

# **The Town of Felton Comprehensive Plan**

**Draft  
April 21, 2003**

Prepared by the Town of Felton  
Planning Commission

*with assistance from the*

University of Delaware  
Institute for Public Administration  
College of Human Services, Education, and Public Policy

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## **Town, County, and State Officials**

### **Town of Felton**

#### *Town Council of Felton*

David L. Kelley, Mayor  
Bonnie E. Dill, Commissioner/ Treasurer  
Harry R. Crouse, Water Commissioner  
W. Ronnie Stumpf, Vice-Mayor  
Stephen King, Street Commissioner

#### *Planning Commission*

W. Ronnie Stumpf (Council Member)  
Scott Thornton (Planning & Zoning Chair)  
Carl Deputy  
Dale Hammond  
Stephen King

#### *Town Staff*

Levi Brown, Chief of Police  
Sarah Fergusson, Town Clerk  
John T. Jaywork, Solicitor

### **Kent County**

David R. Burris, President Levy Court - Commissioner 6th District  
Ronald D. Smith, Vice President Levy Court - Commissioner 2nd District  
P. Brooks Banta, Commissioner 1st District  
Michael P. Cebrick, Commissioner 3rd District  
Harold J. Peterman, Commissioner 4th District  
Donald A. Blakey, Commissioner 5th District  
Richard E. Ennis Sr., Commissioner At-Large

Robert S. McLeod, County Administrator  
Michael Petit De Mange, Planning Director  
Reed Macmillan, Former Planning Director

### **State of Delaware**

The Honorable Ruth Ann Minner, Governor  
The Honorable Nancy Cook, Senator, 15th District  
The Honorable George Robert Quillen, Representative, 30th District  
Ms. Constance Holland, AICP, State Planning Coordinator

## **Institute for Public Administration**

This plan was prepared by the Institute for Public Administration of the College of Human Services, Education and Public Policy at the University of Delaware. The Institute links the research and resources of the University of Delaware with the management and information needs of local, state, and regional governments in the Delaware Valley. The Institute provides assistance to agencies and local governments through direct staff assistance and research projects as well as training programs and policy forums.

Jerome R. Lewis is the director of the Institute. Alexander Settles, AICP served as project manager. In this role he coordinated the efforts of the staff, was the Institute liaison with officials and staff from the Town of Felton, and was the primary author of the plan text. The Water Resources Agency developed the maps and Geographic Information System for the plan.

### **Institute Director**

Jerome R. Lewis, Ph.D.

### **Felton Comprehensive Plan Team**

Alexander Settles, AICP, Project Manager

Arthur Lungu, Research Assistant

Sarah Hench, Research Assistant

### **Mapping and GIS Development – IPA Water Resources Agency**

Vern Svatos, GIS Coordinator

Nicole Minni, GIS / Graphics Specialist

### **Staff Review Team**

Anna Wojewodzki Hunter, Editor

Camille Sawak, Editorial Assistant

Martin Wollaston, IPA Planning Services Manager

Mark Deshon, Designer

### **Other Collaborators**

David Edgell, AICP, Office of State Planning Coordination

## The Authority to Plan

The preparation of a comprehensive development plan is the legal responsibility of the Town of Felton Planning 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 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 Felton plan has attempted to be fully consistent with 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...”

In 2001, the Town of Felton received a Limited Funding Pool of the Infrastructure Planning Assistance Fund grant from the Governors' Cabinet Committee on State Planning Issues. The following excerpts from the grant application define the requirements for the grant:

“The comprehensive plan will include a series of elements that include an analysis of current and estimated demographic and economic data, a statement of the town’s position on growth and development on adjacent lands, a statement of critical community issues, an analysis of intergovernmental issues, a statement concerning how the town plans to coordinate with Kent County and adjacent municipalities, and a discussion of the impact of state goals and policies including the Livable Delaware Initiatives. The comprehensive plan will include, where appropriate, an analysis of critical community issues which include the condition and adequacy of transportation infrastructure, water and wastewater facilities, housing, health and welfare services and facilities, public safety, recreation and open space, and general economic development patterns. The comprehensive plan will

include identifications of potential problems and recommendations for solutions and opportunities.

The comprehensive plan will include an analysis of the existing pattern of land use and include recommendations for the pattern future land use and the possibilities for annexation and areas not to be developed. The development of the land use element of the plan will address the recommendations of the 2001 Update of the Kent County Comprehensive Plan.”

## **Summary of the Planning Process**

In 2001 the Town of Felton contacted the University of Delaware’s Institute for Public Administration and requested assistance with general planning issues within the town. After several initial meetings, the University assisted the town in forming a Planning Commission. Through this process it was noted that the town lacked a comprehensive plan to guide its future growth and development decisions in a coordinated manner.

In June of 2001 the Town contracted with the University of Delaware to develop this document, the Felton Comprehensive Plan. The University held an initial public meeting on February 18, 2002. 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.

## **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. This plan serves as an official statement about the future of Felton. First and foremost, the Plan is a unified advisory document to the Town Council and the Planning 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 modifies and replaces the comprehensive plan update of 1999, which corrected and amended the plan adopted in 1986.

## 1.2 Location

Felton is located one mile north west of the geographic center of Delaware in the southwestern portion of Kent County. It is along the U.S. Route 13 corridor just west of the intersection of US 13 and State Route 12. Adjacent communities include Viola, Woodside, Frederica, Magnolia, and Harrington. The Town of Felton is within the Lake Forest School District (see Map 1 Aerial View Study).

## 1.3 History of Felton

The Town of Felton was laid out in 1856 when the Delaware Railroad reached this area in 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 the Norfolk Southern railroad line. With the opening of the railroad, it was now 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 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, the town 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 with water service the destruction of the fire 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.

The land that is now Felton was owned by two individuals, Joseph Simpson who owned the land to the north of Main Street, and Alfred Clifton who 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 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 Economic Profile

2.4 Racial Composition

2.5 Educational Attainment

2.6 Housing

2.7 Summary of Issues

2.8 Recommendations

## 2.1 Introduction

This chapter outlines data on population, demography, housing, and economic conditions. Where appropriate, comparisons are also made to Kent County and the State of Delaware. The data for this analysis has been derived from a number of sources, most notably the United States Census.

## 2.2 Population

The United States Census indicates that from 1910 to 2000 the population in the state and the 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 at approximately 400 to 450 persons through the twentieth century. The population since 1970 has steadily increased, as new or renovated housing units became available.

Table 1 below shows the population trend in Felton during the last decade. From 1990 till 2001 the town experienced a slow but steady growth in its population. During the 1990s, the State of Delaware grew by 17.3% to 783,600, and Kent County grew by 13.5% to 126,697. Felton grew at a slightly slower rate than the State and significantly faster than Kent County at 15.8% to 784.

The 2000 Census indicates that Felton's population increased by 15.8% to 784. This represents an increase of 107 persons since 1990. During the 1990s, Felton annexed a number of properties, including some existing single-family houses and land to be developed with single-family homes and an apartment complex. The development of these newly annexed areas is the primary reason for this increase.

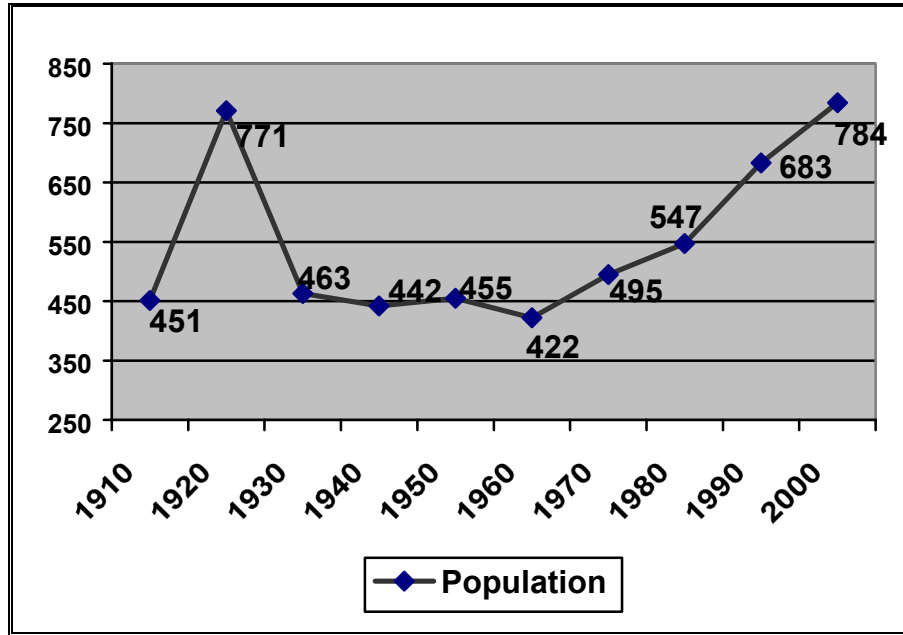
In 2002 the Town of Felton conducted a census of all residents by property. The town data indicates that the population of Felton in 2002 was 873. This is 11.3% or 89 more people than counted in the 2000 Census. The 2002 census indicates that there may have been undercounting of residents in the 2000 Census also since additional housing units have been built since April 2000. The use of Census data for small jurisdictions such as Felton is subject to substantial measurement error. Therefore this data has been used as only one part of the overall plan recommendation due to the possibility of undercounting, over-counting, or measurement error.

**Table 1. Population Estimates 1990-2000**

Area Name	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001
Delaware	666168	680495	690158	699475	708416	718265	727090	735024	744066	753538	783600	796165
Kent County	111634	114295	115712	118049	119137	120863	121648	122654	124311	126048	126697	129066
Felton	677	685	693	700	705	708	708	709	711	718	784	NA

Source: US Census Bureau

**Chart 1. Felton Population Trends**



Source: US Census 1910 to 2000. Compiled by IPA

**Population Projections**

The future population of the Town of Felton will be based on the amount of annexation and timing of development. Projections for populations as small as Felton’s are very difficult to prepare accurately. The small size of the population makes it likely that slight inaccuracies or data errors in the current Census figures may become very large errors when projected into the future. These projections should not be considered accurate or binding, and should be relied upon with caution.

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 projections. The projections in the Felton plan are from the 2001 Annual Population Projection, October 18, 2001, Version 2001.0. Table 2 Population Projection Series 2000 to 2030 indicates that the population in the State of Delaware will grow from 783,600 to 999,012 or by 27.5% in 30 years. Kent County population is projected to grow from 126,697 to 159,990 or a slightly lower 26.3%. The growth in population compared to the growth in households indicates that household size is projected to drop in Kent County from 2.68 persons per household (pph) to 2.64 pph, and in the State of Delaware from 2.62 pph to 2.47 pph.

**Table 2. Population Projection Series 2000 to 2030**

	2000	2005	2010	2015	2020	2025	2030
<b>State of Delaware</b>							
<b>Population</b>	783600	826747	864069	901399	938247	970403	999012
<b>Households</b>	298736	319021	337183	356074	374409	390579	404099
<b>Population Change</b>	59148	43147	37322	37328	36848	32162	28603
<b>Household Change</b>	27309	18736	18162	18891	18335	16170	13520
<b>Kent County</b>							
<b>Population</b>	126697	133033	138693	144398	150036	155305	159990
<b>Households</b>	47224	48946	51644	54216	56557	58710	60533
<b>Population Change*</b>	7094	6336	5661	5703	5638	5273	4682
<b>Household Change*</b>	3232	2738	2699	2571	2342	2153	1823

Source: Delaware Population Consortium, October 18, 2001

The population of Felton has increased at a rate of 1.0% to 2.4% per year since 1970. This population growth has been tied to the availability of lots for new construction within the town. The town's policies and plans have a limited impact on regional population growth, and the town's population in 2000 of 784 amounts to only 0.6% of the total Kent County population. The town's population growth will continue during the planning period to be based on the availability of new housing construction sites and the capacity of the town to provide services to those sites. Using an average of historic growth rates, the town would be expected to grow to about 915 persons by 2010, or to 350 households. This assumes that approximately 50 new households form in Felton over the period from 2000 to 2010. Recent building permit activity suggests that an average of 5 building permits per year is a reasonable estimate. Population growth in Felton will be based on the proportion of growth that Felton receives from the overall population growth in central Kent County.

The projection of population would differ significantly if the base population were changed to the 2002 town census number of 873. The population would be expected to grow to between 1010 and 1020 based on this higher number but in both scenarios it would be expected that between 5 to 6 new houses per year would be built within the town limits of Felton.

The Town of Felton has also calculated a second scenario. Based on recent annexations Felton projects a higher increase to between 1640 and 1680 persons by 2010. This large increase is due to the previously annexed but undeveloped Hidden Pond Development. The Hidden Pond Development has completed Phase I and anticipates completing Phases II-IV within the next five (5) years. This would add another 150 homes within Felton's town limits. There is also property adjacent to the town's boundaries which is included in Felton's annexation area. The owners of this property are currently planning a 120 single-family home development. This projected increase is also shown in building permits. From 1990 to 2001 Felton has an average of 5 to 8 housing permits issued per year whereas from January 2002 to November 2002 there were 32 housing permits

issued. If a complete build out of the Hidden Pond Development occurs in the next ten years the Town of Felton is anticipating a 92% increase in population during this period.

### Demographic Profile

Table 2 shows the age profile for Felton compared to Kent County and the State. The median age in Felton is 32.7 years, which is significantly lower than Kent County (34.4) and Delaware (36). Felton also has a higher percentage of children age 19 years and younger. 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.

**Table 2. Age Profiles for Felton, Kent County, and Delaware, 2000**

Age	Town of Felton		Kent County		Delaware	
	Number	Percent	Number	Percent	Number	Percent
<5	57	7.3%	9,138	7.2%	51,531	6.6%
5-9	63	8.0%	9,703	7.7%	55,813	7.1%
10-14	76	9.7%	10,063	7.9%	55,274	7.1%
15-19	60	7.7%	9,843	7.8%	55,632	7.1%
20-24	39	5.0%	8,610	6.8%	51,665	6.6%
25-34	138	17.6%	17,160	13.5%	108,840	13.9%
35-44	151	19.3%	20,560	16.2%	127,601	16.3%
45-54	81	10.3%	15,805	12.5%	103,999	13.3%
55-59	20	2.6%	5,966	4.7%	39,320	5.0%
60-64	30	3.8%	5,048	4.0%	32,199	4.1%
65-74	33	4.2%	8,420	6.6%	56,415	7.2%
75-84	24	3.1%	4,844	3.8%	34,762	4.4%
85+	12	1.5%	1,537	1.2%	10,549	1.3%

Source: US Census, 2000

Table 3 shows some selected demographic information about the residents of Felton. Felton has a high percentage of households headed by a single parent and a higher number of civilian veterans than either the state or Kent County.

**Table 3. Cultural Profile for Felton, Kent County and Delaware, 2000**

Item	Felton	Kent County	Delaware
Median age	33.1	34.4	36
% Population 19 years and younger	32.7%	30.6%	27.9%
% Population 60 years and older	12.6%	15.6%	17%
% Population 25 years and older with High School Diploma	77.9%	79.4%	82.6%
% Population 25 years and older with Bachelor Degree or higher	12.1%	18.6%	25%
% Households headed by resident 65 and over	9.4%	8.4%	9.1%
% Households headed by single parent	14.5%	11.7%	9.9%
% Households with no vehicle available	6.3%	7.8%	8%
% Residents 5 years and over disabled	16.8%	17.1%	16.8%
% Residents 5 years and over who speak English 'less than very well'	0.7%	3%	3.9%
% Residents 16 years and older in the workforce	70.7%	67.1%	65.7%
% Residents 16 years and older who work for government or the Armed Services	15.7%	16.7%	9.2%
% Residents 18 and over who are civilian veterans	20.8%	18.6%	14.4%

Source: US Census, 2000. Compiled by IPA

**Table 4. Selected Income Data for Felton, Kent County and Delaware, 2000**

Item	Felton	Kent County	Delaware
Median household income	\$42,589	\$40,950	\$47,381
% Households with wage and salary income	81.7%	82.1%	81.3%
Mean wage and salary income (earnings)	\$46,716	\$47,818	\$59,142
% Households with social security income	21.6%	25.7%	26.9%
Mean social security income	\$8,440	\$10,880	\$11,997
% Households with retirement income	18.9%	21.9%	21.0%
Mean retirement income	\$24,725	\$16,014	\$17,871
% Households with public assistance income	4.7%	3.3%	2.7%
Mean public assistance income	\$664	\$2,479	\$2,516
% Population below poverty level	10.4%	10.7%	9.2%
% Seniors below poverty level	13.8%	8.8%	7.9%
% Children below poverty level	15.2%	14.8%	11.9%

Source: 2000 US Census. Compiled by IPA

## 2.3 Housing

Felton's housing stock consists primarily of single-family detached dwellings 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 5. Composition of Housing Stock, Felton, Kent County, and Delaware in 2000**

Housing Type	Felton	% of total	Kent County	% of total	Delaware	% of total
Single Family Detached	239	78.4%	29,502	58.4%	191,688	55.9%
Single Family, Attached	4	1.3%	4,230	8.4%	48,340	14.1%
Multi-Family	45	14.7%	7,324	14.5%	64,128	18.7%
Mobile Homes	17	5.6%	9,392	18.6%	38,281	11.2%
Other	0	0%	33	<1%	635	<1%
<b>Total</b>	<b>305</b>	<b>100%</b>	<b>50481</b>	<b>100%</b>	<b>289919</b>	<b>100%</b>

Source: 2000 US Census.

**Table 6. Age of Housing Stock, 2000**

Year Built	Town of Felton		Kent County		Delaware	
	Number	Percent	Number	Percent	Number	Percent
1999 to March 2000	0	0%	1,313	2.6%	9,597	2.8%
1995 to 1998	31	10.2%	5,338	10.6%	28,717	8.4%
1990 to 1994	58	19.0%	6,255	12.4%	34,348	10.0%
1980 to 1989	68	22.3%	8,761	17.4%	60,729	17.7%
1970 to 1979	31	10.2%	9,494	18.8%	56,475	16.5%
1960 to 1969	18	5.9%	6,733	13.3%	49,446	14.4%
1940 to 1959	17	5.6%	7,633	15.1%	66,951	19.5%
1939 or earlier	82	26.9%	4,954	9.8%	36,809	10.7%

Source: US Census, 2000

**Table 7. Median Housing Values, 2000**

Jurisdiction	Median Housing Value	Median Mortgage	Median Rent
Felton	\$92,000	\$940	\$568
Kent County	\$114,100	\$994	\$573
State of Delaware	\$130,400	\$1,101	\$639

Source: US Census, 2000. Compiled by IPA

The Ownership and Vacancy Rates from the 2000 US Census indicates that Felton has a higher rate of owner occupied units. As Felton continues to grow the balance between owner occupied units and rental units should be maintained.

**Table 8. Ownership & Vacancy Rates, 2000**

	Town of Felton		Kent County		Delaware	
	Number	Percent	Number	Percent	Number	Percent
Owner Occupied Units	211	67.6%	33,040	65.5%	216,038	63.0%
Rental Units	86	27.6%	14,184	28.1%	82,698	24.1%
Vacant Units	15	4.8%	3,257	6.5%	44,336	12.9%
Total Units	312	100%	50,481	100%	343,072	100%
Seasonal Units	1	<1%	364	<1%	25,977	7.6%
Vacancy Rate: Owner Occupied	NA	1.4%	NA	1.6%	NA	1.5%
Vacancy Rate: Rental Units	NA	5.5%	NA	6.7%	NA	8.2%

Source: US Census, 2000. Compiled by IPA

## 2.4 Economic Profile

**Table 9. Employment Sectors by SIC**

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: Standard Industrial Classification, Occupational Health and Safety Administration, US Department of Labor

**Table 10. Job Sectors in which Felton Residents work**

Sector	Number of Jobs	Percent
A: Agriculture, Forestry, Fishing And Mining	2	<1%
B: Construction	34	9.4%
C: Manufacturing	36	10.0%
D: Transportation, Communications, Electric, Gas, and Sanitary Services	32	8.9%
E: Wholesale Trade	11	3.0%
F: Retail Trade	36	10.0%
G: Finance, Insurance, And Real Estate	29	8.0%
H: Services	141	39.2%
I: Public Administration	40	11.1%
<b>Total</b>	<b>351</b>	<b>100%</b>

Source: U.S. Census 2000

The Town of Felton has limited economic opportunities within town. The Felton Bank and other commercial sites are the primary in-town sources of employment. From the 2000 Census data it can be interpreted that a majority of the residents of Felton work in other places. Felton's residents reported a mean travel time to work of 25.1 minutes. The Town of Felton remains primarily a residential community.

## 2.5 Racial Composition

**Table 11. 2000 Racial Composition of Felton, Kent County, and Delaware**

Race	Felton	% of total	Kent County	% of total	Delaware	% of total
White	647	82.5%	93,106	73.5%	584,773	74.6%
Black or African American	91	11.6%	26,180	20.7%	150,666	19.2%
Amer. Indian or Alaska native	8	1.0%	806	<1%	2,731	<1%
Asian	10	1.3%	2137	1.7%	16,259	2.1%
Hawaiian/Pacific Islander	0	0	50	<1%	283	<1%
Other Race	7	0.9%	1611	1.3%	15,855	2.0%
Two or more races	21	2.7%	2,807	2.2%	13,033	1.7%
<b>Total</b>	<b>784</b>	<b>100%</b>	<b>126,697</b>	<b>100%</b>	<b>783,600</b>	<b>100%</b>

Source: US Census, 2000

## 2.6 Educational Attainment

**Table 12. Educational Attainment, 2000**

<b>Jurisdiction</b>	<b>High School Graduate or Higher</b>	<b>Bachelor's Degree or Higher</b>
Felton	77.9%	12.1%
Kent County	79.4%	18.6%
State of Delaware	82.6%	25.0%

Source: US Census, 2000. Compiled by IPA

## 2.7 Summary of Issues

**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.

**Family Issues:** In addition to children, Felton has a higher than average population of 19 to 44 year olds which are the prime child rearing years and require services geared toward families with children. Felton also has a high percentage of “unconventional” family units with more single parent homes and more homes headed by a senior citizen than in the State or Kent County.

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

**Senior Issues:** Felton has a lower than average population of senior citizens, but those in 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.

**Housing Issues:** Although most homes in Felton are in very good condition the number of homes built before 1940 makes maintenance issues a very real concern. Seniors may have less agility and money to effect needed maintenance and repairs and are also most likely to be targets of construction scams. Also, single parent households may not have the time, skills or money to effect 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.

## 2.8 Recommendations

**Childcare** – 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 pro-active in attracting a daycare facility to the town.

- This could be accomplished through advertising and possible tax incentives.

**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 at the current location. The school district’s plan would include an additional elementary school at a location central to Felton and Harrington to relieve congestion at the current elementary schools.

- 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 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.

**Healthcare** – A family physician would be an important addition to the Felton Community. Residents would not have to travel to Dover or Milford for health reasons if there was a local practitioner.

- The town should consider providing a tax incentive to physicians looking to locate within town limits.

**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 properties including landowners and tenants.
- Requiring contractors working in Felton to be registered with the town for a nominal fee (i.e. five dollars). In this way residents would be able to check with the town to see if there are any complaints against a contractor and lower their risk of construction scams.
- 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.
- 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 issues.

## **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 Community Clubs and Organizations

3.8 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 Chief of Police, three full time Officers and a part time Police Clerk. The Police Officers and Police Clerk report to the Chief of Police who reports to the Police Commissioner and Town Council. The Police Department is located in the same building as Felton Town Hall. This location only houses offices for the Police Department; any processing of defendants takes place at the Harrington JP Court #6. The Felton Police Department provides 21-hour coverage 7 days per week. Most of the officer's 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 #6 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 will 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 separately from the town and is located on Main Street. As its name implies, the Felton Community Fire Company and Ladies Auxiliary provides not only emergency services but functions as a social circle for Felton and the surrounding area.

The Fire Company, EMS and Ladies Auxiliary meets 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 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, and the Lake Forest High School, both 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 Browning-Ferris Industries (BFI) for weekly trash collection throughout the town. This contract is re-bid every three years and will be up for bid in 2003. 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. These igloos have collections for plastics, newspapers, corrugated cardboard, aluminum, tin, glass and batteries. 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, but many people travel to Milford or Dover for the larger facilities.

### **3.6 Museum**

The Felton Historical Society is currently in the process of moving the Felton Museum from the original firehouse and former Town Hall on Walnut Street to the Felton Railroad Station on East Railroad Avenue. This move will provide the Historical Society with more room for display and a more historic atmosphere. The Railroad Station is a central building in Felton's history since Felton is a "whistle stop" town and owes its start to the railroad. The Town Council feels that the Historical Society will be the best steward of this special part of Felton's heritage.

### 3.7 Community Clubs and Organizations

As the Felton Museum moves from its current location to the Railroad Station the previous building will be used as the Felton Community Center since the Railroad Station served this purpose in an unofficial capacity in the past. Currently a number of Girl Scout, Brownies, and Cub Scout groups meet here as well as the Felton Little League and the Democratic Society. It is possible that the role of this Community Center could be expanded in the future to include special events or celebrations and after school activities.

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 International Order of Odd Fellows Lodge #30. 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.

### 3.8 Summary of Issues and Recommendations

**Police Department** - As outlying parcels are annexed and developed the patrol area will be greatly increased and the town will need to increase 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 ahead of time.

- 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.

**Fire & EMS Services** – The Felton 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 the town 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.

- It has been estimated that up to 20% of the State's waste stream consists of yard waste. Therefore, with the recent purchase of a leaf vacuum attachment for the maintenance department truck the town should be able to make a significant dent in the amount of solid waste by collecting leaves and grass clippings.
- 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. This could be done in the town newsletters and with special programs at North Elementary.
- 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.

**Libraries-** The Town of Felton does not operate a library but it can encourage the use of the Book Mobile and surrounding libraries, which could possibly increase the educational achievement of its residents.

- The town could use the Town Newsletter to announce when the bookmobile would be visiting the Felton Fire Hall and to inform residents of events at surrounding libraries. 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.

**Felton Museum** – The Felton Museum has had difficulty in the past with setting up displays and with staffing.

- The town should seek out grants to assist the Museum in setting up displays and provide information to residents about opportunities to participate in setting up, staffing, and visiting the Museum.

**Community Clubs and Organizations** – Most clubs and organizations in Felton would welcome new members but there is no information about the clubs available to residents. Possibly the town could work towards bringing the clubs and the residents together.

- The town could possibly produce a flyer with a brief description of each club or organization and contact information to join. This flyer could be sent with the Felton Newsletter, sent to new residents and some could be kept at Town Hall for inquires.

## **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 it a small, quiet town where everybody knows everybody else. Set in a rural area, with no major employers, it is primarily a bedroom community of Dover with many residents either retired from or working for state government or the Dover Air Force Base.

The historic core area of town was named a National Register Historic District in 1987 and is detailed on Map 6 Environmental Features. 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 look cladding and porches are common, although many have been walled 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.

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 of the existing housing stock is greater than 40 years old, and these buildings can 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 Office of Historic Preservation 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 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 Route 13 and there will soon be a strip-mall style commercial building and an office building on Route 13 as part of the Hidden Pond Development.

Additional annexations have the potential to dramatically change the community's character. Particularly important are issues of proximity to town, connectivity to the existing street network, scale and design of the residential units, and overall layout of the developments so that they reflect a more traditional community pattern. As Felton plans for the future, it must address both the historic character of the community and the implications of expected growth and development. The community's goals and planning policies, Municipal Comprehensive Plan, and its Planning & Zoning Code will guide how the town addresses those challenges.

## 4.2 Open Space and Recreation

The Felton Little League operates and maintains several baseball fields, 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.

Felton also has a tiny 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 approximately 5 miles southeast of Felton and the Norman G. Wilder Recreation Area northeast of Felton. The closest Senior Center is in Harrington although many residents travel to Dover to enjoy the facilities at the Dover Senior Center.

Felton recognizes that additional recreational opportunities are needed in town, especially for children. To that end, the town has applied for and received a Land and Open Space Conservation Grant through the Delaware Department of Natural Resources and Environmental Control (DNREC) to develop a playground on Kerry Circle. This park will be developed on land donated to the town by former Mayor William C. Myers, Jr.. By using the donated land as matching funds for this grant, the town was able to create additional recreation space without a large financial investment.

The current Planning & Zoning code requires new subdivisions to donate 25% of the land area to common open space but does not distinguish between usable open space such as parks and playgrounds and non-useable space such as storm water retention ponds.

Felton also recognizes that additional recreational activities are needed by the senior population to remain active and healthy. One popular addition to consider would be walking trails. The survey portion of the current SCORP (Statewide Comprehensive Outdoor Recreation Plan) 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

Felton's Planning & Zoning Code currently has no provisions for protection of environmental resources including wetlands, forested lands, water recharge areas, floodplains, streams, or rivers. 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.

Additionally, protection of water recharge areas will preserve and enhance the quality of the town's water supply and reduce the need for costly purification treatments in the future. It is recommended that the town develop regulations to protect wellheads and areas that are excellent recharge areas (see Map 6 Environmental Features). There are excellent recharge areas in the southern part of the town that are currently farmed and are recommended to remain agricultural (see Map 8 Future Land Use).

The Department of Natural Resources and Environmental Control's (DNREC) Total Maximum Daily Load (TMDL) program based on Section 303(d) of the Federal Clean Water Act (CWA) requires States to develop a list (303(d) List) of water bodies for which existing pollution control activities are not sufficient to attain applicable water quality standards and to develop Total Maximum Daily Loads (Tads) for pollutants of concern. A TMDL sets a limit on the amount of a pollutant that can be discharged into a water body such that water quality standards are met. The town has limited control over pollutants of concern since Kent County provides sewer treatment service to the town. The TMDL regulations for the Murderkill Basin were promulgated in December 2001. The Town of Felton will work with DNREC to facilitate implementation. 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 based on TMDL implementation.

As for non-wastewater nutrient issues, the town understands that the TMDL regulations require reductions of non-point source nitrogen (N) and phosphorus (P) of 30% and 50%, respectively. The Town of Felton will consider use of Best Management Practices (BMP) that reduce these nutrient loads as part of revisions to subdivision and zoning regulations. Examples of BMPs include stream buffers, wetland and forest protection, and possible limitations on the use of fertilizers.

The town also understands that a Tributary Action Team has been formed in the Murderkill watershed by DNREC. The town has been informed by DNREC that this Team is currently drafting a Pollution Control Strategy (TMDL implementation plan) for achieving the needed non-point source load reductions of N and P. The Team includes a diverse group of citizens with varying interests as well as people from County and State government.

## 4.4 Summary of Issues and Recommendations

***Community History and Character*** – The Town of Felton will need to strive to keep its small town feeling 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 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 Planning & Zoning Committee, 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 is currently lacking available recreation activities particularly for children and seniors.

- The town may decide to survey Felton residents about their recreation needs. 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 then 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 to 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.
- Felton’s Planning & Zoning Code should be changed so that the 25% of required open space in a subdivision is usable open space.

***Environmental*** – The Town of Felton does not make any provisions in the Planning & Zoning Code for environmental concerns. As the town increases in size and population these considerations will become increasingly important.

- The Planning & Zoning Code could be revised to preserve open spaces for recreational and resource protection through adequate controls over development in floodplains, water-recharge areas, and important natural habitats, and to assist in meeting the TMDL regulation reductions in nutrient loads.
- The use of flood-plain controls, restrictive design and performance standards within the Zoning Code, and erosion controls within the land subdivision regulations can be used to protect desirable natural features.

- Future growth and development can be planned to enhance rather than depreciate natural amenities, such as streambeds and wooded areas as shown in the Hidden Pond Development Plans.
- Zoning and design standards can be used to protect ground and surface water resources by reducing impervious surfaces, such as large parking lots, to minimize pollution.
- The town should consider revising the Zoning Code to allow cluster-type development, such as townhouses, on newly developing lands in water resource protection areas to maximize land preserved as 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 one main well, one back-up well, and an emergency well. The town also has a fourth well, which is currently abandoned. The water system was rebuilt in 1999 with a new 200,000-gallon water tank drawing from a 629 foot deep well which is now the main well. 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. This loan is still being paid through a debt service fee collected in connection with the quarterly water billing. Some consideration should be given to making early payments to this loan possibly from the Realty Transfer Tax Fund to reduce interest owed and pay off the loan faster which would drastically reducing residents water costs. If payments are made as scheduled it is anticipated that this loan will be paid off in 2020.

The current main well provides water that is free of iron, which had caused considerable problems in the past. Although this well greatly improved Felton's water system it does have one major draw back, which is naturally occurring arsenic. The arsenic levels average around 22 ppb (parts per billion), which is in compliance with current regulations that are set at 50 ppb but in 2007 the maximum arsenic level permitted by the State will drop to 10 ppb. The town will need to take steps to lower the arsenic amount by that time. Some consideration has been given to blending the water from the high iron well with the main well to produce a finished product with a low level of arsenic and iron. The system is currently operated and maintained by the town that currently employs one full time certified water operator and one part time staff person. Together these two people take care of both the water system and local street maintenance.

The Town of Felton does not currently have the ability to track water by use. The current system can only track how much is pumped from the well not how much is sold, used by the Fire Department, used for line maintenance (flushing) or lost through leaks. Therefore it is difficult to make future estimates of water use but we do know that the current water allocation for Felton is 185,000 gallons per day (gpd) or 5.7 million gallons per month. And of that allocation, the town is pumping approximately 41% or 77,110 gpd and 2,313,300 gallons per month. At approximately 225 gpd per user, there is currently enough water to serve an additional 475 dwelling units.

Tidewater Utilities, Inc. holds a Certificate of Public Convenience and Necessity on county lands surrounding the town but does not operate a water treatment plant in the Felton area. During the annexation of the Hidden Pond Development Felton created a Memorandum of Understanding with Tidewater Utilities providing that parcels annexed into the town will receive water service through the town. In exchange, the town agrees to provide bulk water sales to Tidewater (if requested) up to 100,000 gallons per day and the right of first refusal in the event that the town ever seeks to contract out water operations. If Tidewater should exercise the option of using 100,000 gpd, that would only leave enough water for the Town of Felton to serve approximately 35 additional

homes without significant investment, instead of the 475 calculated above. Due to this possibility Felton has recently increased the Water Impact Fee that is being reserved for future infrastructure improvements.

The Town of Felton has recently completed an extension of their water service in cooperation with the Lake Forest School District. The water main was expanded along Route 13 south of Felton to Killen's Pond Road to connect with the Lake Forest High School and the newly built Elementary School. Other connections along this route were also made including the Chesapeake Equipment building which is currently under construction, a day care facility on the east side of Route 13, and a limited number of residences on the west side of Route 13. The town plans to provide service to more locations along this water main route in the future as needed.

## **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 and the Kent County Wastewater Treatment Facility. This sewer district was designed to handle 1.1 million gallons per day and currently uses about one tenth of that at 117,000 gpd. If the average customer uses about 300 gpd, then the current system can serve about another 3,275 dwelling units. In addition to the Town of Felton, the sewer district also serves some of unincorporated Kent County, including the Lake Forest High School, a new elementary school, and an existing subdivision.

## **5.3 Stormwater System**

The Town of Felton has made great strides in stormwater management during the last two decades by piping in most of the open ditches in Felton and clearing the remaining ditches. 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 and industrial 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 sheet runoff and a series of ditches. In an effort to correct this problem, stormwater quantity and quality management in the newly developed areas of town is being addressed through stormwater retention/detention ponds.

If at some point the town grows to the extent that one of the State maintained roads needs to be widened or otherwise upgraded, the state will be required to upgrade the stormwater management system in that corridor. This could have potentially devastating effects on the town's historic and aesthetic resources. However, DNREC has been developing some new, low-impact stormwater regulations that may reduce the need for stormwater management basins. It is possible that these regulations may or may not be compatible with the character that the town would like to maintain (see Chapter 5 for more recommendations for enhancing community character). When the new regulations

become available, it will be important for the town to review them carefully and only adopt those parts that would be compatible with their small town character.

## 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 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 and local subdivision streets. The Town's Maintenance Department carries out snow removal and residents are responsible for snow removal on sidewalks. However, in the event of a heavy snowfall, the town may need to hire an outside contractor. Street sweeping is accomplished with a street sweeper attachment on the Maintenance Department backhoe. The town has successfully completed its network of sidewalks using a number of grants and all new developments now are required to provide sidewalks. The town handles all sidewalk repairs except in the case of resident damage due to gross negligence. As previously stated, the town has one full time and one part time staff persons to take care of both the water system and local street maintenance. Generally, town staff takes care of small 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 all future development will 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 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,

In addition to interconnectivity between existing and new town streets and sidewalks, studies recommend that subdivision streets have four way or T intersections, and small block lengths (200 feet to 500 feet) to discourage speeding through neighborhoods. In addition, where blocks reach or exceed 500 feet in length, pedestrian cut-through and mid-block crosswalks are can be used to enhance pedestrian access.

Since there are high numbers of children (26.9%), senior citizens (14.5%) and disabled residents (19.9%), as well as those households who do not have a vehicle available (7.1%), many residents depend on walking, biking, and public transit for transportation. It is especially important that the town makes sure that all new development continues to be pedestrian oriented (see Chapter 5: Community Character for more recommendations about pedestrian orientation).

As Felton is such a small community there is no regular transit service to or within the town. 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. Paratransit 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.

Most residents of Felton commute to Dover or the Dover Air Force Base for employment and to Dover, Harrington or Milford for medical care and shopping. Of Felton's employed population, 14.8% car pool, walk to work, or work at home and 6.3% of Felton households do not have a vehicle available to them. As Felton's population increases so will the transportation issues. In the future it may be advisable for Felton 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 due to three fatal accidents that occurred over a two-year period. To dispel this feeling and make this a safer intersection police patrols were stepped up at this location and along the 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 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, the Department of Transportation prefers that any new development take its access from the local road network rather than directly from 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, Pennsey Supply, has a siding where stone and gravel products are regularly unloaded and then shipped out by truck through out 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 certainly be a great 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 and currently has excess capacity to serve approximately 475 additional connections, but this amount could drop to 35 connections if Tidewater exercises their option to use 100,000 gpd.

- The town should be careful to grow in the most efficient manner by providing water service to parcels nearest to the center of town first before providing water to outlying annexed parcels.
- The upcoming water regulations and the level of arsenic in test results may require Felton to blend water from its other wells and/or install arsenic removal systems. The town needs to develop a Capital Improvement Plan to determine the possible impact this regulation will have on the water system as well as planning for future large ticket maintenance issues such as painting the water tower and replacement of older water mains. Researching alternative arsenic removal options should be included in this plan.
- The town should search out and apply for any available State or Federal funds to take pro-active steps toward reducing the arsenic amount in the town's water supply.

**Sewer System** - If the sewer district were to use up all of its capacity, the limiting factor to expansion would be Total Maximum Daily Load (TMDL) from DNREC. Any increase would likely be tied to a different processing/recycling method such as spray irrigation. Fortunately, this is not likely to occur during this planning period or for some time to come.

**Stormwater System** - Stormwater issues, particularly the environmental issue of street runoff, is not currently addressed by the Felton Planning & Zoning Code.

- The town council can instruct the town engineer to review the town for stormwater management issues, especially those related to polluting land uses and possible street upgrades. The town should also identify and preserve appropriate land for stormwater management facilities in anticipation of the need while exploring possible funding sources and partnerships in order to retrofit existing developed sites to reduce stormwater and pollution runoff.
- When DNREC's new stormwater management regulations become available, the town should adopt those components that are compatible with Felton's small town character.

**Transportation** – It is important that Felton balance its desire to remain a community with a small town atmosphere and its need for future growth to remain a vibrant part of the State of Delaware.

- The town can consider, in addition to street sidewalks, a system of pedestrian paths. Such a system need not follow roadways but should meander through the town connecting parks, public buildings and business areas to parking lots and residential areas.
- The town should revise its Planning & Zoning Code to require all new development to have road and sidewalk systems that connect to each other and the existing town streets.

## **CHAPTER 6. LAND USE PLANNING**

### 6.1 Strategies for State Policies and Spending

#### 6.1a State Investment Strategies Map

#### 6.1b Requested Modifications

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#### 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. The Strategies map for the Felton area may be found as Map 6 in the Map Appendix at the end of this document. (source: <http://www.state.de.us/planning/shape/strategy/>)

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 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. 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 urban development to occur in and adjacent to existing towns and developed areas. The strategy maps designate Felton as a "Community Area," which is described as the highest priority for State investment and spending. The strategies indicate that the state will invest in infrastructure and public facilities in Community Areas. As such, the State should be supportive of additional development within Felton's boundaries.

The State Strategies maps depict a larger area surrounding the town as a "Secondary Developing Area." This is the area that the State and the County have designated as the extents to which urban development is expected in the future. Development should be timed to occur in these areas after the "Developing Area" is substantially built out.

To summarize, the State Strategies seek to limit sprawl by supporting and encouraging the growth and redevelopment of communities. New growth outside of communities should be located adjacent to existing infrastructure and services. Development activity within Felton's current boundaries or within the designated "Developing Area" should be encouraged by the State.

### **6.1a State Investment Strategies Map**

Almost all of the current incorporated area of Felton is shown as either Community or Developing Area on the State Strategies Map. The property known as Hidden Pond directly north on US Route 13 is not included in the State Strategies map boundary of the Town of Felton. Although the Hidden Pond property was part of the town by December 1999, the adoption date of the State Strategies, it is possible that the data used to conduct the analysis did not include the annexation and expansion of area served by public sewer and water. The State's Developing Area (where development is intended to occur and will be supported at some time with state investment) extends beyond the town limits primarily to the north, but also some small areas to the east and west. Kent County shows the entire surrounding area to be a growth zone in both the 1997 and the 2002 County Comprehensive Plan updates, which the state calls a Secondary Developing Area (development will only be supported by the state after the Community and Developing Areas are significantly built out). The State Strategies Map (Map 7 in the Appendix) provides a detailed view of the Town of Felton in relationship to the adopted 1999 State Investment Strategies.

### **6.1b Requested Modifications**

The Town of Felton would like to request a review of the State Investment Strategies Map. The town is requesting to update:

- Community Areas to include land within the Town of Felton Boundary (the Hidden Pond Development) in December 1999.
- Areas indicated as Developing Areas to better reflect the Felton town plan recommendations (see Map 9. Modified State Strategy Area, which details the requested changes).
- The Developing Areas south of town and north of Peach Basket Road to be reduced.

These recommended changes conform to parcel boundaries and logical extensions of sewer and water infrastructure.

The current Developing Area is 803 acres with 221 acres in the Community Area for a total of 1,024 acres. With the recommended revisions to the State Investment Strategy Area, there would be 620 acres in the Developing Area and 356 in the Community Area for a total of 976 acres (see table below).

**Table 13. Proposed State Investment Strategy Areas Modification**

	Developing Area	Community Area	Total
Currently	803 acres	221 acres	1024 acres
After Changes	620 acres	356 acres	976 acres
Difference	-183 acres	+135 acres	-48 acres

The State Investment Strategies include areas developing or developed outside of Felton and outside of Felton's area recommended for annexation located to the north of Felton, including Felton Heights and parts of Chimney Hill.

## 6.2 Land Use in Felton

### 6.2a Goals and Objectives

The following goals and objectives were updated in 1999 during the 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 which would establish individual uses by neighborhood district or area. Such a pattern would prevent the indiscriminate mixture of land uses in the same area, and would protect existing property values.
3. To preserve the quiet non-commercial atmosphere which presently characterizes the town.
4. 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.
5. To provide adequate community facilities, public utilities, and public safety services to meet present and future needs.
6. 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 1995 town charter, codes, and ordinances and to amend each one as necessary. Also to adopt any new codes or ordinances that might be needed to implement the Comprehensive Development Plan.
4. To review and update the current Planning and Zoning Code and improve the administration of the Zoning Code.

## **6.2b Planning and Regulation Process**

The town reviews construction requests and issues a Compliance Letter attesting that all applicable portions of the Felton Planning and Zoning Code are met. The applicant would then take the Compliance Letter to the Kent County Department of Permitting and Inspections to receive the official permit. This Kent County department also does all 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 from among themselves. The Town Council serves a two-year term with alternating members being up for election each year.

The Planning and Zoning Committee is made up of from 5 to 7 residents who are appointed by the Town Council for three-year terms. This committee has first review of all zoning compliance applications and conditional uses, and then makes their recommendations to the Town Council. The town also contracts with the engineering firm of Davis, Bowen & Freidel for plan reviews and other land use services and issues particularly involving subdivisions and commercial properties.

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

The Felton Zoning Code was last updated in August 1996.

## **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 rezoning 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 should encourage the annexation of adjacent lands as it will allow the town to have a role in the review and approval of development proposals and to formalize service arrangements within the property. The properties recommend for annexation are all located west of US Route 13 and north and north west of the existing town limits.

The Town Council may utilize the following policies when considering annexation requests:

- The town should put the highest priority on annexing properties that are directly adjacent to the current town boundaries.
- Each annexation request should be evaluated by the town to determine the project impact on 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.
  - If development is imminent, the desirability of controlling the type and style of development using town codes.
  - The impact of the development on town services and utilities. These impacts should include sewer, water, fire service, police service, administrative costs, long-term maintenance of infrastructure, impact of the development on town facilities, as well as other criteria to be defined by the Town Council.
  - The property's location within the State Investment Strategies Map:
    - Parcels within the Developing Area and Secondary Developing Areas classification should be considered favorably. The State has defined these areas for growth in the near term future or in the intermediate term and will be most likely to commit to infrastructure improvements in the area.
    - Proposed annexations in the Rural Areas should be approached cautiously. State resources may not be available in these areas, which may greatly increase the financial burden on the town. Areas to the east of town have been discussed for sewer extension and annexation but are in the Rural Area designation. These properties are not recommended for annexation at this time.

### **6.3c Sprawl Avoidance Strategies**

New urban growth should be balanced with the protection of farmland and open space, and "suburban sprawl" should be avoided. Suburban Sprawl is a commonly used term to

describe a number of perceived issues resulting from development, ranging from traffic congestion to the loss of open space. For the purposes of this plan, the term “sprawl” refers to discontinuous development that occurs away from currently developed lands in and around the existing town. Sprawl has numerous negative consequences and potential impacts on the services offered by the town. These impacts may include:

- Traffic can be increased due to longer travel distances. Pedestrian and bicycle connections may not exist, 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.
- Similarly, the cost of providing other town services can be increased due to additional travel time for police and other maintenance workers.
- Development occurring far from the existing urban area of the town can encroach on productive farmland by segmenting it making it less viable. Also, new residents may consider farming practices a nuisance leading to complaints.

The following are some specific policies the Town Council could consider, when and if, they have any role in reviewing development proposals or providing utilities in areas adjacent to the town:

- Parcels that are adjacent to the current town boundaries should be developed first, before the development of more remote parcels is considered.
- Utility services should be extended only to areas that are anticipated for development and are consistent with the goals for the Growth Area. Utilities should not be extended to remote areas without a full evaluation of the costs and the benefits to the town.

## **6.4 Felton’s Land Use Plan**

### **6.4a The Study Area**

The Town of Felton defined a study area (see Map 1 Aerial View Study Area and Map 3 Current Land Use Study Area) that included the developing area northeast of town (across US Route 13) known as Chimney Hill. Also included are the area to the east that the Kent County Engineering Department has made initial plans for sewer connection to these properties and the area to the south and southeast served by the Town of Felton water system including the Lake Forest School High School and Elementary School.

A preliminary land use survey was conducted of the major properties in the study area (see Map 3 Current Land Use Study Area). This land use survey indicated that the majority of the land within the study area is used for agricultural purposes with some residential lots along the roadways.

After a review of Kent County's Comprehensive Plan and consideration of the properties designated for potential wastewater service, the comprehensive plan committee recommended the study focus on properties within the immediate area of the town. The revised area for study for future land use and possible annexation (see Map 2 Aerial Town View and Map 4 Current Land Use Town View) was designated due to the proximity of existing infrastructure and efficiency of service provision. The Town of Felton does not serve properties directly across US Route 13 except for water service to the Lake Forest School district's properties, Chesapeake Equipment, and the day care facility. Only properties on the west side of US Route 13 were recommended for study due to concerns about the potential environmental constraints of properties to the east of town and the quality of minor roads that serve these properties. As the section on State Investment Strategies details, the area selected by the town for study and future annexation is mostly within the Developing Area designation.

Table 14 below summarizes the current land use acreage based on the information contained in Map 4 Current Land Use Town View. Within the Town of Felton the majority of vacant land is located within the development known as Hidden Pond in the northeast area of town. There vacant lots on Honey Brook Lane and Erin Avenue and vacant land in the Felton West Subdivision on the road recorded as Deep Woods Court located to the north of Woodsedge Lane that has not been developed due to environmental limitations.

**Table 14. Felton Land Use Acreage**

Land Use Category	Acres
Agricultural	61
Commercial	14
Industrial	5
Institutional	25
Open Space	2
Residential	83
Transportation	2
Vacant	88
Water	3
Total Parcel Acreage	283
Total Acreage of Town	342
Road Acreage	58
Road percentage	17.1%

Source: IPA Land Use Survey and Kent County Parcel Data. Prepared by IPA.

### 6.3b Annexation Area

In accordance with the town goals and objectives, and a review of service, financial, and infrastructure limitations the plan recommends annexation along Peach Basket Road and along North Walnut Road. Parcels within this area are generally within the State

Investment Strategy's Developing Area designation and within the Kent County comprehensive plan's growth area. The future land use and annexation areas recommended by the plan are represented on the Map 8 Future Land Use. The plan recommends that majority of newly annexed land be used as residential uses with some additional commercial or office use along North Walnut Street.

The Town of Felton reviewed these major properties listed in the following table.

**Table 15. Annexation Plan**

Parcel Identification	Parcel Number	Acres	Recommendation
Twin Lakes	8-00-12800-01-5400-000	66.2	Annex as Residential
	8-00-12900-01-5100-000	15.3	Annex as Residential
William M. and Elizabeth B. Dill	8-00-13900-01-0200-000	78.8	Study for future annexation
Charles W. and Doris W. Bostick	8-00-13900-01-0224-000	64.8	Study for 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 plan does not recommend the annexing of properties to the east of town along State Route 12 at this time.

The future land use and annexation plan recommends the annexation of approximately 116 acres of undeveloped land for residential uses and 11 acres of undeveloped land for commercial uses. Approximately 9.5 acres of the 116 acres of the undeveloped land recommended for residential uses is potentially wetlands and may not be developable or usable only for stormwater management. With deductions for open space, stormwater retention, and road networks approximately 75 to 77 acres of land is available for development.

The Twin Lakes site (parcel identification number 8-00-12800-01-5400-000) is 66.2 acres. The plan recommends that wetlands be preserved on this site and that twenty percent of the open space be set aside as active or passive recreation area or as usable open space. Areas for stormwater management should not be included in the open space calculation. The property should also be interconnect with Honey Brook Lane and easily served by town police and the fire company. This property is estimated to yield 150 to 170 single-family homes depending on the development pattern.

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 medium density residential or high-density residential development. This could be a mix of single-family homes on 7,500 square feet lots, town houses, or apartments. The higher density residential use will need to be approved through the conditional use process. All open space should be usable open space and not part of the stormwater management areas. The recommended gross density for this property is from 3.5 dwelling units per acre to 10 dwelling units per acre. This development 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 North Walnut and Church Street/Turkey Point Road should be developed as single-family homes in accordance with patterns of existing development using 10,000 square foot lots to achieve higher densities than could be possible without public sewer and water in Kent County.

There are two significant agricultural parcels within town limits. The inclusion of these parcels is a result of the original incorporation of the town as a square and not the result of later annexations. The agricultural property on the west side of town is parcel number 8-07-13808-01-6200-000 (Paskey Farm) at 30.5 acres within town and the parcel on the east side of town is 8-07-13808-02-7500-000 (Robert Smith property) at 27.7 acres within town. The expectation has been that the inclusion of the farms is a historical act and that no future conversion of these properties to other land uses is expected. These properties represent the majority of the agricultural land in Felton at 58.2 acres out of a total of 61 acres of agricultural land. Most of the developed land within Felton is Residential, Commercial or Institutional (churches, the post office, and elementary school).

There are a number of Agricultural Preservation Districts and protected lands within one to two miles of the town. Kent County currently classifies some of the land between the town's boundaries and the protected lands as a growth area (but it remains zoned both Agricultural Conservation and Agricultural Residential) although the state will not invest in development in this area until the Community and Developing Areas are significantly built out. At the same time, significant growth is occurring within the county only a few miles to the north. Felton does not have the resources to serve significant amounts of development within this area. It is imperative that the town considers what types of development (or no development) it would prefer to occur on these Kent County lands since development on these lands has the potential to significantly affect the character and functioning of the existing town.

### **6.4c Administrative Responsibilities**

- The town is required to rezone where needed to match this Comprehensive Plan within 18 months of adoption.
- The town must 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 suggested changes would be:
  - The conditional use process should be modified to provide a well-defined set of conditional uses. The Neighborhood Business conditional use should be deleted and replaced with set of conditional uses consistent with home occupation commercial uses.

- Zoning classifications should include an “In-Town” commercial and a “Highway” commercial with smaller lot size requirements for “In-Town” commercial.
  - An additional residential classification for larger lot single-family homes should be adopted. The current code has one classification for 7,500 square foot lots. It is recommended that a second residential zoning classification requiring 10,000 square foot lots be added to the zoning code. Townhouses and apartments are possible as a conditional use currently and should continue to be in the zone that allows 7,500 square foot lot.
- Updating the current ordinances for the Town of Felton is also advised. Most of the current Ordinances were adopted in 1986 and are now outdated and do not take many advances such as cell phone towers, internet connections, etc. into account.
- Title 22, Chapter 1. § 101 requires all new annexations to be consistent with this comprehensive plan, prove through a plan of services that capacity exists to provide all necessary services and utilities, notify all affected jurisdictions, and be subject to a LUPA review (Land Use Planning Act) by the state.
- Upon adoption of this Comprehensive Plan, the town is required by state law to submit a progress report by December 31 of each year to the Office of State Planning Coordination. The report must include information regarding implementation activities, and new issues or conditions.

## **6.5 Implementation Strategies**

### **6.5a Coordination**

Intergovernmental coordination is essential to accomplish the goals identified through the planning process. 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 residents. 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**

- For land use planning and transportation, establishing and maintaining close coordination with the Office of State Planning Coordination, the Delaware Department of Transportation (DelDOT), and Kent County is crucial. 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 relevant with respect to various funding opportunities. For example, Federal TEA 21 grants administered through DelDOT may be available for improving local streets. Infrastructure grants, which can be significant sources of funding, are administered by the State.
- 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 should 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 Felton since land uses outside Felton have significant economic and social impacts on the town. It is recommended that Felton develop a coordinated strategy with the County concerning zoning, subdivision plans, and the type of development occurring in neighboring areas.
- The town should make an effort to keep itself apprised of land use applications in nearby areas that will impact the town. The town should comment through the State's LUPA review process and the county planning process where applicable.
- Preserving farmland has numerous benefits for Felton. Productive agricultural lands support the economy of the town and the general area and enhances the rural setting and the small town feeling. Felton should coordinate farmland preservation activities and strategies with the Delaware Department of Agriculture.

### **Coordination with Planning Activities**

The town should become involved in planning activities of other agencies when they are addressing land use, transportation, infrastructure, or service delivery in and around the Felton area. The town should provide representatives to serve on committees drafting and reviewing plans. The town should 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 should participate in:

- The Kent County Comprehensive Plan, implementation of the 2001 update
- The Kent County Long Range Transportation Plan (Dover Kent Metropolitan Planning Organization)
- The Delaware Transit Corporation Strategic Plan (DelDOT)
- Livable Delaware, and the Governor's Advisory Panel on Planning Coordination

## **6.5b Next Steps**

### **Plan Adoption**

The first step to implementing the comprehensive plan is to formally approve the plan. The plan will then be submitted to the Office of State Planning Coordination for review and comment. The plan, with the State's comments will then be reviewed and accepted by the Planning Commission and recommended to the Town Council for consideration. The Town Council should adopt the plan by resolution after discussion and public comment.

### **Zoning Revisions and Zoning Map Adoption**

The Town Council should revise the zoning and adopt a new zoning map following the procedures set forth by the Felton Code. The new zoning map will bring the town's zoning into conformance with the comprehensive plan. The Delaware Code, as recently amended by HB 255, requires that the town adopt a zoning map consistent with the Comprehensive Plan within 18 months of adoption of the plan.

### **Town Policies and Implementation Projects**

The Felton Plan recommends a number of implementation actions in each section. These recommendations come in two forms: Town Policies and Implementation Projects. The policies are intended to serve as guidelines that the Planning Commission and the Town Council should use to direct and encourage future growth, development, and town revitalization. The implementation projects include code revisions and physical projects that are intended to allow the town to meet the goals envisioned by the Plan.

## **Map Appendix**

**Map 1. Aerial View Study Area**

**Map 2. Aerial View Town View**

**Map 3. Current Land Use Within the Study Area**

**Map 4. Current Land Use Town View**

**Map 5. Zoning**

**Map 6. Environmental Features**

**Map 7. State Strategies**

**Map 8. Future Land Use**

**Map 9. Modified State Strategy Area**