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Sens. McBride, Sokola

HOUSE OF REPRESENTATIVES
150th GENERAL ASSEMBLY

HOUSE BILL NO. 313

AN ACT TO AMEND TITLE 2 OF THE DELAWARE CODE RELATING TO COMPLETE COMMUNITY
ENTERPRISE DISTRICTS.

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

1 Section 1. Amend § 2102, Title 2 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows and by redesignating Delaware Code provisions accordingly:

3 § 2102. Definitions.

4 As used in this chapter:

5 (4) ~~“Isoperimetric quotient” means the ratio of the area of the District to the area of a circle with the same~~
6 ~~perimeter as the District. It is a measure of how compact a particular defined District is.~~

7 Section 2. Amend § 2103, Title 2 of the Delaware Code by making deletions as shown by strike through and
8 insertions as shown by underline as follows:

9 § 2103. District designation.

10 (b) (1) A municipality, county, or municipality-county partnership and the Department must agree on the
11 boundaries of the District and must create a master development plan for the District that must subsequently be reviewed
12 through the preliminary land use services process under Chapter 92 of Title 29 and adopted into the municipality’s,
13 county’s, or municipality-county partnership’s comprehensive plan.

14 (2) The master development plan required by paragraph (b)(1) of this section ~~must~~ must, upon creation of the
15 District, include enhanced mass transit routes in the District upon its creation, and maximize the use of walking and
16 bicycling by residents and employees.

17 Section 3. Amend § 2104, Title 2 of the Delaware Code by making deletions as shown by strike through and
18 insertions as shown by underline as follows:

19 § 2104. District requirements.

20 A Complete Community Enterprise District must meet all of the following requirements:

21 (1) Be contiguous.

- (2) Be no more than 1 square mile but less than 9 square miles in area.
- (3) Be a compact shape ~~with an isoperimetric quotient of at least 0.7.~~ that is not a linear corridor.
- (4) Be zoned and otherwise regulated such that the District may be developed at a density that is high enough to enable frequent transit service to the residents of the District.
- (5) Exempt all development on all parcels of land included in the District from any municipal or county requirements for the provision of off-street parking.
- (6) Contain more total area zoned for residential use than is zoned for commercial or other uses. ~~No parcel of land included in the District may be zoned commercial regional.~~ Each parcel of land within the District must be zoned to maximize the use of transit, walking, and bicycling by residents and employees.
- (7) Consist of more than 1 parcel and part of at least 1 parcel must be within a ½ mile of any of the following:
- a. An existing bus or rail stop where passengers can board and alight.
- b. A planned or existing bus or rail station.
- (8) Include adjacent neighborhoods within a ½ mile of a bus or rail stop or planned or existing bus or rail station.
- (9) Be part of a master development plan for the District that maximizes the use of transit, walking, and bicycling by residents and employees, as required under § 2103(b)(2) of this Title.

SYNOPSIS

This Act revises the requirements for the shape of a Complete Community Enterprise Districts ("District") to maximize the use of transit, walking, and bicycling by residents and employees. Specifically, this Act does all of the following:

1. Eliminates the minimum size.
2. Requires the District to contain more than 1 parcel and that part of at least 1 parcel be within a ½ mile from a bus or rail stop or station.
3. Requires the District to include adjacent neighborhoods within a ½ mile from a bus or rail stop or station.
4. Prohibits a district from being in the shape of a linear corridor and requires that each parcel of land in the District is zoned to maximize the use of transit, walking, and bicycling.
5. Requires that a District be part of a master development plan that maximizes the use of transit, walking, and bicycling by residents and employees.

This Act also repeals the definition of "isoperimetric quotient" because the term is being removed and replaced with paragraphs (3), (7), and (9) of § 2104 of Title 2, in the revised requirements for a Complete Community Enterprise District.