



# Downtown Development Districts

FY19 Application for Designation as a District

## Application Cover Sheet and Check List

Must be completed by applicants with FY16 application on file

Jurisdiction Name:

Town of Clayton

Date of Application 05/15/2019

Date Received \_\_\_\_\_

### Check List for Application Materials

- Application Cover Sheet and Check List.
- Information Sheet.
- Administration of the District summary.
- Map of the Proposed District (GIS files encouraged).
- Map of Future Land Use in Proposed District (GIS files encouraged)
- Map of Zoning in Proposed District (GIS files encouraged)
- Summary of Need and Impact (with attachments).
- Summary of District Plan (with attachments).
- Written Documentation from Supporting Organizations (attachments).
- Summary of Local Incentives (with attachments).
- Legislative Body Resolution (attachment).
- Attended DDD Pre-Application Workshop.

Name of attendee Mary Ellen DeBenedictis



# Downtown Development Districts

FY19 Application for Designation as a District

## Information Sheet

Must be completed by applicants with FY16 application on file

Municipality / County: Town of Clayton

Contact Person for Application
Name: <u>Mary Ellen DeBenedictis</u>
Address: <u>Town of Clayton</u> <u>P. O. Box 1130, 414 Main Street,</u> <u>Clayton DE 19938</u>
Phone: <u>302-653-9128</u>
Email: <u>Mdebenedictis</u>
<i>Mary Ellen DeBenedictis 5/13/19</i>
Signature _____ Date _____

Proposed District Administrator (if different)
Name: <u>Same as Contact person</u>
Address: _____
Phone: _____
Email: _____
<i>Mary Ellen DeBenedictis 5/13/19</i>
Signature _____ Date _____

- New Application, never applied for DDD designation before.
- 2016 Application on file, please review with the addition of required information materials included in this application form and supplemental information attached.
- 2016 Application on file. Please disregard it and review this entirely new application.

Date of certified Comprehensive Plan 01/14/2019

Population of the municipality or county (as per 2010 US Census) 2,918

Population of proposed District (based on 2010 US Census Block data) 229

Area of proposed District in acres 24

Area Verified by OSPC Staff _____
OSPC use only



## *Downtown Development Districts*

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### **FY19 Application for Designation as a District**

Brief description of the proposed Downtown Development District (100 words or less)

Note: this description will be used as a summary for internal review and in printed materials

Clayton's proposed Downtown Development District (DDD) is the town's central business area. Situated on both sides of Main Street between Bassett Street and Highland Avenue, the proposed District is anchored on the east by Clayton's historic railroad station, and on the west by the town offices and police station. Its 24 acres and 96 properties include the mix of uses typical of a small-town center including government and community services, small neighborhood business often with apartments of offices on upper levels, and one-and two-family homes.



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### Administration of the District

10%

Must be completed by applicants with FY16 application on file

**District Administrator:** An individual appointed by the local elected body to be the administrator of the DDD program for that community. The District Administrator will be the chief point of contact for the District and will be responsible for all record keeping and reporting that are required by the program. The District Administrator will supervise and ultimately be responsible for all tasks involved in implementing the local government’s DDD program. The District Administrator must be a local government staff person, or an elected or appointed official of the local government. See the *DDD Program Guidelines* for more information about the role of the District Administrator.

Name of the District Administrator

Mary Ellen DeBenedictis

Title of District Administrator

Clayton Downtown Development District Administrator

By checking here the applicant acknowledges that the District Administrator will be formally appointed by the local elected body within two months of District designation. By checking here the applicant also acknowledges that in the event of a personnel change in the District Administrator role the Office of State Planning Coordination will be notified as soon as is practical, and the new District Administrator will be formally appointed by the local elected body within two months.



## ***Downtown Development Districts***

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**FY19 Application for Designation as a District**

### **Administration of the District - continued**

**10%**

Please describe the staffing and resources that the local government will dedicate to the administration of the Downtown Development District Program in the following areas:

#### **Economic Development Outreach and Marketing**

Clayton does not intend to wait for investors to come to the Town. At its April 2019 meeting, the Town Council voted to join the Kent Economic Partnership. The Administrator will work with Partnership staff to promote and market Clayton's DDD as well as seek technical assistance.

#### **DDD Promotional Materials and Website**

Clayton's Economic Development Committee realizes the importance of promoting the Town.

Accordingly, the following was included in the 2018 Plan Update (page 45):

It is crucial that an inventory of available business sites be accessible to entrepreneurs or agents. It is also important to give prospects reasons to come to Clayton. Ideas for accomplishing these are:

- Compiling a portfolio of business opportunities that might include items such as address, square footage, photographs, maps, tax information, data about utilities (water, sewer, telecommunications, gas, and electric).
- Developing a brochure identifying advantages of having a business in Clayton that might highlight Clayton's central location, town services, and availability of small spaces for business that do not require substantial square footage or rely on pass-by traffic. One approach might be to market Clayton as a place where a home-based business that has outgrown its home might find a perfect small space for expansion and growth.
- Developing a presence on town website.

Clayton has already taken an initial step towards business outreach. On April 30, 2019, the Town launched a new website. Should Clayton receive DDD designation, the Administrator will work with Town staff and the Economic Development Committee to ensure that the DDD is prominently featured on the website.

#### **Economic Development Assistance to DDD Qualified Real Property Investors**

Clayton's DDD Administrator, and Town staff, who may assist the Administrator, will learn about, and stay current, on the DDD Rebate Program to assist investors in completing the application for submission to DSHA. In addition, the Administrator will assist investors with



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local incentive programs, and local review and approval processes for planning, zoning, building permits and other permits and licenses needed to implement qualified projects.

### **DDD Program Record Keeping**

The District Administrator will maintain accurate records of all active and potential DDD projects. Records will be coordinated with the DSHA administrators of the DDD Rebate Program. Record keeping will include local incentives granted to each project, including the value and impact of each local incentive.

### **DDD Reporting to OSPC and DSHA**

The District Administrator will assume responsibility for reporting status, progress and data about the Clayton's DDD program to the Office of State Planning Coordination (OSPC) and/or Delaware State Housing Authority (DSHA) upon request and in a timely manner. The Administrator will prepare, and file with OSPC, an Annual Report by July 1 of each year. The Administrator will also respond to requests for status, progress and data outside of the Annual Report cycle.

**Will the local government be relying upon staff or consultants (or a combination) to perform the above tasks?**

Clayton will rely on the Administrator with assistance from town staff as needed.

**What is the expected local government budget (staff time and/or dollars) to be dedicated to the DDD program administration?**

There is no budgeting requirement for the DDD Administrator who is a member of the Town Council. It is expected that support from town staff will be minimal and can be worked into regular staffing operations.



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### Map of the Proposed Downtown Development District

**Instructions:** Prepare a map of the proposed Downtown Development District. The map must clearly show the boundaries of the District. The area of the proposed District, in acres, must be calculated from the boundaries designated on the map. The following guidelines must be adhered to when preparing the boundaries of the proposed District:

- The maximum size of the District is 95 acres for local governments with populations below 9,000, 185 acres for local governments with a population between 9,000 and 30,000, and 250 acres for local governments with populations over 30,001 (population as per the 2010 US Census).
- Districts must be contiguous.
- Districts must include the streets and right-of-ways within it. These count towards the maximum acreage.
- Enclaves within District boundaries are not acceptable.
- Prioritizing, phasing and /or timing of redevelopment activities in different geographic areas of the District is acceptable, and will be considered favorably when it can be demonstrated that this will concentrate the incentives to achieve specific revitalization goals.
- If any portion of the proposed District is in the floodplain, the FEMA floodplain map must be included as a layer on the map. Contact OSPC for technical assistance if needed.

Attach the map of the proposed Downtown Development District

Attach a map showing the future land use in the proposed District from the municipality’s or county’s certified Comprehensive Plan. Attach a map showing the zoning or land use regulations that apply to lands within the District. Discuss how the plan and land use regulations support the application for the District.

It is encouraged that the map(s) be created using GIS software. If the municipality or county is able to use this software, please submit digital files to our office to supplement the application and aid us in our review. Please contact OSPC if you need assistance and / or to arrange to electronically transfer the files.

District Boundaries Map Attached

GIS data is available and will be electronically transferred to OSPC

Name of person who created the map: Linda Raab, AICP - IPA University of Delaware

Phone 301-758-5781

Email [linda.raab@gmail.com](mailto:linda.raab@gmail.com)



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### **FY19 Application for Designation as a District**

#### **Map of the Proposed Downtown Development District - continued**

Describe the rationale for choosing the boundaries of the proposed District (please limit your response to 750 words or less).

Simply put, the rationale for delineating the boundary of the proposed Downtown Development District is that it is Clayton's center.

The District includes the Town's central business area and adjacent residential properties. There are several government and community services, including the post office, Town government offices and police station, volunteer fire company, senior center, and small local park. Most businesses are small enterprises located on the street level of mixed-use structures with apartments or offices on the second or third floors. Some of these businesses are neighborhood-oriented while others serve a wider area.

The residential properties in the District are a mix of single-unit and multi-family homes. Most appear to be properly maintained. However, there are a few properties on the south side of Main Street between Roth Alley and the railroad that have fallen into disrepair or have been abandoned.

The industrial area within the District boundary is occupied entirely by Atlantic Tractor LLC, a company selling John Deere farm and garden machinery. This company provides about 30 jobs (<https://www.buzzfile.com/>, accessed 04/08/2019).

The volume of through traffic on Main Street has increased, but this area is accessible, and on-street parking is available on both sides of Main Street. There are sidewalks on both sides of Main Street, enabling customers to park and walk conveniently to stores. The Railroad Avenue area between the fire company and the railroad is often the location for community events, such as the annual Clayton Railroad Days.

There is one historic property in the District. Constructed in about 1855, the Clayton Railroad Station is on the National Register of Historic Places. It is an important part of the Town's railroad heritage and a logical anchor for the District. In the years following its cessation as a rail station, the building has been in private ownership and used for small-scale commercial enterprises.

Another historic element in the District is the Harriet Tubman Underground Railroad Byway. The byway passes through Clayton along Main Street. It has intrinsic historic value because it highlights Delaware features of the Underground Railroad in the pre-Civil War era. The Underground Railroad served as a method and trail for African Americans escaping southern persecution and enslavement to northern states. Even though Delaware's legal and socio-economic foundations supported slavery as did the State's southern, slave-holding neighbor

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states, its close proximity to free, northern states made it an important corridor for slaves seeking freedom

Another factor considered when delineating the District boundaries is that many community-wide activities take place along Railroad Avenue, particularly those sponsored by the Clayton Fire Company. These include a town yard sale, Toys for Tots, teen dances, a Christmas parade, and the annual Clayton Railroad Days Festival.

District Plan pages 3-7

Attach a map showing the future land use of the District from the local government's certified Comprehensive Plan.

Map Attached

GIS data is available and will be electronically transferred to OSCP

Attach a map showing the zoning or land use regulations that apply to lands within the District

Map Attached

GIS data is available and will be electronically transferred to OSPC

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### Map of the Proposed Downtown Development District - continued

Discuss how the plan and land use regulations support the application for the District (Please limit your response to 750 words or less).

Since 1996, Clayton's comprehensive plans have supported its central business district. This section chronicles how this support has been articulated.

The 1996 Comprehensive Plan stated that:

In order to maintain its small town atmosphere, Clayton must strengthen its town center as a focal point for shopping, socializing, and civic activities. An initial step is to delineate the boundaries of a town center. A second step is to adopt land use regulations that permit-and encourage-the mix of residential and commercial enterprises at a scale that is characteristic of a small town.

Accordingly, the 1996 plan's future land use map identified a new Town Center area. The rationale underlying this land use was a desire for Clayton to maintain its small town atmosphere by strengthening its Town Center as a focal point for shopping, socializing, and civic activities. Subsequent comprehensive plans continued the Town Center on future land use maps.

In 1998, Clayton undertook a complete revamping of its Zoning Ordinance. A key component of that update was the creation of the Town Center (TC) Zone to implement the Town Center land use identified in the 1996 comprehensive plan. The intent of the Town Center (TC) Zone is (Clayton Zoning Ordinance, Section 6.4-2.6) is:

1. To preserve and strengthen Clayton's small town atmosphere by encouraging a mix of retail, office, and residential uses consistent with the scale and existing character of the town center.
  2. To encourage the economic stability and improvement of the town center.
  3. To provide a modification procedure, utilizing site plan review, to alleviate undue hardship relating to parking and other bulk regulations in order to maintain the small town atmosphere of the town center.
  4. To emphasize small-scale retail, office, and service uses.
  5. To provide for a limited amount of multiple-family dwellings in conjunction with retail, office and service uses, but only on the second and third stories of commercial buildings.
  6. To provide for the continuation of single and two family homes typical in town centers.
- A wide variety of uses are allowed in the Town Center Zone ranging from single-family and duplex homes to offices and retail establishments to community facilities. To encourage a mix of housing and non-residential uses in the Town Center, the ordinance provides that



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apartments (multiple-family dwellings) must be located on the second or third stories; they are not allowed at street level.

The Zoning Ordinance provides that each application for change in use and/or building alterations is reviewed the Clayton Planning and Zoning Committee in accordance with Section 6.5-2.9 This section specifies that:

Except for building height, the Planning Commission shall determine the bulk regulations and parking requirements for new, changed or expanded uses in the TC Zone. In making this determination, the Commission shall make the following findings:

A. That the placement of buildings and structures is compatible with the neighborhood and with existing development in character and scale.

B. That proposed parking spaces, building coverage, and overall design of the project are sufficient to avoid congestion and will not place unreasonable demand on public facilities.

All properties in the TC Zone are included in the District.

The 2008 Comprehensive Plan Update continued to promote revitalization of the Town Center. The future land use map once again designated “Town Center” for the properties in Clayton’s central business district. One of this Plan Update’s goals was to attract new businesses to the Town Center. Unfortunately, the Great Recession made achieving this goal difficult until around 2012 when a renewed interest in Clayton’s Town Center seemed to emerge.

In 2014, Clayton applied for designation as a Downtown Development District and renewed its application in 2016. The Town was not selected for District designation in either year. Between 2014 and 2018, five businesses opened or reopened. In addition, a deteriorated home was renovated for rental housing by a local developer. Drawing on the renewed interest in Clayton’s Town Center, the 2018 Plan Update, adopted on January 14, 2019, included a more detailed treatment of business generally for the Town with particular focus on the central business district than previous plans. It also included opportunities for housing rehabilitation and a new housing opportunity (Priority Project 3 in this District Plan) Developed by the Town’s Economic Development Committee, the Plan Update discussion (pages 45-46) concerning economic development included the following text.

#### Visual Improvements.

A visually pleasing area is important for residents, business owners, and patrons especially in the town center. Projects being pursued or considered include:

- A town clock at the corner of Main and Bassett Streets;
- Containers and plantings at strategic locations in the town center; and
- Benches and streetlights.

#### Business Portfolio

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It is crucial that an inventory of available business sites be accessible to entrepreneurs or agents. It is also important to give prospects reasons to come to Clayton. Ideas for accomplishing these are:

- Compiling a portfolio of business opportunities that might include items such as address, square footage, photographs, maps, tax information, data about utilities (water, sewer, telecommunications, gas, and electric).
- Developing a brochure identifying advantages of having a business in Clayton that might highlight Clayton's central location, town services, and availability of small spaces for business that do not require substantial square footage or rely on pass-by traffic. One approach might be to market Clayton as a place where a home-based business that has outgrown its home might find a perfect small space for expansion and growth.
- Developing a presence on town website.

### Incentives.

It is no secret that the first few years of a new, relocating, or expanding business are the most difficult with many fees, fit-up expenses, new taxes, and establishment of a customer base. One way to ease start-up burdens might be to consider waiving, discounting, or phasing in local payments such as permitting fees, connection charges, and property-tax increases.

### Regular Review of Regulations

Regulations frequently discourage prospects. It is important to review the impact of zoning, subdivision, and other regulations and make recommendations for changes. The Planning and Zoning Committee has already identified two zoning issues affecting properties in the Town Center (TC) Zone. One is signage standards; the other is the requirement for site-plan review even when a building is not proposed for expansion.

Drawing on the above text, the 2018 Plan Update contains the following goals and recommendations for consideration.

### Goals

- Business expansion.
- Business retention.
- Aesthetically pleasing town center.

### Recommendations for Consideration

- Seek assistance from the newly created Delaware Division of Small Business to chart a future for Clayton businesses, especially those in the town center.
- Develop partnership with private sector for street furniture, signs, and other visible features to define a boundary for Clayton's downtown.
- Follow up on economic development activities discussed in the previous section.
- Work with the Planning and Zoning Committee to review the impact of zoning regulations on business development, in particular sign standards.

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- Work with the Planning and Zoning Committee to do a complete analysis of the Town Center Zone, including review of permitted uses, conditions governing permitted uses, and processing times.
  - Maintain land-use regulations that help homeowners in South Bassett Street area to maintain their homes until they are ready to be converted into non-residential uses.
  - Continue to sponsor community events, such as Fourth of July celebrations and Railroad Days.
  - Maintain parking areas in the town center and design street patterns that minimize vehicular speed.

The 2018 Clayton Plan Update can be accessed at <http://clayton.delaware.gov/>

District Plan, pages 8-10

Are there other special overlays, districts, or areas that intersect the proposed District? Examples of such special areas include historic districts, Business Improvement District (BID) taxing districts, etc. Please describe any of these special areas and how they will interact with the proposed Downtown Development District. Include maps, if applicable. (Please limit your response to 750 words or less).

With the exception of National Historic Register Listing for the Clayton Railroad Station which is listed on the National Register of Historic Places, there are no other special areas within Clayton's proposed Downtown Development District.

District Plan, page 38



# Downtown Development Districts

## FY19 Application for Designation as a District

### Summary of Need and Impact

50%

**Instructions:** Complete this form to document the need for the District designation and its potential to positively impact your community. Attachments of data and other documentation are required. There is no specific page or word limit on the information that can be attached, *however* please be aware that applications that provide clear and concise documentation that is directly related to the need and impact of the District proposal will be scored the highest.

Please describe the **need** for the Downtown Development District designation in your community (please limit your response to 750 words or less).

Clayton’s position on community character, articulated in the 2018 Plan Update, is “maintenance of a small-town atmosphere.” But that does not mean that Clayton intends to remain “in the past.” And it does not mean that Clayton looks unfavorably on business expansion, revitalization, or expansion. It simply means that Clayton is a good place for small-scale businesses.

DDD designation would go a long way towards maintenance of a small-town character and creating an exciting place where people want to go. The Town Center gives the Town its sense of place. Over the years, outside forces have contributed to the center’s decline. The first is the end of the railroad’s heyday which took place between 1950 and 1960 and when trains no longer stopped in Clayton. The second is U.S. Route 13, located about two miles east of Clayton’s DDD, where auto- and truck-dependent commercial establishments prefer to locate instead of “off the beaten path” in Clayton.

Although Clayton’s Town Center has survived, many structures were neglected. Businesses closed their doors and/or moved out of town. Though some new business have opened or re-opened and some residential structures have been rehabilitated especially over the past five or six years, there is a long way to go.

Two specific indicators of need include:

- Commercial Vacancies. There are three vacant commercial buildings. One is Priority Project 1. The other was once used for a retail business but is being renovated. The third is a



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commercially used building that is in good condition but has been vacant for approximately two years.

- Housing. There is one vacant property (Priority Project 3) on which a home has been demolished.

District designation will provide momentum for Clayton to continue moving towards achieving the 2018 Plan Update goals of business expansion, business retention, aesthetically pleasing town center (2018 Plan Update, page 46), and sound and affordable housing for all residents of all incomes (2018 Plan Update, page 58).

District Plan, page 11.



# Downtown Development Districts

## FY19 Application for Designation as a District

### Summary of Need and Impact – continued

50%

Attach relevant data to that demonstrates and documents the **need** for the Downtown Development District designation.

The following table summarizes the **required** data from the US Census. Input the data into the *FY19 DDD Census Summary Spreadsheet* (available on OSPC website with this application), and attach any other written documentation that can summarize the data. Contact OSPC for assistance with the Census data, if needed.

#### Required Data from the US Census

The municipality or county as a whole			
Median Income	Poverty Rate	Age of Structures	% Homeownership
% Rental	Vacancy	Median Home Value	
The Census Tract(s) that contains the proposed District			
Median Income	Poverty Rate	Age of Structures	% Homeownership
% Rental	Vacancy	Median Home Value	% Low / Mod Income
The Census Block(s) that most closely correspond to the proposed District			
Total Population	% Homeownership	% Vacancy	

Summary spreadsheet and other documentation attached

Please provide any other data that support the municipality’s application for the District. The following table contains some **suggested** data sources that can serve to supplement the required data. Please attach any that apply, and any other data that is relevant. Cite the source for each dataset.

#### Suggested Data from a Variety of Sources

Blight	Condemned Properties	Code Violations
Crime Statistics	Economic Analysis	CDBG Program Statistics
Market Studies	Redevelopment Authority Activities	Public Works Projects
Education Data	Infrastructure Condition or Need	Other

Additional data and documentation attached



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### Summary of Need and Impact – continued

50%

Describe how the attached data demonstrates the **need for the** Downtown Development District designation in your community (please limit your response to 750 words or less).

Map 3 on page 11 of the District Plan shows Clayton's location and the Census tracts in the Clayton vicinity. The Downtown Development District is entirely within Tract 402.01. Map 4 on page 11 of the District Plan shows the census blocks in the District. They are Blocks 1036, 1039, 1068, 1069, and 1070 in their entirety and portions of Blocks 1037 and 1067.

Table 1 provides population, income, and housing data for the Town of Clayton, Census Tract 402.01, and the census blocks included in the Downtown Development District. Table 2 summarizes population and housing data for the District's census blocks.

A comparison of household incomes, median home values, and housing age indicates that the Town of Clayton as a whole is better off than Census Tract 402.01. However, as Table 1 shows, an analysis of need based on household incomes, poverty rates, median home values, and housing age is not possible since there are no data for these elements.

With respect home ownership, however, the District falls behind both the Town and Census Tract 402.01.

- As indicated in Table 2, the percentage of owner-occupied homes in the District's census blocks ranges from 33.3 percent in Block 1036 to 63.2 percent in Block 1067. Thus, the home-ownership rate in the District is lower than the 79.4 percent home-ownership rate for the Town and the 66.3 percent rate of home ownership for all of Census Tract 402.01 noted in Table 1. A likely reason for this is that there are a number of apartments above commercial uses in the Town Center and some large homes that have been converted to apartments.

- The District's vacancy rate is 7.4 percent. It is higher than that of the Town, but lower than that of Census Tract 402.01 as indicated in Table 1. Within the District, Table 2 indicates that vacancies range from 3.8 percent in Block 1069 to 25 percent in Blocks 1039 and 1070. Another factor that may signal need for a DDD in Clayton is that Census Tract 402.01 is one of Delaware's 25 designated Opportunity Zones. Opportunity Zones are an economic development tool designed to spur economic development and job creation in distressed communities by providing tax benefits to investors in these zones.

District Plan, pages 11-15



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Describe the **potential positive impacts** of the proposed Downtown Development District designation in your community. Impacts can include economic, social and / or cultural impacts among others. Attach supporting documentation if applicable (please limit your response to 750 words or less).

Clayton's 2014 DDD application expressed hope that District designation would breathe new life into the Town's central business district. As pointed out in the section titled "Comprehensive Plan Support for District Plan," the Town Center seems to be coming alive having seen new businesses opening and others reopening in addition to housing and commercial rehabilitations. The job is not finished. DDD designation will move Clayton into the next chapter of revitalization.

Positive impacts that DDD designation can bring to Clayton are:

- Rehabilitation of an eyesore that dominates Clayton's Town Center
- Creation of job opportunities
- Addition of more shopping options
- Encouragement of private investment in Clayton
- Rehabilitation of a historic building
- Placing a tax-exempt property on the tax rolls
- Expansion of tax base after rebates and incentives are exhausted
- Addition to housing stock
- Increase in property values of all District properties
- Furthering the achievement of an aesthetically pleasing Town Center
- Maintenance/inspiring confidence in existing and potential investors that Clayton is a good place to do business
  - Creation of a sense of civic pride

District Plan, page 15



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## Summary of District Plan

20%

**Instructions:** through this application the municipality or county will be presenting the District Plan that will guide future revitalization, growth and development activities in the District. Upon designation, the local government will be required to adhere to the District Plan in order to qualify for rebates and other incentives. Attach the District Plan, and summarize the content, goals, and objectives in the space provided.

The District Plan Checklist is provided in the *DDD Program Guidelines* document. The proposed District Plan must be prepared in accordance with the Checklist.

Attach the District Plan.

District Plan Attached.

Summarize the content, goals and objectives of the District Plan. (please limit your response to 750 words or less).

The following goals were articulated in Clayton’s 2014 DDD application, maintained in the 2018 Plan Update (pages 125 and 126), and continue to be the goals of this District Plan.

1. Achieve the comprehensive plan’s vision of maintaining a small-town center.
2. Promote a mix of uses in the District.
3. Maintain existing housing stock.
4. Encourage property owners to undertake improvements that may have been postponed.
5. Encourage new business to come to Clayton’s Town Center.
6. Keep existing business in Clayton.

District Plan, page 16



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### **Summary of District Plan – continued**

**20%**

Please summarize how the local government envisions itself in a leadership role to guide the successful implementation of the District Plan (please limit your response to 750 words or less).

The Clayton Town Council intends to play a leadership role in implementing this District Plan. Members will work with the Economic Development Committee, the Planning and Zoning Committee, and the Kent Economic Partnership.

#### **Economic Development Committee**

Clayton’s Economic Development Committee is a quasi-governmental organization that will be involved in implementing the District Plan. This Committee was established on March 9, 2015, and its members include two town-council members and three business owners.

The Committee has played an important role in developing this District Plan. At their meeting of March 26, 2019, committee members recommended that the Town Council appoint Mary Ellen DeBenedictis, who is a member of the Town Council, as Clayton’s Downtown Development District Administrator. At that meeting, the Committee also developed and recommended adoption of the business incentives presented in this District Plan to the Town Council. These incentives were approved by the Town Council at its April 2019.

#### **Planning and Zoning Committee**

Having worked with the Town Council on the development of the 2018 Plan Update, the Planning and Zoning Committee will be responsible for recommending legislation and other programs to implement the Plan Update. One of the first endeavors related to the DDD would be reviewing the possible draft zoning amendment on site-plan review presented in Appendix B. A second initiative might be Plan Update recommendation for a “. . . complete analysis of the Town Center Zone, including review of permitted uses, conditions governing permitted uses, and processing times” (Plan Update, page 46).

#### **Kent Economic Partnership**

At its meeting of April 8, 2019, the Town Council voted to join the Kent Economic Partnership. The Administrator will work with Partnership staff to promote and market Clayton’s DDD as well as seek technical assistance.

District Plan, page 38

List primary implementation strategies for the District Plan. (please limit your response to 750 words or less).

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This section provides brief summaries of implementation strategies found throughout the District Plan. These brief summaries can be found in the District Plan, pages 39-40.

### **FLEXIBLE ZONING**

A fundamental implementation strategy for this District Plan is Clayton's Town Center Zone. Adopted in 1998, this zone allows the wide variety of uses and provides flexible bulk standards in the Town Center portion of the District. The regulations governing this zone provide for a wide variety of uses suitable for an older, downtown area of a small town where structure often cover substantial portions of lots and off-street parking was not required. In this zone, property owners are not subject to minimum lot sizes and setbacks, maximum building coverages, or required off-street parking spaces obviating the need for variances. Generally, review of completed applications can take place within two weeks. A fuller description of The Town Center Zone can be found under "Zoning" in the section titled "Regulations to Be Applied in the District."

### **INCENTIVES, fully described in District Plan, pages 28-30**

The District plan includes two important financial incentives to potential investors in Clayton's DDD. See "Existing Incentives" starting on page 28.

- **Business Incentive Program.** The intent of this program is to ease the start-up burden. It permits waivers and reductions in license and utility fees for to new businesses.
- **The Business Revitalization Tax-Reduction Program.** This program authorizes a property-tax-reduction to existing business owners for improving the façades of their buildings.

### **PRIORITY PROJECTS, fully described in District Plan, pages 20-27**

#### **1. Clements Supply Mixed Use**

305 Main Street, 50 Clayton Ave

Mixed-use project for a large structure in the heart of Clayton's downtown

#### **2. Clayton Railroad Station**

Southwest corner Main & South Bassett Streets

Rehabilitation of Clayton's historic railroad station to a mixed use

#### **3. Habitat Site**

301 Smyrna Avenue

Construction of a new home on vacant property owned by Habitat for Humanity

### **OUTREACH AND MARKETING**

Clayton is aware that an important implementation strategy for this District Plan is marketing the DDD. Clayton has already appointed an Administrator who is also a member of the town council. As pointed out in the District Plan's section on "District Administration," the Administrator will work with the Town Council and the Economic Development Committee to



## *Downtown Development Districts*

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### **FY19 Application for Designation as a District**

develop promotional materials, work with Town staff to develop a website presence for the District and provide assistance to potential applicants and investors.



# Downtown Development Districts

FY19 Application for Designation as a District

## Summary of District Plan – continued 20%

**Key Priority Project:** A specific project identified in the District Plan that is considered by the applicant to be a potential catalyst for other redevelopment activity and contribute to superior urban design or other benefits to the District. Key Priority Projects are specific projects that are expected to provide significant positive impacts to the District should they be implemented. These projects will receive priority scoring for funding through the DDD Rebate program, and may receive other benefits, such as enhanced marketing, through the DDD program. See *DDD Program Guidelines* for more information.

The section on Key Priority Projects has been revised for the FY19 application, and it is suggested that it be completed by all applicants including those with FY16 applications on file.

In the following table please summarize the Key Priority Projects that are identified and fully described in the District Plan. Please see *DDD Program Guidelines* for details about how Key Priority Projects should be identified and described in the District Plan.

Project Name	Parcel Number / Location	Summary of Project	Page number of description in District Plan
Clements Supply Mixed Use	3-04-01806-02-5000-5400 305 Main Street, 50 Clayton Ave	Mixed-use project for a large structure in the heart of Clayton’s downtown	21-25
Clayton Railroad Station	1-04-01807-02-6500 Southwest corner Main & S. Bassett Streets	Rehabilitation of Clayton’s historic railroad station for a retail use	25-26



## *Downtown Development Districts*

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### **FY19 Application for Designation as a District**

Habitat Site	3-04-01811-01- 2700 301 Smyrna Ave	Construction of a new home on vacant property owned by Habitat for Humanity	27



## *Downtown Development Districts*

FY19 Application for Designation as a District

### **Summary of District Plan – continued**

**20%**

Are there any known projects or proposals that can be underway within six to twelve months of District designation? If so, please describe here (please limit your response to 750 words):

No implementation timeline is proposed. It is not known whether any Propriety Project could begin within six to twelve months from District designation. In addition, no phasing is proposed.

Even though an implementation timeline cannot be ascertained at this time. It is important to point out that the sites on which the priority projects are located are is ready for development. Utilities are available, All are in the Town Center (TC) Zone where an applicant is not subject to minimum lot sizes and setbacks, maximum building coverages, or required off-street parking.

District Plan, page 27

List any other governmental, quasi-governmental or non-governmental organizations that will be involved in the creation and / or implementation of the District Plan. A Main Street organization would be an example of such an organization. For each organization, describe how the local government will coordinate their activities to encourage revitalization and economic development in the District.

#### Economic Development Committee

Clayton’s Economic Development Committee is a quasi-governmental organization that will be involved in implementing the District Plan. This Committee was established on March 9, 2015, and its members include two town-council members and three business owners.

The Committee has played an important role in developing this District Plan. At their meeting of March 26, 2019, committee members recommended that the Town Council appoint Mary Ellen DeBenedictis, who is a member of the Town Council, as Clayton’s Downtown Development District Administrator. At that meeting, the Committee also developed and

### **FY19 Application for Designation as a District**

recommended adoption of the business incentives presented in this District Plan to the Town Council. These incentives were approved by the Town Council at its April 2019.

#### **Planning and Zoning Committee**

Having worked with the Town Council on the development of the 2018 Plan Update, the Planning and Zoning Committee will be responsible for recommending legislation and other programs to implement the Plan Update. One of the first endeavors related to the DDD would be reviewing the possible draft zoning amendment on site-plan review presented in Appendix B. A second initiative might be Plan Update recommendation for a “□ complete analysis of the Town Center Zone, including review of permitted uses, conditions governing permitted uses, and processing times” (Plan Update, page 46).

#### **Kent Economic Partnership**

At its meeting of April 8, 2019, the Town Council voted to join the Kent Economic Partnership. The Administrator will work with Partnership staff to promote and market Clayton’s DDD as well as seek technical assistance.

District Plan, page 38

Attach written documentation (in the form of letters of agreement, memorandums of understanding, board resolutions etc) from each of the above listed organizations indicating support for this application to be designated as a Downtown Development District and identifying a willingness to coordinate with the municipal government to implement the District Plan.

Written documentation attached from all other organizations



# Downtown Development Districts

FY19 Application for Designation as a District

## Summary of District Plan – continued

20%

Describe any actions your local government has taken to ensure energy efficient and environmentally sensitive development, and to prepare for flooding and sea level rise, if applicable. How will these efforts be implemented in the proposed District? (please limit your response to 750 words or less).

### ENVIRONMENTAL SENSITIVITY

Clayton’s DDD is not in Source Water Protection Areas (Wellhead Protections and Excellent Groundwater Recharge Areas). In addition, there are no wetlands or floodplains within the District boundaries. Although the District is not within any of these environmentally sensitive areas, the Town is committed to protecting environmentally sensitive areas. The Town Council adopted contemporary flood-prevention regulations on April 14, 2014 and a source-water-protection ordinance on June 8, 2015.

In addition, Clayton is being considered by DNREC to receive a five-year waiver to develop a stormwater-management program. The Town intends to be in compliance at the end of the waiver period in 2022.

### ENERGY EFFICIENCY

Clayton is committed to energy efficiency.

#### Efficiency Smart Program

Clayton has partnered with the Delaware Municipal Electric Corporation (DEMEC) on an energy efficiency program for the Town’s electric customers. This program, called Efficiency Smart, offers energy-efficient services for residential and business subscribers. The program is described in detail at <https://www.energysmart.org/clayton-delaware>. Participation in this program could save an estimated 153 megawatt-hours (MWh) of energy over the course of a three-year contract period—roughly equivalent to the annual electric usage of 17 homes. Services for residential customers involve discounts on energy-efficient lighting, rebates for energy-efficient appliances and products, and a free, meter-loan service. Examples of energy-saving actions include:

- Replacing incandescent light bulbs with LEDs
- Using advanced power strips for appliances and electronics
- Managing electric usage with programmable thermostat.

Services for business customers include:

- Small to mid-sized companies that use up to 500,000 kilowatt-hours (kWh) of energy annually can receive rebates for implementing common energy efficiency measures through



## Downtown Development Districts

### FY19 Application for Designation as a District

Efficiency Smart’s Business Energy Rebates (BER) program. Such projects include lighting, compressed air, food service equipment, and HVAC.

- Businesses that use more than 500,000 kWh of electricity annually have access to tailored services with dedicated account management, customized financial incentives, and technical assistance through Efficiency Smart’s Custom program.

As part of this program, LED bulbs are being sold for 99 cents at Fingertip Fantasies located in the DDD at 401 Main Street. See supporting letter from this merchant in Attachment 5 of this Application and Appendix C of the District Plan.

#### Other Efforts

Clayton is pursuing two additional energy-efficient initiatives. One initiative, that is already in place, involves the replacement of incandescent bulbs in streetlights with LED lights. A second initiative, being studied, is switching to automatic meter reading to eliminate the need for “meter readers” and so that utility providers can obtain more accurate data on consumption.

District Plan, pages 31-32

Describe how the District Plan is consistent with your certified Comprehensive Plan and the *Strategies for State Policies and Spending* (please limit your response to 750 words or less).

<https://stateplanning.delaware.gov/strategies/>

#### COMPREHENSIVE PLAN

The District Plan is consistent with the comprehensive plan, and there are many references to recommendations and discussions of Clayton’s recently adopted 2018 Plan Update. Map 6 in the District Plan and Attachment 1 to this Application show the future land uses in the DDD and nearby properties as depicted on Map 7 in the 2018 Plan Update.

More than 20 years ago, the Town realized that the rigid separation of land uses along with building setbacks, lot coverage, and minimum parcel sizes, and off-street parking requirements could be deterring property owners in the Town Center from improving their properties or exploring new uses for them. For example, a property owner with a store or an office on the street level would not be able to convert the second or third level to an apartment because the zoning regulations did not allow commercial and residential in the same building. Another example is a situation where a property owner might not be able to build an addition to his/her building because he/she could not comply with setback or building coverage standards. In addition, many buildings did not have sufficient space for even a few off-street parking spaces. The 1996 Comprehensive Plan stated that:



## *Downtown Development Districts*

### **FY19 Application for Designation as a District**

In order to maintain its small-town atmosphere, Clayton must strengthen its town center as a focal point for shopping, socializing, and civic activities. An initial step is to delineate the boundaries of a town center. A second step is to adopt land use regulations that permit—and encourage—the mix of residential and commercial enterprises at a scale that is characteristic of a small town.

Accordingly, the 1996 plan’s future land use map identified a Town Center area. To implement that concept, the Town created a new zoning district that relaxed the setback, building coverage, and minimum lot sizes. This district permits a mix of uses within buildings and eliminated off-street parking standards.

Subsequent comprehensive plans continued the Town Center concept. The 2018 Plan Update expanded the Town Center by adding a parcel at the southwest corner of Cherry Alley and East Street (see Map 9 in the District Plan). This parcel will be placed in the Town Center (TC) Zone when Clayton adopts a new zoning map.

#### **STATE STRATEGIES**

This District Plan is consistent with the Strategies for State Policies and Spending. As Map 8 in the District Plan indicates, the District is almost entirely in State Strategies Investment Level 1 where the State is most prepared for growth to occur and to channel intensive investment in schools, roads, service centers, and public-safety facilities. The only property within the District not in Level 1 is Rebar Park, a small local park designated “Out of Play” indicating that it is not available for development or redevelopment. The area surrounding the District is also in Investment Level 1.

District Plan, page 32



# Downtown Development Districts

FY19 Application for Designation as a District

## Summary of Local Incentives 20%

Must be completed applicants with FY16 application on file

**Instructions:** The municipality or county must complete this form to summarize the local incentive package to be made available within the District upon designation. The local ordinances (or other regulations) enabling and governing these incentives must be attached to this form, along with any relevant supporting documentation. In the case of incentives proposed upon designation, the draft ordinances must be attached.

It is expected that local incentive(s) will be available to all qualified projects within the District, and not require a discretionary approval or other consideration by the local elected body or town administration. If otherwise, please provide detailed justification for the discretionary review and approval of specific incentives.

The following table includes **examples of** local incentives proposed by other applicants.

Examples of Local Incentives

Fee or Tax Reductions	Regulatory Flexibility	Permit or Licensing Reform
Special Zoning Districts	Exemptions from Local Ordinances	Streamlined Permitting
Technical Assistance	Grants or Loans	Other



# Downtown Development Districts

FY19 Application for Designation as a District

## Summary of Local Incentives - continued 20%

Attach documentation for all Local Incentives

Written documentation attached for all Local Incentives

List the Local Incentives proposed for the DDD. Please detail the geographic extent of each incentive (i.e. is the incentive available throughout the entire jurisdiction, or only in certain geographic areas?)

Local Incentive	Date enacted (or proposed date of adoption)	Geographic area covered (DDD Only, Entire Municipality, or Other - please describe)
Town Center Zoning	12/14/1998	DDD Only
New Business Incentive Program	04/08/2019	Existing Commercial Structures in Entire Municipality
Business Revitalization Tax-Reduction Program (Façade Grant)	04/08/2019	Existing Commercial Structures in Entire Municipality
Site Plan Zoning Text Amentment	Consultant Draft	Entire Municipality, affects DDD properties substantially



## *Downtown Development Districts*

### FY19 Application for Designation as a District

### Summary of Local Incentives - continued 20%

Please describe how each local incentive will be funded. If the incentive involves a reduction or waiver of taxes or fees, or in-kind services (for example, expedited permitting utilizing existing staff resources) please note that here.

Local Incentive	Funding Source
Town Center Zoning	N/A
New Business Incentive Program	N/A, fee-waiver program
Business Revitalization Tax-Reduction Program (Façade Grant)	N/A, tax-exempt program
Site Plan Zoning Text Amendment	

For each local incentive please summarize the value and/or benefit of the incentive to potential Qualified Real Property Investors. Please be as specific as possible.

Local Incentive	Value and/or Benefit to Investors
Town Center Zoning	Variances not needed; fairly quick review time
New Business Incentive Program	Savings on licenses, connection deposits, and fees waived during business start-up.
Business Revitalization Tax-Reduction Program (Façade Grant)	Potential property tax reduction up to \$1,000.
Site Plan Zoning Text Amendment	Further reduction of regulatory burden, reduction in applicant soft costs, faster review time.



# Downtown Development Districts

## FY19 Application for Designation as a District

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### Summary of Local Incentives - continued 20%

For each Local Incentive to be provided, please describe the specifics of how the incentive works (details are needed), and how the incentive encourages economic development and revitalization in your community.

It is expected that local incentive(s) will be available to all qualified projects within the District, and not require a discretionary approval or other consideration by the local elected body or town administration. If otherwise, please provide detailed justification for the discretionary review and approval of specific incentives in this response.

Incentives will be available to applicants that meet the standards for receiving the incentive.

Summarize the package of Local Incentives, and describe how these incentives will work in concert with the Downtown Development District benefits to encourage revitalization and economic development in your proposed District (please limit your response to 750 words or less).

Town Center Zoning  
Description  
The Town believes that the most significant incentive for redevelopment in the District is the flexible zoning for the Town Center portion of the District. The regulations governing this zone provide for a wide variety of uses suitable for the older, downtown area of a small town where structures often cover substantial portions of lots and off-street parking cannot be provided. In this zone, property owners are not subject to minimum lot sizes and setbacks,



## *Downtown Development Districts*

### **FY19 Application for Designation as a District**

maximum building coverages, or required off-street parking spaces eliminating the need for variances. Generally, review of completed applications can take place within two weeks. A fuller description of The Town Center Zone and a map showing properties in this zone can be found on pages 35-38 in the District Plan.

Date Enacted: 1998

Area Covered: DDD Only

Funding Source: N/A

Value to Investors: Variances not needed; fairly quick review time

#### **New Businesses Incentive Program**

Clayton's 2018 Plan Update (page 45) included the following statement about establishing new businesses.

"One way to ease start-up burdens might be to consider waiving, discounting, or phasing in local payments such as permitting fees, connection charges, and property-tax increases. The intent of the Business Incentive Program is to ease the start-up burden. It permits waivers and reductions in license and utility fees for new businesses."

#### **Description**

The program will be implemented as follows:

1. Business license fee is waived for the first three years (Business License fee is \$50.00 per year)
2. Electric/Water/Sewer utility deposit is waived for existing structures (Owner \$125.00 and Renter \$200.00)
3. Reduction in Electric/Water/Sewer monthly fees for first six months occupancy, depending on the number of full-time employees (An employee is considered full-time if he/she works 30 hours or more per week).  
0-19 employees      20% per month  
20 or more employees 25% per month.
4. The incentive beneficiary must apply for the new business incentives program when applying for a business license through the Town of Clayton.

Date Enacted: April 2019

Area Covered: Existing commercial structures throughout Town

Funding Source: N/A, fee-waiver program

#### **Value to Investors**

Savings on licenses, connection deposits, and fees waived during business start-up.  
\$150.00 on annual Business License fee for first three years



## *Downtown Development Districts*

### **FY19 Application for Designation as a District**

\$125.00 for owners and \$200.00 for renters on utility deposits  
20 or 25 percent reduction in monthly utility bills, depending on number of employees, for first six months of occupancy

#### Business Revitalization Tax-Reduction Program (Façade Grant)

One of the 2018 Plan Update’s economic development goals is having an “aesthetically pleasing town center” (Plan Update, page 46). The Business Revitalization Tax-Reduction Program does just that. It authorizes a property-tax-reduction to existing business owners for improving the façades of their buildings.

#### Description

All improvements to exteriors only of existing commercial structures that are facing the street (this means front and sides of structure if they face a street or right away and the roof) shall be eligible to apply for a partial reduction from the Town of Clayton property taxes and shall be assessed as follows:

Where the total costs of improvements is \$2,500.00 and up, the Real Estate Tax for the property will be reduced to the extent of 25% of the town property tax not to exceed \$1,000.00.

1. The incentive beneficiary must submit an application for the facade grant.
2. The incentive beneficiary must provide copies of building permits, copies of paid invoices or receipts for purchases relating to the improvements, and release of lien from the contactor(s).
3. No invoice or receipt greater than 12 months from the date that the Facade Grant Application was submitted will be accepted for consideration.
4. The incentive beneficiary must be current with all utilities and property taxes with the Town of Clayton to be eligible for the revitalization property tax reduction program.

Date Enacted: April 2019

Area Covered: Existing commercial structures throughout Town

Funding Source: N/A, tax-exempt program

Value to Investors: Potential property tax reduction up to \$1,000.

Possible Future Incentive

Site Plan Zoning Text Amendment

While working on the 2018 Plan Update, the Planning and Zoning Committee and the Town Council realized that a requirement for site-plan review in the TC (Town Center) Zone seemed to be placing an unnecessary burden on applicants for new businesses, changes of use, or

### **FY19 Application for Designation as a District**

improvements to interiors and exteriors. The reason that the site-plan-review requirement was considered unnecessary was that nearly all lots in the Town Center are developed. Accordingly one of the Plan Update recommendations (page 46) was to "do a complete analysis of the Town Center Zone, including review of permitted uses, conditions governing permitted uses, and processing times."

Appendix B contains a draft ordinance, prepared by the Town's planning consultants, that has not been reviewed by either the Planning and Zoning Committee or the Town Council. This draft/not-reviewed ordinance proposes a complete revamping of the site-plan-review process. Although the proposed changes would apply throughout the Town, their impact would be particularly significant in the Town Center Zone. Currently every use in the TC Zone is subject to site-plan review without regard to whether an applicant is requesting a simple change of use, permission to do interior or exterior improvements, or bring a building into compliance with current codes and ordinances. If enacted, every use in the TC Zone, except conditional uses, would become by-right uses.

Date Enacted: N/A

Area Covered: Entire town, but substantial benefit in Town Center because most of the uses affected by this possible amendment are located in the Town Center

Funding Source: N/A

Value to Investors: Further reduction of regulatory burden, reduction in applicant soft costs, faster review time.



## *Downtown Development Districts*

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**FY19 Application for Designation as a District**

### **Legislative Body Resolution**

**Must be completed by applicants with FY16 application on file. Resolutions from previous application cycles will not be accepted.**

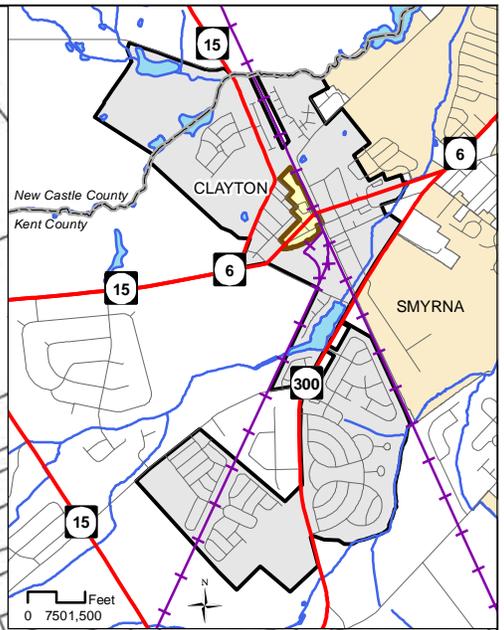
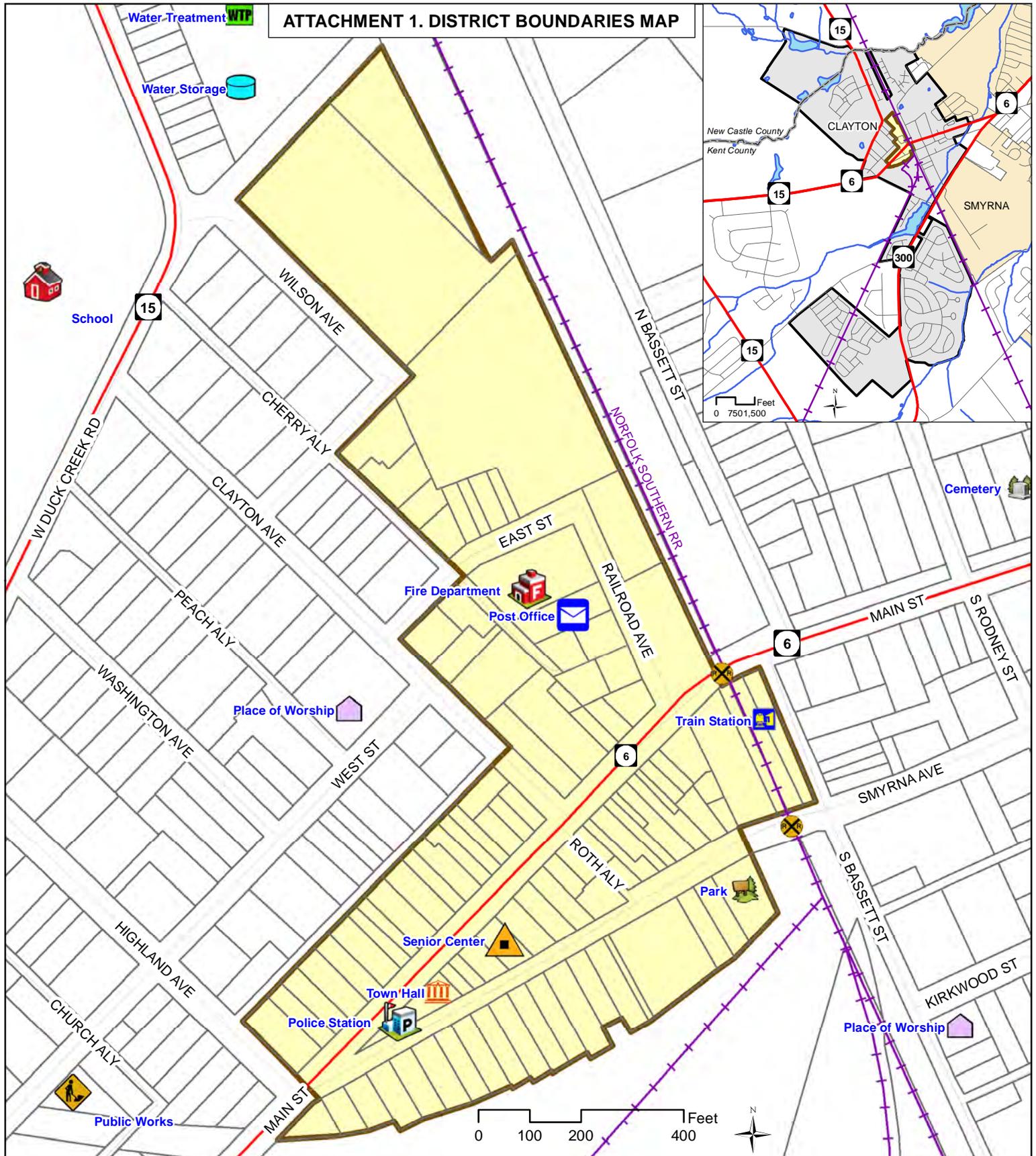
**Instructions:** Attach a resolution that has been adopted by the legislative body of your municipality or county during the current FY19 application cycle. The resolution must affirmatively indicate that the legislative body supports the application for designation as a Downtown Development District and is willing to adhere to the District Plan and the Local Incentives for the duration of the District designation.

Date of Resolution 05/13/2019

Resolution Number None

Resolution Attached.

# ATTACHMENT 1. DISTRICT BOUNDARIES MAP



**CLAYTON**  
Downtown  
Development  
District 2019



## DOWNTOWN DEVELOPMENT DISTRICT BOUNDARY

- |                          |  |                     |  |                    |
|--------------------------|--|---------------------|--|--------------------|
| <b>District Boundary</b> |  | Clayton Boundary    |  | Railroad           |
|                          |  | Smyrna Boundary     |  | Railroad Crossings |
|                          |  | U.S. & State Routes |  | Water Bodies       |
|                          |  | Other Roads         |  | Streams            |
|                          |  |                     |  |                    |

**Sources**  
 Land Use Designations - Town of Clayton 2018 Comprehensive Plan Update, Map 11, adopted 01/14/2019.  
 Streets - Kent County Department of Planning Services, 02/28/2018.  
 Parcel Boundaries & Railroad - FirstMap.  
**Note**  
 This map is provided by Institute for Public Administration (IPA) solely for display and reference and is subject to change without notice. IPA makes no claims, either real or assumed, as to the absolute accuracy or precision of any data contained herein for purposes other than for which the data was intended.



ATTACHMENT 2. FUTURE LAND USE WITHIN DISTRICT



**Town of Clayton**  
Kent County and  
New Castle County  
Delaware

2018 Comprehensive Plan Update

**Map 12. Future Land Use**

**Land Use in Town**

- Residential
- Open Space
- Town Center
- Commercial
- Industrial
- Railroad

**Downtown Development District**

- District Boundary

**Land Use in Annexation Areas**

- Residential
- Railroad
- Commercial

**Base Map Data**

- County Boundary
- Streets
- Clayton Boundary
- Railroads
- Smyrna Boundary
- Water Bodies
- Stream
- Parcel Boundaries

**Sources**

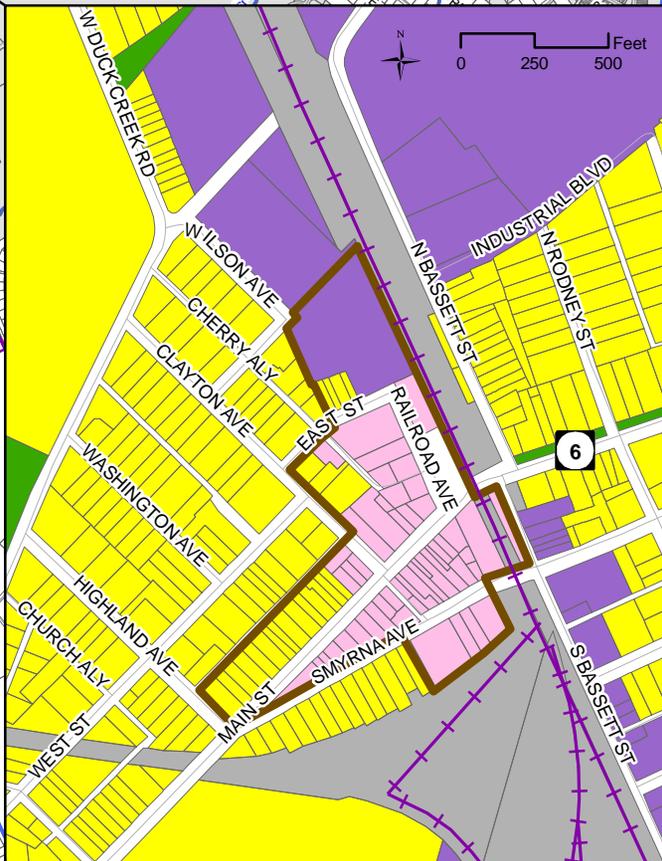
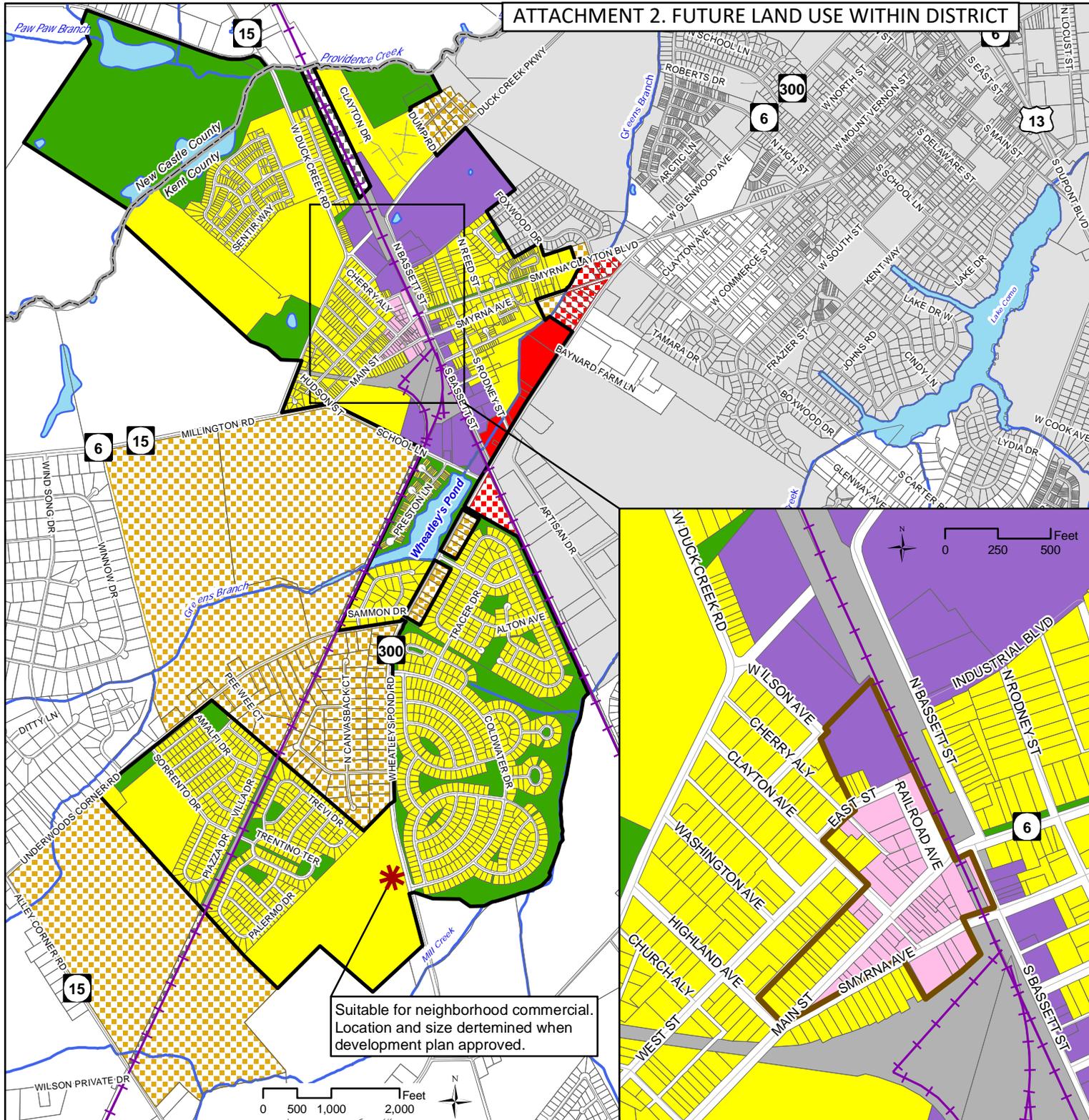
**Municipal Boundaries** - Smyrna from FirstMap downloaded 03/05/2018; Clayton boundary recorded in New Castle County on 08/25/2014, in Kent County on 09/02/2014.  
**Parcel Boundaries** - FirstMap, downloaded 02/28/2018.  
**Streets** - Kent County from Department of Planning Services, New Castle County from e-Map, 02/28/2018.  
**Railroads, Water Bodies & Streams** - FirstMap.

**Note**

This map is provided by the Institute for Public Administration (IPA) solely for display and reference and is subject to change without notice. IPA makes no claims, either real or assumed, as to the absolute accuracy or precision of any data contained herein for purposes other than for which the data was intended.

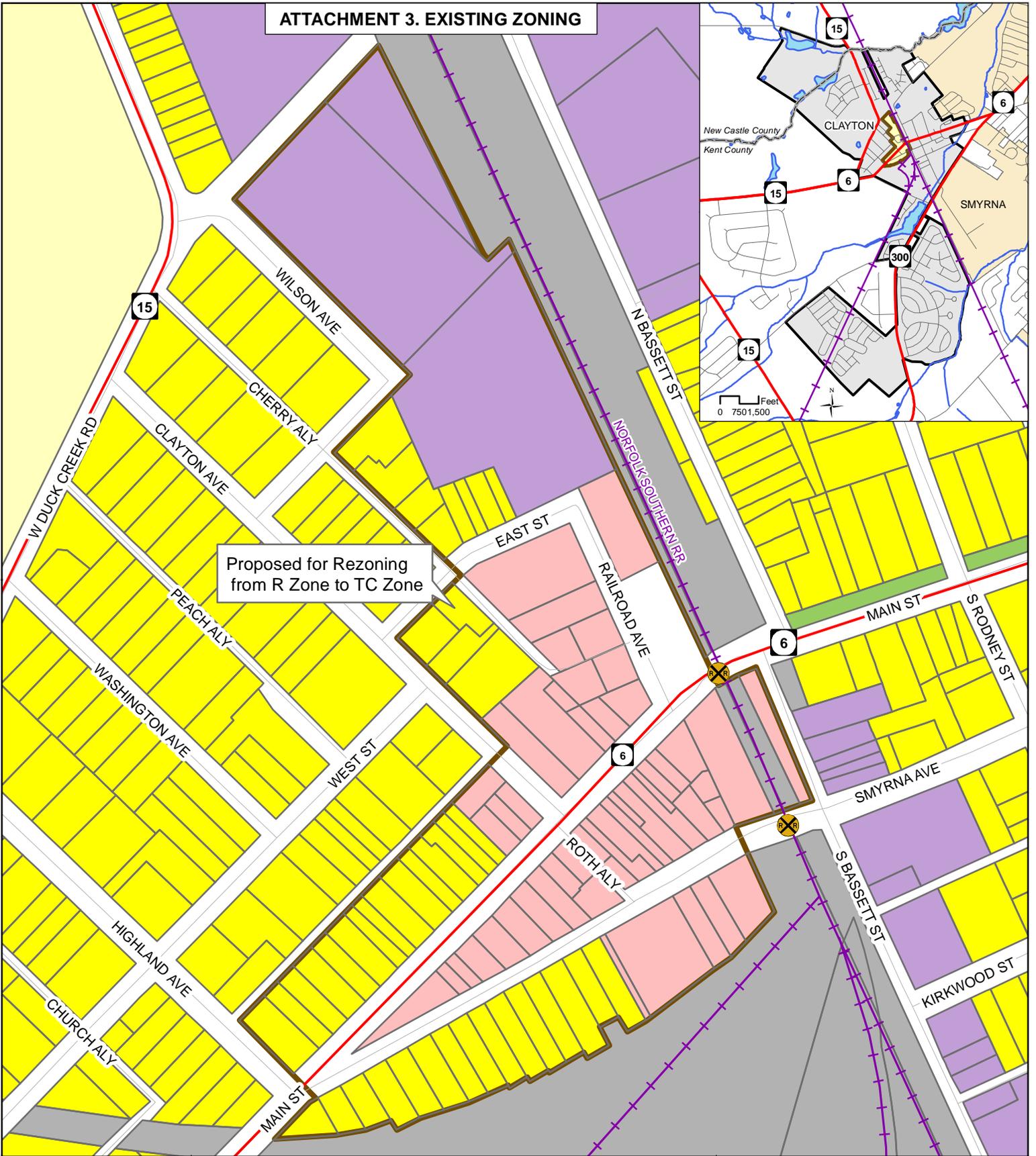


Adopted by the Clayton Town Council 01/14/2019  
 Certified by the Governor 02/19/2019



Suitable for neighborhood commercial. Location and size determined when development plan approved.

**ATTACHMENT 3. EXISTING ZONING**



Proposed for Rezoning  
from R Zone to TC Zone

**CLAYTON**  
Downtown  
Development  
District 2019



**District Boundary**



**Zoning Districts**

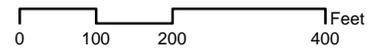
- |   |  |
|---|--|
|  OS, Open Space            |  TC, Town Center        |
|  RS, Residential Suburban  |  C2, General Commercial |
|  R, One-Family & Townhouse |  I, Industrial          |
|  R1, Multiple-Family       |  RR, Railroad           |
|  RMH, Manufactured Housing |  |

**Sources**

Zoning Districts - Ordinance and map adopted 12/12/2011  
<http://clayton.delaware.gov/DocumentCenter/View/5941>  
 Streets - Kent County Department of Planning Services, 02/28/2018.  
 Parcel Boundaries & Railroad - FirstMap.

**Note**

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# ATTACHMENT 4

## Clayton 2019 Downtown Development District Application Summary Spreadsheet

**Table 1. Tract, Town, and Summary-Block Data**

	Town	Tract 402.01	DDD Blocks	Source
Total Population	2,918	5,041	229	A
Median Household Income	\$64,922	\$50,202	N/A	C
Poverty Rate <i>Persons whose income in the past 12 months is below the poverty level</i>	11.4%	13.9%	N/A	C
% Low/Moderate Income	31.6%	35.9%	N/A	B
Median Home Value	\$198,400	\$181,600	N/A	C
Housing Built 1949 or earlier	16.1%	15.4%	N/A	C
Owner-Occupied Housing Units	79.4%	66.3%	48.9%	A
Renter-Occupied Housing Units	14.6%	25.1%	43.6%	A
Vacant Housing Units	6.1%	8.6%	7.4%	A

**Sources**

- A. U.S. Census Bureau, 2010 Census, block data from Table 2.
- B. American Community Survey 5-Year 2011-2015 Low- and Moderate-Income Summary Data, <https://www.hudexchange.info/programs/acs-low-mod-summary-data/>
- C. U.S. Census Bureau, 2013-2017 American Community Survey, 5-Year Estimate.

**Table 2. Block Data, Clayton Downtown Development District**

	Block 1036		Block 1037		Block 1039		Block 1067		Block 1068		Block 1069		Block 1070		Total	
	Num	Percent	Num	Percent												
Total Population	28		56		5		53		22		59		6		229	
Owner-Occupied Housing Units	4	33.3%	11	50.0%	0	0.0%	12	63.2%	4	57.1%	13	50.0%	2	50.0%	46	48.9%
Renter-Occupied Housing Units	7	58.3%	10	45.5%	3	75.0%	6	31.6%	2	28.6%	12	46.2%	1	25.0%	41	43.6%
Vacant Housing Units	1	8.3%	1	4.5%	1	25.0%	1	5.3%	1	14.3%	1	3.8%	1	25.0%	7	7.4%
Total Housing Units	12	100.0%	22	100.0%	4	100.0%	19	100.0%	7	100.0%	26	100.0%	4	100.0%	94	100.0%

**Note:** All housing units in Tract 1067 are in the DDD. In Tract 1037, there are 12 housing units included in this table that are not in the DDD.

**Source:** U.S. Census Bureau, 2010 Census.

## ATTACHMENT 5. DDD SUPPORT LETTERS



May 5, 2019

David Letterman  
Mayor  
Town of Clayton  
414 Main St.  
Clayton De 19938

Mayor Letterman,

I am writing to you as Chairman of the Town of Clayton Economic Development Committee to support the town's effort to secure the 2019 State of Delaware's Downtown Development Grant Program.

As you are aware our committee has put forth a lot of effort in working to revitalize the downtown area of Clayton. We have worked hard towards trying to bring new businesses into Clayton. In doing so we have created a "New Business Incentive Program" to help new businesses get started. We have also create a "Stock List" of all commercial property in Clayton, if they are occupied or vacant, the square footage of the property and a contact name and number should a potential business come looking for any available property. We have worked to help existing businesses by creating a "Façade Grant Program" where existing businesses can apply for financial assistance from their yearly property taxes should they produce work to upgrade the exterior appearance of their property. As we continue to work hard to find occupants for current vacant buildings we feel that the DDD Grant Program will go a long way to help us occupy several of those buildings that we have identified. Those addresses being located at; 305 Main Street, 8 Railroad Ave and the old Railroad Station at 101 South Bassett Street. It has been our committee's goal to find assistance for the owners of these properties to help them in occupying those buildings. This grant would, I believe go a long way in helping us to achieve this goal.

Please feel free to contact me if there is anything that myself or the Economic Development Committee can do further to help the town in securing this grant.

Respectfully,

A handwritten signature in blue ink that reads "William R. Carrow II".

William R. Carrow II  
Councilman  
Chairman  
Town of Clayton Economic  
Development Committee

Cc  
Councilwomen Mary Ellen DeBenedictis  
Linda Raab

Town of Clayton

May 11, 2019

To whom it may concern:

I am the owner of Fingertip Fantasies, Miniature and Dollhouse shop at 401 Main St. I love the town of Clayton and would love to see it continue to thrive and attract new business to our community.

I appreciate all the planning and work that the Town does now to attract people to our community and my customers all tell me what a "sweet little" town this is. Many come back for the different parades; fund raisers and other events. Just think what we could do with even more participants and funding.

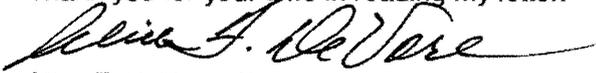
I wish to address the issue of the eyesore that is on the corner of Main Street and Clayton Avenue. Namely the building that sits empty and in major disrepair on the corner across from the building my business occupies. This poor building needs attention and we need to address this.

I believe that the reclamation program now being addressed would greatly benefit everyone in Clayton and for that matter, Smyrna. More business would help all of us. There are so many possibilities for that building or even if it is not financially expedient to renovate that building, then replace it with a building that would enhance the beauty and commerce of our town.

The area that is currently being looked at in this action would be wonderfully enhanced if we could get the funding to improve it. We have a great town and we need to take care of it and protect and preserve our history.

I sincerely support the town and our Council Members for the great work they do, I would hope that if we are able to secure this funding, they could do even more and we would all be grateful.

Thank you for your time in reading my letter.



Alice F. DeVore, Owner  
Fingertip Fantasies  
Dollhouses & Miniatures



Consulting Engineers

Construction Management

P.O. Box 498 Smyrna, DE 19977

Ph: 302-659-9090

Fax: 302-659-0909

May 13, 2019

Honorable Mayor David Letterman  
Town of Clayton – Delaware  
414 Main Street  
Clayton, Delaware 19938

**REF:** *Town of Clayton Delaware  
Downtown Development District Program*

Dear Mayor Letterman:

We wanted to write you and express our sincere appreciation for the initiative you are taking with the Downtown Development District Program, sponsored by the Office of State Planning for the Town of Clayton. As you know, we are the owner of several small businesses within the Town of Clayton and neighboring town and fully support this effort. We have assisted two other small businesses in the preparation of the DDD and can see first-hand how this initiative helps businesses get started.

Our property, 315 Main Street Clayton is a historic building and in need for restoration. We are planning to start the restoration project of our building this summer so the timing of the grant is perfect. Our intent is to move our Engineering offices to Clayton to complement our construction company that currently utilizes the back shop space. We are planning mercantile space for the front storefronts as well.

Again, thank you for yours and council's effort on this truly needed grant. We are ready to assist in any capacity to make this happen. As always, please do not hesitate to call should you have any questions or need any additional information.

Respectfully Submitted,

Edward H. Ide, III, P.E.

**President**

i3a Consulting Engineers . Construction Managers

*Paul G. Mast*



May 13, 2019

Town of Clayton  
P. O. Box 1130  
Clayton, DE 19938

Mayor & Town Council:

With this letter I want to go on record as supporting any and all initiatives toward revitalizing the Main Street corridor.

Some of the vacant businesses are embarrassing for someone who has life time roots in Clayton.

I particularly want to emphasize giving attention to the former John Deere store at the corner of Main & Clayton Ave. It is an eyesore at the four corners, but with the right entrepreneur, with an imagination for an *outside-the-box* business, it could become an anchor for other intergenerational-friendly businesses in town.

Also, reopening the former Coffee Shop would go a long way in promoting Clayton as a business-friendly town.

I am a vocal champion of Kee's Cupcakes, besides being a steady and loyal customer. I would support more creative businesses like hers and can promise the same as your efforts to rejuvenate Main Street businesses takes shape.

Thanking you for your attention in this matter, I am,

A handwritten signature in cursive script that reads "Paul Mast".

(Rev.) Paul Mast



## **Data Storage Solutions**

8 Railroad Ave. Suite 100

PO BOX 1123

Clayton, DE 19938

(302)526-1999

To Whom it May Concern:

As a resident of Clayton, property owner in Clayton, and business owner in Clayton, I wholeheartedly support the Town of Clayton in the application for the Downtown Development District program.

I am also an owner of one of the primary projects listed on this project. If chosen and approved this grant money would allow us to start sooner and do more work on this project. It would also encourage me to look for other property's that would fall under the Down Town Development District program.

Please feel free to reach out to me if anyone has any questions.

Jonathan N. Burnett

## ATTACHMENT 6. LOCAL INCENTIVES

The District Plan describes three existing incentives and a possible future incentive. They are found in the Plan on pages 28-31.

### Existing Incentives

The first incentive is the existing zoning regulations governing uses in the Town Center (TC) Zone. The second two incentives were developed by the Economic Development Committee and approved by the Clayton Town Council at its April 2019 meeting. Both 2019 incentives follow up on recommendations in the 2018 Plan Update (page 45). The New Business Incentive Program is intended to ease some of the start-up costs for new businesses. The Business Revitalization Tax-Reduction Program (Façade Grant) is aimed at giving the Town an improved visual appeal.

### Town Center Zoning

#### Description

The Town believes that the most significant incentive for redevelopment in the District is the flexible zoning for the Town Center portion of the District. The regulations governing this zone provide for a wide variety of uses suitable for the older, downtown area of a small town where structures often cover substantial portions of lots and off-street parking cannot be provided. In this zone, property owners are not subject to minimum lot sizes and setbacks, maximum building coverages, or required off-street parking spaces eliminating the need for variances. Generally, review of completed applications can take place within two weeks. A fuller description of The Town Center Zone and a map showing properties in this zone can be found on pages 35-38 in the District Plan.

#### Date Enacted

1998

#### Area Covered

DDD Only

#### Funding Source

N/A

#### Value to Investors

Variances not needed; fairly quick review time

### New Businesses Incentive Program

Clayton's 2018 Plan Update (page 45) included the following statement about establishing new businesses.

*... One way to ease start-up burdens might be to consider waiving, discounting, or phasing in local payments such as permitting fees, connection charges, and property-tax increases.*

The intent of the Business Incentive Program is to ease the start-up burden. It **permits waivers and reductions in license and utility fees for new businesses.**

# ATTACHMENT 6. LOCAL INCENTIVES

## Description

The program will be implemented as follows:

1. Business license fee is waived for the first three years (Business License fee is \$50.00 per year)
2. Electric/Water/Sewer utility deposit is waived for existing structures (Owner \$125.00 and Renter \$200.00)
3. Reduction in Electric/Water/Sewer monthly fees for first six months occupancy, depending on the number of full-time employees (An employee is considered full-time if he/she works 30 hours or more per week).

0-19 employees	20% per month
20 or more employees	25% per month.
4. The incentive beneficiary must apply for the new business incentives program when applying for a business license through the Town of Clayton.

## Date Enacted

April 2019

## Area Covered

Existing commercial structures throughout Town

## Funding Source

N/A, fee-waiver program

## Value to Investors

Savings on licenses, connection deposits, and fees waived during business start-up.

\$150.00 on annual Business License fee for first three years

\$125.00 for owners and \$200.00 for renters on utility deposits

20 or 25 percent reduction in monthly utility bills, depending on number of employees, for first six months of occupancy

## Business Revitalization Tax-Reduction Program (Façade Grant)

One of the 2018 Plan Update's economic development goals is having an "aesthetically pleasing town center" (Plan Update, page 46). The Business Revitalization Tax-Reduction Program does just that. It **authorizes a property-tax-reduction to existing business owners for improving the façades of their buildings.**

## Description

All improvements to exteriors only of existing commercial structures that are facing the street (this means front and sides of structure if they face a street or right away and the roof) shall be eligible to apply for a partial reduction from the Town of Clayton property taxes and shall be assessed as follows:

Where the total costs of improvements is \$2,500.00 and up, the Real Estate Tax for the property will be reduced to the extent of 25% of the town property tax not to exceed \$1,000.00.

## ATTACHMENT 6. LOCAL INCENTIVES

1. The incentive beneficiary must submit an application for the facade grant.
2. The incentive beneficiary must provide copies of building permits, copies of paid invoices or receipts for purchases relating to the improvements, and release of lien from the contactor(s).
3. No invoice or receipt greater than 12 months from the date that the Facade Grant Application was submitted will be accepted for consideration.
4. The incentive beneficiary must be current with all utilities and property taxes with the Town of Clayton to be eligible for the revitalization property tax reduction program.

### Date Enacted

April 2019

### Area Covered

Existing commercial structures throughout Town

### Funding Source

N/A, tax-exempt program

### Value to Investors

Potential property tax reduction up to \$1,000.

## Possible Future Incentive

### Site Plan Zoning Text Amendment

While working on the 2018 Plan Update, the Planning and Zoning Committee and the Town Council realized that a requirement for site-plan review in the TC (Town Center) Zone seemed to be placing an unnecessary burden on applicants for new businesses, changes of use, or improvements to interiors and exteriors. The reason that the site-plan-review requirement was considered unnecessary was that nearly all lots in the Town Center are developed. Accordingly one of the Plan Update recommendations (page 46) was to:

*... do a complete analysis of the Town Center Zone, including review of permitted uses, conditions governing permitted uses, and processing times.*

Appendix B contains a draft ordinance, prepared by the Town's planning consultants, that has not been reviewed by either the Planning and Zoning Committee or the Town Council. This draft/not-reviewed ordinance proposes a complete revamping of the site-plan-review process. Although the proposed changes would apply throughout the Town, their impact would be particularly significant in the Town Center Zone. Currently every use in the TC Zone is subject to site-plan review without regard to whether an applicant is requesting a simple change of use, permission to do interior or exterior improvements, or bring a building into compliance with current codes and ordinances. If enacted, every use in the TC Zone, except conditional uses, would become by-right uses.

### Date Enacted

N/A

## ATTACHMENT 6. LOCAL INCENTIVES

### Area Covered

Entire town, but substantial benefit in Town Center because most of the uses affected by this possible amendment are located in the Town Center

### Funding Source

N/A

### Value to Investors

Further reduction of regulatory burden, reduction in applicant soft costs, faster review time.

## ATTACHMENT 7

### A RESOLUTION BY THE CLAYTON TOWN COUNCIL AUTHORIZING SUBMISSION OF AN APPLICATION FOR DESIGNATION AS A 2019 DOWNTOWN DEVELOPMENT DISTRICT

---

**WHEREAS**, under the Downtown Development Districts Act, 22 *Del.C.* §§ 1901 *et seq.*, the State of Delaware may designate districts within Delaware's cities, towns, and unincorporated areas that will qualify for significant development incentives and other State benefits; and

**WHEREAS**, these districts are known as Downtown Development Districts; and

**WHEREAS**, the State is accepting applications for designation of a third round of Districts, with such applications being due on May 15, 2019; and

**WHEREAS**, under the Act, the Town of Clayton has prepared a District Plan that includes the boundaries of, and a detailed planning and development strategy for, the proposed District; and

**WHEREAS**, under the Act, Clayton's 2019 application includes Local Incentives that address local economic and community conditions, and will help achieve the purposes set forth in the Act; and

**WHEREAS**, if an application is successful and the Town of Clayton receives District designation, the District Plan and Local Incentives proposed by the Town shall be binding upon the Town; and

**WHEREAS**, the incentives associated with designation as a Downtown Development District would greatly benefit current and future residents, businesses, non-profit organizations, and others within the Town of Clayton; and

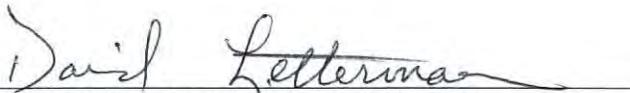
**WHEREAS**, the Clayton Town Council strongly believes that it is in the best interest of the Town of Clayton to apply for District designation.

**NOW THEREFORE, BE IT RESOLVED THAT:**

1. The Clayton Town Council supports the filing of an application for designation as a Downtown Development District; and
2. The Town of Clayton has appointed a District administrator to file the Application on behalf of the Town of Clayton, and to provide such other documents and information as may be necessary or desirable in connection with the Application; and
3. If the Application is successful and the Town of Clayton receives notice that it has been selected for designation as a District:
  - a. The Town of Clayton shall adhere to the District Plan and the Local Incentives contained in the Application for the duration of the District designation; and
  - b. The Administrator, or designee(s), is authorized to execute such documents and enter into such agreements as may be necessary or desirable in connection with the Downtown Development District program and the rights and obligations of the Town of Clayton thereunder; and
  - c. The Administrator, or designee(s), is authorized to carry out all District administrative and reporting requirements on behalf of the Town of Clayton for the duration of the District.

**RESOLVED** this 13th day of May 2019.

By



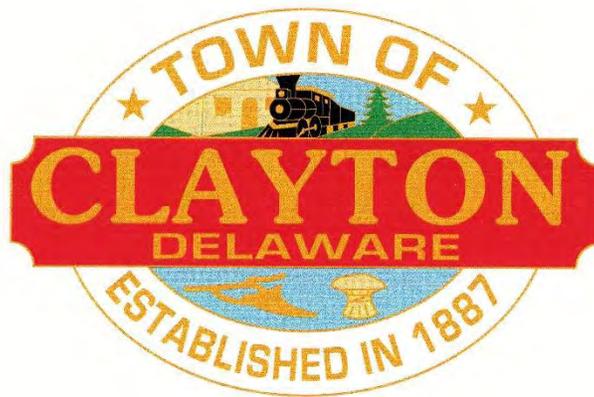
David Letterman, Mayor and Council President  
Town of Clayton  
Kent County and New Castle County, Delaware

# TOWN OF CLAYTON

Kent County & New Castle County, Delaware

## Downtown Development District Plan

May 15, 2019



*Prepared by*

Institute for Public Administration  
Biden School of Public Policy & Administration  
College of Arts & Sciences  
University of Delaware



UNIVERSITY OF DELAWARE  
**BIDEN SCHOOL OF PUBLIC  
POLICY & ADMINISTRATION**

**A RESOLUTION BY THE CLAYTON TOWN COUNCIL AUTHORIZING SUBMISSION OF AN  
APPLICATION FOR DESIGNATION AS A 2019 DOWNTOWN DEVELOPMENT DISTRICT**

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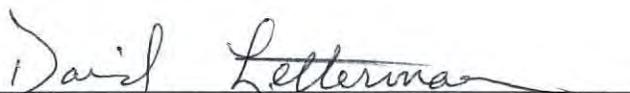
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  - c. The Administrator, or designee(s), is authorized to carry out all District administrative and reporting requirements on behalf of the Town of Clayton for the duration of the District.

**RESOLVED** this 13th day of May 2019.

By



David Letterman, Mayor and Council President  
Town of Clayton  
Kent County and New Castle County, Delaware

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## District Description

Map 1 provides a regional view of the Clayton vicinity and the boundaries of a proposed Downtown Development District (DDD). Most of Clayton is in Kent County, but approximately 127 acres are in New Castle County. The Town is situated about two miles west of the intersection of U.S. Route 13 and State Road (SR) 6. Clayton's eastern boundary adjoins the western boundary of the Town of Smyrna. The areas to the west and south of Clayton's corporate limits are mostly a mix of farms, large-lot subdivisions, and a food-processing plant.

## Physical Characteristics

Clayton's Downtown Development District is situated on both sides of Main Street between Basset Street and Highland Avenues. The District is anchored on the east by Clayton's historic railroad station and on the west by the Town offices and police station. Its 24 acres and 96 properties include the mix of uses typical of a small-town center including government and community services, one- and two-family homes, and small-scale business some of which have apartments or offices on their upper levels

## Rationale

Simply put, the rationale for delineating the boundary of the proposed Downtown Development District is that it is Clayton's center.

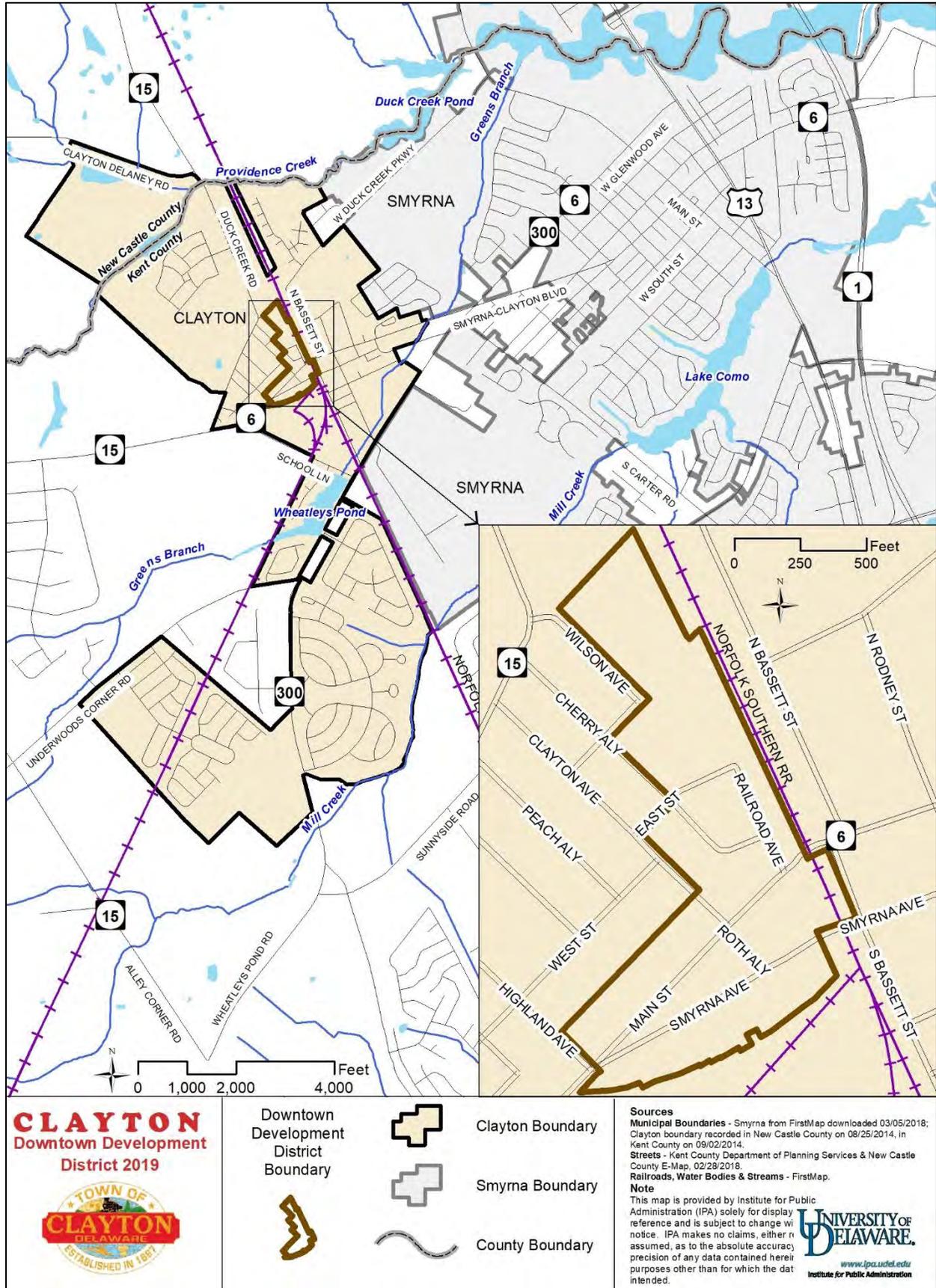
Map 2 provides additional detail about existing land use in the District. It includes the Town's central business area and adjacent residential properties. There are several government and community services, including the post office, Town government offices and police station, volunteer fire company, senior center, and small local park. Most businesses are small enterprises located on the street level of mixed-use structures with apartments or offices on the second or third floors. Some of these businesses are neighborhood-oriented while others serve a wider area.

The residential properties in the District are a mix of single-unit and multi-family homes. Most appear to be properly maintained. However, there are a few properties on the south side of Main Street between Roth Alley and the railroad that have fallen into disrepair or have been abandoned.

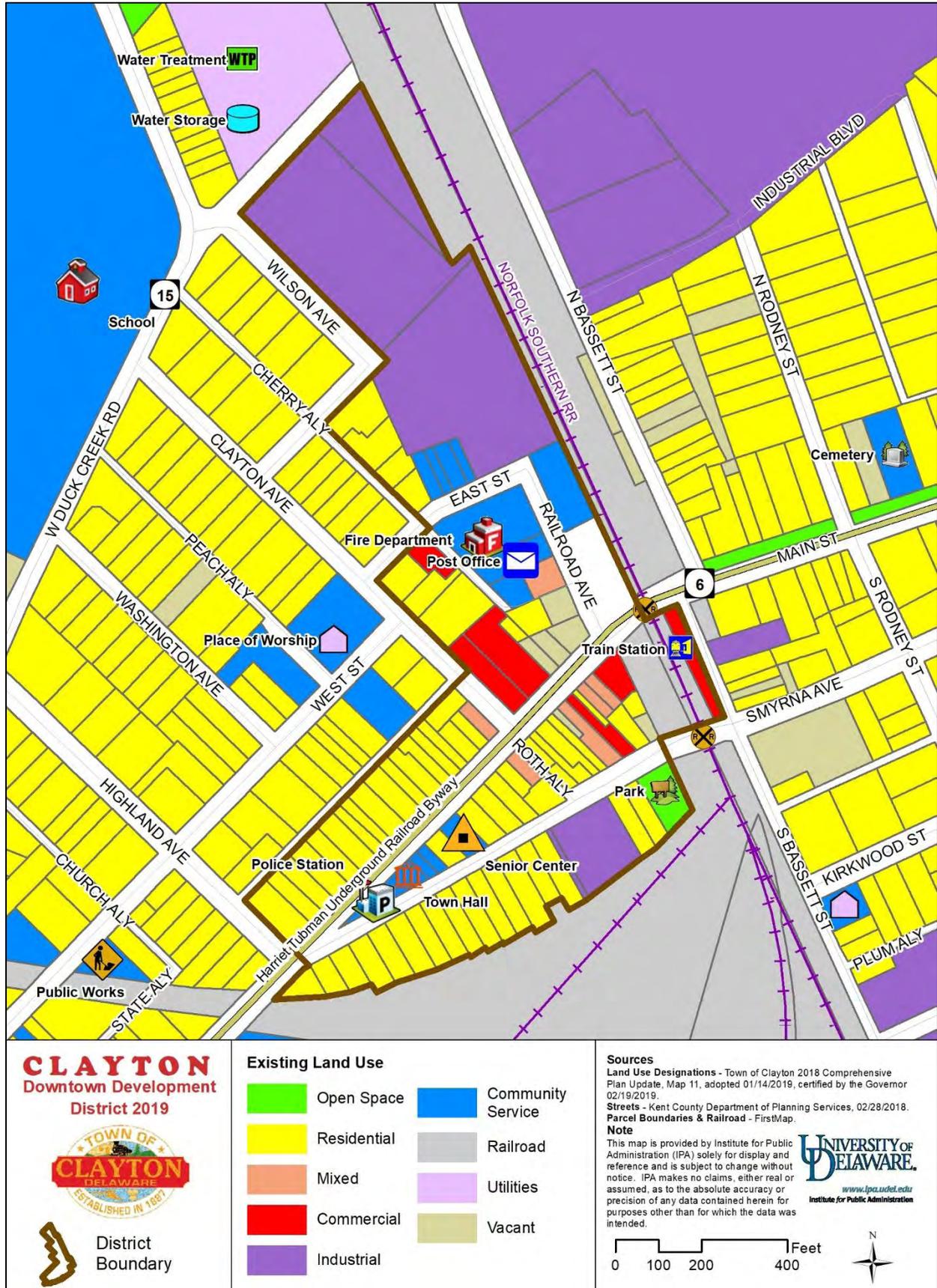
The industrial area within the District boundary is occupied entirely by Atlantic Tractor LLC, a company selling John Deere farm and garden machinery. This company provides about 30 jobs (<https://www.buzzfile.com/>, accessed 04/08/2019).

The volume of through traffic on Main Street has increased, but this area is accessible, and on-street parking is available on both sides of Main Street. There are sidewalks on both sides of Main Street, enabling customers to park and walk conveniently to stores. The Railroad Avenue area between the fire company and the railroad is often the location for community events, such as the annual Clayton Railroad Days.

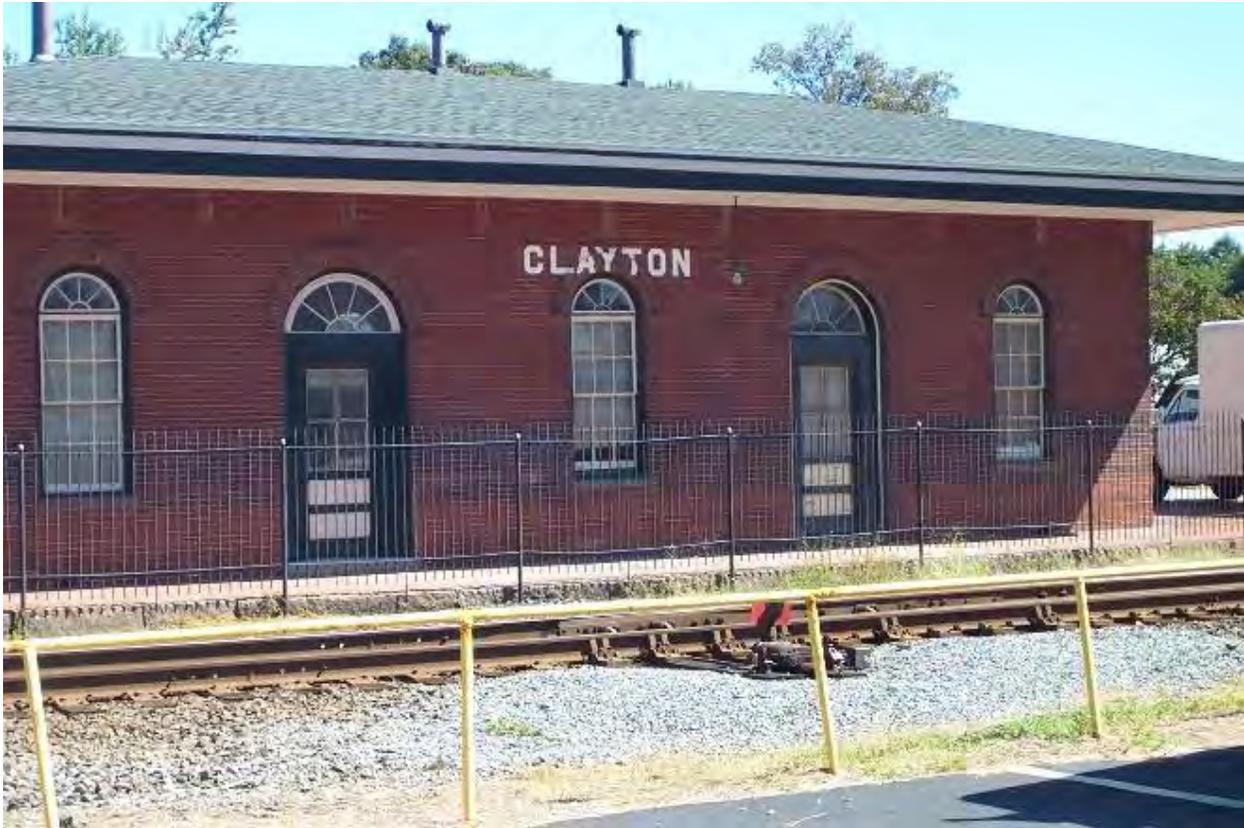
Map 1. Regional & Town Location



Map 2. District Details

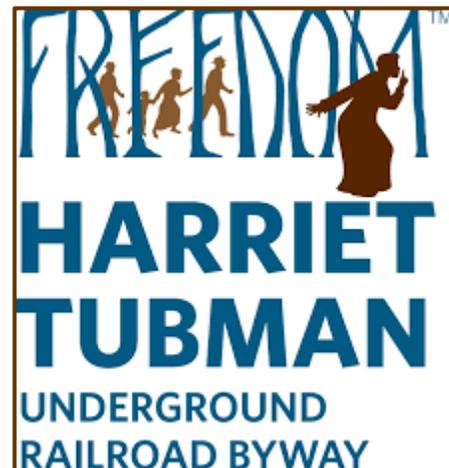


There is one historic property in the District. Constructed in about 1855, the Clayton Railroad Station is on the National Register of Historic Places. It is an important part of the Town's railroad heritage and a logical anchor for the District. In the years following its cessation as a rail station, the building has been in private ownership and used for small-scale commercial enterprises.



*Clayton Train Station, photo by Linda Raab*

Another historic element in the District is the Harriet Tubman Underground Railroad Byway. Shown on Map 2, the byway passes through Clayton along Main Street. It has intrinsic historic value because it highlights Delaware features of the Underground Railroad in the pre-Civil War era. The Underground Railroad served as a method and trail for African Americans escaping southern persecution and enslavement to northern states. Even though Delaware's legal and socio-economic foundations supported slavery as did the State's southern, slave-holding neighbor states, its close proximity to free, northern states made it an important corridor for slaves seeking freedom.



Another factor considered when delineating the District boundaries is that many community-wide activities take place along Railroad Avenue, particularly those sponsored by the Clayton Fire Company. These include a town yard sale, Toys for Tots, teen dances, a Christmas parade, and the annual Clayton Railroad Days Festival.



*Clayton Planning & Zoning Committee display at 2017 Clayton Railroad Days Festival featured the Downtown Development District, photo by Nick Smith*

## Comprehensive Plan Support for District Plan

Since 1996, Clayton's comprehensive plans have supported its central business district. This section chronicles how this support has been articulated.

The 1996 Comprehensive Plan stated that:

*In order to maintain its small town atmosphere, Clayton must strengthen its town center as a focal point for shopping, socializing, and civic activities. An initial step is to delineate the boundaries of a town center. A second step is to adopt land use regulations that permit—and encourage—the mix of residential and commercial enterprises at a scale that is characteristic of a small town.*

Accordingly, the 1996 plan's future land use map identified a new Town Center area. The rationale underlying this land use was a desire for Clayton to maintain its small town atmosphere by strengthening its Town Center as a focal point for shopping, socializing, and civic activities. Subsequent comprehensive plans continued the Town Center on future land use maps.

In 1998, Clayton undertook a complete revamping of its Zoning Ordinance. A key component of that update was the creation of the Town Center (TC) Zone to implement the Town Center land use identified in the 1996 comprehensive plan. The intent of the Town Center (TC) Zone is (Clayton Zoning Ordinance, Section 6.4-2.6) is:

1. *To preserve and strengthen Clayton's small town atmosphere by encouraging a mix of retail, office, and residential uses consistent with the scale and existing character of the town center.*
2. *To encourage the economic stability and improvement of the town center.*
3. *To provide a modification procedure, utilizing site plan review, to alleviate undue hardship relating to parking and other bulk regulations in order to maintain the small town atmosphere of the town center.*
4. *To emphasize small-scale retail, office, and service uses.*
5. *To provide for a limited amount of multiple-family dwellings in conjunction with retail, office and service uses, but only on the second and third stories of commercial buildings.*
6. *To provide for the continuation of single and two family homes typical in town centers.*

A wide variety of uses are allowed in the Town Center Zone ranging from single-family and duplex homes to offices and retail establishments to community facilities. To encourage a mix of housing and non-residential uses in the Town Center, the ordinance provides that apartments (multiple-family dwellings) must be located on the second or third stories; they are not allowed at street level.

The Zoning Ordinance provides that each application for change in use and/or building alterations is reviewed the Clayton Planning and Zoning Committee in accordance with Section 6.5-2.9 This section specifies that:

*Except for building height, the Planning Commission shall determine the bulk regulations and parking requirements for new, changed or expanded uses in the TC Zone. In making this determination, the Commission shall make the following findings:*

- A. *That the placement of buildings and structures is compatible with the neighborhood and with existing development in character and scale.*
- B. *That proposed parking spaces, building coverage, and overall design of the project are sufficient to avoid congestion and will not place unreasonable demand on public facilities.*

All properties in the TC Zone are included in the District.

The 2008 Comprehensive Plan Update continued to promote revitalization of the Town Center. The future land use map once again designated “Town Center” for the properties in Clayton’s central business district. One of this Plan Update’s goals was to attract new businesses to the Town Center. Unfortunately, the Great Recession made achieving this goal difficult until around 2012 when a renewed interest in Clayton’s Town Center seemed to emerge.

In 2014, Clayton applied for designation as a Downtown Development District and renewed its application in 2016. The Town was not selected for District designation in either year.

Between 2014 and 2018, five businesses opened or reopened. In addition, a deteriorated home was renovated for rental housing by a local developer. Drawing on the renewed interest in Clayton’s Town Center, the 2018 Plan Update, adopted on January 14, 2019, included a more detailed treatment of business generally for the Town with particular focus on the central business district than previous plans. It also included opportunities for housing rehabilitation and a new housing opportunity (Priority Project 3 in this District Plan) Developed by the Town’s Economic Development Committee, the Plan Update discussion (pages 45-46) concerning economic development included the following text.

***Visual Improvements.***

*A visually pleasing area is important for residents, business owners, and patrons especially in the town center. Projects being pursued or considered include:*

- *A town clock at the corner of Main and Bassett Streets;*
- *Containers and plantings at strategic locations in the town center; and*
- *Benches and streetlights.*

***Business Portfolio***

*It is crucial that an inventory of available business sites be accessible to entrepreneurs or agents. It is also important to give prospects reasons to come to Clayton. Ideas for accomplishing these are:*

- *Compiling a portfolio of business opportunities that might include items such as address, square footage, photographs, maps, tax information, data about utilities (water, sewer, telecommunications, gas, and electric).*
- *Developing a brochure identifying advantages of having a business in Clayton that might highlight Clayton’s central location, town services, and availability of small spaces for business that do not require substantial square footage or rely on pass-by traffic. One approach might be to market Clayton as a place where a home-based business that has outgrown its home might find a perfect small space for expansion and growth.*
- *Developing a presence on town website.*

***Incentives.***

*It is no secret that the first few years of a new, relocating, or expanding business are the most difficult with many fees, fit-up expenses, new taxes, and establishment of a customer base. One way to ease start-up burdens might be to consider waiving, discounting, or phasing in local payments such as permitting fees, connection charges, and property-tax increases.*

***Regular Review of Regulations***

*Regulations frequently discourage prospects. It is important to review the impact of zoning, subdivision, and other regulations and make recommendations for changes. The Planning and Zoning Committee has already identified two zoning issues affecting properties in the Town Center (TC) Zone. One is signage standards; the other is the requirement for site-plan review even when a building is not proposed for expansion.*

Drawing on the above text, the 2018 Plan Update contains the following goals and recommendations for consideration.

***Goals***

- *Business expansion.*
- *Business retention.*
- *Aesthetically pleasing town center.*

***Recommendations for Consideration***

- *Seek assistance from the newly created Delaware Division of Small Business to chart a future for Clayton businesses, especially those in the town center.*
- *Develop partnership with private sector for street furniture, signs, and other visible features to define a boundary for Clayton's downtown.*
- *Follow up on economic development activities discussed in the previous section.*
- *Work with the Planning and Zoning Committee to review the impact of zoning regulations on business development, in particular sign standards.*
- *Work with the Planning and Zoning Committee to do a complete analysis of the Town Center Zone, including review of permitted uses, conditions governing permitted uses, and processing times.*
- *Maintain land-use regulations that help homeowners in South Bassett Street area to maintain their homes until they are ready to be converted into non-residential uses.*
- *Continue to sponsor community events, such as Fourth of July celebrations and Railroad Days.*
- *Maintain parking areas in the town center and design street patterns that minimize vehicular speed.*

The 2018 Clayton Plan Update can be accessed at <http://clayton.delaware.gov/>

## Need and Impacts

This section begins with a discussion of Clayton’s need for District designation. It then analyzes data to support need. Finally, it identifies several positive impacts that District designation is anticipated to bring to Clayton.

### Need

Clayton’s position on community character, articulated in the 2018 Plan Update, is “maintenance of a small-town atmosphere.” But that does not mean that Clayton intends to remain “in the past.” And it does not mean that Clayton looks unfavorably on business expansion, revitalization, or expansion. It simply means that Clayton is a good place for small-scale businesses.

DDD designation would go a long way towards maintenance of a small-town character and creating an exciting place where people want to go. The Town Center gives the Town its sense of place. Over the years, outside forces have contributed to the center’s decline. The first is the end of the railroad’s heyday which took place between 1950 and 1960 and when trains no longer stopped in Clayton. The second is U.S. Route 13, located about two miles east of Clayton’s DDD, where auto- and truck-dependent commercial establishments prefer to locate instead of “off the beaten path” in Clayton.

Although Clayton’s Town Center has survived, many structures were neglected. Businesses closed their doors and/or moved out of town. Though some new business have opened or re-opened and some residential structures have been rehabilitated especially over the past five or six years, there is a long way to go.

Two specific indicators of need include:

- Commercial Vacancies. There are three vacant commercial buildings. One is Priority Project 1. The other was once used for a retail business but is being renovated. The third is a commercially used building that is in good condition but has been vacant for approximately two years.
- Housing. There is one vacant property (Priority Project 3) on which a home has been demolished.

District designation will provide momentum for Clayton to continue moving towards achieving the 2018 Plan Update goals of business expansion, business retention, aesthetically pleasing town center (2018 Plan Update, page 46), and sound and affordable housing for all residents of all incomes (2018 Plan Update, page 58).

### Supporting Data

Map 3 shows Clayton’s location and the Census tracts in the Clayton vicinity. The Downtown Development District is entirely within Tract 402.01. Map 4 shows the census blocks in the District. They are Blocks 1036, 1039, 1068, 1069, and 1070 in their entirety and portions of Blocks 1037 and 1067.

Table 1 provides population, income, and housing data for the Town of Clayton, Census Tract 402.01, and the census blocks included in the Downtown Development District. Table 2 summarizes population and housing data for the District’s census blocks.

Table 1. Tract, Town, and Summary-Block Data

	Town	Tract 402.01	DDD Blocks	Source
Total Population	2,918	5,041	229	A
Median Household Income	\$64,922	\$50,202	N/A	C
Poverty Rate <i>Persons whose income in the past 12 months is below the poverty level</i>	11.4%	13.9%	N/A	C
% Low/Moderate Income	31.6%	35.9%	N/A	B
Median Home Value	\$198,400	\$181,600	N/A	C
Housing Built 1949 or earlier	16.1%	15.4%	N/A	C
Owner-Occupied Housing Units	79.4%	66.3%	48.9%	A
Renter-Occupied Housing Units	14.6%	25.1%	43.6%	A
Vacant Housing Units	6.1%	8.6%	7.4%	A

**Sources**

- A. U.S. Census Bureau, 2010 Census, block data from Table 2.  
 B. American Community Survey 5-Year 2011-2015 Low- and Moderate-Income Summary Data, <https://www.hudexchange.info/programs/acs-low-mod-summary-data/>  
 C. U.S. Census Bureau, 2013-2017 American Community Survey, 5-Year Estimate.

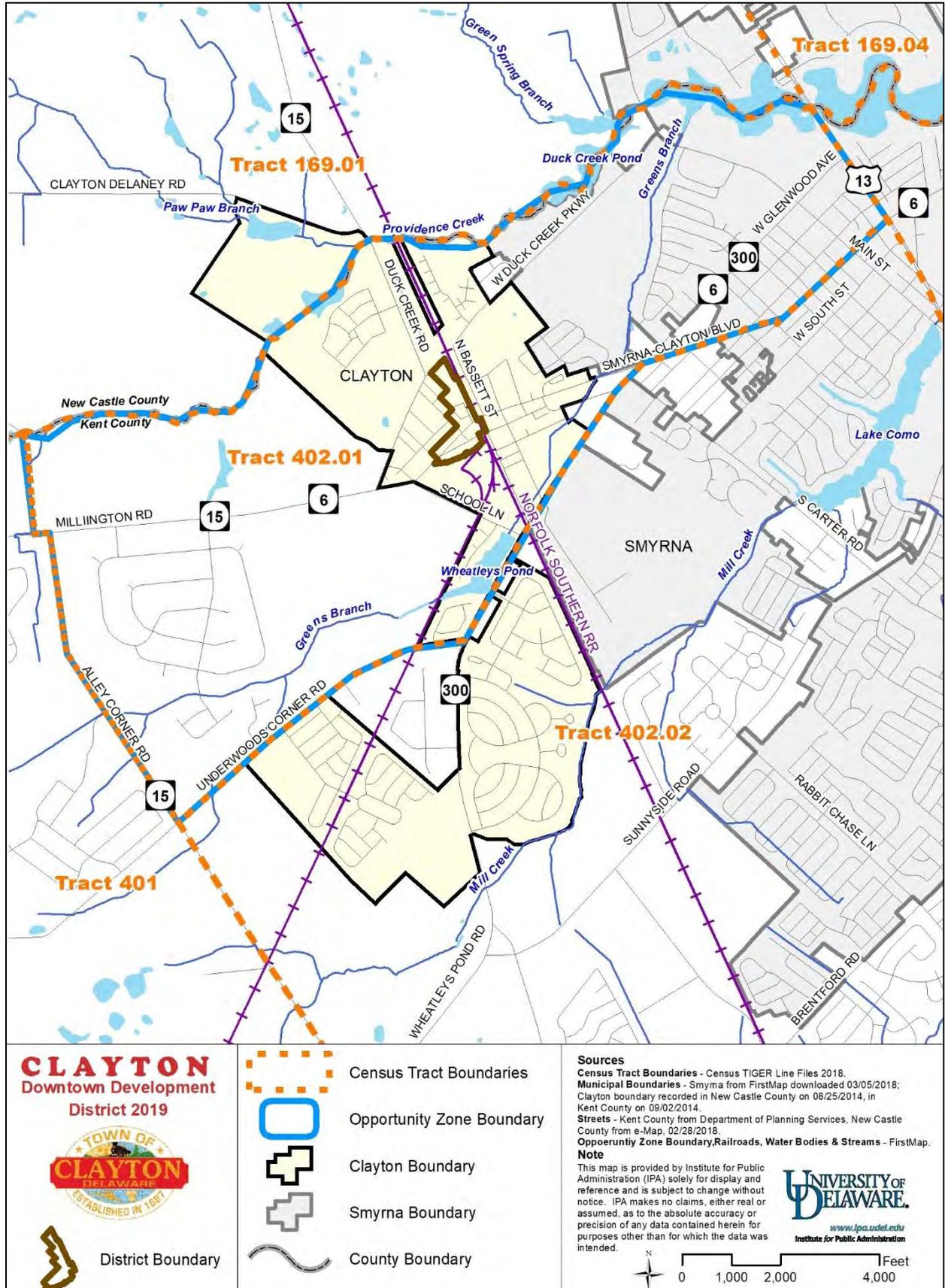
Table 2. Block Data, Clayton Downtown Development District

	Block 1036		Block 1037		Block 1039		Block 1067		Block 1068		Block 1069		Block 1070		Total	
	Num	Percent	Num	Percent												
Total Population	28		56		5		53		22		59		6		229	
Owner-Occupied Housing Units	4	33.3%	11	50.0%	0	0.0%	12	63.2%	4	57.1%	13	50.0%	2	50.0%	46	48.9%
Renter-Occupied Housing Units	7	58.3%	10	45.5%	3	75.0%	6	31.6%	2	28.6%	12	46.2%	1	25.0%	41	43.6%
Vacant Housing Units	1	8.3%	1	4.5%	1	25.0%	1	5.3%	1	14.3%	1	3.8%	1	25.0%	7	7.4%
Total Housing Units	12	100.0%	22	100.0%	4	100.0%	19	100.0%	7	100.0%	26	100.0%	4	100.0%	94	100.0%

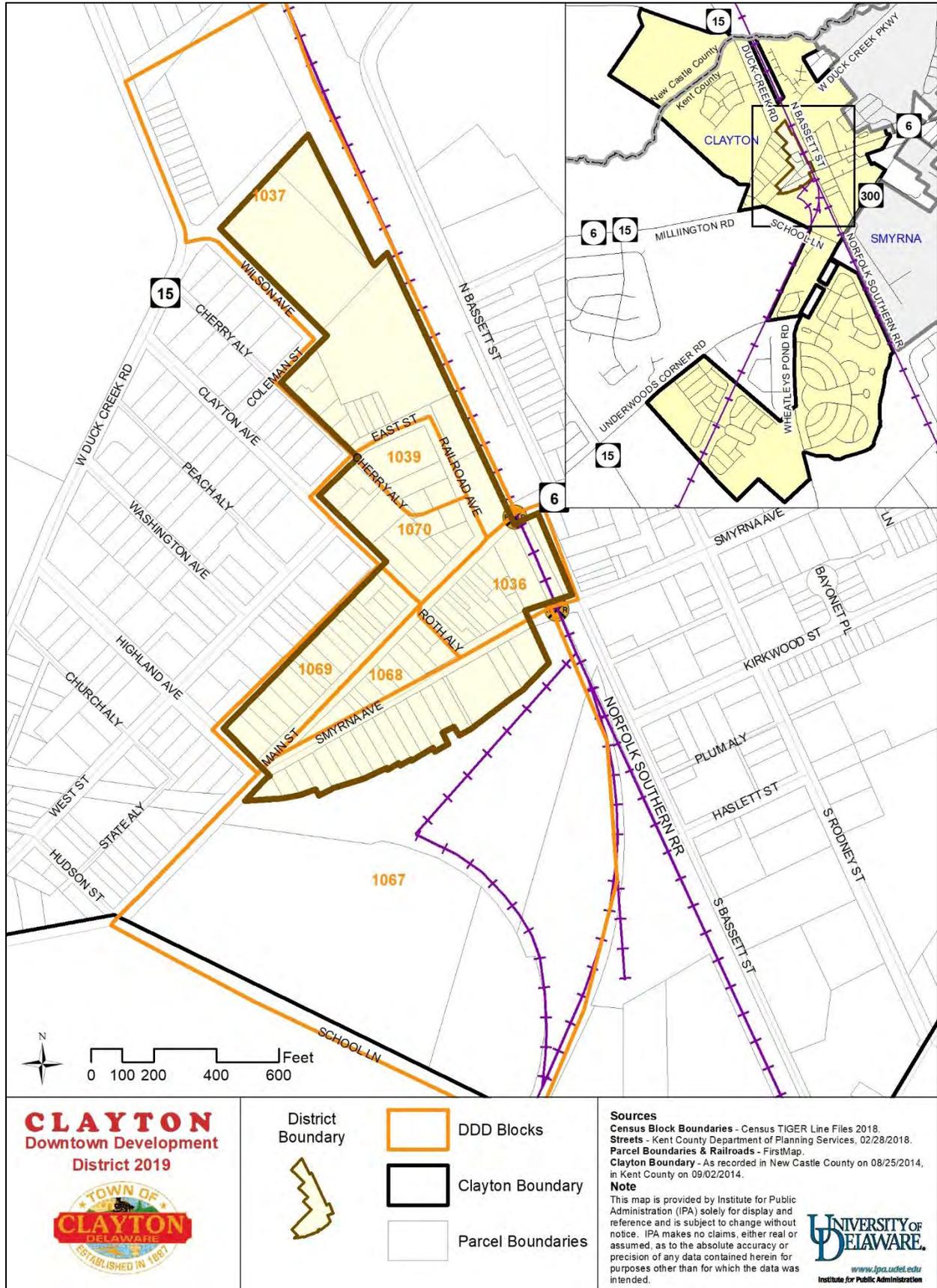
**Note:** All housing units in Tract 1067 are in the DDD. In Tract 1037, there are 12 housing units included in this table that are not in the DDD.

**Source:** U.S. Census Bureau, 2010 Census.

Map 3. Census Geographies



Map 4. Census Blocks



A comparison of household incomes, median home values, and housing age indicates that the Town of Clayton as a whole is better off than Census Tract 402.01. However, as Table 1 shows, an analysis of need based on household incomes, poverty rates, median home values, and housing age is not possible since there are no data for these elements.

With respect home ownership, however, the District falls behind both the Town and Census Tract 402.01.

- As indicated in Table 2, the percentage of owner-occupied homes in the District's census blocks ranges from 33.3 percent in Block 1036 to 63.2 percent in Block 1067. Thus, the home-ownership rate in the District is lower than the 79.4 percent home-ownership rate for the Town and the 66.3 percent rate of home ownership for all of Census Tract 402.01 noted in Table 1. A likely reason for this is that there are a number of apartments above commercial uses in the Town Center and some large homes that have been converted to apartments.
- The District's vacancy rate is 7.4 percent. It is higher than that of the Town, but lower than that of Census Tract 402.01 as indicated in Table 1. Within the District, Table 2 indicates that vacancies range from 3.8 percent in Block 1069 to 25 percent in Blocks 1039 and 1070.

Another factor that may signal need for a DDD in Clayton is that Census Tract 402.01 is one of Delaware's 25 designated Opportunity Zones. Opportunity Zones are an economic development tool designed to spur economic development and job creation in distressed communities by providing tax benefits to investors in these zones.

## Impacts

Clayton's 2014 DDD application expressed hope that District designation would breathe new life into the Town's central business district. As pointed out in the section titled "Comprehensive Plan Support for District Plan," the Town Center seems to be coming alive having seen new businesses opening and others reopening in addition to housing and commercial rehabilitations. The job is not finished. DDD designation will move Clayton into the next chapter of revitalization.

Positive impacts that DDD designation can bring to Clayton are:

- Rehabilitation of an eyesore that dominates Clayton's Town Center
- Creation of job opportunities
- Addition of more shopping options
- Encouragement of private investment in Clayton
- Rehabilitation of a historic building
- Placing a tax-exempt property on the tax rolls
- Expansion of tax base after rebates and incentives are exhausted
- Addition to housing stock
- Increase in property values of all District properties
- Furthering the achievement of an aesthetically pleasing Town Center
- Maintenance/inspiring confidence in existing and potential investors that Clayton is a good place to do business
- Creation of a sense of civic pride

## Redevelopment Strategy

### Goals

The following goals were articulated in Clayton’s 2014 DDD application, maintained in the 2018 Plan Update (pages 125 and 126), and continue to be the goals of this District Plan.

1. Achieve the comprehensive plan’s vision of maintaining a small-town center.
2. Promote a mix of uses in the District.
3. Maintain existing housing stock.
4. Encourage property owners to undertake improvements that may have been postponed.
5. Encourage new business to come to Clayton’s Town Center.
6. Keep existing business in Clayton.

### Implementing the Strategy—Progress to Date

Before identifying priority projects and anticipated impacts, it is important to chronicle how Clayton’s plans and subsequent actions have been targeted towards showcasing its Town Center as a focal point for shopping, socializing, and civic activities. This section begins with a summary of early efforts to revitalize the Town Center that occurred roughly from 1996 to 2014. It continues with recent redevelopment and revitalization projects that began roughly around 2014 and are continuing even as this District Plan is being developed. Clayton’s 2018 Plan Update, pages 40-46 provides more detailed information.

#### Early Progress—1996-2014

The Town launched a redevelopment strategy by delineating town-center boundaries in the 1996 comprehensive plan. Two years later, the Town Council adopted the Town Center (TC) Zone, that permits a mix of uses and flexible bulk (such as setbacks, building coverage, minimum parcels sizes) and parking regulations. The boundaries of the TC Zone are shown on Map 9.

One portion of the Town Center that has undergone improvement is the area around the intersection of Main Street and the railroad. In 1996, this area had little visual appeal and functioned inefficiently. Figure 1 depicts the many design challenges identified in the 1996 Comprehensive Plan and identifies those that have been addressed over the past 25 years.

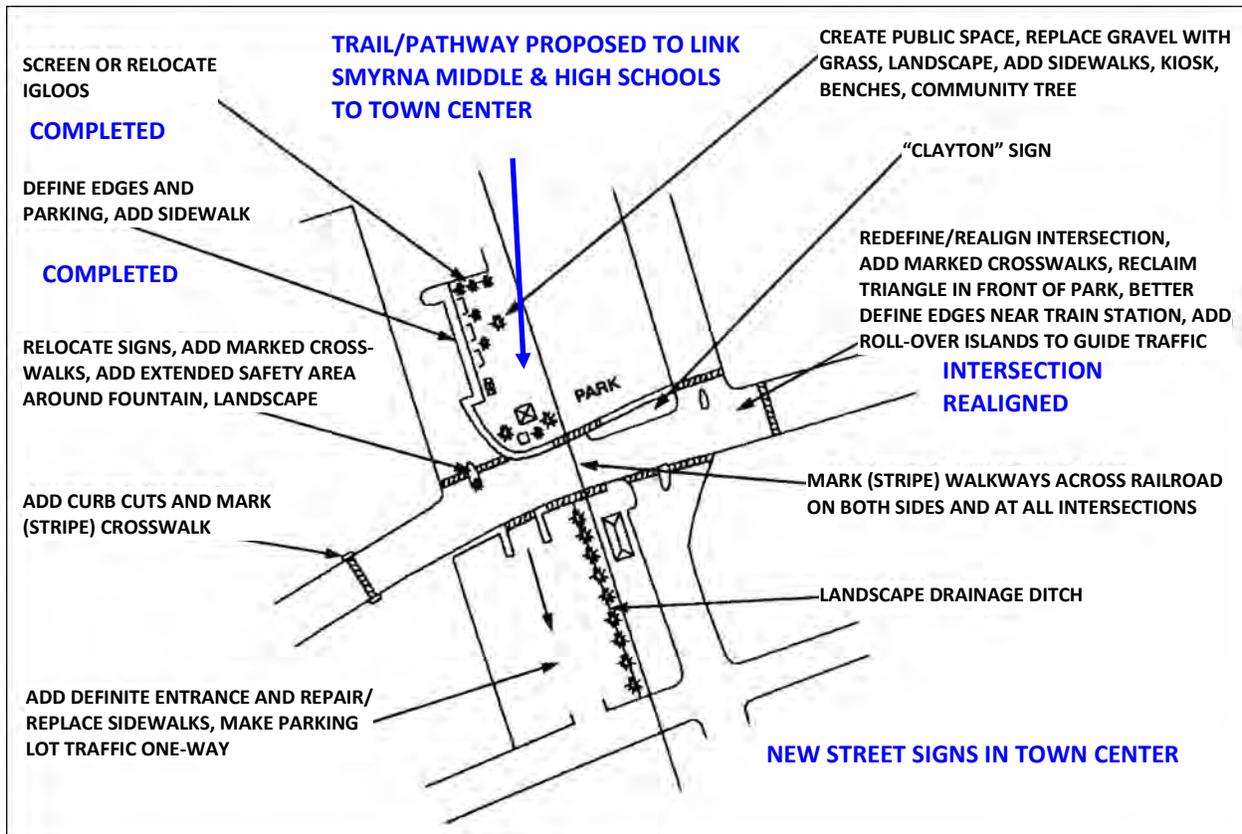
The recycling igloos have been removed. The parking area on the northwest corner of Main Street and the railroad has been paved and striped. The town purchased property at the southeast corner of Main and Bassett to improve the alignment of the two streets. Town Council installed new street signs in the Town Center shown in the photo opposite. Trails and pathways are proposed are depicted on Map 10 (page 119) of the 2018 Plan Update.



*Street signs at Railroad Avenue and Main Street*

Addressing these design challenges is significant for this District Plan because they are located at the eastern entrance to Clayton’s DDD. As described in a subsequent section, this District Plan identifies Priority Project 2 that proposes rehabilitation of the Clayton Railroad Station at this important intersection.

Figure 1. Design Accomplishments, Clayton Town Center



Source: *Town of Clayton 2018 Comprehensive Plan Update*, certified 01/14/2019.

### Recent Progress—2014-Present

Table 3 summarizes revitalization and redevelopment activities in Clayton’s Downtown Development District that have taken place since 2014 and are continuing today. The purpose for presenting these accomplishments is to demonstrate that Clayton’s commitment to revitalizing its Town Center neither begins nor ends with DDD designation.

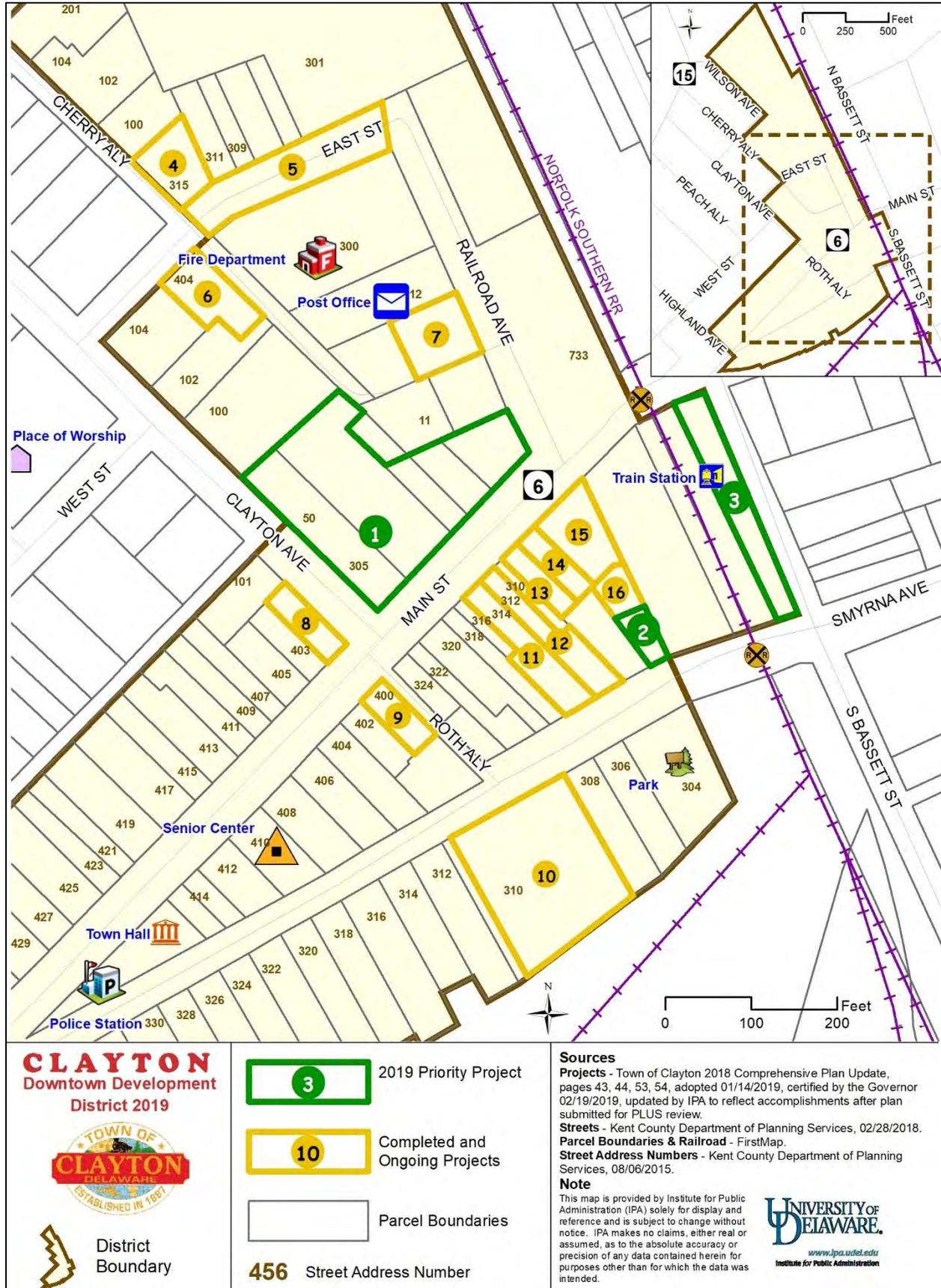
Map 5 shows the location of these accomplishments along with the location of Clayton’s priority projects. The District Plan’s priority projects are vital to the continued redevelopment and revitalization of Clayton’s Town Center. Improvements to, and the opening of a retail business in the Clayton Railroad Station will give Clayton an imposing gateway to its Town Center. Construction of a new home on the Habitat Site will add to Clayton’s housing stock and provide an opportunity for home ownership to a deserving family. Finally, improvements to the Clements Supply building will remove an eyesore that dominates Clayton’s business area.

Table 3. Completed and Ongoing Projects, 2014-Present

Map Ref	Location	Description/Status
4	315 East Street	Housing rehabilitation in progress
5	East Street between Railroad and Clayton Avenues	Infrastructure project involving paving and sidewalk completed by Clayton Fire Company
6	404 Clayton Avenue	Property renovated for new business
7	8 Railroad Avenue	Rehabilitation underway for a mixed-use project featuring commercial and apartments in old Clayton Firehouse
8	401 Main Street	New business
9	400 Main Street	Re-opened business
10	310 Smyrna Avenue	Construction of single-family home underway
11	314 Main Street	Business established in renovated building in 2014; building currently vacant, no known plans for additional renovation or new business
12	312 Main Street	Structure renovated and new office opened 2014
13	308 Main Street	Structure renovated and new business opened in 2017
14	306 Main Street	Undergoing renovation for new business
15	300 Main Street	Rehabilitation of existing building and continuation of existing business
16	300 Smyrna Avenue	Housing rehabilitation completed

Source: Town of Clayton 2018 Comprehensive Plan Update, pages 43, 44, 53, 54, certified 01/14/2019, updated by IPA to reflect status of projects after plan submitted for PLUS review.

Map 5. Completed and Ongoing Projects 2014-Present, 2019 Priority Projects



### Continuing the Strategy—2019 Priority Projects

Table 4 summarizes Clayton’s 2019 priority projects, and Map 6 depicts their locations.

Table 4. 2019 Priority Projects Summary

Map Ref	Project Name	Parcel Number, Location, Area	Summary
1	Clements Supply Mixed Use	3-04-01806-02-5000-5400 305 Main Street, 50 Clayton Ave 39,875 square feet	Mixed-use project for a large structure in the heart of Clayton’s downtown
3	Clayton Railroad Station	1-04-01807-02-6500 Southwest corner Main & S. Bassett Streets 8,733 square feet	Rehabilitation of Clayton’s historic railroad station for a retail use
2	Habitat Site	3-04-01811-01-2700 301 Smyrna Ave 2,040 square feet	Construction of a new home on vacant property owned by Habitat for Humanity

Map 6. 2019 Priority Project Locations



Source: Map 5.

### Priority Project 1. Clements Supply Mixed-Use

The first priority project is located in the heart of Clayton's Downtown Development District at 50 Clayton Avenue and 305 Main Street. This property is identified in Clayton's 2018 Plan Update as an Opportunity Site that would contribute to the redevelopment of Clayton's Town Center (2018 Plan Update, page 43). It has approximately 250 feet of frontage on Main Street and extends approximately 220 feet along Clayton Avenue. It consists of five parcels totaling almost 40,000 square feet. There are six structures on the site totaling about 13,000 square feet. The structures are connected to one another and clustered along the northeast corner of Clayton Avenue and Main Street.

In 2002, the site was Clements Supply. Later it was used as Atlantic Tractor's retail store. Atlantic Tractor sells new and used John Deere equipment to business and retail customers in Delaware, Maryland, and Pennsylvania. In 2012, Atlantic Tractor consolidated its operations to 301 East Street.



*305 Main Street & 50 Clayton Avenue, photo by Linda Raab, 2002*

In 2013, the entire site was sold to Main Street Clayton, LLC. As the October 2014 photo shows, the building had begun falling into disrepair. In that year, a building permit to redevelop the property was filed. A two-phased approach to rehabilitating the property was proposed. The first phase called for converting the street-level of the building to a restaurant and small food market. It also included improvements to the exterior of at least the street-level floor along Main Street. The second phase would focus on converting the second level to either apartments or additional commercial and office and completing improvements to the exterior of the upper level.



305 Main Street & 50 Clayton Avenue, photo by Linda Raab 10/13/2014

Part of the building's interior was improved and used for the data-storage center shown in the photo below. Construction never commenced, and the permit proposing redevelopment filed in 2015. The building permit application has not been renewed, and no new plans have been presented to the Town.



50 Clayton Avenue, photo by Linda Raab 07/31/2015

The property has continued its path to disrepair. The 2019 photos show its current condition. The data-storage business has relocated, and the building is now a vacant eyesore.



305 Main Street & 50 Clayton Avenue, Main Street frontage, photo by Linda Raab 04/22/2019



305 Main Street & 50 Clayton Avenue, Clayton Avenue frontage, photo by Linda Raab 04/22/2019



*Clements Supply viewed from Railroad Avenue and Main Street, photo by Linda Raab 05/13/2019*

The Clements building is one of, if not the largest, buildings in the Town Center. Its location and size exacerbate its deteriorated state. Rehabilitation of this project would contribute significantly to making Clayton a desirable place to shop, socialize, and do business. It also provides an opportunity to create a truly mixed-use structure that could be either a mix of commercial (retail and office) uses or a mix of commercial and residential uses. As a survey conducted in conjunction with the 2018 Plan Update indicated,

*When asked what changes might be warranted in town, some respondents wanted more shops and stores. The types of desired businesses included a corner store selling milk and bread and a deli.*

The Clements site is a place where such a development would add to the variety of uses in the Town Center. The site is ready for development. Utilities are available. It is in the Town Center (TC) Zone where an applicant is not subject to minimum lot sizes and setbacks, maximum building coverages, or required off-street parking. At this time, it is not known whether rehabilitation work could commence within six to twelve months following District designation.

The impacts of this project are:

- Removing an eyesore that dominates the Clayton business center
- Promoting a mix of uses in the Town Center

- Providing small retail or office spaces for entrepreneurs that are starting businesses or want to extend their markets to the Clayton area
- Encouraging new business to come to Clayton's Town Center

### Priority Project 2. Clayton Railroad Station

The second priority project is the historic Clayton Train Station. Even though trains no longer stop at the station, it is important to Clayton's railroad heritage. The station was built in 1855 and listed on the National Register of Historic Places in 1986. In the years following its cessation as a rail station, the building has been in private ownership and used for a variety of small-scale commercial enterprises. Currently, it is vacant. Recently, a local developer, who has rehabilitated a number of residential and commercial properties in Clayton, purchased the station. The new owner plans commercial uses for the station.

One of the needed improvements is a new roof. Also needed are new pavers around the station that are uneven and dangerous for walking or outdoor furniture. In addition, a number of improvements to the station's interior will be required to prepare it for new uses.

This site is ready for development. Utilities are available, and there is parking nearby. It appears that minimal site-preparation work is needed. It is in the Town Center (TC) Zone where an applicant is not subject to minimum lot sizes and setbacks, maximum building coverages, or required off-street parking. At this time, it is not known whether rehabilitation work could commence within six to twelve months.

Perhaps the most important aspect of this property is its location at the entrance to downtown Clayton. An attractive retail use would anchor the eastern edge of Clayton's Town Center.



*Clayton Railroad Station viewed from corner of North Bassett & Main Streets, photo by Linda Raab, 05/13/2019*



*Clayton Railroad Station, looking southeast, photo by Linda Raab 04/22/2019*



*Clayton Railroad Station, looking west; note deteriorated, uneven pavers, photo by Linda Raab 04/22/2019*

The impacts of this project are:

- Providing an attractive anchor for the eastern edge of Clayton’s Downtown Development District
- Contributing to achieving the comprehensive plan’s goals of business retention and having an aesthetically pleasing Town Center (2018 Plan Update, page 46)
- Attracting area residents and workers to Clayton’s Town Center
- Signaling that Clayton just might be a good location for other retail endeavors.

### Priority Project 3. Habitat Site

The Habitat Site is located at 301 Smyrna Avenue. In early 2015, the home was demolished, but the site remains vacant as shown in the photo below.



*Habitat Site after demolition of dilapidated home in 2015, photo by Linda Raab 04/22/2019*

This site is ready for development. Utilities are available, and it appears that minimal site-preparation work is needed. It is in the Town Center (TC) Zone where an applicant is not subject to minimum lot sizes and setbacks, maximum building coverages, or required off-street parking. At this time, it is not known whether construction of a home could commence within six to twelve months.

The impacts of this project are:

- An opportunity for the Town of Clayton to partner with a non-profit organization
- Possibility of home ownership in Block 1036 where 58 percent of the housing is renter-occupied as documented in Table 2
- Placing a currently exempt property to the tax rolls of both Clayton and Kent County.

### Implementation Timeline

No implementation timeline is proposed. It is not known whether any Propriety Project could begin within six to twelve months from District designation. In addition, no phasing is proposed.

Even though an implementation timeline cannot be ascertained at this time. It is important to point out that the sites on which the priority projects are located are ready for development. Utilities are available, All are in the Town Center (TC) Zone where an applicant is not subject to minimum lot sizes and setbacks, maximum building coverages, or required off-street parking.

## Local Incentives

This section identifies three existing incentives and a possible future incentive.

### Existing Incentives

The first incentive is the existing zoning regulations governing uses in the Town Center (TC) Zone. The second two incentives were developed by the Economic Development Committee and approved by the Clayton Town Council at its April 2019 meeting. Both 2019 incentives follow up on recommendations in the 2018 Plan Update (page 45). The New Business Incentive Program is intended to ease some of the start-up costs for new businesses. The Business Revitalization Tax-Reduction Program (Façade Grant) is aimed at giving the Town an improved visual appeal.

### Town Center Zoning

#### Description

The Town believes that the most significant incentive for redevelopment in the District is the flexible zoning for the Town Center portion of the District. The regulations governing this zone provide for a wide variety of uses suitable for the older, downtown area of a small town where structures often cover substantial portions of lots and off-street parking cannot be provided. In this zone, property owners are not subject to minimum lot sizes and setbacks, maximum building coverages, or required off-street parking spaces eliminating the need for variances. Generally, review of completed applications can take place within two weeks. A fuller description of The Town Center Zone can be found under “Zoning” in the section titled “Regulations to Be Applied in the District.”

#### Date Enacted

1998

#### Area Covered

DDD Only

#### Funding Source

N/A

#### Value to Investors

Variances not needed; fairly quick review time

### New Businesses Incentive Program

Clayton’s 2018 Plan Update (page 45) included the following statement about establishing new businesses.

*... One way to ease start-up burdens might be to consider waiving, discounting, or phasing in local payments such as permitting fees, connection charges, and property-tax increases.*

The intent of the Business Incentive Program is to ease the start-up burden. It **permits waivers and reductions in license and utility fees for new businesses.**

#### Description

The program will be implemented as follows:

1. Business license fee is waived for the first three years (Business License fee is \$50.00 per year)
2. Electric/Water/Sewer utility deposit is waived for existing structures (Owner \$125.00 and Renter \$200.00)
3. Reduction in Electric/Water/Sewer monthly fees for first six months occupancy. depending on the number of full-time employees (An employee is considered full-time if he/she works 30 hours or more per week).
 

0-19 employees	20% per month
20 or more employees	25% per month.
4. The incentive beneficiary must apply for the new business incentives program when applying for a business license through the Town of Clayton.

#### Date Enacted

April 2019

#### Area Covered

Existing commercial structures throughout Town

#### Funding Source

N/A, fee-waiver program

#### Value to Investors

Savings on licenses, connection deposits, and fees waived during business start-up.

- \$150.00 on annual Business License fee for first three years
- \$125.00 for owners and \$200.00 for renters on utility deposits
- 20 or 25 percent reduction in monthly utility bills, depending on number of employees, for first six months of occupancy

#### Business Revitalization Tax-Reduction Program (Façade Grant)

One of the 2018 Plan Update's economic development goals is having an "aesthetically pleasing town center" (Plan Update, page 46). The Business Revitalization Tax-Reduction Program does just that. It **authorizes a property-tax-reduction to existing business owners for improving the façades of their buildings.**

#### Description

All improvements to exteriors only of existing commercial structures that are facing the street (this means front and sides of structure if they face a street or right away and the roof) shall be eligible to apply for a partial reduction from the Town of Clayton property taxes and shall be assessed as follows:

Where the total costs of improvements is \$2,500.00 and up, the Real Estate Tax for the property will be reduced to the extent of 25% of the town property tax not to exceed \$1,000.00.

1. The incentive beneficiary must submit an application for the facade grant.
2. The incentive beneficiary must provide copies of building permits, copies of paid invoices or receipts for purchases relating to the improvements, and release of lien from the contactor(s).

3. No invoice or receipt greater than 12 months from the date that the Facade Grant Application was submitted will be accepted for consideration.
4. The incentive beneficiary must be current with all utilities and property taxes with the Town of Clayton to be eligible for the revitalization property tax reduction program.

#### Date Enacted

April 2019

#### Area Covered

Existing commercial structures throughout Town

#### Funding Source

N/A, tax-exempt program

#### Value to Investors

Potential property tax reduction up to \$1,000.

### Possible Future Incentive

#### Site Plan Zoning Text Amendment

While working on the 2018 Plan Update, the Planning and Zoning Committee and the Town Council realized that a requirement for site-plan review in the TC (Town Center) Zone seemed to be placing an unnecessary burden on applicants for new businesses, changes of use, or improvements to interiors and exteriors. The reason that the site-plan-review requirement was considered unnecessary was that nearly all lots in the Town Center are developed. Accordingly one of the Plan Update recommendations (page 46) was to:

*... do a complete analysis of the Town Center Zone, including review of permitted uses, conditions governing permitted uses, and processing times.*

Appendix B contains a draft ordinance, prepared by the Town's planning consultants, that has not been reviewed by either the Planning and Zoning Committee or the Town Council. This draft/not-reviewed ordinance proposes a complete revamping of the site-plan-review process. Although the proposed changes would apply throughout the Town, their impact would be particularly significant in the Town Center Zone. Currently every use in the TC Zone is subject to site-plan review without regard to whether an applicant is requesting a simple change of use, permission to do interior or exterior improvements, or bring a building into compliance with current codes and ordinances. If enacted, every use in the TC Zone, except conditional uses, would become by-right uses.

#### Date Enacted

N/A

#### Area Covered

Entire town, but substantial benefit in Town Center because most of the uses affected by this possible amendment are located in the Town Center

#### Funding Source

N/A

### Value to Investors

Further reduction of regulatory burden, reduction in applicant soft costs, faster review time.

## Environmental Sensitivity and Energy Efficiency

### Environmental Sensitivity

Clayton's DDD is not in Source Water Protection Areas (Wellhead Protections and Excellent Groundwater Recharge Areas). In addition, there are no wetlands or floodplains within the District boundaries. Although the District is not within any of these environmentally sensitive areas, the Town is committed to protecting environmentally sensitive areas. The Town Council adopted contemporary flood-prevention regulations on April 14, 2014 and a source-water-protection ordinance on June 8, 2015.

In addition, Clayton is being considered by DNREC to receive a five-year waiver to develop a stormwater-management program. The Town intends to be in compliance at the end of the waiver period in 2022.

### Energy Efficiency

Clayton is committed to energy efficiency.

#### Efficiency Smart Program

Clayton has partnered with the Delaware Municipal Electric Corporation (DEMEC) on an energy efficiency program for the Town's electric customers. This program, called Efficiency Smart, offers energy-efficient services for residential and business subscribers. The program is described in detail at <https://www.energysmart.org/clayton-delaware>. Participation in this program could save an estimated 153 megawatt-hours (MWh) of energy over the course of a three-year contract period—roughly equivalent to the annual electric usage of 17 homes

Services for residential customers involve discounts on energy-efficient lighting, rebates for energy-efficient appliances and products, and a free, meter-loan service. Examples of energy-saving actions include:

- Replacing incandescent light bulbs with LEDs
- Using advanced power strips for appliances and electronics
- Managing electric usage with programmable thermostat.

Services for business customers Include:

- Small to midsized companies that use up to 500,000 kilowatt-hours (kWh) of energy annually can receive rebates for implementing common energy efficiency measures through Efficiency Smart's Business Energy Rebates (BER) program. Such projects include lighting, compressed air, food service equipment, and HVAC.
- Businesses that use more than 500,000 kWh of electricity annually have access to tailored services with dedicated account management, customized financial incentives, and technical assistance through Efficiency Smart's Custom program.

As part of this program, LED bulbs are being sold for 99 cents at Fingertip Fantasies located in the DDD at 401 Main Street. See supporting letter from this merchant in Appendix C.

## Other Efforts

Clayton is pursuing two additional energy-efficient initiatives. One initiative, that is already in place, involves the replacement of incandescent bulbs in streetlights with LED lights. A second initiative, being studied, is switching to automatic meter reading to eliminate the need for “meter readers” and so that utility providers can obtain more accurate data on consumption.

## Consistency with Other Planning Documents

### Comprehensive Plan

This District Plan is consistent with the comprehensive plan, and there are many references to recommendations and discussions of Clayton’s recently adopted 2018 Plan Update. Map 6 shows the future land uses in the DDD and nearby properties as depicted on Map 7 in the 2018 Plan Update.

More than 20 years ago, the Town realized that the rigid separation of land uses along with building setbacks, lot coverage, and minimum parcel sizes, and off-street parking requirements could be deterring property owners in the Town Center from improving their properties or exploring new uses for them. For example, a property owner with a store or an office on the street level would not be able to convert the second or third level to an apartment because the zoning regulations did not allow commercial and residential in the same building. Another example is a situation where a property owner might not be able to build an addition to his/her building because he/she could not comply with setback or building coverage standards. In addition, many buildings did not have sufficient space for even a few off-street parking spaces.

The 1996 Comprehensive Plan stated that:

*In order to maintain its small-town atmosphere, Clayton must strengthen its town center as a focal point for shopping, socializing, and civic activities. An initial step is to delineate the boundaries of a town center. A second step is to adopt land use regulations that permit—and encourage—the mix of residential and commercial enterprises at a scale that is characteristic of a small town.*

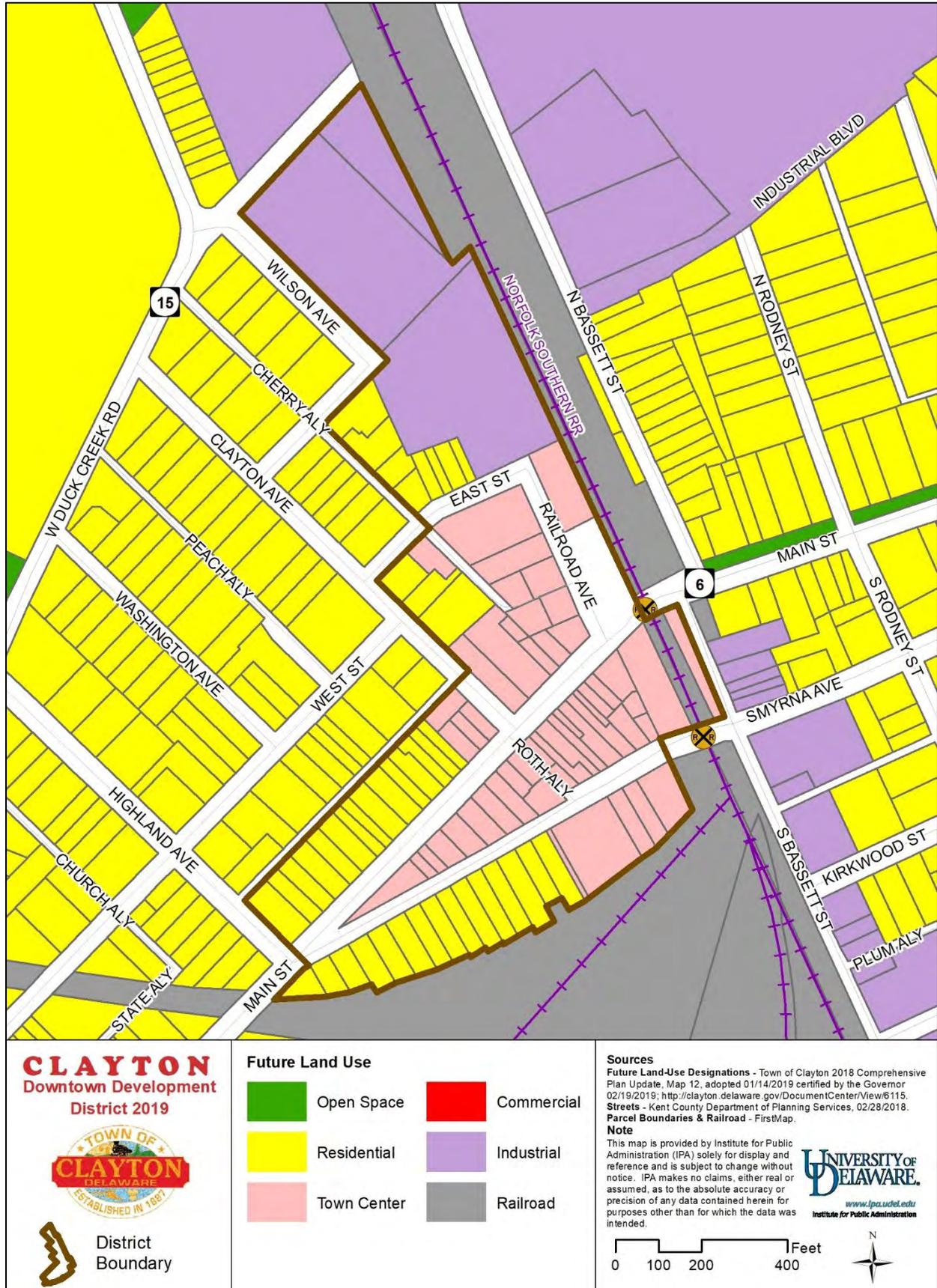
Accordingly, the 1996 plan’s future land use map identified a Town Center area. To implement that concept, the Town created a new zoning district that relaxed the setback, building coverage, and minimum lot sizes. This district permits a mix of uses within buildings and eliminated off-street parking standards.

Subsequent comprehensive plans continued the Town Center concept. The 2018 Plan Update expanded the Town Center by adding a parcel at the southwest corner of Cherry Alley and East Street (see Map 9). This parcel will be placed in the Town Center (TC) Zone when Clayton adopts a new zoning map.

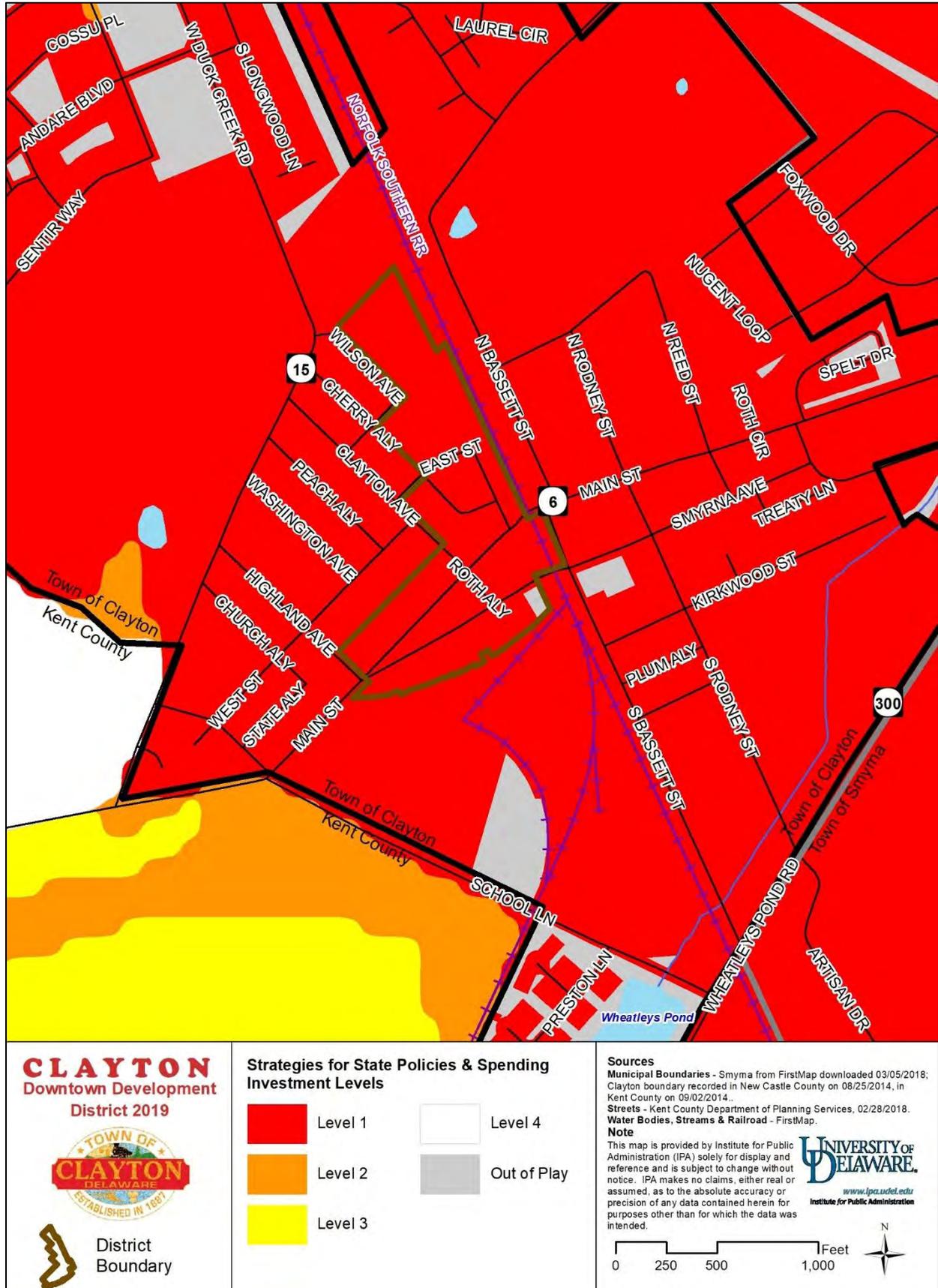
### State Strategies

This District Plan is consistent with the Strategies for State Policies and Spending. As Map 8 indicates, the District is almost entirely in State Strategies Investment Level 1 where the State is most prepared for growth to occur and to channel intensive investment in schools, roads, service centers, and public-safety facilities. The only property within the District not in Level 1 is Rebar Park, a small local park designated “Out of Play” indicating that it is not available for development or redevelopment. The area surrounding the District is also in Investment Level 1.

Map 7. Future Land Use 2018



Map 8. District and State Strategies



## Regulations to Be Applied in the District

### Zoning

Map 7 shows current zoning in the District and surrounding area. Within the District, properties in the TC Zone account for 7.35 acres, or 37 percent, of the proposed District. The remaining areas are industrial (6.4 acres, 32 percent) and residential (6.2 acres, 31 percent).

The most important land use regulation to be applied in the proposed District is the Town Center zone. Establishing the Town Center Zone was a key component of a total re-write of the Zoning Ordinance that was adopted in 1998. The intent of the Town Center (TC) Zone is:

1. To preserve and strengthen Clayton's small-town atmosphere by encouraging a mix of retail, office, and residential uses consistent with the scale and existing character of the town center.
2. To encourage the economic stability and improvement of the town center.
3. To provide a modification procedure, utilizing site plan review, to alleviate undue hardship relating to parking and other bulk regulations in order to maintain the small-town atmosphere of the town center.
4. To emphasize small-scale retail, office, and service uses.
5. To provide for a limited amount of multiple-family dwellings in conjunction with retail, office and service uses, but only on the second and third stories of commercial buildings.
6. To provide for the continuation of single- and two-family homes typical in town centers. (Section 6.4-2.6, <http://clayton.delaware.gov/DocumentCenter/View/5941>)

Table 5 lists the uses permitted in the Town Center Zone. As the list indicates, a wide variety of uses are allowed in the Town Center Zone ranging from single family and duplex homes to offices and retail establishments to community facilities. To encourage a mix of housing and non-residential uses in the Town Center, the ordinance provides that apartments (multiple-family dwellings) must be located on the second or third stories; they are not allowed at street level.

The Zoning Ordinance provides that each application for change in use and/or building alterations is reviewed the Clayton Planning and Zoning Committee in accordance with Section 6.5-2.9 which specifies that:

Except for building height, the Planning Commission shall determine the bulk regulations and parking requirements for new, changed or expanded uses in the TC Zone. In making this determination, the Commission shall make the following findings:

- A. That the placement of buildings and structures is compatible with the neighborhood and with existing development in character and scale.
- B. That proposed parking spaces, building coverage, and overall design of the project are sufficient to avoid congestion and will not place unreasonable demand on public facilities.

Map 9. Existing Zoning

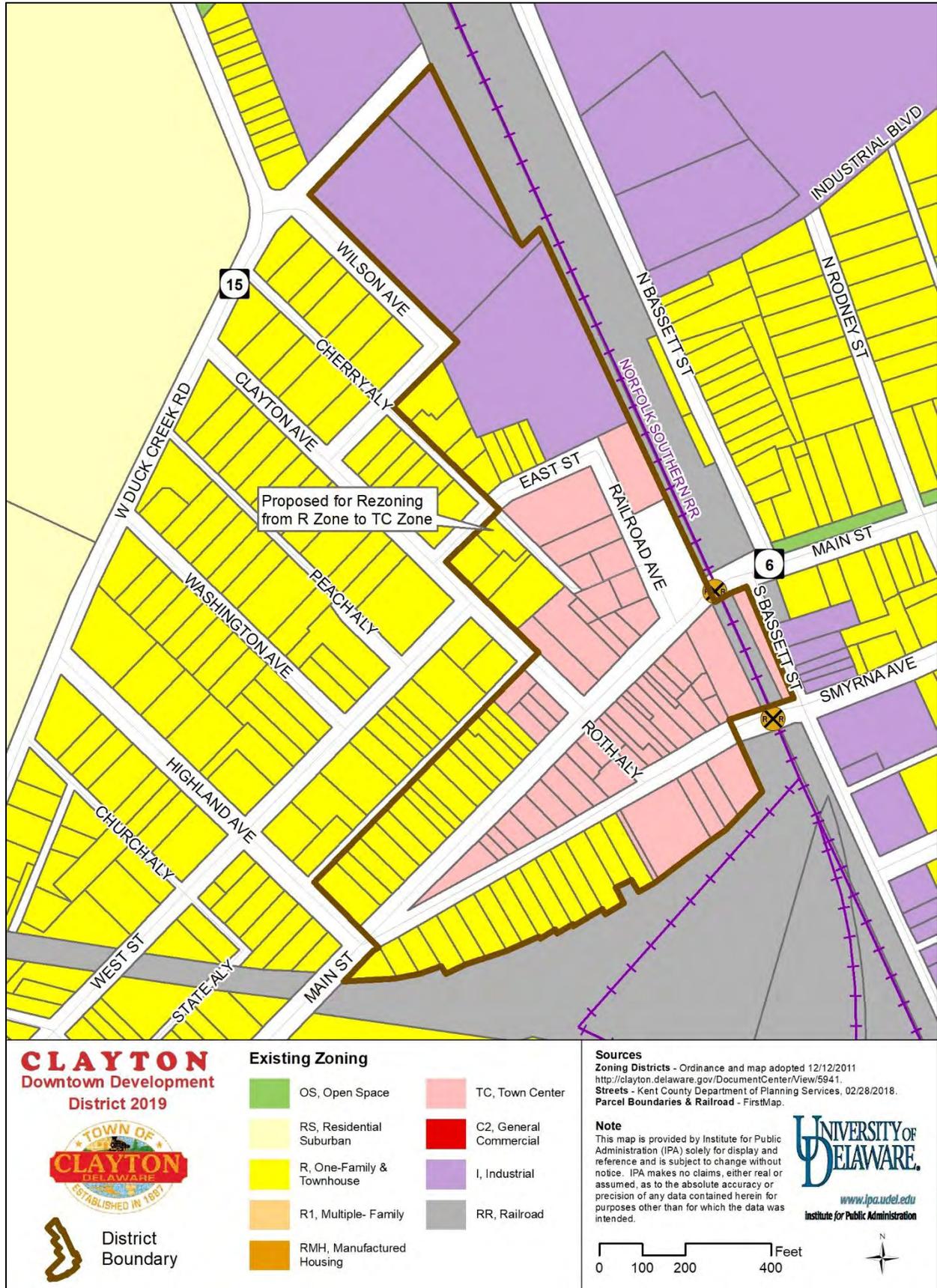


Table 5. Uses Permitted in the Town Center Zone

<ul style="list-style-type: none"> <li>• Bakery, retail provided that products prepared on premises are sold on the premises</li> <li>• Bank, including drive-in facilities that provide sufficient storage space for drive-in vehicles</li> <li>• Barber or beauty shop</li> <li>• Bicycle sales and repair shop</li> <li>• Communications towers</li> <li>• Community residential shelter</li> <li>• Day care center, child</li> <li>• Delicatessen including catering services</li> <li>• Drug store</li> <li>• Dry cleaning and laundry establishments limited to 2,500 square feet</li> <li>• Dwelling, duplex</li> <li>• Dwelling, multiple-family on second or third story of a commercial building</li> <li>• Dwelling, single-family including modular</li> <li>• Dwelling, two-family</li> <li>• Eating and drinking establishments, excluding drive-in</li> <li>• Educational institution</li> <li>• Florist shop</li> <li>• Food and beverage stores</li> <li>• Funeral home</li> <li>• Furniture and carpet stores</li> <li>• Garden supply store</li> <li>• Garden, orchard, or nursery, but not commercial greenhouses</li> <li>• Gift shop</li> <li>• Grocery store</li> <li>• Hardware store</li> <li>• Hobby supply store</li> <li>• Laundromat, self-service limited to 2,500 square feet of gross floor area</li> <li>• Liquor store</li> <li>• Newsstand</li> <li>• Nonconforming uses and structures</li> </ul>	<ul style="list-style-type: none"> <li>• Office supply store</li> <li>• Offices, general business</li> <li>• Office machine sales, service, and repair limited to 2,500 square feet of gross floor area</li> <li>• Offices, professional</li> <li>• Paint store</li> <li>• Parking facilities</li> <li>• Pet shop, including grooming provided that all operations are conducted within a completely enclosed, soundproofed building</li> <li>• Places of worship</li> <li>• Private club, lodge, or meeting hall</li> <li>• Public buildings</li> <li>• Public park and recreation areas</li> <li>• Public safety facility</li> <li>• Public utility service facilities except electric substations and relay stations</li> <li>• Public utility service lines</li> <li>• Retail sales and personal services, general</li> <li>• Shoe repair shop limited to 2,500 square feet of gross floor area</li> <li>• Similar uses</li> <li>• Specialty shop</li> <li>• Sporting goods store including small arms ammunition smokeless powder and primers used in small arms ammunition as defined under the National Fire Protection Association Code</li> <li>• Stationery store</li> <li>• Studios for artists, photographers, teachers, sculptors, or musicians</li> <li>• Television, radio, electrical equipment sales, service, and repair limited to 2,500 square feet of gross floor area</li> <li>• Temporary uses</li> <li>• Tobacco shop</li> <li>• Variety and dry goods stores</li> <li>• Wearing apparel store</li> </ul>
---	---

Source: Clayton Zoning Ordinance, Table 1, pages 57-59, <http://clayton.delaware.gov/DocumentCenter/View/5941>

The residential portion of the proposed District will be governed by the regulations of the R Zone. This Zone allows one-family homes and townhouses. The intent of this zone is:

1. To provide for medium-density residential development and such accessory uses as may be necessary or are normally compatible with residential surroundings.
2. To protect existing development from incompatible uses.

(Zoning Ordinance, Section 6.4-2.3, <http://clayton.delaware.gov/DocumentCenter/View/5941>)

The Industrial portion of the proposed District is governed by the provisions of the I Zone. The intent of this zone is:

1. To provide sufficient space in appropriate locations for certain types of business and manufacturing uses.
2. To protect surrounding areas from the adverse effects of industrial uses by encouraging these uses to locate in modern, landscaped buildings.

(Zoning Ordinance, Section 6.4-2.9, <http://clayton.delaware.gov/DocumentCenter/View/5941>)

The Zoning Ordinance provides additional protections for uses in the Industrial Zone. It requires that industrial uses be conducted in enclosed buildings. It also requires site plan review and, for some uses, a conditional use permit. These regulations are important safeguards to ensure compatibility between the industrial use in the District and surrounding properties.

### Other Overlay Districts

With the exception of National Historic Register Listing for the Clayton Railroad Station which is listed on the National Register of Historic Places, there are no other special areas within Clayton's proposed Downtown Development District.

## Coordination

The Clayton Town Council intends to play a leadership role in implementing this District Plan. Members will work with the Economic Development Committee, the Planning and Zoning Committee, and the Kent Economic Partnership.

### Economic Development Committee

Clayton's Economic Development Committee is a quasi-governmental organization that will be involved in implementing the District Plan. This Committee was established on March 9, 2015, and its members include two town-council members and three business owners.

The Committee has played an important role in developing this District Plan. At their meeting of March 26, 2019, committee members recommended that the Town Council appoint Mary Ellen DeBenedictis, who is a member of the Town Council, as Clayton's Downtown Development District Administrator. At that meeting, the Committee also developed and recommended adoption of the business incentives presented in this District Plan to the Town Council. These incentives were approved by the Town Council at its April 2019.

### Planning and Zoning Committee

Having worked with the Town Council on the development of the 2018 Plan Update, the Planning and Zoning Committee will be responsible for recommending legislation and other programs to implement the Plan Update. One of the first endeavors related to the DDD would be reviewing the possible draft zoning amendment on site-plan review presented in Appendix B. A second initiative might be Plan Update recommendation for a "... complete analysis of the Town Center Zone, including review of permitted uses, conditions governing permitted uses, and processing times" (Plan Update, page 46).

### Kent Economic Partnership

At its meeting of April 8, 2019, the Town Council voted to join the Kent Economic Partnership. The Administrator will work with Partnership staff to promote and market Clayton's DDD as well as seek technical assistance.

## Public Input and Plan Resolution

Most of the public input for this District Plan draws heavily on the public outreach incorporated in the 2018 Plan Update adopted and certified just before the commencement of the DDD Round 3 application

period. The goals and recommendations in the Plan Update are incorporated and referenced throughout this District Plan.

At its April 2019 meeting, the Town Council approved the Business incentive and the Business Revitalization Tax-Reduction Programs that are included in this District Plan.

At the Town Council’s May 2019 meeting, a resolution authorizing the filing of an application for designation as a Downtown Development District was adopted by majority vote. At that same meeting, the Town Council also adopted a resolution naming a District Administrator which can be found in Appendix B.

## Implementing This District Plan

Because this is a required element of the DDD application, this section provides brief summaries of implementation strategies found throughout this District Plan.

### Flexible Zoning

A fundamental implementation strategy for this District Plan is Clayton’s Town Center Zone. Adopted in 1998, this zone allows the wide variety of uses and provides flexible bulk standards in the Town Center portion of the District. The regulations governing this zone provide for a wide variety of uses suitable for an older, downtown area of a small town where structure often cover substantial portions of lots and off-street parking was not required. In this zone, property owners are not subject to minimum lot sizes and setbacks, maximum building coverages, or required off-street parking spaces obviating the need for variances. Generally, review of completed applications can take place within two weeks. A fuller description of The Town Center Zone can be found under “Zoning” in the section titled “Regulations to Be Applied in the District.”

### Incentives

This District plan includes two important financial incentives to potential investors in Clayton’s DDD. See “Existing Incentives” starting on page 28.

- Business Incentive Program. The intent of this program is to ease the start-up burden. It permits waivers and reductions in license and utility fees for to new businesses.
- The Business Revitalization Tax-Reduction Program. This program authorizes a property-tax-reduction to existing business owners for improving the façades of their buildings.

### Priority Projects

Project Name and Location	Description
Clements Supply Mixed Use 305 Main Street, 50 Clayton Ave	Mixed-use project for a large structure in the heart of Clayton’s downtown
Clayton Railroad Station Southwest corner Main & S. Bassett Streets	Rehabilitation of Clayton’s historic railroad station for a retail use
Habitat Site 301 Smyrna Ave	Construction of a new home on vacant property owned by Habitat for Humanity

See text starting on page 20.

## Outreach and Marketing

Clayton is aware that an important implementation strategy for this District Plan is marketing the DDD. Clayton has already appointed an Administrator who is also a member of the town council. As pointed out in the District Plan's section on "District Administration," the Administrator will work with the Town Council and the Economic Development Committee to develop promotional materials, work with Town staff to develop a website presence for the District and provide assistance to potential applicants and investors.

## District Administration

Should Clayton be designated as a Downtown Development District, Mary Ellen DeBenedictis will serve as District Administrator. She is a member of the Clayton Town Council and Economic Development Committee and the Town's representative to the Delaware Municipal Electric Cooperative (DEMEC). Council member DeBenedictis will be in charge of all aspects of DDD administration, assistance, marketing, and coordination between the committee and the town council. The Town Council's resolution appointing her as District Administrator can be found in Appendix B.

## Economic Development Outreach and Marketing.

Clayton does not intend to wait for investors to come to the Town. At its April 2019 meeting, the Town Council voted to join the Kent Economic Partnership. The Administrator will work with Partnership staff to promote and market Clayton's DDD as well as seek technical assistance.

## DDD Promotional Materials and Website

Clayton's Economic Development Committee realizes the importance of promoting the Town. Accordingly, the following was included in the 2018 Plan Update (page 45):

*It is crucial that an inventory of available business sites be accessible to entrepreneurs or agents. It is also important to give prospects reasons to come to Clayton. Ideas for accomplishing these are:*

- *Compiling a portfolio of business opportunities that might include items such as address, square footage, photographs, maps, tax information, data about utilities (water, sewer, telecommunications, gas, and electric).*
- *Developing a brochure identifying advantages of having a business in Clayton that might highlight Clayton's central location, town services, and availability of small spaces for business that do not require substantial square footage or rely on pass-by traffic. One approach might be to market Clayton as a place where a home-based business that has outgrown its home might find a perfect small space for expansion and growth.*
- *Developing a presence on town website.*

Clayton has already taken an initial step towards business outreach. On April 30, 2019, the Town launched a new website. Should Clayton receive DDD designation, the Administrator will work with Town staff and the Economic Development Committee to ensure that the DDD is prominently featured on the website.

## Economic Development Assistance to DDD Qualified Real Property Investors

Clayton's DDD Administrator, and Town staff, who may assist the Administrator, will learn about, and stay current, on the DDD Rebate Program to assist investors in completing the application for submission to DSHA. In addition, the Administrator will assist investors with local incentive programs, and local review and approval processes for planning, zoning, building permits and other permits and licenses needed to implement qualified projects.

## DDD Program Record Keeping

The District Administrator will maintain accurate records of all active and potential DDD projects. Records will be coordinated with the DSHA administrators of the DDD Rebate Program. Record keeping will include local incentives granted to each project, including the value and impact of each local incentive.

## DDD Reporting to OSPC and DSHA

The District Administrator will assume responsibility for reporting status, progress and data about the Clayton's DDD program to the Office of State Planning Coordination (OSPC) and/or Delaware State Housing Authority (DSHA) upon request and in a timely manner. The Administrator will prepare, and file with OSPC, an Annual Report by July 1 of each year. The Administrator will also respond to requests for status, progress and data outside of the Annual Report cycle.

## Attendance at DDD Workshops and Events

The District Administrator and other available Clayton staff, consultants, elected and appointed officials will attend annual and periodic DDD workshops hosted by the OSPC and DSHA. It is recognized that such meetings and workshops provide opportunities to discuss important program requirements and updates and share best practices among District representatives.

## Consultants or Staff

Clayton will rely on the Administrator with assistance from town staff as needed.

## Local Government Budget and Staffing

There is no budgeting requirement for the DDD Administrator who is a member of the Town Council. It is expected that support from town staff will be minimal and can be worked into regular staffing operations.

# Clayton DDD Photo Gallery

This section presents several photos of Clayton's DDD. The map below shows the locations at which these photos were taken.

Map 10. Photo Locations

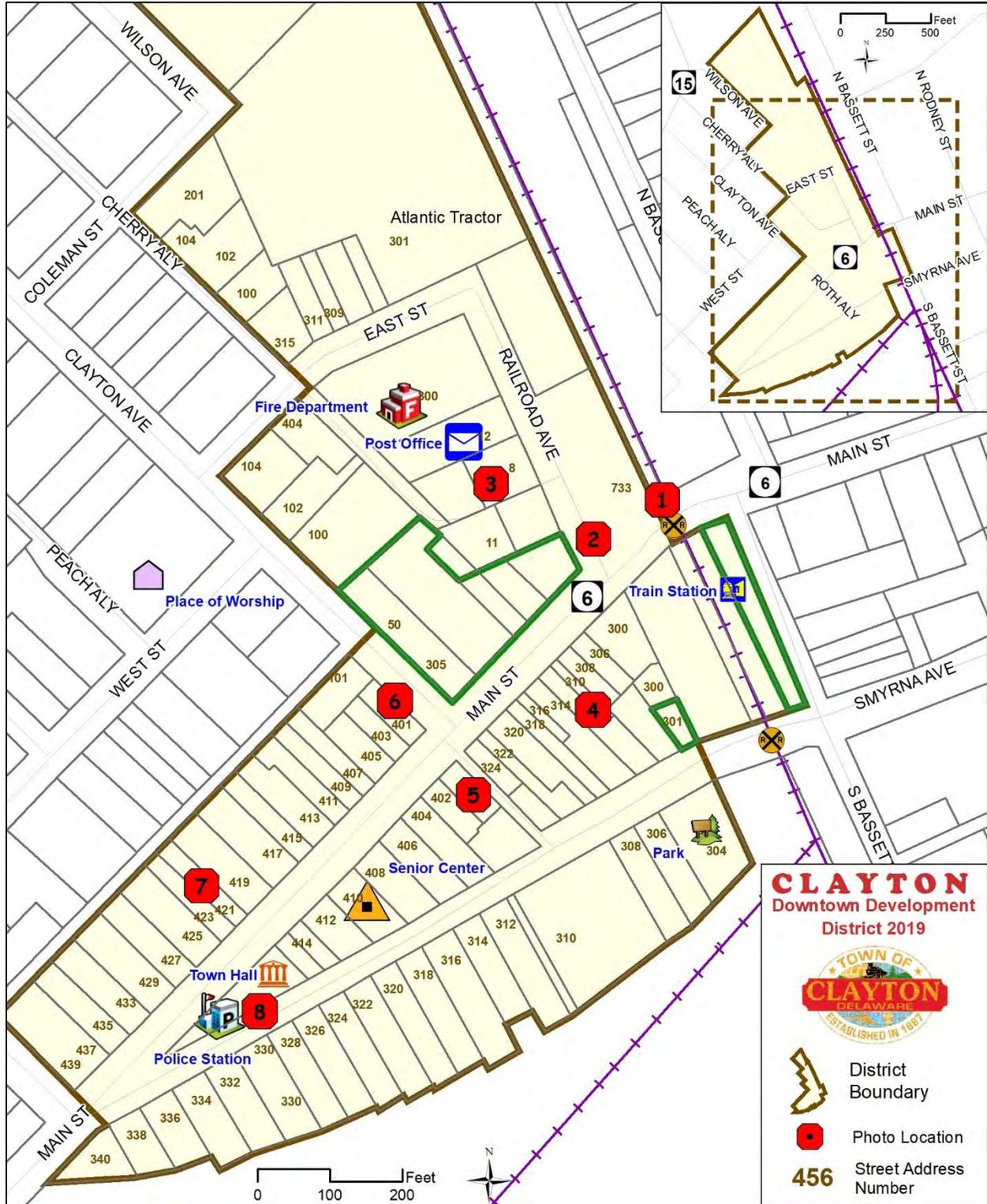


Photo Location 1



Entrance to Clayton Town Center from corner Main & North Bassett Streets, photo by Linda Raab 05/13/2019

Photo Location 2



Corner of Railroad Avenue and Main Street facing east side of Clements property, photo by Linda Raab 05/13/2019

Photo Location 3



8 Railroad Avenue, photo by Linda Raab, 04/22/2019

Photo Location 4



306-314 Main Street, Photo by Linda Raab, 05/13/2019

Photo Location 5



Looking west along Main Street from Clayton Avenue, Photo by Linda Raab, 05/13.2019

Photo Location 6



Looking west along Main Street from Clayton Avenue, Photo by Linda Raab, 05/13.2019

Photo Location 7



Homes in the 400 Block of Main Street across from Town Hall, Photo by Linda Raab, 05/13/2019

Photo Location 8



Western edge of Clayton DDD, looking east toward railroad, photo by Linda Raab

## Appendices

Appendix A. Resolution Appointing Downtown Development District Administrator

Appendix B. Draft Amendment to the Zoning Ordinance Eliminating the Requirement for Site-Plan Review in the TC Zone

Appendix C. Letters Supporting Downtown Development District Application

**A RESOLUTION APPOINTING THE DOWNTOWN  
DEVELOPMENT DISTRICT ADMINISTRATOR**

**WHEREAS**, the Town of Clayton is seeking designation as a Downtown Development District; and

**WHEREAS**, it is a requirement of the Downtown Development District Program that the Town appoint a District Administrator who shall be the chief point of contact for the District and will be responsible for all tasks involved in implementing the District, as well as record keeping and reporting that are required by the program.

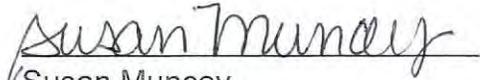
**NOW, THEREFORE, BE IT RESOLVED THAT:**

- a. The Town of Clayton appoints Mary Ellen DeBenedictis to be the District Administrator (the "**Administrator**") as the chief point of contact responsible for managing the Downtown Development District program; and
- b. The Town of Clayton shall adhere to the District Plan and the Local Incentives contained in the Application for the duration of the District designation; and
- c. The Administrator is authorized to execute such documents and enter into such agreements as may be necessary or desirable in connection with the Downtown Development District program and the rights and obligations of the Town of Clayton thereunder; and
- d. The Administrator, is authorized to carry out all District administrative and reporting requirements on behalf of the Town of Clayton for the duration of the District.

**SECTION 4** This Resolution shall become effective immediately upon its approval by Council.

**ADOPTED** by the majority vote of the Town Council of the Town of Clayton this 13<sup>th</sup> day of May 2019.

  
\_\_\_\_\_  
David Letterman  
Mayor

  
\_\_\_\_\_  
Susan Muncey  
Recording Secretary

## APPENDIX B.

### AN ORDINANCE BY THE CLAYTON TOWN COUNCIL to Enact Changes to the Clayton Zoning Ordinance

---

WHEREAS, Section 4.2(e)(15) of the *Town Charter of Clayton, Delaware*, authorizes the Town Council “to exercise all powers and authorities vested in the Town by virtue of Chapter 3, Title 22 of the Delaware Code regarding the zoning and subdivision of lands as the same may, from time to time hereafter be amended;” and

WHEREAS, Section 6.7-6.1 of the *Clayton Zoning Ordinance* authorizes the Town Council to “amend, supplement, change, or modify ... the text of the regulations ...” of the Zoning Ordinance; and

WHEREAS, the Town Council desires to adopt changes to the list of uses, the procedures and requirements for site plan review, and make current requirements for mobile home placement permits; and

WHEREAS pursuant to Sections 6.2-3.3 and 6.7-6.6 of the *Clayton Zoning Ordinance*, the Planning & Zoning Committee reviewed, and made a recommendation to the Town Council on, the proposed amendment at its regular meeting of [INSERT DATE] and forwarded it to the Town Council; and

WHEREAS, the Town Council:

1. Held a public hearing on [INSERT DATE] which is more than 15 days from the newspaper publication pursuant to Section 6.7-6.5C of the *Clayton Zoning Ordinance*;
2. Received the Planning & Zoning Committee’s recommendation pursuant to Section 6.7-6.5D1 of the *Clayton Zoning Ordinance* and made it a part of the hearing record;
3. Gave all interested citizens and parties an opportunity to be heard pursuant to Section 6.7-6.5D2 of the *Clayton Zoning Ordinance*; and

WHEREAS, notice of the public hearing was given as follows:

1. Pursuant to Section 6.7-6.6A1 of the *Clayton Zoning Ordinance*, notice appeared in the [INSERT NEWSPAPER], a newspaper of general circulation in the Clayton area, on [INSERT DATE];
2. Pursuant to Section 6.7-6.6A2 of the *Clayton Zoning Ordinance*, notice was posted at the Clayton Town Hall on [INSERT DATE]; and

WHEREAS, this Ordinance was introduced and read for the first time at the Town Council’s regular meeting of [INSERT DATE]; and

WHEREAS, this Ordinance was read for the second time at the Town Council’s regular meeting of [INSERT DATE]; and

NOW, THEREFORE THE TOWN OF CLAYTON HEREBY ORDAINS that the changes, which are attached to and made a part of this Ordinance, shall be made to the Zoning Ordinance.

AND, FURTHER, THE TOWN OF CLAYTON HEREBY ORDAINS that, where warranted, the numbering system of the Zoning Ordinance be amended so that they are in sequence after incorporating the provisions of this Ordinance.

AND, FURTHER, THE TOWN OF CLAYTON HEREBY ORDAINS that, pursuant to Title 10 Section 8126 of the *Delaware Code*, notice of the adoption of this Ordinance shall be published in a newspaper of general circulation.

AND, FURTHER, THE TOWN OF CLAYTON HEREBY ORDAINS that this Ordinance shall take effect upon adoption.

ADOPTED [MONTH AND DAY], 2016.

By

AN ORDINANCE BY THE CLAYTON TOWN COUNCIL  
to Enact Changes to the Clayton Zoning Ordinance

David Letterman, Mayor and Council President  
Town of Clayton, Kent County and New Castle County, Delaware

**CHANGE PERTAINING TO TOWN CENTER (TC) ZONE**

*Justification—Remove mandate for site plan review as a requirement for uses in the Town Center Zone; provides discretion to review site plan when structures are substantially redeveloped or added to; intended to be adopted in conjunction with “Changes to Site Plan Review and Building Permits.”*

**Delete the ~~stricken language~~ from, and add the underlined language to, Section 6.4-2.6.**

6.4-2.6. Town Center District (TC)

A. Intent

3. To provide a modification procedures, ~~utilizing site plan review~~, to alleviate undue hardship relating to parking and other bulk regulations in order to maintain the small town atmosphere of the town center.
7. To encourage the establishment of new, and the retention of existing, businesses with a streamlined review process.

**CHANGES PERTAINING TO SITE PLAN PERMITS AND BUILDING PERMITS**

*Justification—Changes uses designated “SPP” to “P”; refines the site plan review process, recognizes that it is separate from whether uses are permitted by right, as a conditional use, or not allowed; encourages coordination of site plan and subdivision review; makes an exception for the development of a single lot*

**Delete the ~~stricken language~~ from, and add the underlined language to, Table 1 Permitted Uses and Structures**

Table 1. Permitted Uses and Structures	OS Zone	RS Zone	R Zone	R1 Zone	RMH Zone	TC Zone	C1 Zone	C2 Zone	I Zone	RR Zone
Blank Not Permitted										
P Permitted										
CUP Conditional Use Permit [Sec. 6.7-4]										
<del>SPP Site Plan Permit [Sec. 6.7-5.5]</del>										
D See Sec. 6.1-2 Definitions										
Accessory uses and structures.	P	P	P	P	P	<del>SPP</del> <u>P</u>	P	P	P	P
Antique shop						<del>SPP</del> <u>P</u>	P	P	P	
Appliance sales, service, and repair limited to 2,500 square feet of gross floor area						<del>SPP</del> <u>P</u>	P	P	P	
Automobile filling or service station	D					<del>SPP</del> <u>P</u>	P	P	P	
Automobile, truck or bus sales, storage, or service within enclosed building								P	P	
Bakery, commercial									<del>SPP</del> <u>P</u>	
Bakery, retail provided that products prepared on premises are sold on the premises						<del>SPP</del> <u>P</u>	P	P	P	
Bank, including drive-in facilities that provide sufficient storage space for drive-in vehicles						<del>SPP</del> <u>P</u>	P	P	P	
Barber or beauty shop						<del>SPP</del> <u>P</u>	P	P	P	
Bicycle sales and repair shop						<del>SPP</del> <u>P</u>	P	P	P	
Building materials store with enclosed storage area								P	P	

AN ORDINANCE BY THE CLAYTON TOWN COUNCIL  
to Enact Changes to the Clayton Zoning Ordinance

<b>Table 1. Permitted Uses and Structures</b>		<b>OS</b>	<b>RS</b>	<b>R</b>	<b>R1</b>	<b>RMH</b>	<b>TC</b>	<b>C1</b>	<b>C2</b>	<b>I</b>	<b>RR</b>
<b>Blank</b>	<b>Not Permitted</b>	<b>Zone</b>									
<b>P</b>	<b>Permitted</b>										
<b>CUP</b>	<b>Conditional Use Permit [Sec. 6.7-4]</b>										
<del><b>SPP</b></del>	<del><b>Site Plan Permit [Sec. 6.7-5.5]</b></del>										
<b>D</b>	<b>See Sec. 6.1-2 Definitions</b>										
	Building materials supply or distribution facility									SPP P	
	Bus Maintenance <i>[Added 08/13/2007]</i>									CUP	
	Clothing manufacture									SPP P	CUP
	Cluster residential development		SPP P	SPP P	SPP P						
	Common open areas for storage of recreational vehicles					P					
	Communications towers	D	CUP				CUP	CUP	CUP	CUP	CUP
	Community residential shelter	D		CUP	CUP	CUP		CUP	CUP	CUP	
	Contractor's construction equipment, supplies, storage yard									SPP P	
	Day care center, child	D		CUP	CUP	CUP		CUP	CUP		
	Delicatessen including catering services						SPP P	P	P	P	
	Drug store						SPP P	P	P	P	
	Dry cleaning and laundry establishments limited to 2,500 square feet						SPP P	P	P	P	
	Dwelling, duplex				SPP P		SPP P				
	Dwelling, manufactured	D				P					
	Dwelling, multiple-family	D									
	Generally				SPP P						
	1 unit located only on second or third story of a commercial building						SPP P				
	More than 1 unit located only on second or third story of a commercial building						CUP				
	Dwelling, semi-detached when incorporated into a cluster development <i>[Added 03/27/2006]</i>	D		P							
	Dwelling, single-family including modular	D		P	P	P		SPP P			
	Dwelling, townhouse	D			P	SPP P					
	Dwelling, triple-attached when incorporated into a cluster development <i>[Added 03/27/2006]</i>	D		D							
	Dwelling, two-family	D				SPP P		SPP P			
	Eating and drinking establishments, excluding drive-in						SPP P	P	P	P	
	Educational institution	D		CUP							
	Electrical equipment fabrication									SPP P	CUP
	Farm equipment sales and service									SPP P	

AN ORDINANCE BY THE CLAYTON TOWN COUNCIL  
to Enact Changes to the Clayton Zoning Ordinance

<b>Table 1. Permitted Uses and Structures</b>											
<b>Blank</b>	<b>Not Permitted</b>										
<b>P</b>	<b>Permitted</b>	<b>OS</b>	<b>RS</b>	<b>R</b>	<b>R1</b>	<b>RMH</b>	<b>TC</b>	<b>C1</b>	<b>C2</b>	<b>I</b>	<b>RR</b>
<b>CUP</b>	<b>Conditional Use Permit [Sec. 6.7-4]</b>	<b>Zone</b>									
<del><b>SPP</b></del>	<del><b>Site Plan Permit [Sec. 6.7-5.5]</b></del>										
<b>D</b>	<b>See Sec. 6.1-2 Definitions</b>										
Fertilizer storage in bags or bulk storage of dry fertilizer, but not manufacture or processing										SPP P	
Florist shop							SPP P	P	P	P	
Food and beverage stores							SPP P	P	P	P	
Food production, processing, packaging, and canning										SPP P	CUP
Funeral home							SPP P	P	P	P	
Furniture and carpet stores							SPP P	P	P	P	
Garages, parking or storage with enclosed storage area									P	P	
Garden supply store							SPP P	P	P	P	
Garden, orchard, or nursery, but not commercial greenhouses		P	P	P	P		SPP P	P	P	P	
General farming, cultivation of field crops		P									
Gift shop							SPP P	P	P	P	
Grain and feed supply										SPP P	
Grain storage, blending, and packing, but not milling										SPP P	
Grocery store							SPP P	P	P	P	
Guest house				P	P						
Hardware store							SPP P	P	P	P	
Hobby supply store							SPP P	P	P	P	
Ice manufacture and storage, including dry ice										SPP P	CUP
Laundromat, self-service limited to 2,500 square feet of gross floor area	D						SPP P	P	P	P	
Liquor store							SPP P	P	P	P	
Lumber and building materials store with enclosed storage area									P	P	
Lumber yard										SPP P	
Machine shop										SPP P	
Manufacture of products raw or previously prepared materials [Revised 03/08/2004]	D									CUP	CUP
Manufactured housing community						SPP P					
Newsstand							SPP P	P	P	P	
Nonconforming uses and structures.		P	P	P	P	P	P	P	P	P	P

AN ORDINANCE BY THE CLAYTON TOWN COUNCIL  
to Enact Changes to the Clayton Zoning Ordinance

<b>Table 1. Permitted Uses and Structures</b>												
<b>Blank</b>	<b>Not Permitted</b>											
<b>P</b>	<b>Permitted</b>	<b>OS</b>	<b>RS</b>	<b>R</b>	<b>R1</b>	<b>RMH</b>	<b>TC</b>	<b>C1</b>	<b>C2</b>	<b>I</b>	<b>RR</b>	
<b>CUP</b>	<b>Conditional Use Permit [Sec. 6.7-4]</b>	<b>Zone</b>	<b>Zone</b>	<b>Zone</b>	<b>Zone</b>	<b>Zone</b>	<b>Zone</b>	<b>Zone</b>	<b>Zone</b>	<b>Zone</b>	<b>Zone</b>	
<del><b>SPP</b></del>	<del><b>Site Plan Permit [Sec. 6.7-5.5]</b></del>											
<b>D</b>	<b>See Sec. 6.1-2 Definitions</b>											
	Office machine sales, service, and repair limited to 2,500 square feet of gross floor area						<del>SPP</del> P	P	P	P		
	Office supply store						<del>SPP</del> P	P	P	P		
	Offices, general business						<del>SPP</del> P	P	P	P		
	Offices, professional						<del>SPP</del> P	P	P	P		
	Paint store						<del>SPP</del> P	P	P	P		
	Parking facilities						<del>SPP</del> P	P	P	P		
	Pet shop, including grooming provided that all operations are conducted within a completely enclosed, soundproofed building						<del>SPP</del> P	P	P	P		
	Placement and maintenance of track and auxiliary facilities for track operations limited to the movement of rolling stock through Town limits, but excluding switching marshalling, or classification and similar activities											P
	Places of worship		P	P	P		<del>SPP</del> P	P	P	P		
	Printing, publishing, engraving, photographic processing, or blueprinting									<del>SPP</del> P		
	Private club, lodge, or meeting hall						<del>SPP</del> P	P	P	P		
	Public buildings	D	CUP	CUP	CUP	CUP	<del>SPP</del> P	P	P	P		
	Public park and recreation areas		P		P	P	<del>SPP</del> P	P	P	P		
	Public safety facility	D	P	P	P	P	P	P	P	P	P	P
	Public utility service facilities except electric substations and relay stations	D	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
	Public utility service facilities including electric substations	D									CUP	
	Public utility service lines	D	P	P	P	P	P	P	P	P	P	P
	Railroad fueling, sanding, and watering stations											CUP
	Railroad passenger or freight terminals											CUP
	Railroad power houses											CUP
	Railroad repair shops											CUP
	Railroad roundhouses											CUP
	Railroad switching operations											CUP
	Recreational facilities						P					
	Retail sales and personal services, general						<del>SPP</del> P	P	P	P		

AN ORDINANCE BY THE CLAYTON TOWN COUNCIL  
to Enact Changes to the Clayton Zoning Ordinance

<b>Table 1. Permitted Uses and Structures</b>	<b>OS</b>	<b>RS</b>	<b>R</b>	<b>R1</b>	<b>RMH</b>	<b>TC</b>	<b>C1</b>	<b>C2</b>	<b>I</b>	<b>RR</b>
<b>Blank Not Permitted</b>	<b>Zone</b>	<b>Zone</b>	<b>Zone</b>	<b>Zone</b>	<b>Zone</b>	<b>Zone</b>	<b>Zone</b>	<b>Zone</b>	<b>Zone</b>	<b>Zone</b>
<b>P Permitted</b>										
<b>CUP Conditional Use Permit [Sec. 6.7-4]</b>										
<del>SPP Site Plan Permit [Sec. 6.7-5.5]</del>										
<b>D See Sec. 6.1-2 Definitions</b>										
Shoe repair shop limited to 2,500 square feet of gross floor area						<u>SPP</u> <u>P</u>	P	P	P	
Similar uses in accordance with <i>Section XXX</i>	P	P	P	P	P	<u>SPP</u> <u>P</u>	P	P	P	P
Specialty shop						<u>SPP</u> <u>P</u>	P	P	P	
Sporting goods store including small arms ammunition smokeless powder and primers used in small arms ammunition as defined under the National Fire Protection Association Code						<u>SPP</u> <u>P</u>	P	P	P	
Stationery store						<u>SPP</u> <u>P</u>	P	P	P	
Studios for artists, photographers, teachers, sculptors, or musicians						<u>SPP</u> <u>P</u>	P	P	P	
Television, radio, electrical equipment sales, service, and repair limited to 2,500 square feet of gross floor area						<u>SPP</u> <u>P</u>	P	P	P	
Temporary uses in accordance with XXX	P	P	P	P	P	P	P	P	P	P
Tobacco shop						<u>SPP</u> <u>P</u>	P	P	P	
Truck terminal									<u>SPP</u> <u>P</u>	CUP
Variety and dry goods stores						<u>SPP</u> <u>P</u>	P	P	P	
Veterinarian office, kennels, animal hospital									<u>SPP</u> <u>P</u>	
Warehousing or storage excluding hazardous materials									<u>SPP</u> <u>P</u>	CUP
Wearing apparel store						<u>SPP</u> <u>P</u>	P	P	P	
Wholesale establishment with enclosed storage area								P	P	
Yard, garden, and farm equipment sales rental and service with enclosed storage area								P	P	

**Delete the ~~stricken language~~ from, add the underlined language to Section 6.7-6. Site Plan Permits, and replace “Site Plan Permit” and “Site Plan Permits” with “Site Plan Review” throughout the Clayton Zoning Ordinance**

Section 6.7-5. Site Plan Review ~~Permits~~

6.7-5.2. When Required; Exception

A. When Required

1. A Site Plan Permit is required in accordance with Table 1 Permitted Uses and Structures ~~p~~Prior to the development of any property.
2. Prior to the recording of any subdivision.

B. Site plan reviews may be conducted simultaneously with review of subdivision plans in order to ensure compliance and consistency with this Ordinance and the Subdivision Ordinance.

AN ORDINANCE BY THE CLAYTON TOWN COUNCIL  
to Enact Changes to the Clayton Zoning Ordinance

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- C. Exception for single-lot development. The Administrator may review and approve site plans when all of the following conditions are met.
1. The application is for a single lot not requiring subdivision, but requiring the construction of footings, foundations, pilings, or slabs on grade.
  2. The subject lot is recorded in the Office of the Recorder of Deeds.
  3. The applicant does not own, or have control over, adjacent undeveloped or vacant land.
  4. The lot fronts on an existing street.
  5. All utilities are in place.
  6. The application complies with all requirements of this Ordinance and all other applicable laws, and regulations.

6.7-5.4. Application Requirements

A Site Plan ~~Permit application~~ must include:

- A. Community impact study.
1. The study shall analyze the immediate and long-term effects that the proposed development would have on public services by assessing the following:
    - a) Estimated revenue that the proposed development would generate to the Town.
    - b) Estimated costs of the public improvements and services that would be required to serve the proposed development.
  2. The services, that a community impact study should include, are:
    - a) Educational institutions.
    - b) Utilities, such as water, sewer service, storm drainage.
    - c) Transportation services, such as traffic signals, traffic circulation, street and road improvements, and pedestrian facilities.
    - d) Public safety services, such as police and fire protection.
    - e) Refuse collection and disposal.
    - f) Recreation facilities.
    - g) Other items that the Planning Commission requires to take action on the proposed development application.
- B. A site development plan, prepared by a competent professional an engineer, a land surveyor, or an architect, registered in the State of Delaware, drawn to scale that includes at least the following information:
1. Location, dimensions, and first floor elevations of all buildings and structures.
  2. Existing and proposed parking areas.
  3. Existing and proposed access roads.
  4. Drives and walkways.
  5. Topography and major vegetative features.
  6. Existing and proposed grading
  7. Location of landscape screens.
  8. Recreation and open space areas.
  9. Location of flood hazard areas.
  10. Location of source water protection areas.
  11. Stormwater management plan.
- C. Where appropriate, documents governing proposed covenants, restrictions and maintenance responsibilities for common areas and a provision that the Town of Clayton may enforce liens against the common owners for failure to abide by the liability and maintenance provisions.
- D. Additional information or drawings required by the Planning Commission or necessary to show how the proposed development fits in with the purposes for site plan review.

AN ORDINANCE BY THE CLAYTON TOWN COUNCIL  
to Enact Changes to the Clayton Zoning Ordinance

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AN ORDINANCE BY THE CLAYTON TOWN COUNCIL  
to Enact Changes to the Clayton Zoning Ordinance

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**Delete the ~~stricken language~~ from, and add the underlined language to Section 6.7-2. Certificates of Zoning Compliance**

*Justification—Brings Zoning Ordinance up to date by deleting Kent County’s former role in issuing building permits, also makes permit requirements consistent with town’s building permit application form*

~~6.7-2.4. Building and Manufactured Home Placement Permits~~

- ~~A. Building Permits. No building shall be erected, constructed, altered, moved, converted, extended, or enlarged unless a Building Permit has been obtained from Kent County. However, the County shall not issue a Building Permit without a Certificate of Zoning Compliance.~~
- ~~B. Manufactured Home Placement Permits. No manufactured home shall be placed for occupancy unless a Placement Permit has been obtained from Kent County. Separate Placement Permits shall not be required for each manufactured home in an approved manufactured home park or within a manufactured home park established prior to the adoption of this Ordinance. In any case, the County shall not issue a Placement Permit without a Certificate of Zoning Compliance.~~

6.7-2.4. Building Permits

A Building Permit is required before any building is erected, constructed, altered, moved, converted, extended, or enlarged or any manufactured home is placed, including, but not limited to the following.

- A. New construction and additions.
- B. Demolition.
- C. Manufactured home placement.
- D. Shed and out buildings (setbacks are 5 feet from rear property line and 3 feet from side property line).
- E. Pools and hot tubs (all pools and tubs designed for filtering system and are 24 inches and deeper).
- F. Roofing and siding replacement.
- G. Fences.
- H. Structural renovations.
- I. Decks and gazebos (hurricane straps mandatory on all floor joist and girders).
- J. Signs in accordance with section 6.6-2.

APPENDIX C.  
Letters Supporting Downtown  
Development District Application



May 5, 2019

David Letterman  
Mayor  
Town of Clayton  
414 Main St.  
Clayton De 19938

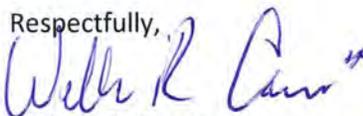
Mayor Letterman,

I am writing to you as Chairman of the Town of Clayton Economic Development Committee to support the town's effort to secure the 2019 State of Delaware's Downtown Development Grant Program.

As you are aware our committee has put forth a lot of effort in working to revitalize the downtown area of Clayton. We have worked hard towards trying to bring new businesses into Clayton. In doing so we have created a "New Business Incentive Program" to help new businesses get started. We have also create a "Stock List" of all commercial property in Clayton, if they are occupied or vacant, the square footage of the property and a contact name and number should a potential business come looking for any available property. We have worked to help existing businesses by creating a "Façade Grant Program" where existing businesses can apply for financial assistance from their yearly property taxes should they produce work to upgrade the exterior appearance of their property. As we continue to work hard to find occupants for current vacant buildings we feel that the DDD Grant Program will go a long way to help us occupy several of those buildings that we have identified. Those addresses being located at; 305 Main Street, 8 Railroad Ave and the old Railroad Station at 101 South Bassett Street. It has been our committee's goal to find assistance for the owners of these properties to help them in occupying those buildings. This grant would, I believe go a long way in helping us to achieve this goal.

Please feel free to contact me if there is anything that myself or the Economic Development Committee can do further to help the town in securing this grant.

Respectfully,



William R. Carrow II  
Councilman  
Chairman  
Town of Clayton Economic  
Development Committee

Cc  
Councilwomen Mary Ellen DeBenedictis  
Linda Raab

Town of Clayton

May 11, 2019

To whom it may concern:

I am the owner of Fingertip Fantasies, Miniature and Dollhouse shop at 401 Main St. I love the town of Clayton and would love to see it continue to thrive and attract new business to our community.

I appreciate all the planning and work that the Town does now to attract people to our community and my customers all tell me what a "sweet little" town this is. Many come back for the different parades; fund raisers and other events. Just think what we could do with even more participants and funding.

I wish to address the issue of the eyesore that is on the corner of Main Street and Clayton Avenue. Namely the building that sits empty and in major disrepair on the corner across from the building my business occupies. This poor building needs attention and we need to address this.

I believe that the reclamation program now being addressed would greatly benefit everyone in Clayton and for that matter, Smyrna. More business would help all of us. There are so many possibilities for that building or even if it is not financially expedient to renovate that building, then replace it with a building that would enhance the beauty and commerce of our town.

The area that is currently being looked at in this action would be wonderfully enhanced if we could get the funding to improve it. We have a great town and we need to take care of it and protect and preserve our history.

I sincerely support the town and our Council Members for the great work they do, I would hope that if we are able to secure this funding, they could do even more and we would all be grateful.

Thank you for your time in reading my letter.



Alice F. DeVore, Owner  
Fingertip Fantasies  
Dollhouses & Miniatures



Consulting Engineers

Construction Management

P.O. Box 498 Smyrna, DE 19977

Ph: 302-659-9090

Fax: 302-659-0909

May 13, 2019

Honorable Mayor David Letterman  
Town of Clayton – Delaware  
414 Main Street  
Clayton, Delaware 19938

**REF: *Town of Clayton Delaware  
Downtown Development District Program***

Dear Mayor Letterman:

We wanted to write you and express our sincere appreciation for the initiative you are taking with the Downtown Development District Program, sponsored by the Office of State Planning for the Town of Clayton. As you know, we are the owner of several small businesses within the Town of Clayton and neighboring town and fully support this effort. We have assisted two other small businesses in the preparation of the DDD and can see first-hand how this initiative helps businesses get started.

Our property, 315 Main Street Clayton is a historic building and in need for restoration. We are planning to start the restoration project of our building this summer so the timing of the grant is perfect. Our intent is to move our Engineering offices to Clayton to complement our construction company that currently utilizes the back shop space. We are planning mercantile space for the front storefronts as well.

Again, thank you for yours and council's effort on this truly needed grant. We are ready to assist in any capacity to make this happen. As always, please do not hesitate to call should you have any questions or need any additional information.

Respectfully Submitted,

Edward H. Ide, III, P.E.

**President**

i3a Consulting Engineers . Construction Managers

*Paul G. Mast*



May 13, 2019

Town of Clayton  
P. O. Box 1130  
Clayton, DE 19938

Mayor & Town Council:

With this letter I want to go on record as supporting any and all initiatives toward revitalizing the Main Street corridor.

Some of the vacant businesses are embarrassing for someone who has life time roots in Clayton.

I particularly want to emphasize giving attention to the former John Deere store at the corner of Main & Clayton Ave. It is an eyesore at the four corners, but with the right entrepreneur, with an imagination for an *outside-the-box* business, it could become an anchor for other intergenerational-friendly businesses in town.

Also, reopening the former Coffee Shop would go a long way in promoting Clayton as a business-friendly town.

I am a vocal champion of Kee's Cupcakes, besides being a steady and loyal customer. I would support more creative businesses like hers and can promise the same as your efforts to rejuvenate Main Street businesses takes shape.

Thanking you for your attention in this matter, I am,

A handwritten signature in cursive script that reads "Paul Mast".

(Rev.) Paul Mast



## **Data Storage Solutions**

8 Railroad Ave. Suite 100

PO BOX 1123

Clayton, DE 19938

(302)526-1999

To Whom it May Concern:

As a resident of Clayton, property owner in Clayton, and business owner in Clayton, I wholeheartedly support the Town of Clayton in the application for the Downtown Development District program.

I am also an owner of one of the primary projects listed on this project. If chosen and approved this grant money would allow us to start sooner and do more work on this project. It would also encourage me to look for other property's that would fall under the Down Town Development District program.

Please feel free to reach out to me if anyone has any questions.

A handwritten signature in black ink, appearing to read 'Jonathan N. Burnett'. The signature is stylized with a large, sweeping loop at the end.

Jonathan N. Burnett