

# ***Civic League for New Castle County***

## **RESOLUTION**

### **TO THE COUNTY COUNCIL OF NEW CASTLE COUNTY, DELAWARE, REGARDING ORDINANCES 14-109 AND 14-108**

Whereas, the Board of the Civic League for New Castle County has studied Ordinances 14-108 and 14-109 and cannot agree with some of the provisions of 14-109; and

Whereas, the Board recognizes the intent of the sponsor to provide adequate homeownership opportunities for families struggling to obtain decent housing is an important goal for the County; and

Whereas, the Board believes the ordinance will temporarily stimulate the return of more jobs in the construction, service, and retail industries as new homes are created; and

Whereas, the Board understands that the sponsor is attempting to satisfy HUD and State mandates to create more homeownership opportunities for families these agencies consider to be at income levels deserving of federal assistance; and

Whereas, the Board predicts that if this program stimulates the rapid building of a large number of homes in the price ranges this program considers moderate, the thousands of vacant, approved but unbuilt, and for sale homes in this County in the same price range will result in another housing slump badly impacting the entire County and leaving many more homes unsold; and

Whereas, the Board does not approve of a program that may result in most of the undeveloped residential land in this County being "upzoned" to greater density ignoring all the past County and State planning that has been done for decades; and

Whereas, the Board believes that O14-109 should be amended to remove the worse aspects of the program and O14-108 should remain on the books until that is accomplished; and

Whereas, this can be accomplished rapidly, but the Board believes waiting is not a great problem because this program will operate better when many permanent jobs return to the local economy—an outcome the Board does not see as being on the near horizon.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE  
CIVIC LEAGUE FOR NEW CASTLE COUNTY**

that the Board recommends that the Council do the following to O14-109:

1. remove the mandatory provisions;
2. require rezonings only when the increased density in a development is more than 25%;
3. lower the maximum cost of a MPH to \$180,000;
4. use the adjusted median income (AMI) figures for Wilmington and New Castle County specifically rather than the AMI for the Metropolitan Statistical Area (MSA) as a whole to establish the income levels of eligibility;
5. if the change in 4 is made, calculate the percentage that will bring the maximum income level for a family of 4 to be eligible to participate down to \$50,000;

6. provide for homeowners who have purchased under the program to either sell their house back to the County if they must move within 15 years or create a Trust to hold and resell such properties on a continuing basis;
7. provide for the off-site construction to be available as rental housing held by the County or the Trust created in 6 if it remains unsold for 4 months;
8. provide for specific persons in the Department of Land Use and Community Development and Housing to make decisions called for in the ordinance and include a path to appeal decisions—both of which should be done with the opportunity for the public to be informed of a hearing on the subject prior to the decision and the reasons for the decisions that are made;
9. provide for developments where the value of the proposed market rate houses and the MPUs will differ as much as \$150,000 to have off-site compliance, payment in lieu, or clustered units of MPUs designed to reduce maintenance and utility costs on site, but not required to be unrecognizable as differing from the market rate housing;
10. make the requirements specific and based on the sales prices for the contractors' contributions to the Housing Fund whether involving MPHUs or market rate units;
11. delete the paragraph attempting to make Code changes by referring to anything in conflict.

Be it further resolved that if the Council will make such changes, the Civic League will support the passage of O14-109.

Adopted this eighteenth day of November, 2014.

Attest:

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Secretary

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President