

MEMORANDUM

DATE: March 31, 2009

TO: All Members of the Delaware State Senate
and House of Representatives

FROM: Ms. Daniese McMullin-Powell
Chairperson
State Council for Persons with Disabilities

RE: H.B. 29 [NCC Workforce Development Ordinance Moratorium]

The State Council for Persons with Disabilities (SCPD) has reviewed H.B. 29 which would place a six (6) month stay on any implementation of the New Castle County (NCC) Workforce Development program as applied to new applications. SCPD opposes H.B. 29 but still encourages the stakeholders to continue constructive dialog to resolve differences. Given, Council's interest in promoting affordable and accessible housing options, SCPD has the following observations.

As background, NCC identified a shortage of affordable housing in its 2007 Comprehensive Development Plan. Consistent with the attached *NCC Questions & Answers About Workforce Housing* document, the Council concluded that many County residents have been priced out of the housing market. The County identified 12 remedial strategies to provide homeownership opportunities to low and moderate income households. One of the strategies was to establish a "workforce housing program" which is described at page 2 of the above Q. & A. document. It essentially provides developers density bonuses for including certain percentages of affordably priced units in applications and authorizes some reduced County fees. NCC adopted an ordinance in February 2008 adopting a workforce development program. Implementation was stayed in December 2008 pursuant to another ordinance. H.B. 29 was then introduced to place a six (6) month stay on any implementation of the NCC Workforce Development program as applied to new applications. The "dynamics" of this conflict are described in the attached January 22, 2009 News Journal article. Proponents of a "stay" argue that higher density units may impose greater stresses on public schools and roads.

On January 21, 2009, the Housing & Community Affairs Committee allowed the bill to leave

committee and consistent with the attached March 6, 2009 News Journal article, NCC adopted a new ordinance addressing some of the detractors' concerns. A companion bill (H.B. No. 30) is pending which would increase the school assessment fee paid by developers

As the March 6 article recites, not a single new developer application has been filed under the workforce development program given the poor housing market. There is thus little pressure to enact a State moratorium. At the same time, there is considerable "NIMBY" sentiment in opposition to the program. See, e.g., the attached comments on the March 6 News Journal article

Thank you for your consideration and please contact SCPD if you have any questions regarding our position or observations on the proposed legislation.

cc: The Honorable Jack Markell
Mr. Brian Hartman, Esq.
Governor's Advisory Council for Exceptional Citizens
Developmental Disabilities Council

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