



SPONSOR: Sen. Brown & Rep. Chukwuocha
Reps. Heffernan, Kowalko

DELAWARE STATE SENATE
151st GENERAL ASSEMBLY

SENATE BILL NO. 299

AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO DOWNTOWN DEVELOPMENT DISTRICTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Title 22 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1905. Designation, renewal, ~~and~~ amendment of districts-, and size of districts.

(a) No more than 15 districts shall be designated at any 1 time. Designation of the first 3 districts shall include 1 district in each county.

(b) Districts shall be designated for an initial 10-year period. Upon recommendation of the Committee, the Governor may renew districts for up to 2 5-year renewal periods. Recommendations for renewals shall be based on the performance of district responsibilities by the municipality (or county in the case of an unincorporated area); the continued need for such a district; and its effectiveness in creating capital investment, increasing population, creating jobs, improving housing stock, providing enhanced retail and entertainment opportunities, and otherwise improving the quality of life within such district.

(c) Any municipality (or county in the case of an unincorporated area) having a district within its borders shall be responsible for providing the local incentives specified in its application, providing timely submission of reports and evaluations as required by rule or regulation, implementing an active local development district program within the context of overall economic and community development efforts, and fulfilling such other responsibilities as may be required by law, rule, or regulation in connection with such district.

(d) Each district shall be required to submit regular reports and information to the Office as may be necessary to evaluate such district's effectiveness and compliance with this section.

(e) Districts shall be no more than 95 acres in area for a municipality or unincorporated area with a population of 9,000 or fewer persons, no more than 185 acres for a municipality or unincorporated area with a population of 9,001 to 30,000 persons, and no more than 400 acres in area for a municipality or unincorporated area with a population over 30,000 persons.

SYNOPSIS

This Act provides that Downtown Development Districts are limited in area based on the size of the municipality or unincorporated area in which they are located.

Currently, while the Delaware Office of State Planning Coordination (OSPC) limits the size of Downtown Development Districts, those limitations are not set forth in the Delaware Code. This Act adopts and codifies the limits set by the OSPC for jurisdictions with a population of 9,000 or fewer persons and for jurisdictions with a population of 9,001 to 30,000 persons. It increases the limit currently set by OSPC for jurisdictions with more than 30,000 persons from 250 acres to 400 acres and codifies that increased limitation.

Author: Senator Brown