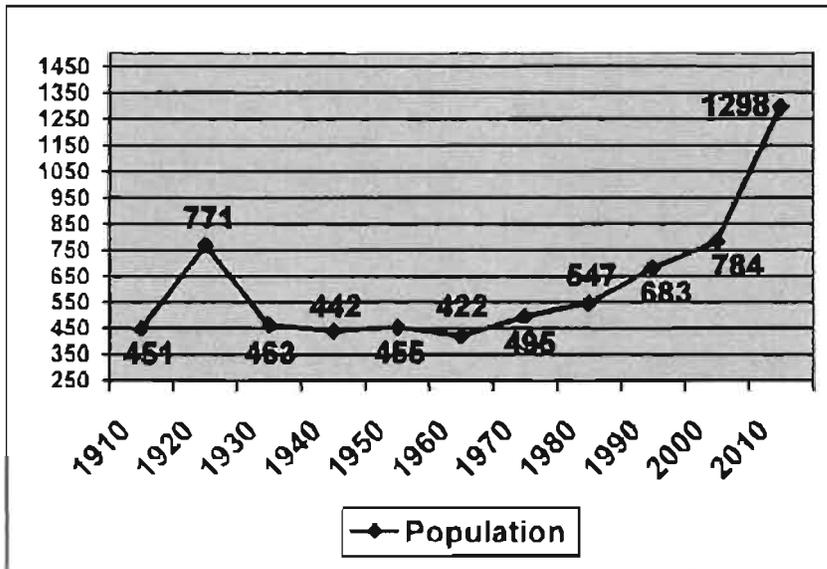
The following data on population, demography, housing, and economic conditions has been derived from a number of sources, most notably the United States Census and a census performed by the Town of Felton in 2002. Davis, Bowen & Friedel, Inc., has compiled the information as discussed herein.

## 2.2 Population

The United States Census indicates that from 1910 to 2000 the population in the State and Kent County has been increasing. The population in Felton, however, has shown more variation. Historically, the Town's population peaked at approximately 770 in the 1920s then declined to a steady state of approximately 400 to 450 persons through the twentieth century. The population since 1970 has steadily increased to 784 residents as of 2000.

Chart 1 below shows the population trend in Felton during the last century. From 1960 through 2010, the Town experienced a slow but steady growth in its population through 2000, and a relatively large increase over the last decade.

Chart 1. Felton Population Trends



Source US Census 1910 to 2000.

In 2002, the Town of Felton conducted a census of all residents on a property-by-property basis. The Town data indicates that the population of Felton in 2002 was 873. This is 11.3% or 89 more people than counted in the 2000 US Census. The result of the

Town conducted survey indicates that there may have been undercounting of residents by the 2000 U.S. Census. Moreover, The annexations and the development of new housing units built after April 2000 (when the U.S. Census was conducted) help us explain some of the variance in population the relatively large increase in the population between 2000 and 2010.

**Population Projections**

The State of Delaware has mandated that local governments use the Delaware Population Consortium (DPC) projections for long range planning. The DPC is a multi-agency consortium that works to provide accurate population estimates for the State of Delaware. The DPC provides State, county and major city population and housing growth projections. The latest projections, shown in Table 12 below, were provided by the consortium in October 2012.

**Table 12. Population Estimates based on the Delaware Population Consortium**

Area	2010	2015	2020	2025	2030	2035	2040
State of Delaware	901,208	951,691	996,150	1,032,446	1,060,249	1,081,693	1,099,293
% change		5.60%	4.67%	3.64%	2.69%	2.02%	1.63%
Kent County	163,324	172,323	180,333	187,074	192,834	197,734	202,152
% change		5.45%	4.65%	3.74%	3.08%	2.54%	2.23%

Formatted Table

(Source: Delaware Population Consortium Annual Population Projections, October 25, 2012, Version 2007.02012.1)

The predicted population growth for Felton is based on extrapolating the predicted increase in population incrementally over the planning period through 2040, based on the size of Felton in proportion to projected population growth in Delaware and incremental increases in the population of Kent County. Recent growth patterns in Felton, from 2000 through 2008, are also examined to compare Felton's growth rates with projected growth rates for the State and Kent County. Table 2 above shows current and projected populations for Kent County, the State of Delaware and the State of Delaware Kent County through 2040.

In 2000, the population of Felton was 0.6% of the County's total population. As noted herein, between 2000 and 2002, the Town had seen a large increase in population. Moreover, through 2008, approved housing developments and requests for new residential development have increased much greater than the historical trends. Kent County and the State of Delaware have also seen growth at rates far above historical trends. It is likely that the 18.42% in population growth from 2000 to 2007 within Kent County reflects similar growth rates within Felton. Chart 1 illustrates that there was a relatively large population increase in the population of Felton between 2000 and 2010. The percentage of population increase over this period is greater than 65%. As mentioned previously, a Town-conducted survey in 2002 indicates that the 2000 census data may have undercounted the actual population; but, it is clear that the increase over this time period was large and inconsistent with historical population trends. Much of

this distinct population increase was the result of two residential subdivisions which were developed during in mid-2000.

The State of Delaware and Kent County also experienced relatively large population increases between 2000 and 2007. The State's percentage increase was 9.85% and Kent County's was 18.42% (Delaware Population Consortium Annual Population Projections, October 23, 2007, Version 2007.0). DPC predicts that although there will be population increases over the next 20 years, the growth rate will stabilize at a lower rate. Table 23 below uses the DPC growth estimates for Kent County to predict future growth in Felton, assuming future growth in Kent County will be proportionately distributed within the current Town Boundaries and designated planning area.

Table 23. Felton Population Estimates based on the Delaware Population Consortium

Area	2010	2015	2020	2025	2030	2035	2040
Town of Felton	1,298	1,369	1,433	1,486	1,532	1,571	1,606

Source: Davis, Power & Friedel, Inc.

Linear regression analysis was performed on the data in Chart 1. The resulting equation had an  $R^2$  value of 0.36, which is indicative of data that is not well represented by a linear function. The key reasons for this are the two outlying data sets on Chart 1 which occurred from 1910 to 1920 and from 2000 to 2010. If the outlying data points are removed, linear regression analysis results in an  $R^2$  value of 0.975. However, this equation results in a predicted 2010 population of 860. It should be noted that by using linear regression analysis the predicted 2030 population for Felton is approximately 1,250, slightly higher than the corresponding value when using the DPC calculations. Not only were the calculations statistically significant ( $r$ -squared = 0.99), but the linear regression estimates are more in-line with recent increased growth in Felton, current on-going development and available housing stock. The Town should monitor population increases, Census figures and DPC revisions to ensure proper planning for future residents.

We expect that the large increase in the rate of change in Felton's population between 2000 and 2010 will flatten, as is reflected in the DPC predictions for the State and Kent County. The Town will monitor proposed development in the near and long-term future so that they are able to adjust their planning accordingly.

#### Demographic Profile

Table 34 shows the age profiles for Felton, compared to Kent County and the State. The data was compiled from 2010 US Census.

Felton has a higher percentage of children age 19 years and younger than Kent County overall. Although Felton has a lower percentage of residents 60 years and older, it has a greater percentage of households headed by a senior citizen 65 years and older. These differences between Kent County and Felton age categories are reflected in the median age in Felton which is 32.7 years. Felton's median age is significantly lower than Kent

County (34.4) and Delaware (36). In general, the demographics of Felton, Kent County, and the State of Delaware are fairly similar; however, the table indicates that Felton has a higher percentage of residents between the ages of 25 and 59 and Kent County and the State have a higher concentration of residents older than 65.

Formatted: Normal

Table 34. Age Profiles for Felton, Kent County, and Delaware, 20100

Age	Town of Felton		Kent County		Delaware	
	Number	Percent	Number	Percent	Number	Percent
<5	82	6.3%	11,150	6.9%	55,886	6.2%
5-17	243	18.7%	29,229	18.0%	149,879	16.7%
18-20	47	3.6%	8,188	5.0%	42,079	4.7%
21-24	62	4.8%	9,595	5.9%	48,826	5.4%
25-34	173	13.3%	20,017	12.3%	111,417	12.4%
35-44	198	15.3%	20,570	12.7%	116,087	12.9%
45-54	199	15.3%	23,177	14.3%	133,554	14.9%
55-59	92	7.1%	9,428	5.8%	57,816	6.4%
60-64	75	5.8%	8,974	5.5%	53,113	5.9%
65-74	76	5.9%	12,699	7.8%	72,453	8.1%
75-84	38	2.9%	6,880	4.2%	41,080	4.6%
85+	13	1.0%	2,403	1.5%	15,744	1.8%

Source: 2010 US Census, 2000

Table 45 shows some selected demographic information about the residents of Felton. Felton has a high percentage much greater percentage of households headed by a single parent and a higher number percentage of civilian veterans than either the State or Kent County.

Table 45. Cultural Profile for Felton, Kent County and Delaware, <sup>2000</sup>2010, <sup>2008-2012</sup>

Item	Felton	Kent County	Delaware
Median age <sup>1</sup>	33.137.1	34.436.6	36.38.8
% Population 19 years and younger <sup>1</sup>	12.727.7%	28.330.6%	26.027.9%
% Population 60 years and older <sup>1</sup>	12.615.6%	13.515.6%	14.47%
% Population 25 years and older with High School Diploma <sup>2</sup>	14.177.9%	33.879.4%	31.682.6%
% Population 25 years and older with Bachelor Degree or higher <sup>2</sup>	21.212.1%	20.518.6%	28.525%
% Households headed by resident 65 and over <sup>3</sup>	17.79.4%	22.98.4%	24.19.1%
% Households headed by single parent <sup>3</sup>	29.814.5%	19.311.7%	18.59.9%
% Households with no vehicle available <sup>3</sup>	5.16.3%	6.47.8%	6.68%
% Residents 185 years and over disabled (civilian, non-institutionalized) <sup>4</sup>	16.812.8%	17.112.1%	16.811.3%
% Residents 5 years and over who speak English 'less than very	0.47%	0.0%	4.63.9%

Formatted: Superscript  
 Formatted Table  
 Formatted: Superscript  
 Formatted: Superscript

well			
% Residents 16 years and older in the workforce	65.670-7%	64.467-1%	64.765-7%
% Residents 16 years and older who work for government or the Armed Services	19.415-7%	15.016-7%	9.12%
% Residents 18 and over who are civilian veterans	11.320-8%	15.318-6%	11.114-4%

Source: 2010 US Census, 2000 and 2008-2012 American Community Survey, Compiled by IPA

Formatted: Superscript  
 Formatted: Superscript  
 Formatted: Superscript  
 Formatted: Superscript

Table 56. Selected Income Data for Felton, Kent County and Delaware, 2000-2012

Item	Felton	Kent County	Delaware
Median household income	\$45,179.289	\$55,786.950	\$60,119.381
% Households with wage and salary income	78.381-7%	71.382-1%	78.681-3%
Mean wage and salary income (earnings)	\$61,098.467	\$64,677.818	\$77,058.142
% Households with social security income	26.01-6%	31.925-7%	31.326-9%
Mean social security income	\$17,079.440	\$17,566.880	\$18,227.997
% Households with retirement income	19.318-9%	26.11-9%	23.321-0%
Mean retirement income	\$14,493.247	\$16,014.225	\$17,874.484
% Households with public assistance income	1.54-7%	3.3%	2.67%
Mean public assistance income	\$664.588	\$2,479.248	\$2,516.939
% Population below poverty level	10.84%	12.410-7%	11.59-2%
% Seniors Population 65 years and older below poverty level	11.713-8%	7.87-2%	7.97-1%
% Children Population less than 18 years of age below poverty level	19.215-2%	19.914-8%	16.911-9%

Source: 2000 US Census, Compiled by IPA 2008-2012 American Community Survey

The values reported for households with public assistance income and for persons living below the poverty level reflect Felton's position as a town center within a historically rural portion of the County. Median mortgage and rent costs are less than those of the County and the State (Table 8), with available rental and lower cost of older housing.

### 2.3 Housing

Table 6 shows that Felton's housing stock consists primarily of single-family detached dwellings. The percentage of this housing type in the Town is much greater than that of Kent County and the State, with a few multi-family and mobile homes. Compared to Kent County and the State of Delaware, Felton has a high percentage of homes built before 1940. Table 7 indicates that very high percentage of Felton's housing was constructed before 1940, in comparison to the overall State and Kent County.

Table 67. Inventory of Housing Stock, Felton, Kent County, and Delaware in 2000-2012

Housing Type	Felton	% of total	Kent County	% of total	Delaware	% of total
Single-Family, Detached	239429	78.475.5%	29,50242.193	58.464.5%	191,688235	55.958.1%
Single-Family, Attached	43	1.30.5%	4,2305.604	8.48.6%	48,34059.8	14.114.7%
Multi-Family	45120	14.721.1%	7,3248.688	14.513.3%	64,12871.7	18.7%
Mobile Homes	1716	5.62.8%	9,3928.902	18.613.2%	38,28138.2	11.29.4%
Other	0	0%	337	<1%	63569	<1%
Total	305568	100%	5048165.394	100%	289919405	100%

Source: 2008-2012 American Community Survey-2000 US Census.

Table 78. Age of Housing Stock, 2000-2012

Year Built	Town of Felton		Kent County		Delaware	
	Number	Percent	Number	Percent	Number	Percent
1999 to March 2000 or later	0	0%	1,313407	2.60.6%	9,5971.8	2.80.5%
1995 to 19982000 to 2009	34152	10.226.8%	5,33818,185	10.627.8%	28,71776,984	8.419.0%
1990 to 19941990 to 1999	5868	19.12.0%	6,23512,326	12.418.8%	34,34866,327	10.016.3%
1980 to 1989	6888	22.315.5%	8,761	17.413.4%	60,72960,765	17.715.0%
1970 to 1979	3430	10.25.3%	9,4948.6	18.813.2%	56,47551,639	16.512.7%

1960 to 1969	4863	8.911.1%	6,7336,444	13.39.9%	49,44646,602	14,411.5%
19540 to 1959	4711	5.61.9%	7,6334,420	15.16.8%	66,95443,194	19.510.6%
1940 to 1949	45	7.9	1,877	2.9	20,343	5.0%
1939 or earlier	82111	26.919.5%	4,9544,326	9.86.6%	36,80938,136	10.79.4%
Total Units	305568	100%	65,394	100%	405,883	100%

Source: 2000 US Census 2008-2012 American Community Survey

- Formatted: Font: Not Bold, Italic
- Formatted: Font: Not Bold, Italic

Table 89. Median Housing Values, 2000-2012

Jurisdiction	Median Housing Value	Median Mortgage	Median Rent
Felton	\$92,000183,600	\$9401,270	\$568743
Kent County	\$114,100205,100	\$9941,539	\$573935
State of Delaware	\$130,400241,100	\$1,1011,618	\$639985

Source: US Census, 2000-2012 American Community Survey

The Ownership and Vacancy Rates from the 2010 US Census indicate that Felton has a slightly lower percentage of owner-occupied units than either the County or the State, in general. It is expected that as Felton continues to grow, the balance between owner-occupied units and rental units will shift slightly in favor of owner-occupied units. Whether or not this percentage increases or decreases in the Town will depend, in part, on the direction taken by new development. If a higher percentage of townhomes are developed in the future, which are typically cheaper than standard, single family homes, the percentage of owner-occupied units could increase. However, if the development results in a higher percentage of multi-family units, the percentage of rental units could outpace owner-occupied units. Although the Town currently has a higher percentage of rental units than does the County or the State, there are far fewer vacant units in the Town, especially in comparison to the percentage available Statewide.

Table 940. Ownership & Vacancy Rates, 2010

	Town of Felton		Kent County		Delaware	
	Number	Percent	Number	Percent	Number	Percent
Owner-Occupied Units	480353	5967.8%	33,04043,046	65.571.4%	216,03824,6724	63.072.1%

Rental Units	107,168	35.32%	14,184,17, 232	28.128.6 %	82,69895, 573	24,127.9 %
Vacant Units	4830	65.4%	3,2575,06 0	6.57.7%	44,33663, 588	12,915.7 %
Total Units	205551	100%	50,48165, 338	100%	343,07240 5,885	100%
Seasonal Units	43	<1%	364457	<1%	25,97735, 939	7.68.9%

Source: 2010 US Census, 2000.

Formatted Table

There are currently three (3) subdivisions under construction within Town limits. The ~~Randall's Glen subdivision has 3 lots remaining; the Hidden Pond subdivision has three~~ two (32) unimproved lots remaining in Phase III and all of the there are 3+27 unimproved lots of in Phase IV; and there are seven (7) unimproved lots in the Rosewood Farms subdivision; and there are four unimproved lots in the North Street Subdivision, has 24 lots remaining. In addition to these subdivisions, there are also a limited number of individual single family lots that have yet to be developed.

The Town has approved ~~pPreliminary pPlans~~ pPreliminary pPlans for two (2) additional subdivisions. One of these will be located on approximately 65.5 acres of recently annexed property situated in the northwest corner of Town. The subdivision was referred to as Twin Lakes in the 2006 amended Comprehensive Plan. ~~There are 387 townhouses being proposed and it is now being referred to as Berkshire. The name of the project was changed to The Berkshire Subdivision and it is a proposed 387 townhome development. However, there has been no additional activity on this project since the preliminary plans were approved in 2007.~~

The ~~pPreliminary pPlan~~ pPreliminary pPlan for the Landings at Felton subdivision has also been approved. It will be located on approximately 24 acres of recently annexed property situated north of Peach Basket Road and east of the intersection of Turkey Point Road and Peach Basket Road. ~~There are 55 single family homes being proposed for this subdivision. There has been no activity on this project since the preliminary plan was approved in 2008.~~

~~Finally, there is a fully approved subdivision called the Paskey Subdivision which will be located on the northeast corner of the intersection of Walnut and Sewell Streets. This will be a five (5) unit, single family home development. The project was approved in 2012. One lot was recently sold and a house is expected to be constructed within approximately six (6) months.~~

Certain groups within Felton's population may need additional housing options, beyond the available single-family units, to best meet their housing needs. Some residents or future residents who might be better served with more diverse housing include:

~~Seniors- Although Felton has a smaller population of seniors than Kent County and the State of Delaware, the majority of Felton's seniors live in single-family homes that may, with time, become too large and require too many repairs for their fixed incomes and budgets. A senior housing development referred to as Hurd's Crossing was completed while the property was outside of Town limits. The property became~~

contiguous with the annexation of the Paskey property in 2008, and it was annexed in 2009. The development consists of nine (9), four (4) unit buildings for a total of 36 living units. The development is located on Walnut Street, just south of the intersection of Walnut Street and Peach basket Road is currently under construction just outside Town limits, south of the intersection of Walnut Street and Peach Basket Road. The development is referred to as Hurd's Crossing and when it is completed it will provide 36 senior housing units

**Single Parent & Low-Income Families-** As a town center, Felton has a higher percentage of single-parent households; and, children/families living under the poverty level and seniors living under the poverty level (see Tables 45 and 56, above). In these both of these cases situations, residents may be pressed to meet their rent or mortgage payments for a single family home find it difficult to afford their mortgage or rent for a single family home. The Town has revised its Zoning Ordinance and has created zones which allow townhomes, multi-family buildings, and a Planned Residential Community Zone. The latter will allow for a mix of housing types and will also permit a commercial component. In particular, the townhome and multi-family structures would presumably result in lower purchase or rental costs than typical single family homes. The Town is also attempting to encourage additional commercial development. A Dollar General store was approved and constructed in 2012; and the Town is continuing to encourage the development of the remaining commercial property adjacent to US Route 13 within the Town's boundary. This will add to the convenience of all residents, would like to encourage multi-family units or townhouse development which would provide more affordable home costs while also cutting maintenance costs. The Town is also encouraging increased commercial uses adjacent to the existing Town Boundaries. An increase in commercial uses will provide services and employment opportunities nearby to decrease travel times.

In summary, the Town of Felton will continue to encourage the development of additional single-family homes that are the core of Felton's physical identity; but, the Town will also encourage the denser housing options recommended under the Livable Delaware initiatives, such as townhouses. The Town will also actively encourage the development of suitable senior housing within the town.

2.4 Economic Profile

Table 11. Employment Sectors by Standard Industrial Classification

Employment Sector	Description
A: Agriculture, Forestry, And Fishing	Establishments primarily engaged in agricultural production, forestry, commercial fishing, hunting and trapping, and related services
B: Mining	Establishments primarily engaged in mining
C: Construction	Establishments primarily engaged in construction
D: Manufacturing	Establishments engaged in the mechanical or chemical transformation of materials or substances into new products
E: Transportation, Communications, Electric, Gas, And Sanitary Services	Establishments providing to the general public or to other business enterprises, passenger and freight transportation, communications services, or electricity, gas, steam, water or sanitary services, and all establishments of the United States Postal Service
F: Wholesale Trade	Establishments or places of business primarily engaged in selling merchandise to retailers
G: Retail Trade	Establishments engaged in selling merchandise for personal or household consumption and rendering services incidental to the sale of the goods
H: Finance, Insurance, And Real Estate	Establishments operating primarily in the fields of finance, insurance, and real estate
I: Services	Establishments primarily engaged in providing a wide variety of services for individuals, business and government establishments, and other organizations
J: Public Administration	Jobs engaged in the executive, legislative, judicial, administrative and regulatory activities of Federal, State, local, and international governments

Source: Occupational Health and Safety Administration, US Department of Labor

Table 102. Town of Felton Civilian Employment Figures by Employment Sector (16 years of age and older)

Sector	Number of Jobs	Percent
A: Agriculture, Forestry, Fishing Management, Business, Science, and Arts Occupations And Mining	2522	38.24%
C: Construction Service Occupations	11134	16.894%
D: Manufacturing Sales and Office Occupations	36138	40.0209%
E: Transportation, Communications, Electric, Gas, and Sanitary Services Natural Resources, Construction, and Maintenance Occupations	3268	8.9103%
F: Wholesale Trade Production, Transportation, and Material Moving Operations	4491	3.0138%
G: Retail Trade	36	4.0%
H: Finance, Insurance, And Real Estate	29	8.0%
I: Services	441	39.2%
J: Public Administration	40	11.1%

Formatted Table

<b>Total</b>	<b>354660</b>	<b>100%</b>
--------------	---------------	-------------

Source: U.S. Census-2000/2008-2012 American Community Survey

The Town of Felton is primarily a residential community, and as such, has limited job opportunities. The Felton-CNB Bank, the Lake Forest School District and small businesses are the primary in-town sources of employment. From the 2000 Census data it can be interpreted that a majority of the adult, employed residents of Felton work in other places. According to the 2008-2012 American Community Survey, approximately 90.9% of working residents of Felton 16 years of age and older work outside their "place of residence." The 2010 US Census also reported an average mean "travel time to work" of 25.1-24.8 minutes making the Town of Felton primarily a residential community.

### 2.5 Racial Composition

Table 113. Racial Composition of Felton, Kent County, and Delaware

Race	Felton	% of total	Kent County	% of total	Delaware	% of total
White	647950	82.573.2%	93,106109,999	73.567.8%	584,773618	74.668.9%
Black or African American	91252	11.619.4%	26,18038,913	20.724.0%	150,666191	19.221.4%
American Indian or Alaska native	8	<1%	8061,043	<1%	2,7314,181	<1%
Asian	1022	1.31.7%	21373,306	1.72.0%	16,25928,5	2.13.2%
Hawaiian/Pacific Islander	01	0<1%	5091	<1%	283400	<1%
Other Race	711	0.9<1%	16113,235	1.32.0%	15,85530,5	2.03.4%
Two or more races	2154	2.74.2%	2,8075,723	2.23.5%	13,03323,8	1.72.7%
<b>Total</b>	<b>7841298</b>	<b>100%</b>	<b>126,697162,31</b>	<b>100%</b>	<b>783,600897</b>	<b>100%</b>

Source: 2010 US Census, 2000

### 2.6 Educational Attainment

Table 124. Educational Attainment

Jurisdiction	High School Graduate or Higher	Bachelor's Degree or Higher
Felton	77.983.4%	12.117.7%
Kent County	79.484.7%	18.618.5%

State of Delaware	82.687.1%	25.026.0%
-------------------	-----------	-----------

Source: 2008-2012 American Community Survey US Census, 2000. Compiled by IPA

## 2.7 Economic Development

In 2009 a new day care center was constructed and in operation; in 2010 a Royal Farms gas station/convenience store was completed and opened; and in 2012 a Dollar General store was built and opened. The day care and the Dollar General are located adjacent to one another, just off of US Route 13 on commercial parcels which was established as part of the Hidden Pond subdivision. The Royal Farms is located on the southwest corner of the intersection of State Route 12 and US Route 13. In spite of these new businesses having recently been established, The Town currently has a limited number of businesses located within its boundary. The Town also has a very limited amount of available commercially zoned parcels for new businesses to available develop. Although the Town does not envision itself as becoming an economic hub, it would like to see more service related businesses willing to locate within its boundary as it grows. This would provide a convenience to its current and future residents.

There are currently ~~has~~ approximately 7.54.9 acres of commercially zoned property available for purchase within the ~~current~~ Town boundary. The property is located adjacent to the Hidden Pond Subdivision and consists of two (2) parcels located on either side of Ludlow Lane on the south side of the intersection of Ludlow Lane and US Route 13 and was established as part of the Hidden Pond Subdivision. Both of these parcels front Route 13 and their has been interest shown in them in the past. One of those showing interest was a grocery store food chain. However, no proposals have been formally submitted to the Town for development. The Town is eager to see this property developed, perhaps with a supermarket. Felton Residents must drive to Camden or Harrington to purchase their groceries.

The Town ~~is proposing a residential~~ has created a Planned Residential Community ~~z~~Zone in its ~~draft-revised~~ Zoning Ordinance (approved in 2009) that will incorporate a commercial component. This will allow for the location of businesses such as supermarkets and restaurants ~~to be located~~ within new residential subdivisions.

## 2.8 Summary of Issues

In general, the ~~2000 US Census~~ 2008-2012 American Community Survey's demographic statistics show that the Town of Felton, Kent County, and the State are similar in their makeup. However, the State of Delaware and's Kent County towns and cities have higher percentages of residents and heads of households 65 and older (Table 3, Table 4) racial and ethnic diversity. Reasons for this may be due to a greater degree of available, less expensive housing, and proximity to public transportation. Felton also has a very limited amount of designated senior housing and no established retirement home

or senior center, higher percentages of low-income seniors and higher percentages of single-parent families than unincorporated areas of the State and County. This is a result of the historic concentration of community services, older and less expensive housing, including multi-family housing, near-by shopping, and employment opportunities for unskilled or younger persons. Felton's demographics reflect many of these elements.

*Children's Issues:* Felton has a higher percentage of children under age 19, a higher percentage of children living below the poverty level and a lower percentage of children graduating from high school than unincorporated areas within the State and the County.

*Family Issues:* In addition to children, Felton has a higher than average population percentage of 19-25 to 44-59 year olds (Table 3) and a much higher percentage of households headed by a single parent (Table 4) which are the prime child-rearing years and require services geared toward families with children than either the County or the State. This may be an indicator that people who were raised in or have moved to Felton are staying there to raise their families, or as single adults. Felton also has a comparatively much higher percentage of households headed by a single parent. Felton also has a high percentage of family units with single parent homes and more homes headed by a senior citizen than in the State or Kent County.

These issues have information above has implications for on childcare, schools, transportation, public safety, social services, building maintenance, parks, recreation and open space.

*Senior Issues:* Felton has a comparatively lower than average population of senior citizens, but those in percentage of citizens 65 years of age and older (Table 4); however, a higher percentage of these citizens are living below the poverty level (Table 5), in comparison to both the County and the State. Felton who are 65 and older are more likely to be living below the poverty level than elderly residents of the State or Kent County. This has implications for healthcare, emergency medical services, and maintenance of homes may be reflective of a lack of local healthcare services, public transportation, retail merchandise, and senior housing.

*Housing Issues:* Although most homes in Felton are in very good condition, the number of homes built before 1940, which percentage-wise is far higher than in the County or the State (Table 7), makes maintenance issues a very real concern. Seniors may have less ability and money to affect needed maintenance and repairs and are also most likely to be targets of construction scams. Also, parents in single parent households may not have the time, skills, or money to affect needed repairs, and low-income households may not have the necessary resources.

Felton has a significant percentage of rental housing which studies have shown tend to not be as well maintained as owner-occupied units.

*Economic Development:* The amount of currently available, commercially zoned property is very limited. The limited number and types of existing businesses located

within the Town requires that residents travel to other towns or cities for services such as food and clothing shopping, and restaurant dining, auto repair, and entertainment.

## 2.9 Recommendations

~~*Childcare Facility* – Although a small daycare exists near Felton, it would be of great benefit for one to be located within Town limits. The Town of Felton should be proactive in attracting a daycare facility to the Town. This could be accomplished through creating a viable market through proper zoning regulations and possible tax incentives. A Child day care facility was built and opened in 2010. This certainly was a welcome addition to many of the single parent households. However, although Felton has a vigorous youth baseball league, there are limited recreational opportunities available to youth locally. The playground at the elementary school is available for use after school hours, these facilities are only suitable for elementary aged children. Although public recreational facilities are difficult to provide due to property costs, maintenance, and liability issues, the Town must explore opportunities to incorporate some form of recreational facilities for their youth. One method may be to except open or recreational space funds from developers as a credit against the amount required to be provided within the development. The Town could potentially use these funds to establish such facilities in a more centralized location.~~

~~*Schools* – As the population of Felton increases so will the corresponding population of school age children, most likely requiring additional classroom space. The Lake Forest School District has stated that they will not expand the elementary school at the current location. The school district has recently completed construction of and opened a new elementary school in the City of Harrington. The School District constructed a new elementary school in Harrington and an addition to Lake Forest High School was completed in 2008.~~

- The Town of Felton should continue to promote the role of the Lake Forest North Elementary School as a community education, recreation, and cultural resource possibly through combined initiatives such as “Safety Day” programs.
- The Town should also consider reserving an alternative site for a new larger school within the Town’s Boundaries and work with district officials in their expansion programs for the area’s schools.
- ~~Felton has a low college attainment level, which could possibly be helped through a college assistance program. This program could be financial or simply instructional.~~

~~*Social Services* – Social services such as health care for children and transportation for seniors are of great importance because of Felton’s high poverty rate among children and its senior citizens. Although social services are provided by Kent County and the State of Delaware, the Town could provide contacts between the residents and the social providers.~~

- These contacts could be provided through the Town’s newsletter, having information available at Town Hall and contacting agencies for families or persons in need.

Formatted: Font: Italic

*Healthcare* – There is currently one physician practicing in Town. However, additional medical practitioners and perhaps a dentist would be a welcome addition to the Town. This would provide a convenience to Town residents in general, but especially to the elderly senior citizens. The possibility of obtaining local medical treatment would result in a reduction of travel difficulties for the elderly seniors and potentially many other residents and their children.

- The Town should encourage medical practitioners to investigate business opportunities in Town should the opportunity to do so ever present itself.

*Housing* – In Felton, where the majority of houses are older, home maintenance affects everyone, particularly senior citizens and single parent families. Some low cost ways that the Town of Felton could assist the residents are:

- By publicly recognizing well-maintained and newly fixed-up renovated properties including and the landowners and tenants.
- Consider passing more stringent maintenance codes within the Town. Publish and distribute a brochure to all homeowners and tenants explaining the code requirements for maintenance and listing resources for help.
- Find grants or provide other financial assistance in situations where property owners are not able to make expensive renovations. Provide property owners with sources of grant funding and/or low interest loans targeted toward home improvement or renovation. For example, the Delaware State Housing Authority's Housing Rehabilitation Loan Program provides a 3% loan, either conventional with a regular repayment schedule, or as a deferred loan with a lien registered on the property to be satisfied at the time of resale. There are also some non-profit agencies that provide a wide range of housing assistance and counseling programs including Interfaith Housing Delaware Inc., and Community Housing Inc.
- Ask local Churches, Boy Scouts, Girls Scouts and other community groups to provide maintenance assistance to residents in need. Solicit donations from local contractors and others to supply goods for these repairs.
- Actively seek out, participate in, administer and coordinate Federal and State funding programs for housing rehabilitation. For example, the Delaware State Housing Authority's Housing Rehabilitation Loan Program provides a 3% loan, either conventional with a regular repayment schedule, or as a deferred loan with a lien registered on the property to be satisfied at the time of resale. There are also some non-profit agencies that provide a wide range of housing assistance and counseling programs including Interfaith Housing Delaware Inc., and Community Housing Inc.
- When updating the Felton Planning Code include favorable sections for the creation of retirement communities and townhouses to provide homes with less maintenance and cost issues.

*Economic Development* – The Town can increase the likelihood that businesses will locate within its current or future boundary by:

- Contact owners of currently zoned commercial parcels to inquire about potential proposals and communicate the Town's needs.

- Encourage developers of parcels annexed in the future, ~~after adoption of the draft Zoning Ordinance,~~ to incorporate ~~desireable~~desirable businesses within their development.

## CHAPTER 3. COMMUNITY SERVICES

3.1 Felton Police Department

3.2 Felton Community Fire Company & EMS

3.3 Schools

3.4 Trash Collection

3.5 Libraries

3.6 Museum

3.7 Felton Community Center

3.8 Community Clubs and Organizations

3.9 Summary of Issues and Recommendations

### 3.1 Felton Police Department

The Felton Police Department serves residents within the Town's Boundaries and consists of a Police Chief, ~~four~~three full-time officers and one part-time officer, ~~and a part-time clerk.~~ The officers ~~and clerk~~ report to the Chief who reports to the Town Manager. The Police Department is located in the same building as Felton Town Hall (See Map 3-Critical Facilities and Historic District). This location only houses offices for the Police Department; any processing of defendants takes place at the Harrington JP Court #3. The Felton Police Department provides 24-hour coverage daily. Most of the officers' time is spent responding to incidents in Town, patrolling within Town limits, and conducting traffic control. Officers also participate in DUI patrols and State programs such as "Click it or Ticket" and the Aggressive Driving initiative.

The Felton Police Department ~~also~~ has Mutual Assistance Agreements with many surrounding towns including Camden, Wyoming, Milford, Harrington, and Frederica, as well as the Delaware State Police, specifically Troop #3 in Camden.

Areas with a variety of uses and a diverse population such as the core areas of Felton along Main, Walnut, Church and High Streets tend to have fewer crime issues per property due to the high level of community activity and 'eyes on the street'. If remote parcels are developed before parcels adjacent to the Town, those isolated communities may not benefit from that same level of crime deterrence, and may create a greater strain on the police department. The high numbers of local children currently living in Felton and those projected in the future, if unoccupied or unsupervised, also have the potential to be a drain on police resources.

### 3.2 Felton Community Fire Company and EMS

The Felton Community Fire Company and EMS provide fire and ambulance services throughout the entire Felton zip code (19943), which stretches from just east of US Route 13 almost to the Maryland border. The Fire Company operates as an independent volunteer company, separately from the Town government structure. The Fire Hall is located on Main Street (see Map 3-Critical Facilities and Historic District). The Felton Community Fire Company and its Ladies Auxiliary provide not only emergency services but they function as an important social circle for Felton and the surrounding area.

Town Council adopted a Community Impact Fee in 2007. The \$1,200 fee is charged to the applicant's requesting a Certificate of Zoning Compliance for new residential or commercial buildings. The purpose of the fee is to help generate funds for the Fire Company to keep pace with the increasing size of their service area and also to generate funds for the Town for municipal building upkeep and improvements. The Fire Company receives \$900.00 and the Town receives \$300.00 from each fee charged.

The Fire Company, EMS, and Ladies Auxiliary meet monthly, as well as for special occasions throughout the year. The local Boy Scout Troop is sponsored by the Fire

Company and meets at the Fire Hall. The Fire Hall is also commercially available for meetings and banquets, ~~for a fee.~~

### 3.3 Schools

The Town of Felton is located within the Lake Forest School District and is served by the Lake Forest North Elementary School, located in Felton, the W.T. Chipman Middle School, the Lake Forest Central Elementary School, and the Lake Forest High School, all three ~~of~~ which are located outside Town limits. The Lake Forest School District is administered by the Lake Forest Board of Education. Funds are provided through a school district tax, which is collected in conjunction with Kent County property taxes.

The Lake Forest North Elementary School is also available for meetings and is used as the local polling place during County, State and National Elections.

### 3.4 Trash Collection

The Town of Felton contracts with Independent Disposal Service for weekly trash collection ~~and bi-weekly recycle collection throughout the Town.~~ This contract is re-bid every three years, ~~and will be up for bid in June of 2009.~~ Residents are billed for trash collection on a quarterly basis.

The Delaware Solid Waste Authority has recycling igloos located on Town lands near the stone depot, ~~which is located at the south central part of Town on the east side of Lombard Street.~~ These igloos have collections for plastics, newspapers, corrugated cardboard, aluminum, tin, glass and batteries. Curbside recycling services are also available through Delaware Solid Waste Authority for an additional fee. One aspect of Livable Delaware is a mandate to reduce the amount of solid waste by 30%. This goal is one that Felton, as well as the entire State of Delaware, should try to achieve.

### 3.5 Library

Although the Town of Felton does not operate a library, the Kent County Bookmobile stops at the Felton Fire Hall every other week. The nearest library is in Harrington, ~~and there is a new County library just outside of Camden.~~ ~~but m~~Many people ~~also~~ travel to Milford or Dover ~~for to visit~~ the larger facilities.

### 3.6 Museum

The Felton Community Historical Society operates the Felton Community Museum located in the original Railroad Station located at 206 East Railroad Avenue. The Railroad Station is a central building in Felton's history since Felton ~~is was~~ a "whistle stop" town and owes its start to the railroad (see Map 3-Critical Facilities and Historic

District Map). The Town Council feels that the Historical Society is the best steward of this special part of Felton's heritage. The museum is open on the first Saturday of each month and for special occasions and tours.

### 3.7 Felton Community Center

~~The Felton Community Center is located at 14 N. Walnut Street and is used by non-profit groups such as the Felton Little League, the local VFW #6009, numerous Girl Scout Troops, and is a card & game club meeting place. The Community Center is also available for party rentals by individuals.~~

~~The Felton Community Center is the location of most of the "Felton Fridays" events which take place over the summer months. The building that was previously being used as the Felton Community Center is now being used as a storage facility for the Public Works Department. The groups which previously utilized the space have since found other accommodations.~~

### 3.8 Community Clubs and Organizations

The Felton Community Historical Society meets monthly at the Felton Community Museum to carry out their mission of *Preserving the Past for the Future*. Its members are active in preserving the Town's cultural heritage and in educating the public about Felton's past. The Felton Community Historical Society also operates the Felton Community Museum.

Felton also has a distinguished women's group called the Avon Club. This group originated at the turn of the century as a Shakespeare Appreciation Society (the name is a shortened version of Stratford-On-Avon). The Avon Club is now primarily a social and charitable organization.

The Town of Felton is home to the Independent Order of Odd Fellows (I.O.O.F.) Lodge #30 and their sister group, The Rebekahs. The I.O.O.F. maintains a small memorial park on Main Street which they decorate each year for Christmas with lights and a small house with Santa to greet children. The I.O.O.F. is also a charitable group with their main focus on children's college scholarships.

There are also two churches located in Felton, the Felton United Methodist Church on Main Street and the Rescue House of Prayer on Church Street (see Map 3-Critical Facilities and Historic District).

### 3.9 Summary of Issues & Recommendations

*Police Department* - As outlying parcels are annexed and developed, the patrol area will be greatly increased and the Town will need to evaluate its police resources in order to

provide the same level of protection that residents have currently come to enjoy. The Town needs to determine at what point additional staff and equipment will become necessary and make arrangements to meet that need well.

- The Town should conduct a needs assessment of the Felton Police Department and its capacity to serve anticipated growth then create a projection of additional staff and equipment needed for future annexation and development.
- The Geographic Information System (GIS) data sets and maps which are part of this Plan should be shared with the Department to assist with planning efforts.

*Fire & EMS Services* – The Felton Community Fire Company currently has a large and active membership but in some parts of the State, volunteer services are starting to have problems finding members. As older members retire and more area is annexed and developed (increasing need), staffing the fire and ambulance service may become a critical issue within the Town.

- The Town should work with the Felton Community Fire Company to share information about future projects, annexations, and development within the Felton area and assist in recruitment efforts.

*Trash Collection* – ~~More effort could be made by t~~The Town ~~has made a significant effort~~ to comply with the Governor's goal of 30% waste diversion. ~~Although there are recycling igloos within Felton, residents may not be aware of them or the importance of recycling. In the past residents have been discouraged from recycling due to infrequent clearing of the bins. Recycling in Town is now mandatory. Recycle trash is picked up at the curb for a fee and residents are billed quarterly for both recycle and regular trash pick-up.~~

- ~~The Town should have more active communication with Delaware Solid Waste Authorities Recycling Department to reduce overfilling of the igloos and to track the amount that Felton recycles. Recycling is now mandatory in the Town. Residents must place recycle containers at the curb for regular pick-up the same as is done with standard trash containers.~~
- The Town continues to pickup and dispose of yard refuse separately, which ~~keeps down~~reduces the amount of waste going to landfills.
- The Town could increase participation in the recycling program by educating the public about the availability of the recycling igloos and the ways that recycling benefits everyone. The Town mentions the availability and location of the recycling igloos in the ~~newsletter. But~~newsletter, but, a special recycling program at the North Elementary School might also help increase participation.

*Libraries*- ~~The Town of Felton does not operate a library, but it can encourage the use of the Bookmobile and surrounding libraries, which could possibly increase the educational achievement of its residents. The Town previously lent books to both children and adults directly out of Town Hall. However, the individual who orchestrated that service has since accepted employment at the elementary school library. All children's book lending programs are now run directly out of the school library. The Town donated all of its children's books to the school library.~~

- ~~The Town~~ The elementary school has a very active child reading program; and although the Town does not participate in this directly any more, they continue to offer literature for adults at Town Hall. ~~regularly mentions the dates when the book mobile will be in Town in their newsletter. But, residents could also be made aware that they can request that books be sent from the Dover and Milford libraries to the Harrington library to reduce travel time. The instructions on using the Internet to access the catalogs of any library in Delaware could also be of use to residents.~~
- ~~The Town could also sponsor a "Share-A-Book-Day" where the Town would collect donations of new books to be distributed to children in Felton. The Town has instituted a "Lending Library" which is run out of the Town Hall. They also began giving books to children during Halloween trick-or-treat.~~

*Community Clubs and Organizations* – Most clubs and organizations in Felton would welcome new members. The Town mentions these clubs and organizations in a flyer they distribute. This may eventually help the Town bring the clubs and the residents together.

- ~~The Town could possibly produce a "Welcome to Felton" type booklet or flyer which would listing all the available clubs and organizations for the benefit of new residents.~~

## CHAPTER 4. RESOURCE PROTECTION

### 4.1 Community History and Character

### 4.2 Open Space and Recreation

### 4.3 Environmental Resources

### 4.4 Summary of Issues and Recommendations

#### 4.1 Community History and Character

Many of the Town's residents were born and raised in or near Felton, or are long time residents, making Felton a small, quiet town where everybody knows everybody. Set in a rural area with few major employers, it is primarily a bedroom community. According to The 2010 US Census, reports that approximately 20.8 percent of residents are retired 65 years of age or older (Table 3); and according to the 2008-2012 American Community Survey, 384,660 people were in the labor force, with approximately 38.7 percent of persons working in the service sector, business, science, or arts occupations and another 30.9 percent working within the public administration, retail trade and manufacturing sectors, sales and office related occupations (see Table 101 and 12).

The historic core area of Town was listed as a National Register Historic District in 1987 and is detailed on Map 3 Critical Facilities and Historic District. Built between 1856 and 1940, this district is dominated by Victorian era homes and includes a commercial area just west of the railroad. Most of these homes are wood frame with wood or wood-style cladding and porches are common, although many have been enclosed to create additional interior rooms. A wide diversity of home sizes and values characterize the historic core of Town. The churches and community buildings (such as the post office and fire station) tend to be brick or stone. The Felton Railroad Station is individually listed on the National Register of Historic Places.

Felton has been blessed with considerable historic resources that contribute greatly to the character and aesthetics of the Town. With a few exceptions, the historic core of the community is in very good condition and does not raise redevelopment issues. However, a third more than 40% of the existing housing stock is greater than 40 years old; and nearly 20% of the existing homes are greater than 75 years old (Table 7). and Due to their age, these buildings may have special maintenance needs. These are the buildings that give the Town its special character, but because they tend to be larger and more expensive to maintain, the Town may receive some requests to convert some of these stately homes to other uses. It will be important to handle these on a case-by-case basis and to work with the State Historic Preservation Office and the Kent County Historic Preservation Planner in determining the fate of these buildings. It is extremely important that these buildings be properly used and maintained so that none are lost as a result of neglect or development.

The Felton Zoning Code contains a Historic District as an overlay district that regulates uses within the historic area. When a proposal is made to construct or modify buildings on properties within the historic district the Town Council must approve all changes. These approvals are based on public necessity and preservation of the historic or architectural value of the property.

The historic core of Town has a pedestrian orientation both functionally and visually which makes the Town picturesque, easy, and safe for residents, including children, to get around. Many streets have sidewalks and are lined with large street trees. Driveways

are narrow (8' to 12') with garages, when present, behind or to the rear of the house. There are few large parking lots to mar the view and create discomfort for pedestrians.

There are currently no highway-scale strip malls, large office buildings, or large expanses of parking (except for the firehouse) in the center of town and the existing commercial buildings are all of a residential scale. There is an apartment complex just off of US Route 13 adjacent to the Randall's Glen Subdivision; and there is approximately ~~seven and a one-half (7 1/2)~~ five (4.9) acres of commercial property available ~~bordering Route 13 and bounded by the Hidden Pond Subdivision on the west,~~ at the northeast corner of the ~~Town of Town.~~ The property is on the southeast corner of the intersection of Ludlow Lane and US Route 13 and was part of the original Hidden Pond Subdivision. Local residents would like to see a supermarket or restaurant develop here.

Future annexations included under this plan are primarily residential, and ~~they will be an extension of the Town's bedroom community character, but as new construction will have the potential to change the Town's physical appearance and built environment.~~ A few aspects of annexations and their development. Particularly important are issues of are the proximity of the property to Town, connectivity to the existing street network, scale and design of the residential units, and ~~the~~ overall layout of the developments. As Felton plans for the future, it will address both the historic character of the community and the implications of expected growth and development. The community's goals and planning policies, the Comprehensive Plan, and its Planning & Zoning Code, will guide how the Town addresses these issues.

## 4.2 Open Space and Recreation

The Felton Little League operates and maintains 10 acres of baseball fields and active recreational open space, which are available to residents when Little League games or practices are not in session. These baseball fields are located at the Lake Forest North Elementary School on land owned by the Lake Forest School District. There is also a playground at this location, which is maintained by the school and available during non-school hours. The park is a successful collaboration between a non-profit organization and the school district that benefits the entire community.

Felton also has a ~~tiny-small~~ memorial park, which is owned by the Town and maintained by the International Order of Odd Fellows Lodge #30. This park is named the I.O.O.F. Memorial Park and contains a bench and a monument to all the men and women in the armed forces.

Most Felton residents pursue recreational activities at Killen's Pond State Park, which is ~~located on Killen's Pond Road, approximately 3 1/2 miles southeast of Felton; Brown's Branch County Park, which also located on Killen's Pond Road, approximately 7 miles southeast of Felton; and the Norman G. Wilder Recreation Area, which is located approximately 4 1/2 miles northeast-northwest of Felton.~~ The closest Senior Center is in Harrington although many residents travel to Dover to enjoy the facilities at the Modern Maturity Center.

The Town currently includes 34 acres of playgrounds, parks, and dedicated open space currently located within the Town comprise approximately 34 total acres.

The current revised Planning & Zoning code requires that new subdivisions to dedicate a minimum of 25% of the gross landsite area to common open space, which ultimately is to be maintained by the developer or homeowner's association. The requirements also specifies that 10% of the total open space be active open space. The active open space may be in the form of one large area, or multiple smaller areas interconnected by walking trails or sidewalks. The remaining 15% of the total open space may be passive open space and may include The current open space requirements make no distinction between active and passive open space and areas such as undisturbed woodlands, wetlands and constructed features like storm water management ponds may all be considered as open space. The draft Zoning Ordinance requires that a minimum of 10% of the total area of residential developments be dedicated as active open space. Woodlands, wetlands, forested areas, and stormwater management areas may be considered as only passive open space and in no case shall the total open space (active plus passive) be less than 25% of the total site area.

Felton also recognizes that additional recreational resources would benefit the senior population, by providing them with near-by opportunities to remain active and healthy. One popular addition to consider would be walking trails. The 2011 telephone survey portion of the conducted by the State Division of Parks and Recreation, which is included in the 2013 current SCORP (Statewide Comprehensive Outdoor Recreation Plan) indicates that on average, greater than 67% of the State's residents rank outdoor recreation as very important. Approximately 75% of the households in Region 3, which includes Felton, stated that they participate in outdoor walking or jogging shows that 84% of Lake Forest School District residents anticipated walking or jogging within the next year and 61% would participate more in outdoor activities if there were facilities closer to their home.

### 4.3 Environmental Resources

In Delaware, most authority for environmental regulation rests with DNREC. Sediment and Erosion control and Stormwater Management has been delegated by the State to the three County Conservation Districts, and New Castle County has taken the lead in implementing other environmental regulations.

Felton's revised Zoning Ordinance currently has limited environmental protections for noise, air and light pollution. The Ordinance has no additional provisions for protection of environmental resources which are regulated by other agencies or are not currently regulated, has environmental regulations pertaining to water resources, which includes wellheads and excellent recharge areas; drainage and stormwater management; tree preservation; and riparian buffers and reforestation.

*Wetlands* – Regulatory protection of wetlands is mandated under section 404 provisions of the Federal Clean Water Act. Certain other wetlands (mainly in tidal areas) are accorded additional regulatory protection under Title 7, Chapter 66 provisions of the State of Delaware’s Code. Compliance with these statutes may require an Army Corps of Engineers approved field wetlands delineation and/or official DNREC wetland jurisdictional determination.

In addition to the requirements above, the Town’s ~~draft-revised~~ Zoning Ordinance contains a riparian buffer area requirement. ~~If adopted,~~ This requirement will provide for a buffer area along wetlands, streams, waterways, or lakes, in which no lot lines shall be permitted to be platted.

*Floodplain Ordinance* – The Federal Emergency Management Agency (FEMA) oversees the national flood insurance program, floodplain delineation and flood elevation determinations. To participate in the insurance program, counties and municipalities must maintain ordinances that regulate development and construction within a floodplain. Felton has developed and adopted a floodplain ordinance and is a current member of the FEMA program.

*Source Water Protection* - As areas farther from the central core of Felton that have many environmental resources are annexed, these resources should be preserved, greatly enhancing the character of the Town. Areas where rainfall and snowmelt can readily recharge the groundwater, have been mapped by the Delaware Geological Survey (see Map 10, Conservation Areas). Title 7, Chapter 60, Subchapter VI, § 6082 of the Delaware Code requires municipalities with greater than 2,000 persons and all counties to adopt source water protection ordinances by December 31, 2007. Kent County has adopted a source water protection ordinance and although the Town of Felton has a population of less 2,000, their ~~draft-revised~~ Zoning Ordinance includes a source water protection requirement. The Town considers the areas designated as having excellent groundwater recharge potential to be significant natural features which warrant protection.

*Total Maximum Daily Loads (TMDLs) and Water Quality* – The Town of Felton is located within the Mudcrkill River watershed, which is an impaired watershed, according to Section 303(d) of the 1972 Federal Clean Water Act (CWA). Under Section 303(d) of the CWA, states are required to identify all impaired waters and establish total maximum daily loads to restore their beneficial uses. A TMDL defines the amount of a given pollutant that may be discharged to a water body from point, nonpoint, and natural background sources and still allows attainment or maintenance of the applicable narrative and numerical water quality standards. A TMDL is the sum of the individual Waste Load Allocations (WLAs) for point sources and Load Allocations (LAs) for nonpoint sources and natural background sources of pollution. A TMDL may include a reasonable margin of safety (MOS) to account for uncertainties regarding the relationship between mass loading and resulting water quality. In simplistic terms, a TMDL matches the strength, location, and timing of pollution sources within a watershed with the inherent ability of the receiving water to assimilate the pollutant without adverse impact. A

Pollution Control Strategy (PCS) specifies actions necessary to systematically achieve pollutant load reductions specified by a TMDL for a given water body, and must reduce pollutants to a level specified by State Water Quality Standards.

The Town of Felton is located within the Murderkill River Watershed of the greater Delaware River and Bay drainage. This watershed is assigned a range of nutrient (nitrogen and phosphorus) and bacteriological TMDL load reduction requirements that, as mentioned previously, must be met in order to meet the State Water Quality Standards. Table 115 below presents the range of nutrient and bacteria requirements for the Murderkill River watershed.

Table 115. TMDL Nutrient and Bacteria reduction requirements for the Murderkill watershed

Delaware River and Bay Drainage	N – Reduction Requirements	P - Reduction Requirements	Bacteria Reduction Requirements
Murderkill	30%	50%	32% Fresh 65% Marine

Source: DNREC, Water Supply Section

*TMDL Reduction* - The Town has limited control over the major point sources of pollution, which are associated with wastewater treatment at the Kent County Frederica facility and Harrington's wastewater treatment plant. The TMDL regulations for the Murderkill Basin were promulgated in December 2001, and the Murderkill Tributary Action Team (a coalition of stakeholders within the watershed) is currently developing pollution control strategies. The Town of Felton will participate when feasible with the Action Team to develop and facilitate implementation of the strategies.

The Town of Felton understands that DNREC and Kent County continue to negotiate over the impacts the TMDL regulations have on the treatment capacity of the Kent County Wastewater Treatment Plant. The Town will follow any developments in regulatory restrictions at the plant concerning TMDL implementation.

*Best Management Practices (BMPs)* - The Town of Felton will consider use of Best Management Practices (BMPs) that reduce these nutrient loads as part of revisions to subdivision and zoning regulations. Examples of BMPs include stream buffers, wetland preservation and forest protection and possible limitations on the use of fertilizers.

*Woodland Preservation* - The Town's Future Land Use Plan indicates the presence of larger wooded lots within the Town. Local individuals and groups have assisted in enhancing the green environment through the donation of small parcels of open space and through Arbor Day or other tree-planting ceremonies. During the Bicentennial, the Felton Historical Society planted 75 Cherry Trees as part of the celebration. In addition, the Town is incorporating a tree planting requirement as part of its draft revised Zoning Ordinance.

#### 4.4 Summary of Issues and Recommendations

*Community History and Character* – The Town of Felton will continue to strive to keep its small town character by working hard to preserve the buildings in the historic district while also managing the expansion and development of the annexation area.

- The Town should make owners of buildings contributing to the Felton National Register Historic District aware that they are eligible for State, County and federal tax credits for rehabilitating their homes or businesses. The Town can then help those residents receive applications and information regarding tax credits through the State Historic Preservation Office.
- The Town will look for redevelopment opportunities to maintain the built environment. Redevelopment should be consistent with the goal and objectives of the Town's Land Use Plan. Changes to less-intensive land use with reduced impervious surface should be considered positively because this reduces stormwater runoff and increases groundwater recharge. Some small commercial properties on US Route 13 may be of interest for redevelopment. Changes to land use on the highway should be consistent with DelDOT's Corridor Capacity Preservation Program.
- The Planning & Zoning Commission, the Town's engineers as well as Town Council should carefully review any proposed subdivision designs to ensure that new development is consistent and compatible with the existing community.
- As appropriate, the Town should consult with the Office of State Planning Coordination regarding the community design initiatives being undertaken through the Livable Delaware program.

*Open Space and Recreation* – The Town of Felton would like to increase recreational activities available, particularly for children and seniors.

- The Town may decide to survey Felton residents about their recreation preferences. This would give a more specific idea about what is needed in Felton and will provide the Town Council with solid groundwork for making decisions.
- The Town should review current lands, newly annexed lands and planned annexation areas for potential local parks and recreation sites.
- The Town should determine the maintenance issues and costs for potential new local parks. Arrangements for maintenance could come from the Town's maintenance department or through the residents themselves in the form of individuals or groups.
- Future parks should be accessible to all the Town's residents, and where possible, near other parks to provide corridors for recreation. When planning new local parks an effort should be made to include both active recreation such as walking trails and passive recreation such as benches for bird watching. Efforts should be made to preserve some of the Town's natural and aesthetic resources.
- ~~The Town is currently in the process of updating the Planning and Zoning Ordinance and during this process the Town will review the Kent County Planning Ordinances regarding usable open space.~~

*Environmental Resources* – The Town of Felton includes provisions in ~~the current its revised~~ Zoning Ordinance for environmental concerns. Components include regulations concerning water resources, which includes wellheads and excellent recharge areas; drainage and stormwater management; tree preservation; and riparian buffers and

~~reforestation. The Ordinance's Performance Standards include restrictions or prohibitions on air pollution such as smoke, odors, flyash and dust; noise pollution, light pollution; and waste disposal, including specifically prohibiting discharging wastes into the drainage system, sanitary system, individual septic systems, on to the ground, or into streams or other water bodies, except in accordance with the Department of Health and Social Services, DNREC or other regulatory agencies. The revised Planning and Zoning Ordinance will also include environmental protection standards.~~

As the Town increases in size and population these regulations will become increasingly important. In addition, new laws have been passed which call upon Felton to increase its level of environmental control.

- ~~The revised Planning and Zoning Ordinance will incorporate components to more specifically which will preserve and create open spaces for recreation, property protection and natural resource protection, through adequate controls over development in floodplains, and adjacent to wetlands, streams, or waterways.~~
- ~~The Town will has also develop adopted regulations to which protect wellheads, based on DNREC guidelines published in the Source Water Assessment developed by DNREC.~~
- ~~The Town will has also develop adopted a Groundwater Recharge Area protection regulation by working through the Planning and Zoning Committee excellent groundwater recharge area regulations. DNREC will be consulted in order to maintain as much of the excellent recharge area as possible. The Town will abide by DNREC and Kent Conservation District regulations which encourage conservation design and require BMPs for many types of development. In addition to reducing the nature of impervious surfaces, such as large parking lots, these practices can also reduce runoff and minimize pollution in support of the Murderkill TMDL goals.~~
- ~~During the Planning and Zoning Ordinance revision process, the Town will consider allowing has created a cluster-type development, such as zone which specifically allows townhouses. This type of development allows for expansion, but the more closely spaced structures create less land disturbance and can be used in areas where portions of the property are encumbered by sensitive features, such as wetlands, streams, or forests, on newly-developing lands in water resource protection areas to maximize land preserved as open space.~~
- Future growth and development can be planned to enhance rather than depreciate natural amenities. Subdivision plans, such as the Hidden Pond subdivision, can provide conservation of streambeds and wooded areas and integrate active and passive open space.
- The Town should participate in the TMDL Murderkill Tributary Action Team formed by DNREC to help develop a plan to achieve the needed non-point source load reductions of nitrogen and phosphorus in this watershed.

## CHAPTER 5. INFRASTRUCTURE

5.1 Felton Water System

5.2 Wastewater System

5.3 Stormwater System

5.4 Transportation

5.5 Summary of Issues and Recommendations

## 5.1 Felton Water System

The Felton Water Department provides water to residents and businesses via two wells, Well 4, which currently produces most of the Town's water, and Well 3, which is permitted as a back-up. Well 2 is not permitted for water production but is permitted as part of the Town's system as an emergency well. Well 1 was abandoned in accordance with DNREC regulations. Wells 2, 3 and 4 pump water from aquifers that lie deep enough below the ground surface to be naturally protected from shallow pollution ~~from~~ by fuel tanks and infiltrating nutrients. DNREC is in the process of evaluating the source waters for many municipal systems, but their first priority has been to complete the study of vulnerable, shallow groundwater sources. ~~For deep wells, such as those utilized by Felton, DNREC recommends a 150-foot radius surrounding each well as a "wellhead protection area."~~ The Town's Water Resource Protection Area regulations require that a 100 foot radius around the well be free of impervious area, except for improvements that are necessary to support the operation of the well.

The amount of water a supply system produces is regulated by DNREC through Water Allocation Permits. The permits are issued with 30-year expiration dates, with reviews every 5 years during the permit period. The current water allocation for Felton, for both Well 3 and Well 4 is 236,800 gallons per day (gpd) and 43,216,000 gallons per year. The permit allows the Town to draw a maximum of 236,800 gpd, total, regardless of which well is being used. The Town currently draws and distributes an annualized, daily average of approximately 100,000 gpd.

Wells 3 and 4 each have the capacity to draw water at a rate of approximately 300 gallons per minute (gpm). This equates to each well being able to draw approximately 430,000 gpd, with continuous operation over 24 hours. Although 24 hours of continuous operation is not recommended, the Town has the capability to meet its water production needs for the foreseeable future.

The Felton water system was upgraded in 1999 with a 200,000-gallon elevated water tank, and with the addition of a 580-foot deep water well (Well 4) which is now the main water production well. The project also included water main upgrades which increased the size of the mains from 4-inch to 6-inch diameter and also included completion of water main loops. Together, the improvements provided additional water production capacity, water storage, better fire hydrant performance, increased water pressure, and improved water quality.

These improvements were made possible with a \$300,000 low interest loan from the USDA, which was later converted to a Drinking Water Revolving Loan from the Delaware Office of Drinking Water (Division of Public Health) at a lower interest percentage rate. This loan is still being paid through a debt service fee collected in connection with the quarterly water billing.

The main well, Well 4, provides water that is free of iron, which had caused considerable problems in the past. Although this well greatly improved Felton's water system, the

aquifer provides water with naturally-occurring arsenic. The arsenic concentration averages 22 parts per billion (ppb), which was in compliance with the maximum contaminant level (MCL) for arsenic ~~that was~~ in effect prior to 2006, (50 ppb). However, in January, 2006 the arsenic MCL permitted by the State was reduced to 10 ppb.

The United States Environmental Protection Agency (EPA) sponsored a program designed to evaluate the effectiveness of various treatment technologies at removing trace amounts of arsenic. Specifically, the program was targeting the evaluation of treatment systems that could be incorporated by small scale water providers, such as the Town of Felton. The EPA program was administered in two phases. 12 sites were selected for participation in Phase I and 30 additional sites were selected for participation in Phase II. Felton was selected in 2004 as a Phase II site.

The EPA's contribution to the program was to provide the treatment system and the participating sites were required to provide a suitable space to house and protect the treatment system, along with any necessary alterations to the existing water distribution system. As a result, the Town applied for and received a \$300,000, 40 year, low interest loan from the USDA/Rural Development to fund the construction of a building and infrastructure to support the arsenic treatment system. The Town has incorporated the debit service for this loan into the quarterly water bills of all water users.

The building was completed and the treatment system was installed and operational in October 2006. Although the treatment system was not operational until after the reduction in the arsenic MCL, the EPA and the State were both aware of the difficulties the Town encountered during the construction process. The EPA collected sample data for treatment evaluation from October 2006 through November 2007. The treatment system has been successful in reducing the arsenic concentration below the current MCL. The EPA has since transferred ownership of the treatment system to the Town of Felton.

The entire water system, including the treatment facility mentioned above, is operated and maintained by the Town. The Town employs one full-time, certified water plant operator and a part-time staff person who is also a certified water operator. Together, these two ~~people—individuals~~ take care of both the water system and local street maintenance.

The water system serves residential and commercial customers within the Town as well as providing water service to property owners outside the Town's limits, including the Lake Forest school complex on Killens Pond Road. The schools were connected to the system in 2001. Felton holds a Certificate of Public Convenience and Necessity (CPCN) which is up-to-date for the current Town boundary and all service connections outside of the Town limits, including the school complex to the southeast of Town, on Killens Pond Road. The Town has also received approval to include the recently annexed properties which are the proposed sites of The Berkshire and The Landings at Felton subdivisions, in their current CPCN area. The area of the Town's CPCN is provided on Map 9.

~~The current Town Zoning Ordinance requires that all subdivisions be supplied by the Town's water supply system. The draft revised Zoning Ordinance will require all dwellings and principle uses to be served by the Town's central water system.~~

The Town of Felton meters water demand at the water wells, as well as at individual service connections. Individual water service meters provide the Town with the ability to bill for water based on usage, and to estimate how much water falls into the category of non-consumptive use, such as water used during fire fighting, line maintenance (flushing) or lost through leaks, by subtracting the metered volume from the pumped volume.

Tidewater Utilities, Inc., (TUI) holds a CPCN on county lands northeast of Felton but does not operate a water treatment plant or water distribution system in the Felton area at this time. During the annexation of the Ludlow property, ~~which~~ (later ~~became the Hidden Pond subdivision~~), the Town and TUI entered into an agreement that transferred TUI's CPCN rights to ~~Felton for Ludlow property to Felton after it was annexed into the Town parcels that annexed into the Town.~~ In exchange, the Town agreed to provide, upon request, bulk water sales to Tidewater (if requested) of up to 100,000 gpd and allow TUI the right of first refusal; if the Town ever seeks to contract out water operations. See Map 9 - CPCN Territories.

*Water System Capacity* – Felton has recently increased its Water Impact Fee. ~~This fee is paid by all new customers and is to be used for future water infrastructure improvements, which is paid by new water service customers.~~ These fees are maintained in an enterprise-type account ~~for future system improvements~~. Payment for the expansion of the system to and throughout new subdivisions or developments is the responsibility of the developer(s).

~~The Town recently filed an application with DNREC and the Delaware River Basin Commission (DRBC) for an increase in their water allocation permits for Wells 3 and 4. The increase was approved and As mentioned previously, the Town's current water allocation permits allows the withdrawal for a total system (well 3 and/or well 4) pumpage of 236,800 gallons per day (gpd) and 43,216,000 gallons per year. The Town is currently withdrawing pumping approximately 42% of its allocation, or 100,000 gpd. A commonly used measure of water use is the Equivalent Dwelling Unit or EDU. An EDU is approximated as an average usage of 225 gpd. (1 EDU = 225 gpd). The Town's current allocation includes enough water to serve an additional 608 EDU's. No additional wells are needed to meet the new allocation because Wells 3 and 4 each have the capability to produce a maximum of 430,000 gpd~~

~~The Town is currently planning continues to plan~~ for additional water production needs. ~~The Town is in the process of formulating~~ has formulated an agreement with the developer of a subdivision being proposed adjacent to Lake Forest High School on Killens Pond Road. The developer of the subdivision, which is being referred to as Spartan Village, is proposing 268 units and is requesting water service from the Town. The Town is agreeable to providing water service if the developer will provide a suitable location for a future well and a treatment facility on the site. As development continues,

the Town will continue to accrue water impact fees. As the total money generated by these fees grows, the Town will monitor the increased number of water users. When an additional well and/or a water tower become necessary, these items will be funded by impact fee-generated funds.

Water system life-of-service is 50 to 60 years; therefore serious thought is given to any request for service expansion. The Town of Felton's current system, including the water main which runs south and west to the Lake Forest High School, is suitable for systematic expansion, when the need arises.

## 5.2 Wastewater System

Kent County has provided sanitary sewer service to Felton since 1977. The Town is served through the Felton Sanitary Sewer District, Pump Station 21, and the Kent County Wastewater Treatment Facility at Frederica.

~~The current Town Zoning Ordinance requires that all subdivisions be connected to a community sanitary sewer system connected to the County system, or be connected to an adequate community sewerage disposal plant meeting DNREC and Kent County requirements. The Town's revised draft Zoning Ordinance will require that all dwellings and principle uses within the Town shall be required to be served by Kent County's central sewer system. All proposed development expansion in Felton is reviewed by Kent County to ensure that they are capable of providing the necessary sanitary sewer service.~~

*Wastewater System Capacity* - ~~The "Felton Area" makes up a portion of Kent County Sewage Disposal District No.1 and includes the Town of Felton and its long range planning area; sewer district includes Felton, the surrounding Kent County lands north, south, and east of Felton; and, including the Felton long range planning area and the Lake Forest school complex on Killens Pond Road. The County's sewer infrastructure includes localized gravity sewer throughout the Town of Felton, and in the other areas in the Felton Area of the sewer district. The infrastructure also currently includes seven pump stations. The main pump station in the Felton Area is known as pump station 21. It is located on the east side of US Route 13, opposite Lake Forest Elementary School. The other pump stations are referred to as pump stations 21-A through 21-F. These pump stations are located at isolated facilities such as Lake Forest High School (pump station 21-B); or at isolated subdivisions such as the Satterfield Subdivision (pump station 21-F). The Town of Felton transmits all of its sewage directly to pump station 21 through a network of gravity sewer pipes. The other pump stations in the Felton Area transmit sewage to pump station 21 via forcemains; or, they have forcemains that discharge to the Town of Felton's gravity sewer system, which in turn routes the sewer, by gravity, to pump station 21.~~

~~The district Pump station 21 and its discharge forcemain was designed to handle 1.1 million gpd, and currently uses about 10 percent of its capacity or 117,000 gpd. For wastewater design, an EDU is considered to be a peak flow of 250 gpd. The County's~~

~~current wastewater collection and conveyance system can serve another 3,275 EDUs under peak use situations, have a current peak capacity of approximately 1.1 million gallons per day. The current flow to pump station 21 is approximately 0.45 million gallons per day. Although it appears based on the peak capacity of pump station 21 and the current flow to the pump station that the station is at less than 50% of its peak capacity, this is not the case. Kent County has already factored in sewage flows from proposed developments that have entered the plan review process. This includes subdivisions such as The Berkshire subdivision and The Landings at Felton, which have Town of Felton preliminary subdivision plan approvals. —The same is true for other subdivisions within the Felton Area. Consequently, pump station 21 will be at or very near peak capacity when all of the proposed but currently undeveloped subdivisions have been completed.~~

~~When pump station 21 reaches peak capacity, the pumps and/or the force main will be upgraded to increase the capacity available to the Felton Area. The costs for these improvements will be funded by fees that the County assesses and collects from developers proposed subdivisions prior to final construction plan approval. Therefore, the Town of Felton is not at risk of encountering a building moratorium due to lack of sewer capacity.~~

~~As new properties are developed, the Kent County Department of Public Works evaluates the wastewater demand that will be created and assures that system upgrades are incorporated into the development scheme. The costs of extending sanitary sewer to new developments, including collection systems and pump stations if necessary, are borne by the developer. In addition, the developer pays impact fees to the County for new service.~~

~~Development throughout the Felton planning area (see Map 2 Planning Area) is within the County's Growth overlay zone. As new development is proposed, the County requires the developer(s) to fund a Technical Feasibility Study (TFS), which evaluates whether or not additional infrastructure, or upgrades to existing infrastructure will be required to support the proposed development. The developer(s) are responsible for funding the costs of any necessary additional infrastructure or system upgrades. The TFS evaluations assure that the County will be able to accommodate future proposed development. The Kent County Wastewater system can support the possible annexations, and potential development within the five year planning area. The Town will continue to work closely with the County in this regard. The Town will continue to abide by its policy of consulting with the County's Engineering Department prior to annexing property.~~

### 5.3 Stormwater System

The Town of Felton has made great strides in stormwater management during the last two decades by installing piping in, and covering a number of the smaller open ditches that were located within and between residential development in Town. The Town has also been fortunate in being able to obtain funding which was used to clear debris from other larger ditches that will remain open. Despite this advancement Felton is still plagued by

drainage problems particularly along the northwest border of Town. Similar to other communities of Felton's size and age, the historic town core area currently has a limited stormwater management system. This has the potential to cause serious harm to the Town's environmental resources since rainwater and pollutants are free to enter streams and wetlands via street runoff and a series of ditches.

New development is regulated by the Kent Conservation District, ~~to~~ and must provide sediment and erosion control during construction and all new subdivision development must have a long-term stormwater management system. Both stormwater flow quantity and water quality management are addressed through the Conservation District plan review and permitting process, and in most cases new developments utilize retention/detention stormwater management ponds to comply with the regulations.

The Town was approached in the recent past by a consulting firm that was interested in obtaining a grant which would have provided partial funding for a quantitative study of the Murderkill River Drainage Basin within the greater Felton area. However, the Town was asked to be the administrator of the grant and the Town was not comfortable with the level of information given regarding their role as the administrator. The Town also was not comfortable with the level of detail that the study was ultimately going to provide. Felton ultimately opted not to participate for the reasons mentioned above and the project never came to fruition.

The Town discussed this matter with Kent Conservation District and both the Town and the District recognize the need for such a study. The District informed the Town that they will be willing to assist them in whatever capacity they are able should funding for such a study become available in the future. The Town, as mentioned above, is aware that there are existing areas within Town that are in need of modifications to improve its stormwater management capabilities. The Town will continue to search for funding opportunities and will remain willing to cooperate and seek advice from both the Conservation District and DNREC in the event that the opportunity to generate a comprehensive drainage study should present itself in the future.

#### 5.4 Transportation

A well-functioning system of roads, streets, sidewalks, bike paths, and transit services is essential to serve present and future development of the Town and the region. Currently, the Delaware Department of Transportation (DelDOT) maintains State Route 12 (Main Street), Walnut, Lombard, and Church Streets. The Town of Felton is responsible for maintenance, sweeping, and snow removal on the remaining municipal streets. The Town's Public Works Department ~~carries out snow removal~~ is responsible for removing snow from Town streets and residents are responsible for snow removal on sidewalks. In the event of a heavy snowfall, the Town may hire an outside contractor for snow removal.

Public safety and the welcoming feel of walkable neighborhoods have been continuing priorities for Felton. The Town has successfully completed its network of sidewalks

within the older portions of the Town using a number of grants. The Town's subdivision ordinance requires new developments to provide sidewalks. As previously stated, the Town has one full-time and one part-time staff persons ~~to who take care of both perform all of the necessary maintenance on the water system, and local the Town streets, maintenance, the mowing of the grass, etc.~~ Generally, Town staff takes care of smaller repairs and issues, while larger issues are contracted out as needed.

As stated in Chapter 4: Section 4.1 - "Community History and Character", the Town of Felton currently has a welcoming, pedestrian orientation. It is very important that new development maintain this feeling, and where safe and feasible, extend and connect to the Town's existing street and sidewalk system. Through sidewalk interconnections, walking can be maximized; therefore, minimizing vehicular traffic through Town. By providing street connections drivers can avoid traversing the main roadways to get to local destinations such as the post office. In this way, the Town may further provide a multi-modal transportation system that develops in a logical manner, promotes the safest and simplest movement of goods and people, and supports non-vehicular as well as vehicular modes of transportation.

Expanding the pedestrian network from the traditional "city block" center of the Town to newer developments with required open space and winding roadways may be possible through a pedestrian network which leaves the roadside and utilizes easements and parks.

A DART First State shuttle is available through the Welfare to Work program between Harrington and Dover where it connects to the Dover transit system. This shuttle makes one morning and one evening stop at Felton near the intersection of State Route 12 and US Route 13. The shuttle is free and available to anyone, but there is a fee to ride the Dover system. Para-transit service is available by appointment to eligible seniors, people with physical challenges, and kidney dialysis patients. Additional transportation options are available to residents on public assistance through the Delaware Division of Social Services. These services are important to residents of the Town which were identified by ~~the 2000 US Census~~ 2008-2012 American Community Survey as: senior citizens over the age of 65 (14.5%), disabled residents over the age of 18 (19.91%), and those households that do not have a vehicle available (6.33,1%).

Most residents of Felton commute to Dover or the Dover Air Force Base for employment; and ~~they commute~~ to Dover, Harrington, or Milford for medical care and shopping. Of Felton's employed population, 14.83,9% car pool, 3,0% walk to work, ~~or work at home~~ and 6.33,1% of Felton households do not have a vehicle available to them (2008-2012 American Community Survey). As Felton's population increases so will the transportation issues. As it has under the Corridor Capacity Preservation Program, Felton will look for ways to work with DelDOT to find transportation solutions that put less stress on the roadways and the environment than the current use of individual automobiles.

US Route 13 is of primary concern to the Town of Felton and DelDOT. A number of years ago the US Route 13 and State Route 12 intersection was considered to be

dangerous, as evidenced by three fatal accidents that occurred over a two-year period. To make a safer intersection, police patrols were stepped up at this location and along the US Route 13 area within the Town's limits. Although it has gained Felton a reputation as being a 'speed trap', accidents have been reduced and there have been no further fatalities at this location. DelDOT plans for future upgrades of this intersection should significantly reduce the potential for accidents at this location.

US Route 13 in Felton is currently part of the State's Corridor Capacity Preservation Program. This program designates areas along the US Route 13 corridor that are slated for preservation through access controls. DelDOT works with each municipality along the corridor to develop a plan that allows for the preservation of road capacity as well as growth for the Town. DelDOT met with the Town of Felton in 2000-2001. Except for the access points agreed upon through this process, DelDOT prefers that any new development take its access from the local road network rather than directly from US Route 13. In locations where access from another road is not possible, the State will seek to consolidate access points using shared driveways and cross-access agreements.

The Delmarva Secondary Line of the Norfolk Southern Railroad bisects the Town at an at-grade intersection. This rail line provides freight rail service to the entire Delmarva Peninsula. Approximately four to eight freight trains travel to or through Felton each day, primarily hauling grain, stone, coal and other agricultural products. Felton's largest industrial business, Pennsy Supply, has a siding where stone and gravel products are regularly unloaded and then shipped out by truck throughout Delaware.

In June 2002 the State House of Representatives passed a resolution requesting that a study be completed to determine the feasibility of providing passenger rail service from Wilmington to the Delaware beaches. If this service were to become a reality in the somewhat distant future, it is likely to pass through the Town of Felton, thereby increasing the number of trains traveling through the Town. Although it is unlikely that Felton would be chosen as a boarding location due to its small population, transportation by rail to Dover, Wilmington, and the beaches would ~~be certainly be a great an~~ asset to the Town.

## 5.5 Summary of Issues and Recommendations

*Water System* - The Town has expanded and upgraded its water capacity in order to be able to grow. The Town has a water allocation permit with excess capacity to serve approximately ~~608-585~~ additional connections. The Town's water supply is in compliance with all current regulations, including the ~~recently reduced~~ MCL for arsenic, ~~which was reduced from 50 ppb to 10 ppb in 2006~~, as a result of the ~~new~~ water treatment system ~~which was installed in 2006~~. The Town has increased its water impact fee to a more realistic level so that when new water production and storage infrastructure are required they will have the necessary funds available. The Town is in active negotiations for potential sites for the location of these facilities.

- The Town will continue to evaluate future growth to assure that water quantity, quality, and sufficient pressure and for fire protection flows are maintained as the system expands.

*Sewer System* - If the Kent County Sewage Disposal District were to use up all or exceed its treated effluent discharge capacity, the limiting factor to expansion would be the Total Maximum Daily Load (TMDL) from regulated by DNREC. Any permitted increase would likely be tied to a different processing/recycling most likely result in a modified method of discharge, such as applying the treated effluent to land via spray irrigation. Fortunately, this is not likely to occur during this planning period or the current discharge capacity is not anticipated to be exceeded for some time to come.

*Stormwater System* - Stormwater management will continue to be an itema topic that the Town will need to give careful consideration to as it expands.

- The Town will make every effort to work closely with Kent Conservation District in attempting to evaluate current and future needs of the Murderkill River Watershed.
- The Town will continue to seek funding sources to upgrade and improve its stormwater drainage system.

*Transportation* - It is important for Felton to balance its desire to remain a community with a small town atmosphere with, and the need for future growth which will keep the Town a vibrant part of the State of Delaware.

- The Town will work to establish, a system of pedestrian and/or bike paths that would will interconnect residential areas with adjacent developments, schools, and business areas.
- The Town will support the Corridor Capacity Preservation Plan through its site plan review process.
- The Town will encourage the State to continue to expand transit options to connect Felton to points of employment and important services for its senior and disadvantaged residents.

## CHAPTER 6. LAND USE PLANNING

### 6.1 Strategies for State Policies and Spending 6.1a State Investment Strategies Map

### 6.2 Land Use in Felton 6.2a Goals and Objectives 6.2b Planning and Regulation Process

### 6.3 Growth and Annexation 6.3a The Role of the Town Council 6.3b Annexation Strategy 6.3c Sprawl Avoidance Strategies

### 6.4 Felton's Land Use Plan 6.4a Study Area 6.4b Annexation Area 6.4c Administrative Responsibilities

### 6.5 Implementation Strategies 6.5a Coordination 6.5b Next Steps

## 6.1 Strategies for State Policies and Spending

With the formation of the Governor's Cabinet Committee on State Planning Issues, the State of Delaware has adopted an active role in land use planning issues in recent years. The current State Policies for coordinating spending are described in the document *Managing Growth in 21st Century Delaware: Strategies for State Policies and Spending*. The Cabinet Committee on State Planning Issues adopted this strategy document on December 23, 1999, after an extensive process of public consultation with citizens and municipal leaders. The strategies are predicated on the fact that, while local governments exercise control over land use decisions in their own jurisdictions, state investment and policy decisions can influence land use and the pattern and pace of growth. The strategies were created as a tool to help manage new growth in Delaware while revitalizing existing towns and cities and protecting the State's environment and unique quality of life.

In March 2001, Governor Ruth Ann Minner announced the "Livable Delaware" agenda to address sprawl, congestion and other growth issues through legislation and policy changes that will direct growth to areas where the state, counties and local governments have planned for it to occur. It builds on the significant foundation laid by the 1999 legislation "Shaping Delaware's Future Strategies for State Policies and Spending".

The agenda includes an Executive Order directing State agencies to begin implementing the 1999 Strategies through implementation plans that outline program, policy, budgetary and legislative changes. In 2004, Governor Ruth Ann Minner enacted Executive Order #54 allowing the State to enforce the refined strategies. A new Advisory Council on Planning Coordination, that includes representatives of county and local governments and others with a stake in growth and land-use issues, will examine such concepts as developing a graduated impact fee structure, developing annexation standards, and approving and monitoring "Livability Indicators" to measure intergovernmental progress toward curbing sprawl. Other actions will look at encouraging the redevelopment of brownfields, establishing a transfer of development rights program, and facilitating dispute resolution among levels of government.

In July 2004, the Governor's Cabinet Committee on State Planning Issues adopted updated Strategy Goals and map delineations in the document *Delaware Strategies for State Policies and Spending, 5 Year Update, July 2004*, after an extensive process of public consultation with citizens and municipal leaders. In the five-year update, the State created a system of Investment Level strategies to help governments and property owners better understand how growth should occur. The State refined the previous Investment Area maps to reflect the new investment levels. The Investment Level maps are not Land Use Maps per se. However, the strategies were created as a tool to help manage growth in Delaware while encouraging infill development and redevelopment within existing towns and cities, while protecting the State's environment and unique quality of life.

One of the core principles guiding Livable Delaware is to direct development to occur in and adjacent to existing towns and developed areas. The State generated maps depicting

areas adjacent to developed areas where new growth should be focused. Four areas, or Investment Levels, were created in order to prioritize spending in areas designated for future growth:

- Investment Level 1 – In areas where population is concentrated, commerce is bustling and a wide range of housing types already exist; State policies will encourage redevelopment and reinvestment;
- Investment Level 2 – Diverse areas where growth is slated, growth impacts on historic resources should be considered and/or rapidly growing areas within the County. Should be located next to Investment Level 1 areas and act as a transitional zone between populated areas in municipalities and less populated areas of the County;
- Investment Level 3 – These areas are generally slated for long-term growth by the County or a municipality. Plans for growth usually extend outside the five-year timeframe of the Comprehensive Plan;
- Investment Level 4 – These areas are slated for agricultural and open space preservation.

The State has also created three other categories which should be noted:

- Out-of-Play – Areas that cannot be developed or redeveloped;
- Area of Dispute – Areas that are currently under legal action or jurisdictional dispute;

Area of Study – Areas where water and wastewater availability is currently being studied.

On April 1, 2011 Governor Jack Markell signed Executive Order #26, approving a 2010 update of the *Delaware Strategies for State Policies and Spending*. The update is the result of the Office of State Planning Coordination's (OSPC) consultation with State agencies, County and local governments, and review of existing State-certified municipal and County Comprehensive Plans. OSPC also solicited public comment through public meetings (two in each County) and through written and e-mail responses.

Formatted: Font: Italic

Formatted: Font: Italic

In March 2001, Governor Ruth Ann Minner announced the "Livable Delaware" agenda to address sprawl, congestion and other growth issues through legislation and policy changes that will direct growth to areas where the state, counties and local governments have planned for it to occur. It builds on the significant foundation laid by the 1999 legislation "Shaping Delaware's Future Strategies for State Policies and Spending".

The agenda includes an Executive Order directing State agencies to begin implementing the 1999 Strategies through implementation plans that outline program, policy, budgetary and legislative changes. In 2004, Governor Ruth Ann Minner enacted Executive Order #54 allowing the State to enforce the refined strategies. A new Advisory Council on Planning Coordination, that includes representatives of county and local governments and others with a stake in growth and land-use issues, will examine such concepts as developing a graduated impact fee structure, developing annexation standards, and approving and monitoring "Livability Indicators" to measure intergovernmental progress

toward curbing sprawl. Other actions will look at encouraging the redevelopment of brownfields, establishing a transfer of development rights program, and facilitating dispute resolution among levels of government.

One of the core principles guiding Livable Delaware is to direct development to occur in and adjacent to existing towns and developed areas. The State generated maps depicting areas adjacent to developed areas where new growth should be focused. Four areas, or Investment Levels, were created in order to prioritize spending in areas designated for future growth:

- **Investment Level 1** — In areas where population is concentrated, commerce is bustling and a wide range of housing types already exist. State policies will encourage redevelopment and reinvestment;
- **Investment Level 2** — Diverse areas where growth is slated, growth impacts on historic resources should be considered and/or rapidly growing areas within the County. Should be located next to Investment Level 1 areas and act as a transitional zone between populated areas in municipalities and less populated areas of the County;
- **Investment Level 3** — These areas are generally slated for long-term growth by the County or a municipality. Plans for growth usually extend outside the five-year timeframe of the Comprehensive Plan;
- **Investment Level 4** — These areas are slated for agricultural and open space preservation.

The State has also created three other categories which should be noted:

- **Out of Play** — Areas that cannot be developed or redeveloped;
- **Area of Dispute** — Areas that are currently under legal action or jurisdictional dispute;
- **Area of Study** — Areas where water and wastewater availability is currently being studied.

Most of All of the area within the existing current Town limits of Felton are is designated Level 1 Investment Areas. The outer areas of the Town and much of the future growth areas are appropriately designated Level 2 Investment Areas to create a transition to the less populated areas surrounding the Town. The majority of the Town's 5-year planning area is designated as Level 2 Investment Area. Small portions of the 5-year planning area to the north and to the west of Town are designated Level 1 Investment Area; and, a small portion southeast of Town is designated as Level 3.

All of the northern 5-year planning area is designated as a Level 2 Investment Area. However, portions of the southern 5-year planning area are as a Level 3 Investment Area. The development rights of the McGinnis parcel, which is an approximately 119 acre parcel located south of Town on the west side of US Route 13, have been purchased by the Delaware Agricultural Lands Foundation and it is designated as Out of Play (see Map 6). The Town may not and will not attempt to annex this parcel. The Town should work

~~with the State to designate all of the areas within the Town's 5-year planning area as Level 2 Investment Areas as part of the 2009 five-year update to the State's Strategies for Policies and Spending.~~

~~The majority of the parcels that are outside of the Town's 5-year planning area, but which are included in the Town's long-term planning area, are categorized as Level 2 Investment Areas. However, a small portion of these parcels are included in the Level 3 Investment Area. The Level 3 long-term planning area parcels are located in northwest, west, south, and southeast of Town. There are no parcels designated as Level 4 Investment Area within the Town's long-term planning area. There are several parcels (or portions of) west of Town designated as Level 4 Investment Areas that are included in the Town's long-term planning area. The Town will monitor the State's designation of these properties and work with the State prior to including them within a future proposed 5-year planning area. The Town will continue to cooperate with the State with the common goal of accommodating future growth while preserving agricultural lands and environmental features in accordance with State Strategies.~~

#### 6.1a Current State Investment Strategies in the Felton Area

The State Strategies Map (Map 6) designates the Town of Felton and much of its long-term planning area as locations where various levels of State spending can be available to support future growth. The State should be supportive of additional development within the Felton planning area.

The area to the southwest of the Beaver ~~d~~Dam Branch, a tributary of the Murderkill River has been successfully included in agricultural preservation and also includes significant sensitive floodplain and wetlands areas. These areas are now designated "Out of Play." The Town of Felton has not changed its position on protection of groundwater recharge and quality, and sensible regulation of construction in flood-prone areas. The Town's Planning Area has been amended to remove these "Out of Play" areas from future development consideration.

The Town currently provides water services to Lake Forest High School and water infrastructure is in place from the school, north along ~~US~~ Route 13, to Town. As a result, the Town has elected to include the parcels south of Town which border ~~US~~ Route 13 and Killens Pond Road, as shown on Map 7, Planning Areas and Annexation Plan, in the 5-year planning area.

The State Strategies Map (Map 6) designates these parcels as Investment Level ~~3-2~~, except for a small portion area which includes a stream and presumably wetlands, which is designated as Investment Level 3.

~~and a portion of the two (2) southerly parcels west of Route 13 are designated as Investment Level 4~~The two (2) parcels south of Town and just north of Reeves Crossing

~~road are designated as Investment Level 2, except that small areas on the westerly end of each parcel are designated as Level 3. The Town has included these parcels in its 5-year planning area because they are adjacent to existing Town water infrastructure, Kent County Sewer infrastructure, because of their proximity to US Route 13, and because the Town has been approached by potential developers in the past inquiring about annexation. As mentioned in a previous section of the plan, the Town will coordinate any annexation request with DelDOT to ensure that any development in this area will correspond with the Corridor Capacity Preservation Program.~~

To summarize, the State Investment Strategies seeks to limit sprawl by supporting and encouraging the growth and redevelopment of communities like Felton. New growth outside of existing town centers should be located adjacent to existing infrastructure and services. Development activity within Felton's amended 5-year planning area should be encouraged by the State.

## 6.2 Land Use in Felton

~~The current Zoning Ordinance does not provide much diversity with respect to land use. There are currently three (3) categories of land use types: residential, commercial, and industrial. Any residential land use other than single-family is currently considered only as a Conditional Use. This is one of the areas of the Zoning Ordinance which was targeted by the Planning Commission for change. The proposed draft revised (2009) Planning and Zoning Ordinance has four (4) residential categories and two (2) commercial categories. Although the current in-town parcels will generally remain in a zone as similar as possible to what the current use designates, both with respect to use and lot size, the draft-revised Ordinance will provides for a broader range of residential and commercial uses in future growth areas.~~

### 6.2a Goals and Objectives

Although the following goals and objectives were updated, goals and objectives developed during development of the 1999 Felton Comprehensive Plan update and are still relevant today:

#### Goals

1. To create a desirable and healthful environment in which to live and work, for both children and adults.
2. To provide a coordinated land use pattern that will establish individual uses by neighborhood district or area. Such a pattern will prevent the indiscriminate mixture of land uses in the same area, and would protect existing property values.
3. To preserve the quiet atmosphere that presently characterizes the Town.
4. To preserve historical and agricultural lands, while directing new development to more appropriate areas.
5. To take measures to preserve and improve the present quality of housing in Felton and to prevent the emergence of blighted areas in the future.

6. To provide adequate community facilities, public utilities, and public safety services to meet present and future needs.
7. To encourage citizen participation on the preparation and adoption of the Felton Comprehensive Development plan.

#### Primary Objectives

1. To improve and preserve the present water, sewer, and street system to serve the present and anticipated future population.
2. To continue to provide adequate fire and police protection to all areas of the Town.
3. ~~To review the present codes, and ordinances and to amend each one as necessary. Also to adopt any new codes or ordinances that might be needed in order to implement the Comprehensive Development Plan as it is amended in the future.~~
4. ~~To review and update the current Planning and Zoning Code and improve the administration of the Zoning Code administer the revised Planning and Zoning Ordinance in the interest of the Town, its residents, and in accordance with the Comprehensive Plan.~~

#### 6.2b Planning and Regulation Process

~~In the case of major subdivisions, The Town reviews construction requests and issues a Compliance Letter attesting that all applicable portions of the Felton Planning and Zoning Code are met proposals for development and associated construction plans and, if all aspects of proposed development are in accordance with the Town's Ordinances; and if the developer has verified that he/she has obtained approvals from all applicable agencies, the Town issues final approval of the plans. When all of the site work, which includes the installation of the stormwater management facility, the utility infrastructure, road construction, and the bulk grading, the Town will issue approval of the site work and the developer may begin submitting drawings of individual building sites. When these individual lot drawings are approved, the Town issues Certificates of Compliance for each respective lot. In the case of minor subdivisions and commercial sites, Certificates of Compliance are issued when the construction plans are approved.~~

~~The Town of Felton does not having a building inspection department and all building permits and related inspections are conducted by Kent County's Department of Permitting and Inspections. Prospective builders and/or developers provide Kent County with evidence of their Certificate(s) of Zoning Compliance from the Town, along with buildings plans for review and upon approval, the County issues the respective building permit(s). The applicant then takes the Compliance Letter to the Kent County Department of Permitting and Inspections to receive the building permit. This Kent County department also does all building-related inspections on the property.~~

The Town of Felton is governed by a five-person council, which is elected by the residents. The council members elect a mayor and ~~officers-vice mayor~~ from among themselves. The Town Council ~~members serves a two~~three-year terms, with alternating members being up for election each year.

The Planning & Zoning Commission is made up of from 5 to 7 residents who are appointed by the Town Council for three-year terms. ~~This committee~~ Commission has ~~first~~ provides the initial review of all development plan submissions, zoning compliance applications, and conditional uses. ~~The Commission then makes a recommendation to Council, based on their review, and then makes their recommendations to the Town Council.~~ The Town also ~~contracts with~~enlists the services of the engineering firm of Davis, Bowen & Friedel, Inc. (DBF) ~~for to assist in the plan review process.~~ DBF also ~~provides engineering services related to plan reviews and water, wastewater, and drainage and road construction and rehabilitation.~~engineering services.

Variances from Felton's Zoning Ordinance are decided by the Felton Board of Adjustment, which consists of from 3 to 5 residents who are appointed by ~~the~~ Town Council. ~~Each Board member serves a~~ ~~to serve~~ three-year terms. Decisions by the Board of Adjustment may be appealed to the Superior Court of Delaware.

~~As noted previously, The entire Felton Planning and Zoning Ordinance was revised and adopted by Town Council on January 12, 2009. A portion of the Ordinance was last updated in August 1996. However, the Town has drafted a revised ordinance and it is currently in the review process on July 8, 2013.~~

## 6.3 Growth and Annexation

### 6.3a The Role of the Town Council

This Section is meant to serve as a set of guidelines for the Town when faced with development in surrounding areas. Specifically, the recommendations may prove useful in the following circumstances:

- When a development or re-zoning is proposed in Kent County's jurisdiction, these recommendations may allow the Town to make informed comments through the County's land use review process.
- These recommendations may assist the Town in preparing plans for utility services in the adjacent areas, and, they may also be useful when negotiating with developers in these areas.
- If annexation is proposed, these recommendations will be available to guide the Town in terms of the types of land uses and scale of development that would be appropriate in various areas.

### 6.3b Annexation Strategy

The Town encourages annexation of lands adjacent to the existing boundaries as it will allow the Town to ~~have~~ play an active role in the review and approval of development

proposals; and, ~~to formalize service arrangements within those properties it will allow the Town the opportunity to formulate Public Works Agreement. However~~ Although the Town encourages annexation of contiguous properties, the Town ~~it~~ takes into consideration the planned development for the requested annexation and examines whether or not the development is in the best interest of the existing community. The Town also realizes that annexation should proceed in a deliberate and rational manner as there are many inherent problems in growing too quickly. Therefore the section below will serve as a base to use when ~~deciding on~~ evaluating annexation and ~~or~~ development plans.

- Each annexation request will be evaluated by the Town to determine the project's benefits and its impacts on ~~the~~ Town services. The evaluation of these annexation proposals may include:
  - The potential benefit to the Town in terms of tax revenue, jobs, services, or facilities to be provided.
  - The desirability of controlling the type and style of development prior to annexation in order to recognize issues that may need to be addressed in the annexation agreement.
  - The impact of the development on Town services and utilities. Impacts that will need to be reviewed should include sewer and water capacities, fire service, police service, administrative costs, as well as other criteria to be defined by the Town Council, identified in future updates to the Comprehensive Plan, or recognized by special study.
  - The ~~State~~ Investment Level ~~designated designation by the State for of~~ the property requesting annexation.
- For the area North of the Town limits, each annexation request will be evaluated by the Town to determine the project's benefits and impacts on ~~the~~ Town services, including review of the following issues:
  - Development is imminent in the intervening properties as growth in the County continues and is strongly directed to occur within the County Growth zone.
  - The annexation area on the west side of US Route 13, rather than on the east ~~of the highway side~~, provides a cost effective expansion from Felton for sewer and water. Also, Tidewater Utility Inc. is unable to provide water service to ~~these properties at this time~~ the properties on the west side of US Route 13. (The Memorandum of Understanding ~~between the Town and Tidewater Utilities~~ remains in effect ~~between Felton and Tidewater regarding Felton's~~ and it provides the Town with the ability ~~right~~ to ~~adept~~ assume portions of the Tidewater service area through the annexation of property within it.)
  - The ~~State~~ Investment Level ~~designated~~ ~~edion~~ ~~by the State for of~~ the property requesting annexation.

- For the area south of the existing Town limits, each annexation request will be evaluated by the Town to determine the project's benefits and impacts on Town services, including review of the following issues:
- Annexation of the properties to the south of Town will serve to assist in smart growth implementation through an interconnected circulation plan, potential expansion of the CCPP and environmental protections through options such as cluster designs.
  - The development rights of the McGinnis property have been purchased by the State and it will remain as an agricultural land use in perpetuity. Felton will not annex this property. See Map 7 and 8 for the location of the McGinnis property.
  - Development is probable in the area as growth in western Kent County continues, both within and beyond the growth zone.
  - The location of the annexation area on the west side of US Route 13 provides cost effective expansion ~~from Felton for of sewer and water utilities.~~
  - The State Investment Level ~~designated designation by the State for of~~ the property requesting annexation..

### 6.3c Sprawl Avoidance Strategies

The Town of Felton values the Livable Delaware goal ~~that which stipulates that~~ new municipal growth should be balanced with the protection of farmland and open space, and “suburban sprawl” should be avoided. ~~The Town sees Suburban Sprawl as a number of perceived issues resulting from development, ranging from traffic congestion to the loss of open space.~~ For the purposes of this plan, we use the term “sprawl” in reference to discontinuous-discontiguous development that ~~occurs away from currently is not contiguous or adjacent to concentrated~~ developed lands in and around the existing Town. Sprawl has numerous negative consequences and potential impacts on the services we offer. These impacts may include:

- Traffic can be increased due to longer travel distances. Pedestrian and bicycle travel between developed areas may not be convenient or safe, making it necessary to travel to and from the newly developed area by car.
- The cost of providing utility services can be increased because of the greater distance from the established urban area and the potential need for force mains, pumping stations, and the like. ~~Maintenance costs to the Town also increase due to the additional equipment and lines to service and maintain.~~
- Similarly, the relative cost of providing other town services can be increased due to additional travel time for police and other maintenance staff.
- Development occurring between town centers encroaches on productive farmland by segmenting fields and increases farm operating costs. This reduces the incentive to continue farming.

The following are some specific policies Felton Town Council will consider when they review development proposals or requests for water service in areas adjacent to the Town:

- ~~Property owners who wish services should pay for the extension of those services. This will encourage property that is adjacent to the current Town boundaries to develop first. The Town should limit providing water service to properties outside of Town limits to property owners who are willing to enter into an agreement with the Town guaranteeing to annex their property when it becomes contiguous to the Town. The Town should limit this to properties that are within a reasonable distance and the property owner must be willing to fund the extension of the infrastructure.~~
- Water service should be extended when it supports development that is consistent with the Town's Land Use Plan, and provides a net benefit to the Town. Water infrastructure should be extended only when financial commitment from the developer and/or the Town has been obtained.
- Requests for service outside of the Town should be fully evaluated to include the benefits to the Town and County, consistency with the County growth plan and long term operations and maintenance costs to the Town.

The Town reiterates its commitment to smart growth design. ~~The Town and has requested~~ has utilized State financial assistance to update its Land Use Ordinances so that environmental protections are included, such as wellhead, source water, and excellent recharge area protection. ~~The ordinances also include new zoning classifications which and designation areas as well as new elements that~~ permit cluster-type designs that aid in those the protections noted above.

## 6.4 Felton's Land Use Plan

### 6.4a The Study Area

The Town of Felton Comprehensive Planning Committee defined a study area east of US Route 13 that include: the Chimney Hill subdivision, northeast of Town; the Dill and Bostick Farms, just north of State Route 12; and the area south of State Route 12 and east of US Route 13 to Killens Pond Road. Chimney Hill is served with both sewer and water, the Dill and Bostick Farms have been in Kent County's sewer service plans, and the area east of US Route 13 and south of State Route 12 is adjacent to existing Town water infrastructure.

A preliminary land use survey of the major properties in the study area was conducted. This land use survey indicated that the majority of the land within the study area is currently used for agricultural purposes with strip residential and commercial lots along the roadways. Generally, strip lots are sold off to generate the cash, either to proceed with a major subdivision of the main parcel acreage or to cover farming losses in bad years. Farm fields which are fringed by strip residential lots may or may not be an indicator of future residential development, and should be studied accordingly.

After a review of Kent County's Comprehensive Plan and consideration of the properties designated for potential wastewater service, the Planning Committee recommended that the study focus on properties within the immediate area of the Town, or Town

infrastructure. The ~~five-~~5-year planning area (see Map 2) was ~~designated due to~~ established based on the proximity of existing infrastructure and efficiency of service ~~provision providing services to respective properties.~~ The Town of Felton provides water service to the Lake Forest School District's properties, Chesapeake Equipment, and the Emanuel Day Care facility. As our section on State Investment Strategies details, the ~~5-~~year area selected by the Town for future growth is mostly within Level 2 Investment Area, with the ~~small portions of the~~ southerly most parcels being within Level 3 Investment Area.

Table 146 below summarizes the current land use acreage based on the information contained ~~in~~ Map 4 Current Land Use Within Town Limits. The majority of ~~vacant undeveloped~~ land is located within the ~~three recently annexed areas yet undeveloped Berkshire and Landings at Felton Subdivisions and the recently annexed Paskey property on the east side of Walnut Street at the north-center of Town.~~ The Berkshire Subdivision and the not yet subdivided portion of the Paskey property are currently being used for agricultural production. The majority of the Landings at Felton property is wooded; but a ~~portion of the west side of the property is being used for agriculture production and the portion that borders Peach Basket Road supports a residence.~~ The largest concentration of subdivided, vacant lots is located in Phase 4 of the Hidden Pond Subdivision, with smaller amounts located in the Rosewood Farm subdivision on the west side of Town, along North Street, and sparsely throughout out Town. ~~One of these, located at the northwest corner of Town, is proposed for the development of the Berkshire subdivision. Another is located just north of Peach Basket Road and just east of Turkey Point Road and is proposed for the development of the Landings at Felton subdivision. In addition, approximately one fourth of the Hidden Pond subdivision (Phase IV) remains to be developed and the Rosewood Farms subdivision has approximately 20 undeveloped lots remaining.~~

Table 146. Felton Current Land Use Acreage

Land Use Category	Acres	% of Total
Agricultural <sup>1</sup>	83.2159	18.333.4%
Commercial	17.219.9	3.84.2%
Industrial	13.8	3.02.9%
Institutional	25.4	5.65.3%
Utility	0.9	0.2
Open Space and Parks	28.6	6.36.0%
Residential	123.814	27.229.7%
Vacant	1.6	
Transition	29.120.0	6.44.2%
Railroad	65.8	14.5%
Approx Road Acreage	3.7	0.80.8%
Total Acreage in Town	63.8	1413.4%
	454.447	100%

<sup>1</sup> Approximately 88.4 acres is Berkshire and Landings

Formatted: Superscript

\_\_\_\_\_ at Felton Subdivision property temporarily in agriculture.

Source: Davis, Bowen & Friedel, Inc..

Formatted: Indent: First line: 0.5"

#### 6.4b Annexation Area

In accordance with the Town's goals and objectives, and a review of service, financial, and infrastructure systems, the 200814 Comprehensive Plan includes an Annexation Plan for potential properties as shown on Map 7. Parcels within the 5-year planning area include properties whose owners have inquired about annexation with the Town, ~~as well as other properties the Town plans on~~ could potentially provide providing services to within the next five years, and other properties that ~~will may~~ not receive services for a period outside of the 20173 deadline. The properties are also within the Kent County comprehensive plan's growth area (see Map 2) and are not "out-of-play" under Delaware's State Strategies for Policies and Spending. Some developed properties that may have individual wells or septic systems are included in the event they need service due to well or system failure, such as the Felton Manor development. The Town could offer water service to many of these properties ~~these lots~~ because water utility ~~and sewer~~ infrastructure is adjacent or very near-by. Sewer utility infrastructure is also adjacent to many of the properties within the 5-year planning area; but, Kent County would need to evaluate the capacity of pump station 21, and a Technical Feasibility Study may be required, especially for some of the larger properties.

The future land use and growth areas recommended by the plan are represented on Map 8 (Future Land Use Within 5-Year Planning Area.) The Plan was developed assuming that the majority of newly annexed land ~~will~~ be used for residential purposes. However, the Town is very interested in attracting a commercial component, such as a supermarket or restaurant.

The largest properties with annexation potential were reviewed by the Town of Felton and are listed below:

Table 157. Annexation Plan

Parcel Identification	Parcel Number	Acres	Annexation Phasing
William M. and Elizabeth B. Dill	8-00-13900-01-0200-000	78.8	5-Year, future annexation
Charles W. and Doris W. Bostick	8-00-13900-01-0224-000	64.8	5-Year, future annexation
Thelma Sipple	8-00-12900-02-4300-000	67.7	Do not annex at this time
Thelma Sipple	8-00-12900-02-4400-001	96.6	Do not annex at this time

The 5-year planning area consists of approximately 1,716 acres of land, which may possibly be annexed by 20173. The anticipated phasing is shown on Map 7 and the acreage by phase is tabulated below:

Table 168. Annexation Phasing

Phasing Description	Acreage
5-Year Planning Area	
Year 201408-20171	65177
Year 20812-20193	688
Developed, if requested	351
<i>Total</i>	<i>1,690716</i>

The 5-year growth timeline includes properties that are adjacent to the existing Town boundaries, which have inquired about annexation into the Town. The Town believes the properties located within the 5-year planning area ~~will~~ may request annexation prior to 20173. Properties located within the long term planning area, but outside the 5-year planning area, include properties that may potentially request annexation into the Town by the year 20250 and consist of approximately 2,908 acres. The Town has not received any formal requests or inquiries about annexation ~~of from~~ any properties ~~outside the 5-year planning area but within the "long term" area; however, but believe the potential to for these properties to develop, and for them to -those properties and to use-Townrequest~~ Town services may occur by 20250. Lastly, the "developed, if requested" category include several parcels that are already developed that may request annexation in order to ~~utilizese~~ Town services. The Town is willing to approve of annexations in the developed areas upon request ~~of by~~ the property owner.

The Town does not expect all of the acreage indicated within the long-term planning area to come into the Town by 20250 and the Town cannot anticipate the actual timing of ~~any annexations in this area~~. However, the Town of Felton has the infrastructure and service capacity to consider requests from within the long term planning area during the planning period. The Town should review population growth and annexation requests as part of the required five-year review of the Plan to ensure growth is occurring in a manner consistent with the annexation plan.

The property north of East Street between the older portion of Town and Hidden Pond (parcel identification number 8-00-12900-01-5100-000) known as the Carlisle property is recommended for residential development. This could be a mix of single-family homes on 7,500 square feet lots, town houses, or apartments. If this property is developed, it should be interconnected with the existing road networks and efforts should be made to integrate open space into the existing open space on the adjacent school property. Felton does not recommend any expansion of agricultural uses on this property beyond its current agricultural use due to the proximity to the center of Felton and the Elementary School).

Properties along ~~N~~North Walnut Street, ~~and north~~ Church Street, ~~and along~~ Turkey Point Road should be developed as single-family homes in accordance with patterns of existing

development. However, there is a 9.6 acre parcel on the west side of Church Street across from the Hidden Pond Subdivision owned by Delmarva Power & Light. An electrical sub-station was installed on this parcel. This parcel may annex into Town, but it would remain in its current use.

There are two significant agricultural parcels within Town limits that have been in the Town since its original incorporation. The 29.130.5 acre agricultural property on the southwest side of Town is parcel number 8-07-13808-01-6200-000 (Paskey Farm) and is within Town limits. The 27.37 acre parcel on the southeast side of Town is 8-07-13808-02-7500-000 (Robert Rhonda K. Smith property) and it is also within Town limits. These properties represent the majority of the agricultural land in Felton at 58.256.4 acres out of a total of approximately 6458 acres of agricultural land. When the Felton Planning & Zoning Ordinances are updated it is recommended that an Agricultural District be established with these properties being included. An Agricultural/Open Space (AO) Zone was created when the Planning and Zoning Ordinance was revised to accommodate these parcels.

Most The vast majority of the developed land within Felton are considered to be "residential land uses" is in some form of residential use, with a few Commercial or Institutional (churches, the post office, and elementary school) uses.

#### 6.4c Administrative Responsibilities

- The Town is aware of its responsibility to rezone where needed to match this Comprehensive Plan within 18 months of adoption. All of the properties within the Town are zoned in correspondence with this amended Comprehensive Plan.
- The Town will review and update the Felton Zoning Code, which was last updated in 1996. The current Zoning Code has duplicative and inconsistent regulations particularly concerning Conditional Use Zones. Some changes will be: The Town has revised its Planning and Zoning Ordinance (adopted in January of 2009) and the components listed below are some of the key changes to the zoning aspects of the Ordinance.
  - The conditional use process will be has been modified to provide a well-defined set of conditional uses. The Neighborhood Business conditional use will be has been deleted and replaced with a set of conditional uses consistent with home occupation commercial uses.
  - Zoning classifications will include an "In-Town" type of commercial zone (C-1) and a "Highway" type of commercial zone (C-2). The C-1 Zone allows significantly smaller lot sizes and this results in existing in-Town businesses being in conformance with the Zone requirements, and a "Highway" commercial with smaller lot size requirements for "In-Town" commercial.
  - The Town will create has created zones which will allow by-right multi-family development.

- The Town of Felton's ~~updated Zoning Code~~ revised Planning and Zoning Ordinance ~~will contain~~ contains comprehensive Articles which ~~will~~ regulate many aspects of development that are not regulated or addressed in the ~~current Zoning Code~~ previous Ordinance. These articles ~~will~~ include specific regulations pertaining to utilities and environmental protection, among other aspects of the development process.
- The Town of Felton acknowledges that Title 22, Chapter 1, § 101 requires that all new annexations ~~to be consistent with their~~ eComprehensive ~~p~~Plan. For annexation evaluations, we must provide a plan of services showing that capacity exists to provide all necessary services and utilities. Intergovernmental coordination will include the notification of all affected jurisdictions. Land Development applications made to the Town that exceed the thresholds of the Town's current Memorandum of Understanding (MOU) with the Office of State Planning Coordination are subject to a Preliminary Land Use Service (PLUS) review through the Office of State Planning Coordination.
- Upon adoption of this Comprehensive Plan, we will submit a progress report by December 31 of each year to the Office of State Planning Coordination with information regarding implementation activities, and new issues or conditions.

## 6.5 Implementation Strategies

### 6.5a Coordination

The Town of Felton recognizes that intergovernmental coordination is essential to accomplish the goals identified through this planning process. We understand that the coordination of Town, County, and State plans and actions in the Felton area will have a direct impact on the well being and quality of life for all of our residents. Therefore we feel that close coordination between the Town and other government agencies is crucial in a number of areas including land use, transportation, environmental protection, and agricultural preservation.

#### Coordination with Other Agencies

- We value the opportunity to establish and maintain close coordination with the Office of State Planning Coordination, the Delaware Department of Transportation (DelDOT), and Kent County for land use planning and transportation issues. Other important State agencies whose actions may interact with the Town's activities are the State Historic Preservation Office (SHPO), the Department of Natural Resources and Environmental Control (DNREC) and the Delaware Economic Development Office (DEDO).
- Coordination with the State is also highly important with respect to various funding opportunities. For example, Federal TEA 21 grants administered through DelDOT may be available for improving local streets; and State Revolving Loan

Funds are available through the Department of Health and Social Services (DHSS Office of Drinking Water), and through DNREC for water pollution control projects.

- The Quality of Life Act requires counties to adopt procedures for coordination of land use planning in neighboring jurisdictions. Therefore, Kent County is an important partner for the Town, particularly with regard to annexation and development in peripheral areas and for economic development in general. The Town plans to work closely with the Kent County Planning Department, particularly on residential development on State Route 12 and northeast of Town.
- Development that is occurring outside the Town limits is highly relevant to us since land uses outside Felton have significant economic and social impacts on the Town. It is hoped that Felton can develop a coordinated strategy with the County concerning zoning, subdivision plans, and the type of development occurring in neighboring areas.
- The Town will make an effort to keep itself apprised of land use applications in nearby areas that will impact the Town. The Town will use the State's PLLS review process and the eCounty planning process, where applicable.
- Preserving farmland has numerous benefits for Felton. Productive agricultural lands support the economy of the Town, ~~and~~ enhance the rural setting, and are part of Felton's small-town atmosphere. Felton will support the Delaware Department of Agriculture's farmland preservation activities wherever possible.

#### Coordination with Planning Activities

The Town looks forward to becoming involved in the planning activities of other agencies when they are addressing land use, transportation, infrastructure, or service delivery in and around the Felton area. Felton will provide representatives when possible to serve on committees drafting and reviewing plans. The Town will also review and comment on draft plans and otherwise become an active participant in planning activities that impact Felton's future.

The following are some current or intended planning activities that the Town would like to participate in:

- The Kent County Comprehensive Plan update implementation;
- The Murderkill River Tributary Action Team development of the pollution control strategies;
- The Kent County Long Range Transportation Plan (Dover Kent Metropolitan Planning Organization);
- The Delaware Transit Corporation Strategic Plan (DelDOT), and
- Livable Delaware, and the Governor's Advisory Panel on Planning Coordination

## 6.5b Next Steps

### Plan Adoption

The first step in implementing this Comprehensive Plan is for the Planning & Zoning Commission to formally approve the plan and recommend its approval by Town Council. Once the plan is approved by Town Council, it will then be submitted to the Office of State Planning Coordination for distribution and comment through the PLUS process. Simultaneously the Town will hold two public hearings to go over the Comprehensive Plan. The OSPC will consolidate its own comments with those from various State agencies and Kent County and transmit them by letter to the Town. The Planning & Zoning Commission will address the comments and make any changes necessary to the plan. The revised plan will be recommended to the Town Council for consideration. The Town Council will review this final version of the plan and make any changes they deem appropriate. The Town will also hold another public hearing so the public is aware of the changes that have been made to the plan. The Comprehensive Plan will then be re-submitted to the OSPC who will review the revisions made by the Town; and, once satisfied, the OSPC will forward the plan to the Governor for certification along with the OSPC recommendation. Once a letter of certification has been received from the OSPC, the Town Council will adopt the Comprehensive Plan by resolution.

### Zoning Revisions

~~The Planning & Zoning Committee will review the Planning & Zoning and Subdivision Ordinances making any necessary changes to bring them up-to-date and in-line with the adopted Comprehensive Plan. These changes will be reviewed and adopted by the Town Council.~~

## Map Appendix

Map 1. Location Map

Map 2. Planning Area (Amended)

Map 3. Critical Facilities and Historic District

Map 4. Current Land Use Within Town Limits

Map 5. Future Land Use Within Town Limits

Map 6. State Strategies

Map 7. Planning Areas and Annexation Plan

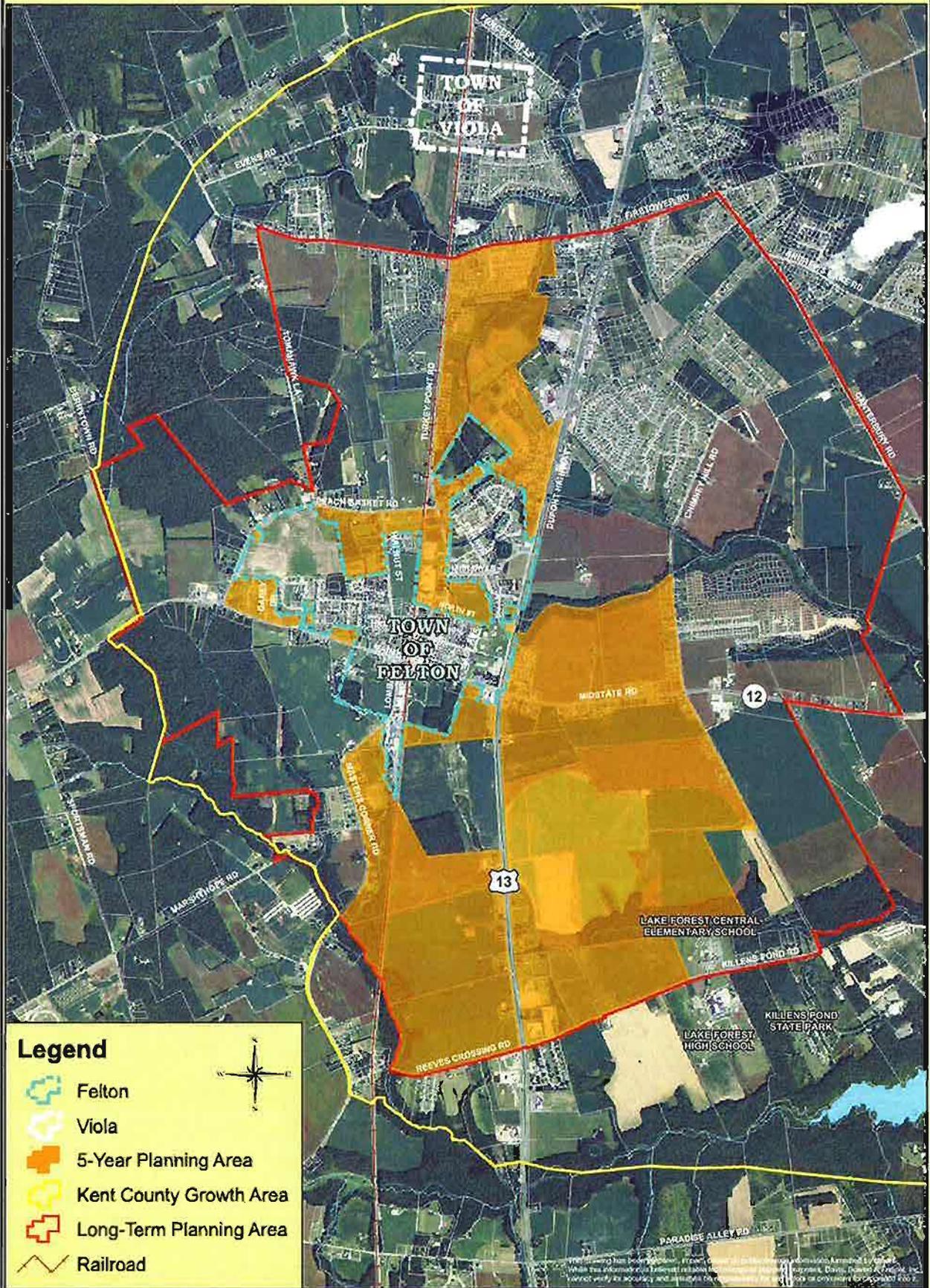
Map 8. Future Land Use in 5-Year Planning Area

Map 9. CPCN Territories

Map 10. Conservation Areas

# TOWN OF FELTON COMPREHENSIVE PLAN

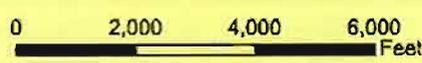
## Map 2 Planning Area



### Legend

-  Felton
-  Viola
-  5-Year Planning Area
-  Kent County Growth Area
-  Long-Term Planning Area
-  Railroad

Framework data per the Delaware Geographic Data Committee.  
 Property Boundaries Approximate per Kent Co. Tax Parcel data.  
 Town Growth Area data provided by the Town of Felton.  
 Kent County Growth Areas courtesy of Kent County.

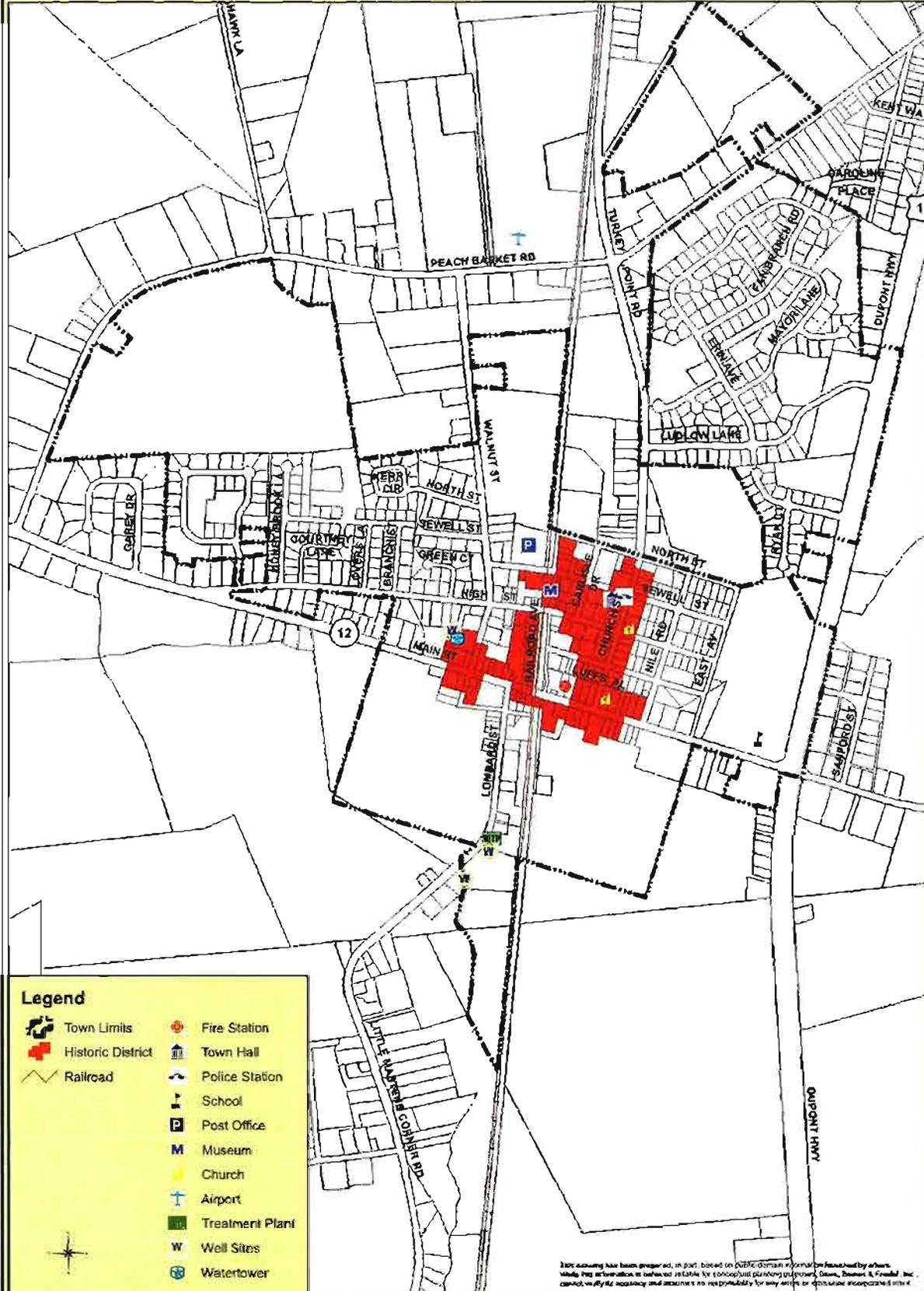


February, 2014



# TOWN OF FELTON COMPREHENSIVE PLAN

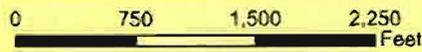
## Map 3 Critical Facilities and Historic District



**Legend**

	Town Limits		Fire Station
	Historic District		Town Hall
	Railroad		Police Station
			School
			Post Office
			Museum
			Church
			Airport
			Treatment Plant
			Well Sites
			Watertower

Historic Districts based on data provided by the Town of Felton.  
 Framework data per the Delaware Geographic Data Committee.  
 Property Boundaries Approximate per Kent Co. Tax Parcel data.  
 Critical Facilities provided by the Town of Felton.



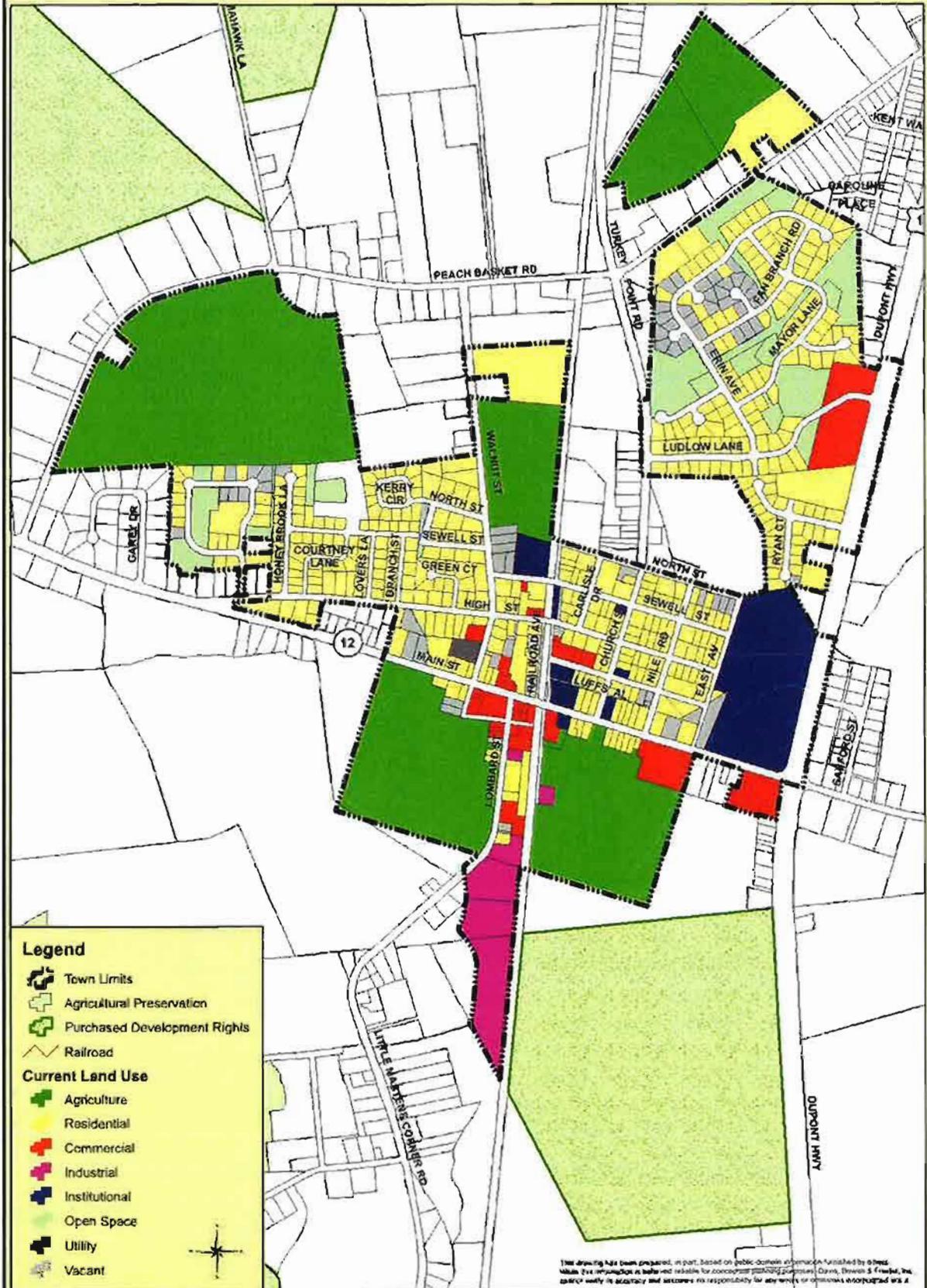
February, 2014

This drawing has been prepared, in part, based on GIS/CAD data provided by others. While the information is believed reliable for conceptual planning purposes, Davis, Bowen & Fiedel, Inc. cannot verify its accuracy and assumes no responsibility for any errors or omissions incorporated into it.



# TOWN OF FELTON COMPREHENSIVE PLAN

## Map 4 Current Land Use Within Town Limits



Current Land Use based on data provided by the Town of Felton  
 Agricultural Districts per Department of Agriculture  
 Framework data per the Delaware Geographic Data Committee  
 Property Boundaries Approximate per Kent Co. Tax Parcel data

0 750 1,500 2,250 Feet

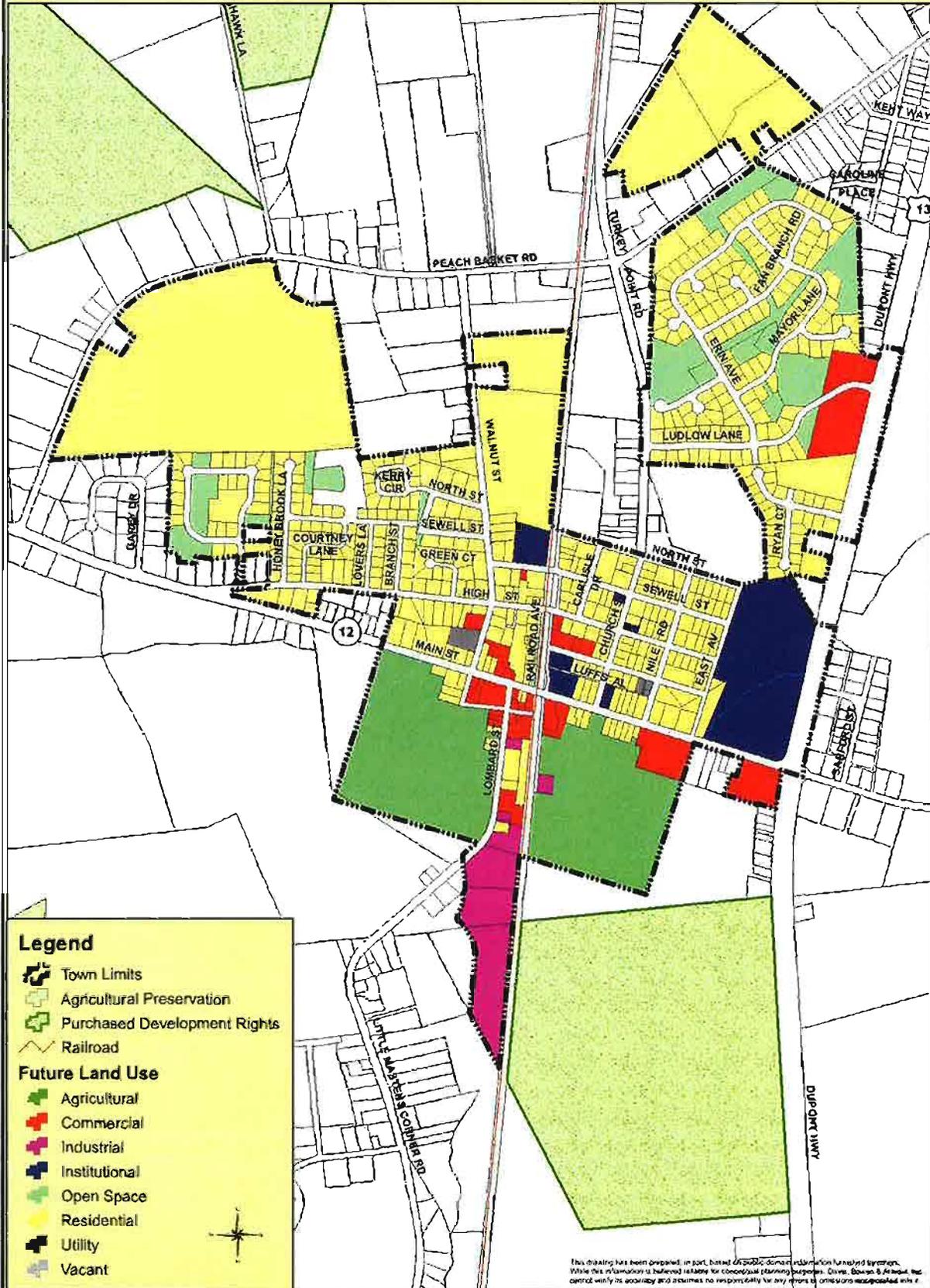
February, 2014

**DAVIS BOWEN & FREDEL, INC.**  
 1000 N. MARKET ST., SUITE 200  
 WILMINGTON, DE 19801  
 TEL: 302.426.1100  
 FAX: 302.426.1101  
 WWW.DBFIRM.COM

This drawing has been prepared, in part, based on public domain information furnished by others. While the drafter is believed reliable for conceptual planning purposes, Davis, Bowen & Fredel, Inc. makes no warranty as to accuracy and assumes no responsibility for omissions or errors incorporated in a

# TOWN OF FELTON COMPREHENSIVE PLAN

## Map 5 Future Land Use Within Town Limits



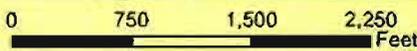
### Legend

- Town Limits
- Agricultural Preservation
- Purchased Development Rights
- Railroad
- Future Land Use**
- Agricultural
- Commercial
- Industrial
- Institutional
- Open Space
- Residential
- Utility
- Vacant



This drawing has been prepared in part, based on GIS data and other information furnished by others. While this information is believed reliable for conceptual planning purposes, Davis, Bowen & Fecol, Inc. cannot warrant its accuracy and assumes no responsibility for any errors or omissions incorporated into it.

Future Land Use based on data provided by the Town of Felton.  
 Agricultural Districts per Department of Agriculture Framework data per the Delaware Geographic Data Committee.  
 Property Boundaries Approximate per Kent Co. Tax Parcel data.

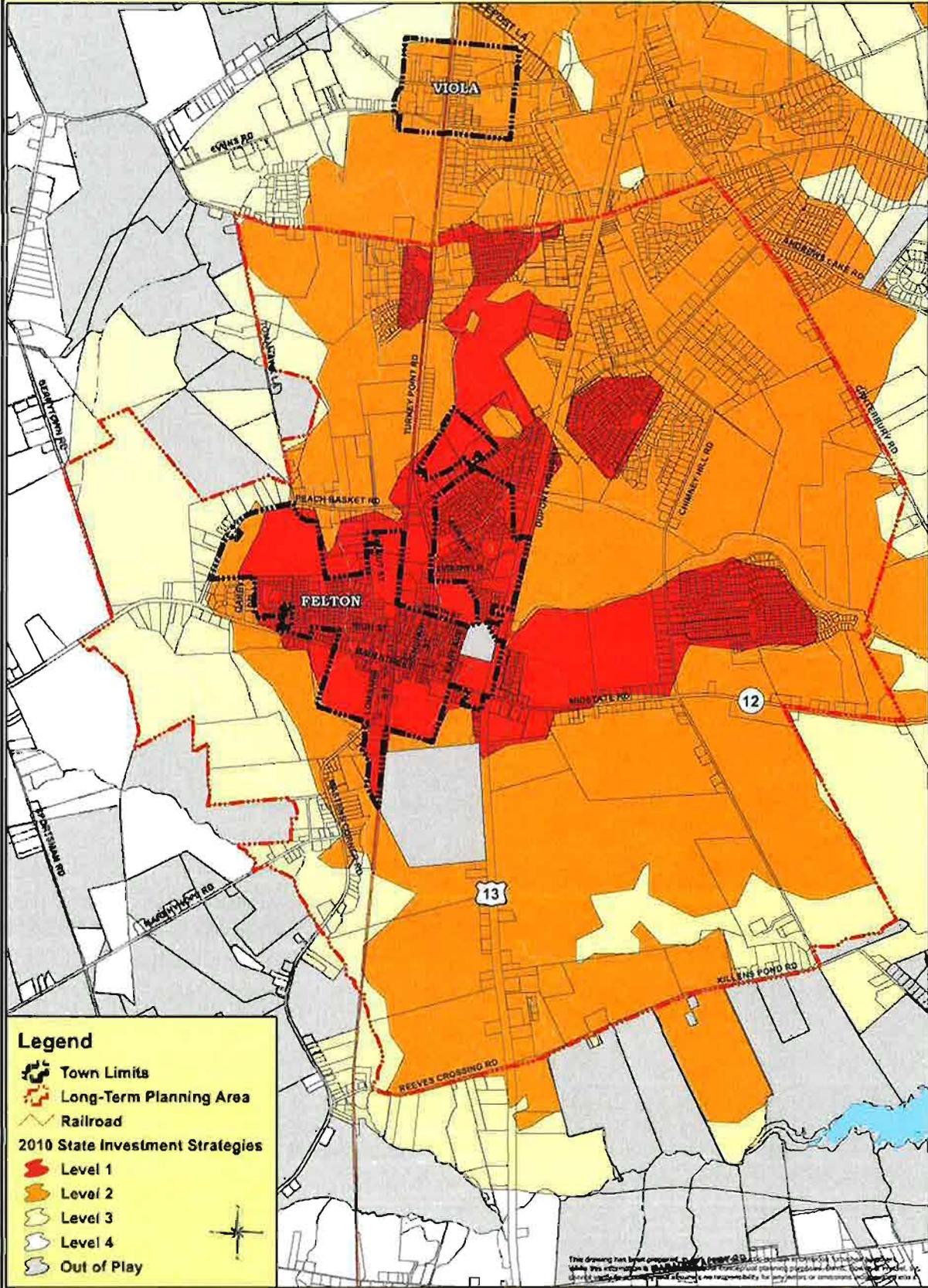


February, 2014



# TOWN OF FELTON COMPREHENSIVE PLAN

## Map 6 State Strategies

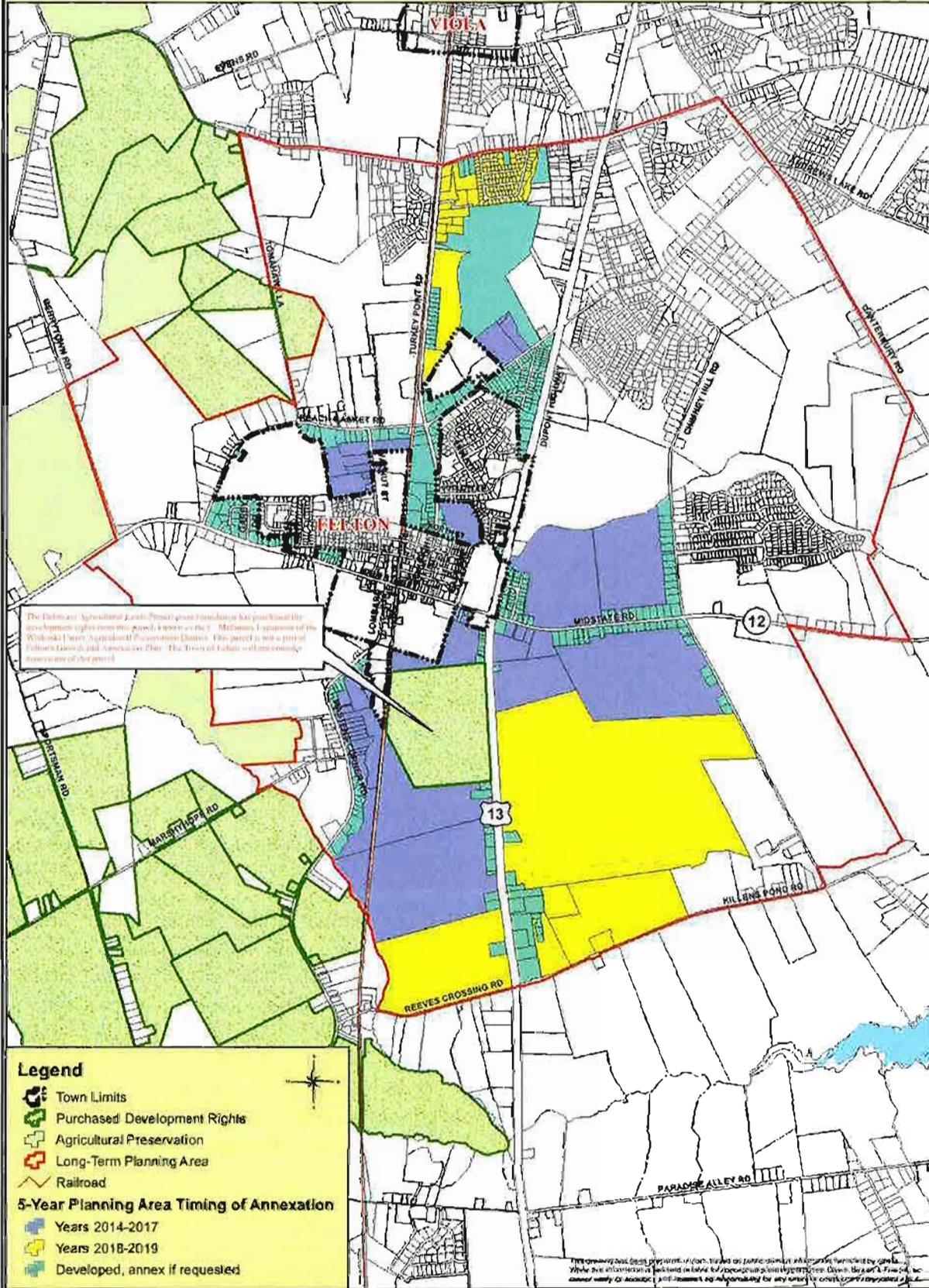


State Strategies per Office of State Planning  
 Framework data per the Delaware Geographic  
 Data Committee  
 Property Boundaries Approximate per Kent Co.  
 Tax Parcel Data

This drawing has been prepared by Davis Bowen & Fredel, Inc. for the Town of Felton. It is not intended to be used for any other purpose. The Town of Felton is responsible for any errors or omissions. The Town of Felton is not responsible for any errors or omissions.

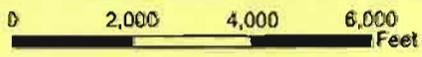
# TOWN OF FELTON COMPREHENSIVE PLAN

## Map 7 Planning Areas and Annexation Plan



The Delaware Agricultural Lands Preservation Foundation has purchased the development rights from the parcel owner for the 160-acre portion of the Woodstock Farm Agricultural Preservation Easement. This parcel is not a portion of Felton's Long-Term Planning Area. The Town of Felton will not exercise jurisdiction over the parcel.

Agricultural Districts per Department of Agriculture Framework data per the Delaware Geographic Data Committee.  
Property Boundaries Approximate per Kent Co. Tax Parcel data

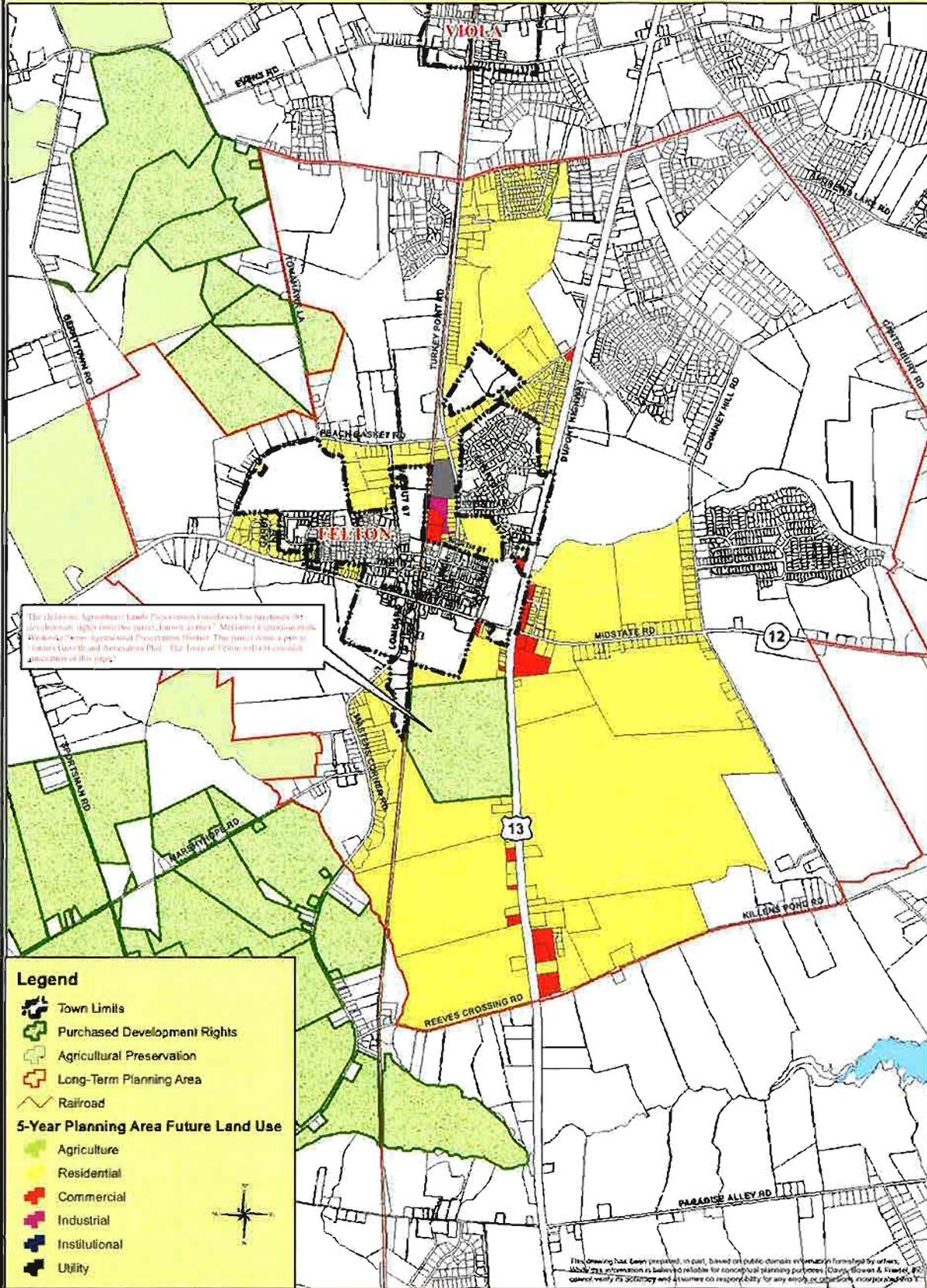


February, 2014



# TOWN OF FELTON COMPREHENSIVE PLAN

## Map 8 Future Land Use Within 5-Year Planning Area



The Delaware Agricultural Lands Preservation Foundation has purchased the development rights to the parcel shown in the yellow shaded area. This parcel is a part of the town's Growth and Annexation Plan. The Town of Felton will continue to manage the parcel as agricultural land.

Growth Area data provided by the Town of Felton.  
 Future Land Use based on data provided by the Town of Felton.  
 Agricultural Districts per Department of Agriculture Framework data per the Delaware Geographic Data Committee.  
 Property Boundaries Approximate per Kent Co. Tax Parcel data.

0 2,000 4,000 6,000 Feet

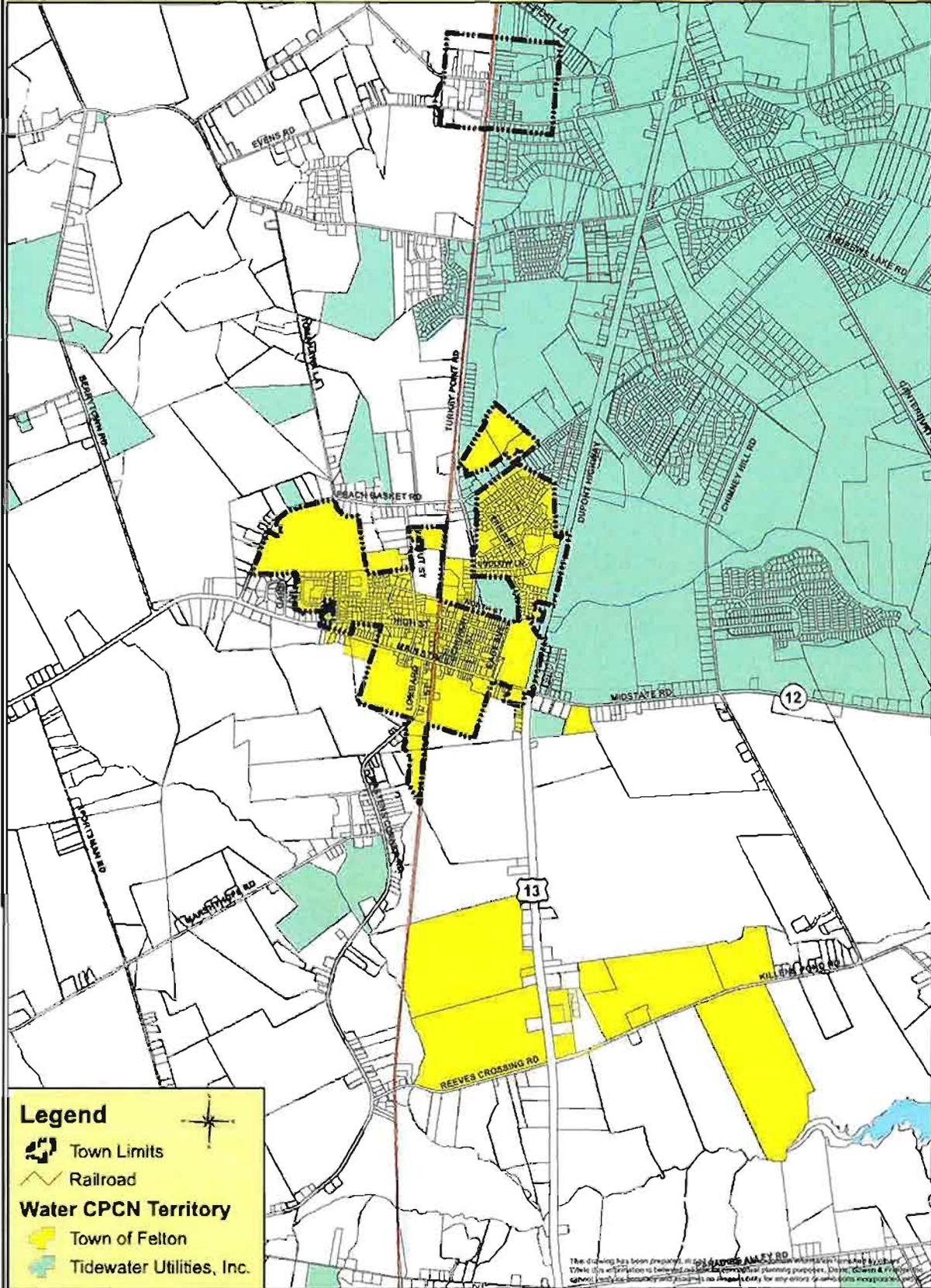
February, 2014

This drawing has been prepared, in part, based on public domain information furnished by others. While this information is believed reliable for conceptual planning purposes, Davis, Bowin & Howard, Inc. cannot verify its accuracy and assumes no responsibility for any errors or omissions incorporated into this drawing.



# TOWN OF FELTON COMPREHENSIVE PLAN

## Map 9 CPCN Territories



CPCN Territories per Delaware Public Service Commission Framework data per the Delaware Geographic Data Committee. Property Boundaries Approximate per Kent Co., Tax Parcel data.

This drawing has been prepared in good faith and to the best of our knowledge. While this information is believed to be accurate, it is not intended to be a warranty or representation of any kind. The user assumes all responsibility for any errors or omissions.

# TOWN OF FELTON COMPREHENSIVE PLAN

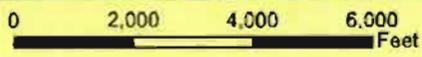
## Map 10 Conservation Areas



### Legend

- Town Limits
- 100-YR Flood Plain
- NWI Wetlands
- Excellent Recharge Areas
- Railroad

Excellent Recharge Areas Mapped by Delaware Geological Survey  
 100-Yr Flood Plain per FEMA FIRM Maps 5/05/2003  
 Wetlands mapped per National Wetlands Inventory  
 Agricultural Districts per Department of Agriculture  
 Framework data per the Delaware Geographic Data Committee  
 Property Boundaries Approximate per Kent Co. Tax Parcel data.



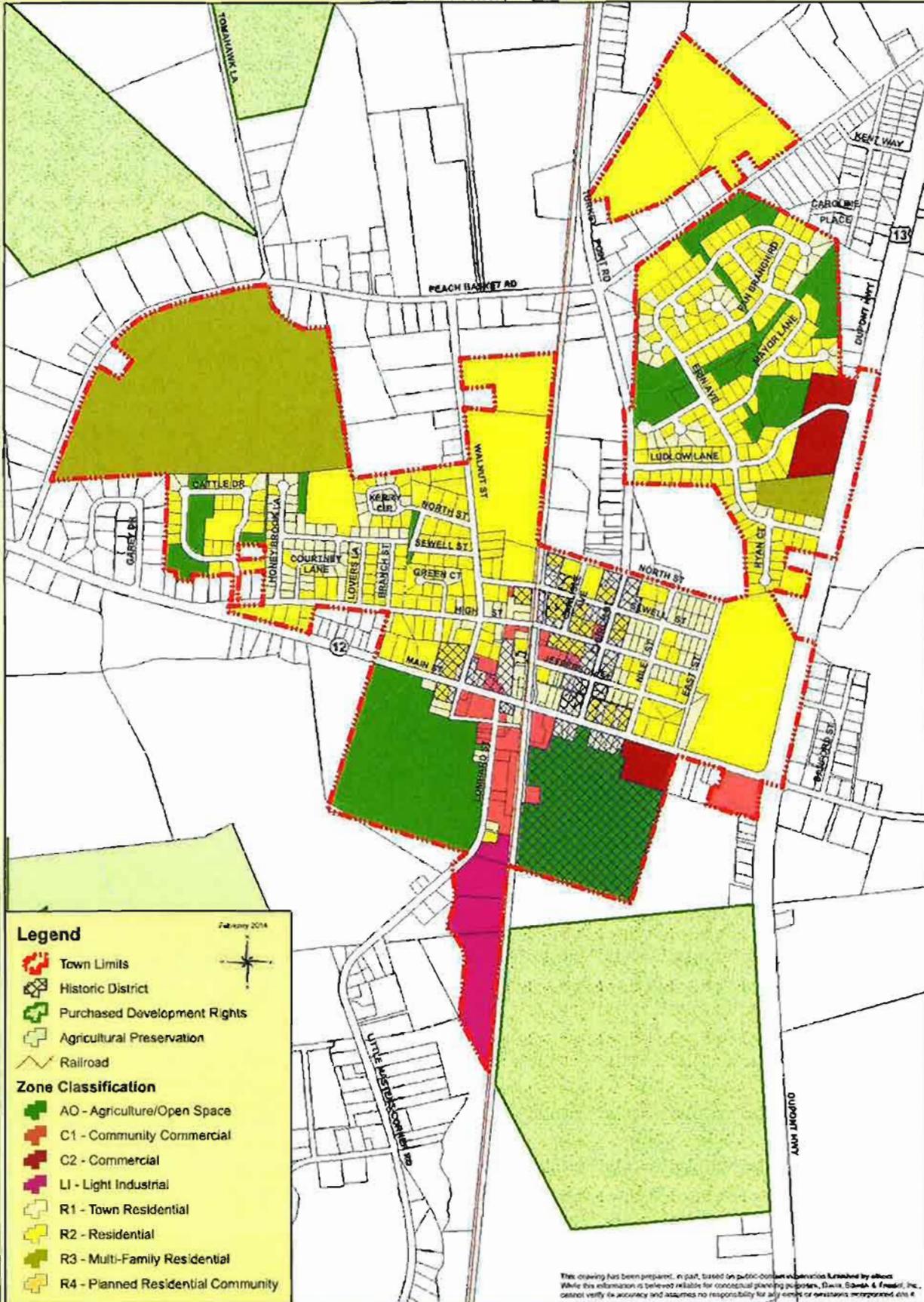
February, 2014



# TOWN OF FELTON

## Official Zoning Map

as of February 4, 2014



**Legend**

February 2014

- Town Limits
- Historic District
- Purchased Development Rights
- Agricultural Preservation
- Railroad

**Zone Classification**

- AO - Agriculture/Open Space
- C1 - Community Commercial
- C2 - Commercial
- LI - Light Industrial
- R1 - Town Residential
- R2 - Residential
- R3 - Multi-Family Residential
- R4 - Planned Residential Community

This drawing has been prepared, in part, based on public domain services furnished by others. While this information is believed reliable for conceptual planning purposes, Davis, Borch & Friedel, Inc., cannot verify its accuracy and assumes no responsibility for any errors or omissions reorganized into it.

Zoning based on data provided by the Town of Felton.  
 Agricultural Districts per Department of Agriculture  
 Framework data per the Delaware Geographic  
 Data Committee.  
 Property Boundaries Approximate per Kent Co.  
 Tax Parcel Data.

