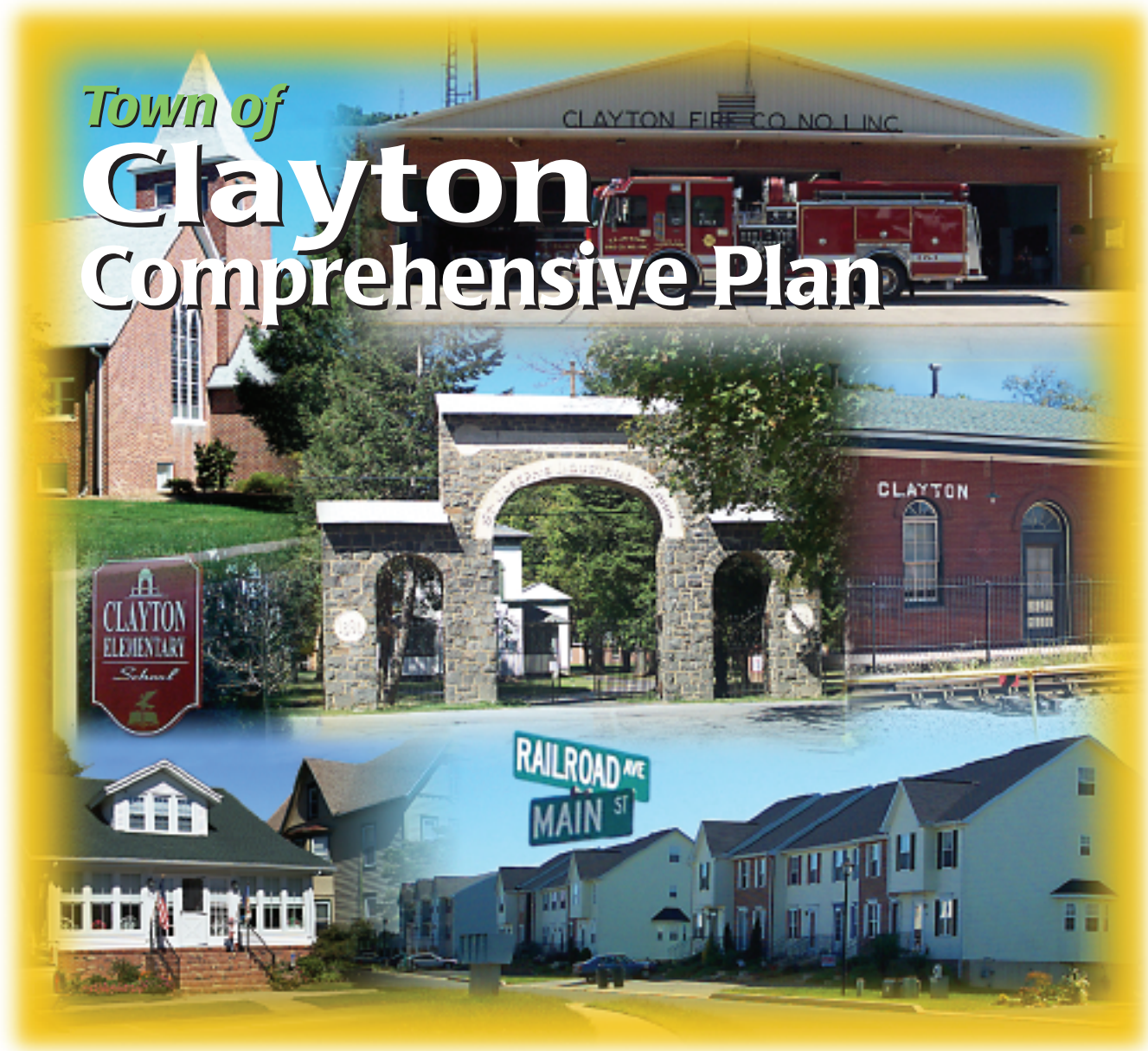


2005 Amendment to the 2002 Update to the 1996

Town of

Clayton Comprehensive Plan



adopted and certified
June 2005



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

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2005 Amendment to the 2002 Update to the 1996

Town of
Clayton
Comprehensive Plan

adopted and certified
June 2005



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF
STATE PLANNING COORDINATION

June 28, 2005

The Honorable Robert E. Berghorn, Mayor
Town of Clayton
P.O. Box 920
Clayton, DE 19938

RE: Certification of Comprehensive Plan Amendment
PLUS 2005-05-10

Dear Mayor Berghorn:

I am pleased to inform you that my office has certified the Town of Clayton's 2005 Comprehensive Plan Amendment. This letter signifies that the town is in compliance with the requirements of Title 22, Section 702 of the Delaware Code and the Strategies for State Policies and Spending. Please note that this letter does not alter the original certification date for Clayton's plan. A full plan update will be due on January 16, 2008.

I would like to take this opportunity to thank the Town of Clayton for working with the State to incorporate our recommendations into the plan before adoption. My staff and I look forward to working with the Town of Clayton to accomplish the mission of allowing economic development while protecting Delaware's heritage and natural resources.

Once again, congratulations on your certification.

Sincerely,

A handwritten signature in cursive script that reads "Constance C. Holland".

Constance C. Holland
Director

AN ORDINANCE BY THE CLAYTON TOWN COUNCIL
Amending the 2002 Update of the 1996 Clayton Comprehensive Plan

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, pursuant to Title 22, Section 701 of the *Delaware Code*, the Town of Clayton established a planning and zoning committee; and,

WHEREAS, pursuant to Title 22, Section 702 of the *Delaware Code*, the Town

- (a) adopted its first comprehensive development plan in 1978,
- (b) adopted a 1996 Comprehensive Plan on December 11, 1996,
- (c) adopted the 2002 Update to the 1996 Comprehensive Plan on January 16, 2003 that the Office of State Planning Coordination (OSPC) certified on January 24, 2003 (LUPA 10-28-02-01),
- (d) on July 14,
 - 1. adopted the 2003 Amendment to the 2002 Comprehensive Plan Update changing the land use for 3.13 acres located at the northeast corner of South Bassett Street and Wheatley’s Pond Road (DE 300) to which the Office of State Planning Coordination registered no objection in a letter dated July 7, 2003 (LUPA 06-10-03-02),
 - 2. implemented the 2002 Plan Update and 2003 Plan Amendment with the adoption of a comprehensive rezoning, which the Office of State Planning Coordination found consistent with the Town’s comprehensive plan in a letter dated July 7, 2003 (LUPA 06-10-03-02),
 - 3. on March 8, 2004, adopted the 2004 Plan Amendment to the 2002 Comprehensive Plan Update and a subsequent comprehensive rezoning, to which the Office of State Planning Coordination registered no objection in a letter dated March 2, 2004 (LUPA 02-02-04-01); and,

WHEREAS, in the *2004 Annual Report on Comprehensive Plan Implementation*, filed on October 29, 2004 pursuant to Title 22, Section 702(f) of the *Delaware Code*, the Town called for an intergovernmental response to inquiries about annexation of lands west of Clayton that were not earmarked for annexation in the current comprehensive plan; and,

WHEREAS, after meetings with state and county officials that focused on infrastructure provision, agricultural preservation, and logical corporate limits for Clayton, the Office of State Planning Coordination directed that Clayton undertake an amendment of its comprehensive plan primarily to delineate areas west of its current boundaries for annexation and to update background information (such as demographic data and information about public services); and,

WHEREAS, pursuant to Sections 6.2-3.1 and 6.2-3.3 of the *Clayton Zoning Ordinance*, the Clayton Planning and Zoning Committee held a public workshop to seek community input on the Plan Amendment on February 16, 2005; and,

WHEREAS, notice of this public workshop

- (a) appeared in the *Smyrna-Clayton SunTimes* on December 17 and 24, 2004 and January 7, 2005,
- (b) was placed in the Town’s utility bills sent to all account holders on February 1, 2005; and,

WHEREAS, at the public workshop, the Planning & Zoning Committee

- (a) recommended the designation of 76 parcels for annexation depicted on the attached map titled “Future Land Use and Annexations” with a green hexagon and listed in Appendix A of the attached plan amendment document,
- (b) instructed the planning consultant to bring plan information and data up to date, but not to initiate new goals or policies, and to consolidate the 2002 Update with the 2003 and 2004 Amendments into a single document,
- (c) directed that a draft be submitted to the Office of State Planning Coordination prior to the Town Council public hearing so that the Council could have benefit of those comments at its hearing; and,

AN ORDINANCE BY THE CLAYTON TOWN COUNCIL
Amending the 2002 Update of the 1996 Clayton Comprehensive Plan

WHEREAS, in a letter dated June 20, 2005 (PLUS 2005-05-10), a copy of which is attached to and made a part of this resolution, the Office of State Planning Coordination released its comments on the Plan Amendment and that the plan would be recertified when State Planning receives documentation that Town Council has adopted the Plan Amendment; and,

WHEREAS, on June 27, 2005, the Town Council held a public hearing on the Plan Amendment to consider the Planning & Zoning Committee's recommendation, to consider PLUS comments, and to receive additional public testimony; and,

WHEREAS, notice of the June 27 hearing

(a) appeared in the *Smyrna-Clayton SunTimes* on June 8, 15, and 22, 2005

(b) was placed in the Town's utility bills sent to all account holders on June 1, 2005; and,

WHEREAS, on June 27, 2005, the Town Council took the following action by majority vote

NOW, THEREFORE BE IT ORDAINED that the Clayton Town Council, having received and reviewed comments from the Office of State Planning Coordination, hereby adopts the *2005 Amendment to the 2002 Update of the 1996 Town of Clayton Comprehensive Plan* a copy of which is attached to and made a part of this Ordinance.

AND BE IT FURTHER ORDAINED that this Ordinance shall take effect upon adoption.

ADOPTED this 27th day of June, 2005.

By

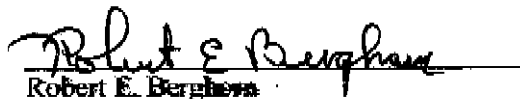

Robert E. Berghman
Mayor and Council President
Town of Clayton, Kent County, Delaware

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TOWN, COUNTY, AND STATE OFFICIALS

Town of Clayton

Town Council	Robert E. Berghorn, Mayor and Council President Wayne Stover, Vice Mayor Wilmer Abbott, IV, Secretary Thomas E. Horn, Jr., Treasurer Rodney Whalen, Assistant Treasurer
Planning & Zoning Committee	David Letterman, Chairperson Les Bartlett, Committee Member Charles Cooper, Committee Member Wayne Gryzik, Committee Member Tom Ruppert, Committee Member Pat Wilson, Committee Member
Town Attorney	Scott Chambers, Esq.
Town Staff	Jeffrey A. Hurlock, Town Foreman Jeanette Hurlock, Senior Clerk/Recording Secretary JoAnna Nelson, Deputy Clerk D.J. Johnson, Inspector/Code Enforcement Officer Brian Hill, Chief of Police

Kent County

Levy Court Commission	David R. Burris, President, 6th District Ronald D. Smith, Vice President, 2nd District Richard E. Ennis, Sr., At-Large P. Brooks Banta, 1st District Michael P. Cebrick, 3rd District Harold J. Peterman, 4th District Donald Blakey, 5th District
County Administrator	Robert S. McLeod
Planning Services Department	Michael J. Petit de Mange, AICP, Director

State of Delaware

Governor	Ruth Ann Minner
Senate	James T. Vaughn, Senator, 14 th District
House of Representatives	Bruce C. Ennis, Representative, 28 th District
Office of State Planning Coordination	Constance C. Holland, AICP, Director

INSTITUTE FOR PUBLIC ADMINISTRATION

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

Jerome R. Lewis is the director of the Institute. Linda Raab, AICP, an Institute planning consultant, served as principal planner and IPA liaison with the Clayton Town Council, the Clayton Planning & Zoning Committee, and the residents of Clayton. Martin Wollaston, IPA Policy Specialist, coordinated staff efforts to produce the final plan. Graduate Research Assistants who worked on the plan included Daniel Tobin and Erin Cole. Nicole Minni, GIS specialist with IPA, assembled the digital data and information in the plan and developed the maps found in the Appendix. Mark Deshon, IPA graphics specialist and publications editor, provided editorial support and designed the plan's cover.

Institute Director

Jerome R. Lewis, Ph.D.

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Mark A. Deshon, Policy Specialist

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Erin P. Cole

2005 AMENDMENT TO THE 2002 UPDATE TO THE 1996 COMPREHENSIVE PLAN TOWN OF CLAYTON, DELAWARE

INTRODUCTION

The *2005 Amendment to the 2002 Update to the 1996 Town of Clayton Comprehensive Plan* is the third amendment to the 2002 plan update adopted on January 16, 2003, and certified by the Office of State Planning Coordination on January 24, 2003.

On December 11, 1996, Clayton adopted its latest comprehensive plan. Its first update, the *Clayton 2002 Update to the 1996 Town of Clayton Comprehensive Plan*, adopted on January 16, 2003, and certified by the Office of State Planning Coordination on January 24, 2003, was prepared to comply with Title 22, Section 702(e) which requires that...

At least every five years a municipality shall review its adopted comprehensive plan to determine if its provisions are still relevant given changing conditions in the municipality or in the surrounding areas.

Accordingly, state law does not require Clayton to submit another update until 2008, unless change warrants a revision.

Change is exactly what is happening in the Clayton area, especially since the completion of State Route (SR) 1. Since January 2003, two plan amendments (and subsequent comprehensive rezonings) took place. The first occurred in July 2003, and the second was adopted in March 2004.

Changes in the Clayton area continue and prompt this amendment of Clayton's comprehensive plan. This plan amendment consolidates the provisions of the 2002 Update, the July 2003 amendment, and the April 2004 amendment into a single document. It provides current information on population, transportation, housing, employment, the environment, municipal services, and land use, and it establishes a new municipal growth plan for the town. It articulates the Clayton community's vision for its future and its position on land use and growth. As such it becomes a guide for decisions on development proposals, annexations, and capital improvements.

Like all Delaware plans, this plan amendment is a legal document. Chapter 7, Title 22, Section 702(a) of the *Delaware Code* directs that "any incorporated municipality under this chapter shall prepare a comprehensive plan for the city or town or portions thereof as the commission deems appropriate." Section 702(a) further specifies, "after a comprehensive plan or portion thereof has been adopted by the municipality in accordance with this chapter, the comprehensive plan shall have the force of law and no development shall be permitted except as consistent with the plan."

A draft of this plan amendment was submitted to the Office of State Planning Coordination (OSPC) for review under the Preliminary Land Use System (PLUS) on May 2, 2005. OSPC returned state agency comments to the town on June 20, 2005. The Town Council approved the plan amendment on June 27, 2005, and OSPC certified it on June 28, 2005.

CHAPTER 1. BACKGROUND

1-1. Planning Authority

Title 22, Section 701(a) of the *Delaware Code* requires that municipalities develop strategies for “the most appropriate uses of the physical and fiscal resources of the municipality and the coordination of municipal growth, development, and infrastructure investment actions with those of other municipalities, counties and the State through a process of municipal comprehensive planning.”

This plan amendment contains the elements of a municipal development strategy described in Section 702(b) of the *Delaware Code*. It is “a document in text and maps” containing “a municipal development strategy setting forth the jurisdiction’s position on population and housing growth within the jurisdiction, expansion of its boundaries, development of adjacent areas, redevelopment potential, community character, and the general uses of land within the community, and critical community development and infrastructure issues.” In addition, the town’s process for preparing this plan amendment was accomplished in “coordination with other municipalities, the county, and the state....”

1-2. Location

The map below depicts Clayton’s regional location. As the map shows, Clayton is located in central Delaware. It is strategically situated along the SR 1 and U.S. Route 13 corridors. Routes 1 and 13 are important north-south roadways linking Delaware with New Jersey and Pennsylvania to the north and Maryland and Virginia to the south. State Routes 6 and 300 link Clayton to the U.S. 301 corridor, another important north-south arterial.

Most of Clayton is in Kent County, but approximately 127 acres are in New Castle County. The Town is situated about two miles from the intersection of U.S. 13 and SR 6 west of and adjacent to the Town of Smyrna and about 15 miles north of Dover, Delaware’s capital city. 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.

Clayton Location



1-3. History

The Town of Clayton owes its existence to the shipping industry. Clayton developed as a railroad town during the 1850s when train tracks were extended through the Delmarva Peninsula. The railroad line had been planned to go through the adjacent Town of Smyrna; but, Smyrna's shipping-industry officials and its residents, fearing the fire hazard and the noise of steam engines, persuaded the railroad company to locate its station two miles west of downtown Smyrna.

A small settlement, known as Smyrna Station, developed around the railroad station. Richard Tibbot, who owned much of the land surrounding the station, sold lots to railroad officials. However, his claim to these parcels was challenged after his death, and subsequent problems with land titles impeded Smyrna Station's growth for several years.

The first reference to the name "Clayton" appeared in honor of John M. Clayton, a prominent Delaware attorney and public official. Clayton, an early supporter of the railroad, was elected to three terms in the United States Senate between 1829 and 1836. He also served as Secretary of State under President Zachary Taylor.

Despite the problems with Mr. Tibbot's land titles, the village of Smyrna Station established itself as an important railroad community due to its location at the crossroads of the north-south line and a branch line running west to Oxford, Maryland. By 1860, the village had a hotel, a store, and a post office. The 1870 United States Census listed Clayton's population at 114. In the early 1880s, formal education was established. In 1887, the State Legislature authorized the incorporation of Clayton as a municipality, and the town's first election was held in the same year.

During the first half of the twentieth century, Clayton's development paralleled the cyclical ups and downs of the railroad. In 1907 a second set of tracks was laid, and the increased movement of goods by rail during World War I brought prosperity to the town. By this time, a fire company had been organized, a two-story, four-room school had been built, and the Clayton Bank and Trust Company had been established.

Clayton did not escape the effects of the Great Depression that hit the entire country in 1929. Railroad business declined, and with it a general downswing in industry occurred during this period. However, the railroad and Clayton recovered from the economic slump when World War II spawned renewed industrial activity. After the war, however, Clayton's prominence as a railroad town diminished with the introduction of the diesel engine. Trains, propelled by these faster and more reliable engines, no longer needed to stop at the Clayton station on the route from Wilmington to the southern and western sections of the Delmarva Peninsula.

Between 1950 and 1960, Clayton headed in a new direction. The railroad, which had driven Clayton's economic engine for its first 100 years, had stopped dead in its tracks. Clayton's economic prosperity now hinged on the growing economy of Kent County. New job opportunities materialized in the Clayton area to replace the jobs once provided by the railroad. The W.L. Wheatley Company's food-processing plant expanded its operations, and the Leed's Travelwear Company located a plant in Clayton on the east side of Bassett Street.

The major attraction of Clayton today is its pleasant, small-town atmosphere. Most of the homes in the oldest parts of town are attractive and in good repair. Annexation of the Thorpe property (Longwood Lane), the Johnson Farm (Town and Country), and the Wheatley's Pond properties has enabled Clayton to begin diversifying its housing stock, thereby providing opportunities for young families to settle, and to remain, in town. The commercial area along Main Street supports a number of commercial enterprises, especially businesses selling farm equipment.

Most of Clayton's working residents are employed in Kent County outside of the town. Hanover Foods has taken over the W. L. Wheatley Company facilities. The property, on which the Leeds Plant was located, is now the Clayton-Smyrna Industrial Park. The railroad, which spawned the town, continues to exert a major influence because of its size and location of its substantial land holdings.

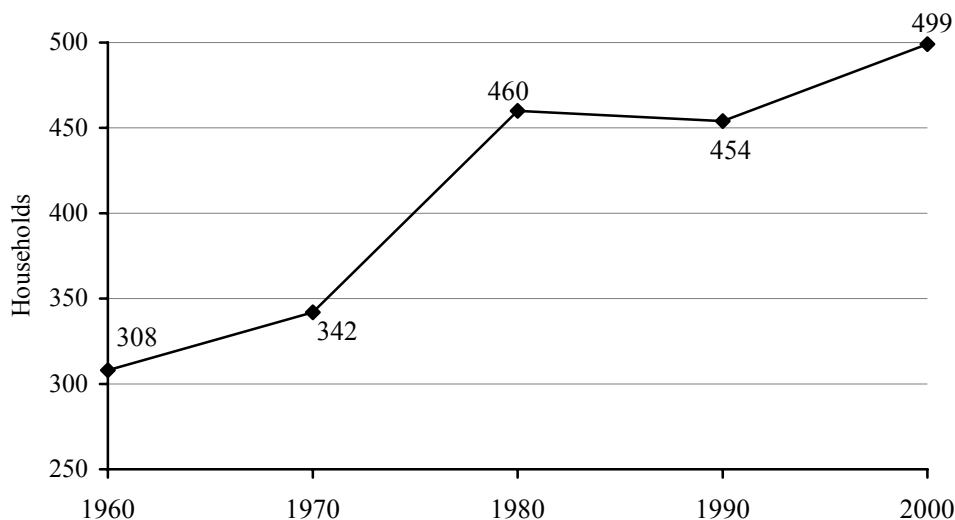
1-4. Community Profile

This section presents a profile of the Clayton community. It includes information on households, population, race, age, and education.

1-4a. Households

Figure 1 depicts Clayton's household trend from 1960 to 1990. Between 1960 and 1970, fewer than 35 new households were formed in Clayton. This is in stark contrast to the surge of nearly 120 new households that formed between 1970 and 1980. The 1980s saw a slight decline in the number of households, but the trend was reversed in the 1990s, with a 10 percent increase from 454 households in 1990 to 499 households in 2000.

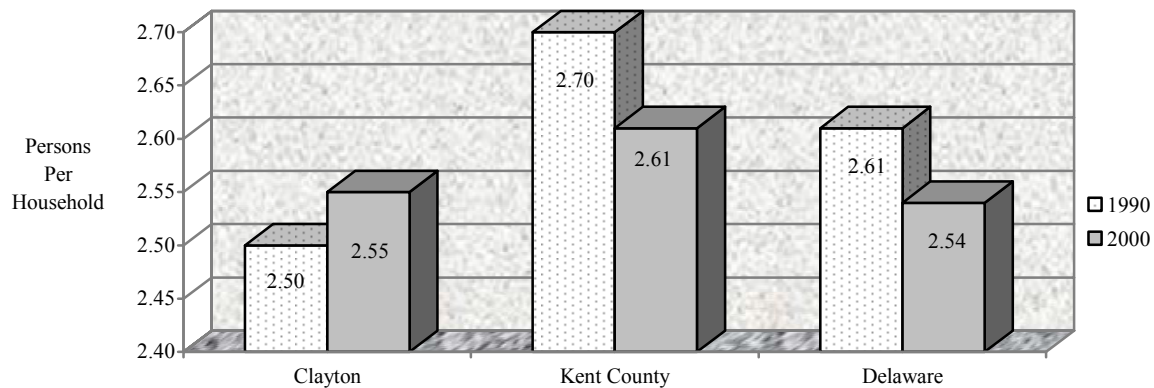
Figure 1. Number of Clayton Households, 1960-2000



Source: U.S. Census 1960-2000

Figure 2 portrays household sizes for Clayton, Kent County, and Delaware in 1990 and 2000. The table shows that Clayton's households increased in size while Kent County's and the state's decreased.

Figure 2. Household Size, Clayton, Kent County, and Delaware, 1990 and 2000



Source: U.S. Census 1990 Summary Tape File 1; U.S. Census 2000 Summary File 1

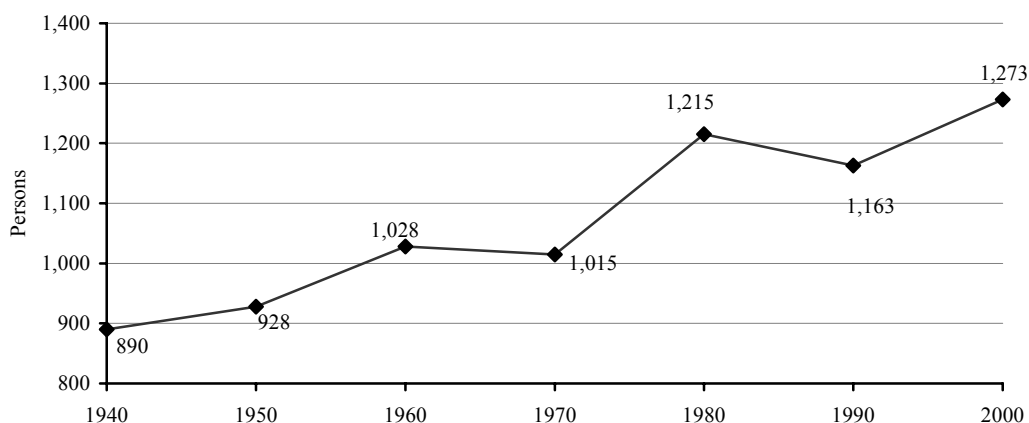
1-4b. Population

This section describes Clayton's population trend and forecasts its population to 2030. It also includes population trends since 1940 and projections to 2030.

Population Trends

Figure 3 shows Clayton's population trend from 1940 to 1990. Between 1940 and 1960, the population increased by 15 percent from 890 residents to 1,028 residents. After a decline in the 1960s, there was a second growth surge between 1970 and 1980 when the population skyrocketed almost 20 percent from 1,015 to 1,215. Population declined once again in the 1980s and rebounded in the 1990s.

Figure 3. Clayton Population, 1940-2000



Source: U.S. Census 1940-2000

Table 1 compares Clayton's population changes with those of Kent County and Delaware from 1940 to 2000. As the table shows, population in Delaware and Kent County has increased steadily over the last 60 years of the twentieth century while Clayton's population has declined twice.

Table 1. Population Change, Clayton, Kent County, and Delaware, 1940-2000

Year	Town of Clayton		Kent County		Delaware	
	Number	Change	Number	Change	Number	Change
1940	890		31,840		266,502	
1950	928	+4.3%	24,441	+8.2%	318,085	+19.4%
1960	1,028	+10.8%	37,870	+10.0%	446,292	+40.3%
1970	1,015	-1.2%	65,651	+73.4%	548,104	+22.8%
1980	1,215	+19.7%	81,892	+24.7%	594,338	+8.4%
1990	1,163	-4.2%	110,993	+19.9%	666,168	+12.1%
2000	1,273	+9.5%	126,697	+14.1%	783,600	+17.6%

Source: U.S. Census, 1940-2000

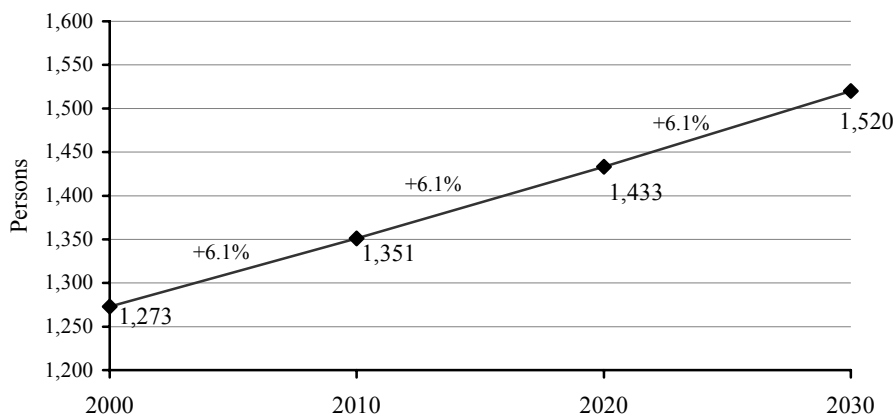
Population Projections

Population projections for small towns like Clayton are difficult, because data inaccuracies and/or the assumptions used for the forecasts can result in very large errors when projected over time. In this section, two population forecasts are developed.

Forecast 1—Trend Analysis

One way to project population is to develop a growth rate from past population trends and apply that rate to calculate future growth. Between 1940 and 2000, Clayton's population grew on an average of 6.1 percent per decade. Assuming future growth will be consistent with past growth, a 6.1 percent growth rate per decade was applied from 2000 through 2030. As shown in Figure 4, the population would grow from 1,273 in 2000 to 1,520 in 2030.

Figure 4. Clayton Population Projection, 2010-2030, Trend Analysis



Compiled by IPA, January 2005

Forecast 2—Buildout Analysis

Another way to project population is to estimate the population of a jurisdiction at buildout (A jurisdiction reaches buildout when there is no developable, vacant land). The steps in this estimation are as follows.

1. Inventory vacant land (Table 2, column 2)
2. Estimate the number of new homes that could be constructed under current land use regulations and comprehensive plan policies (Table 2, column 3)
3. Multiply number of new homes by number of persons per household to determine the number of new residents (Table 3, column 2)
4. Add new residents to existing population (Table 3, column 3)

Table 2 inventories vacant and agricultural land within the town's existing corporate limits and estimates the number of dwelling units that each parcel could accommodate. The table shows that, if it develops at current recommended densities and does not annex, Clayton could have 833 new homes at buildout.

Table 2. Vacant and Agricultural Land within Town Limits, 2004

Property and Location	Acres	Dwelling Units	Notes
St. Joseph's—New Castle County	127.4	0	Dwellings not permitted in OS
St. Joseph's—Kent County	108.0	100	Allows for small development in conjunction with school facilities
Johnson Farm (Town and Country), partially in Smyrna	3.6	24	Approved development plan
Wheatley's Pond Townhouses School Lane and SR 300	21.1	55	Under construction
Clayton Elementary School School Lane and Main Street	11.5	0	Assumes property current use as a school; vacant portion of property used for stormwater management unavailable for development
Southern States property School Lane adjacent to Clayton Elementary	3.8	0	Proposed Industrial
North side SR 300 between South Bassett and South Rodney Streets	0	0	Proposed Industrial
North side of SR 300 from S. Rodney to Town limits	15.0	0	Proposed Commercial
Hare Property South side Smyrna Avenue at end of Kirkwood Street	2.1	7	Assumes 80% developable at 4.2 du/acre
Other Infill	11.5	23	IPA estimate
Davis Farm (Huntington Mills)	84.4	199	Annexed 04/14/2003; under construction
Lester Farm (Providence Crossing)	182.0	425	Annexed 01/24/2004; approved plans
Total	540	833	Number of new homes that can be constructed under Clayton's current land use regulations

Source: Town of Clayton, January 2005

Table 3 calculates the impact of the addition of 833 new homes on Clayton's population. Using the 2000 Census figure of 2.55 persons per household (see Figure 2), it was estimated that the development of vacant land could result in an increase of 2,124 persons. When added to Clayton's current population of 1,273, the buildout population is 3,397.

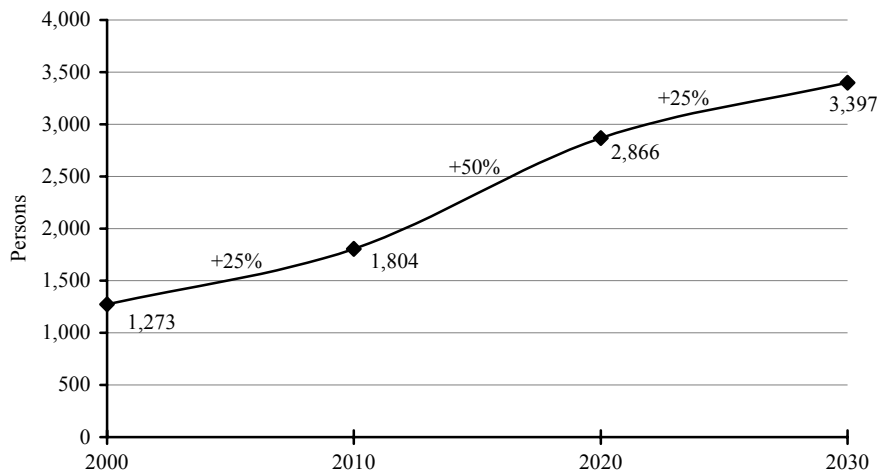
Table 3. Population at Buildout within Current Town Limits

Item	Calculations		Sources and Notes
Current Clayton Population		1,273	U.S. Census 2000
Number of homes at buildout within current town limits	833		See calculations in Table 2
Average Family Size	2.55		U.S. Census 2000, Summary File 1
Additional population at buildout		2,124	Number of homes times Average Family Size
Total population at buildout within current town limits		3,397	Current Clayton population plus additional population at buildout

Compiled by IPA, January 2005

Figure 5 shows how buildout growth might take place. To project population growth to 2030, it was assumed that 25 percent of the population growth will take place between 2000 and 2010, 50 percent of the growth will take place between 2010 and 2020, and 25 percent will occur between 2020 and 2030.

Figure 5. Clayton Population Projection, 2010-2030, Buildout Analysis

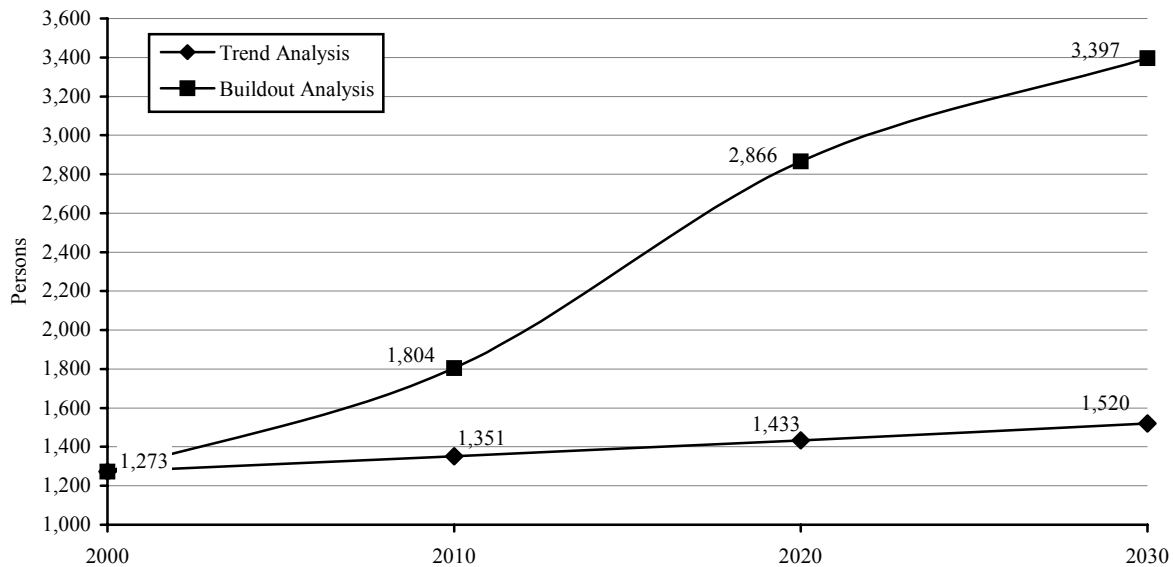


Compiled by IPA, January 2005

Trend vs. Buildout Analysis

Figure 6 compares the population forecasts using trend and buildout analyses. The variation in the two forecasts underscores the difficulties in forecasting population for small jurisdictions like Clayton.

Figure 6. Trend vs. Buildout Forecasts



Compiled by IPA, January 2005

1-4c. Racial Composition

Clayton's racial composition is shown in Table 4. As the table indicates, 99.3 percent of Clayton's total population identify themselves as belonging to one race. Of those indicating a single race, nearly 91 percent are white, 8.1 percent are black/African American, and nearly one percent are other than white or black/African American.

Table 4. Clayton Racial Composition, 2000

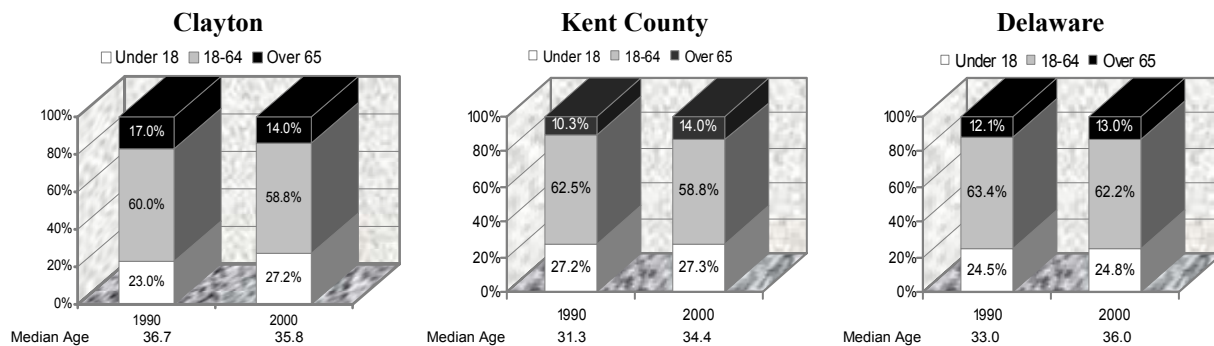
Race	Percent	
One Race		99.3%
White	90.9%	
Black/African American	8.1%	
Other than Black/African American <i>Includes American Indian and Alaska Native, Asian, Native Hawaiian and Other Pacific Islander, and all other races</i>	0.9%	
Two or More Races		0.7%
Total		100.0%

Source: U.S. Census 2000 Summary File 1

1-4d. Age Profile

Figure 7 compares Clayton's age profile with age profiles for Kent County and Delaware. The chart indicates that Clayton's population has not aged as have the populations of the county and the state. Between 1990 and 2000, Clayton's median age dropped from 36.7 in 1990 to 35.8 in 2000, while the county's and the state's median ages increased. Kent County's median age jumped from 31.3 in 1990 to 34.4 in 2000, and the state's median age increased from 33.0 to 36.0.

Figure 7. Age Profiles, Clayton, Kent County, and Delaware 1990 and 2000



Source: U.S. Census 1990 Summary Tape File 1; U.S. Census 2000 Summary File 1

1-4e. Educational Attainment

Table 5 summarizes educational attainment for Clayton, Kent County, and Delaware. Seventy-three percent of Clayton's residents have graduated from high school. By comparison, 79 percent of Kent County and 83 percent Delaware residents reported having received high school diplomas. Twelve percent of Clayton's residents hold a bachelor's degree, while 19 percent of the county and 25 percent of the state's population had completed college.

Table 5. Educational Attainment for Population 25 Years and Older, Clayton, Kent County, and Delaware, 2000

Jurisdiction	High School Graduate or Higher	Bachelor's Degree or Higher
Town of Clayton	73%	12%
Kent County	79%	19%
State of Delaware	83%	25%

Source: U.S. Census 1990 Summary Tape File 3; U.S. Census 2000 Summary File 3

1-5. Community Vision

In this section of the plan, leaders and citizens of Clayton present their visions for the future.

1-5a. Image

How does a resident (or a visitor) perceive Clayton? Does he/she feel as if he/she lives in an urban, bustling place? Or is the pace of life slower? When asked what feature Clayton residents found most appealing about their town, the community responded, “its small-town atmosphere.” Although many would like Clayton to remain as it is, they realize that some growth is likely. They endorsed preserving the characteristics of a small town as much as possible.

As Clayton’s history shows, it has managed to adapt while maintaining the charms of a small town. It has evolved from a one-employer (i.e., the railroad) community to a jurisdiction with a mix of residential, commercial, and industrial activities, and a number of governmental and service-oriented enterprises. Clayton has retained its civic and commercial focal point at the intersection of Main Street and the railroad, yet the town has expanded gradually along its southern and western borders.

The hectic pace of the 21st Century seems contradictory to the notion of a small-town atmosphere. A typical vision of small town life is one where families live, work, and socialize within a single community. On a typical day in 2005, an entire family might leave town in the morning and not return until evening. During the course of the day, various family members are likely to work, shop, and perhaps eat at least one meal “on the run.” As a result, it is difficult to become assimilated into a community. The challenge for Clayton is to take actions that blend the hectic modern lifestyle with the charms and pace of small-town life.

1-5b. Growth and Development

Should the Town of Clayton be larger than it is today? If the town wants to grow, where should growth take place? Realizing that a certain amount of additional development around their town is likely to occur, Clayton residents endorsed a policy of managed growth. Their concept of managed growth includes staging annexation in accordance with the ability of the town’s infrastructure to handle it. It also means making sure that revenues accruing from development are sufficient to cover the costs of the municipal services that the town would provide.

1-5c. Adjacent Areas

As the name implies, adjacent areas include nearby properties that are not intended for annexation. These areas are important, because their ultimate development often affects a municipality. Clayton residents expressed concern over proposed development plans for areas surrounding Clayton. They supported increased communication with officials in Kent and New Castle Counties and state agencies regarding their policies affecting Clayton. They also supported advocating Clayton’s policy positions to other levels of government.

1-5d. Redevelopment and Revitalization

Closely tied to community character is the way a jurisdiction deals with the re-use of properties in town and the actions it takes to rejuvenate its civic atmosphere. Redevelopment and revitalization also involve a town's physical appearance.

The Clayton community endorsed preserving its heritage and emphasized its desire to retain a small-town atmosphere. Residents supported maintaining the existing scale of development, especially in the older parts of town as well as preservation of the existing housing stock. They also advocated town-beautification projects, such as a coordinated system of public signs, street trees and furniture, and the removal of utility poles. They called for physical and social connections among their neighborhoods, especially areas that have been annexed recently.

1-6. Plan Development Process

This section outlines the course of action leading to the adoption of this plan amendment.

1-6a. Public Workshop

On February 16, 2005, the Clayton Planning & Zoning Committee held a public workshop to seek input from the community. To encourage maximum community participation, a notice was placed in the utility bills sent to each Clayton household at the beginning of February 2005. The notice specified the date, place, and time for the workshop. Notices were also placed in the *Smyrna-Clayton SunTimes*. In addition, the planning consultant notified via e-mail and telephone calls officials from the Office of State Planning Coordination, (OSPC), the Department of Agriculture, the Smyrna School District, New Castle County, Kent County, and the Town of Smyrna.

Approximately 30 people participated in the workshop, including representatives from the Office of State Planning Coordination, the Smyrna School District, Kent County, and the Town of Smyrna, as well as several members of the Clayton Town Council.

The meeting began by reviewing the plan amendment's purpose and schedule. The group then assessed the goals and objectives of the 1996 plan. Discussion moved to an evaluation of the adopted land use plan. The meeting concluded with a discussion of growth, annexation, and development of the area surrounding Clayton. Before adjourning, the Planning & Zoning Committee instructed the planning consultant to prepare a draft of the plan amendment that reflected the direction given in the workshop and submit it for state review under the Preliminary Land Use Service.

1-6b. Intergovernmental Review

Recognizing the importance of, and the state requirement for, intergovernmental coordination, the Clayton town staff and Institute for Public Administration (IPA) planners initiated and maintained contact with planning staff in the Office of State Planning Coordination (OSPC), New Castle County, Kent County, and the Town of Smyrna during the process of updating the plan.

Title 29, Chapter 92 of the *Delaware Code* requires that the state certify county and municipal comprehensive plans. Known as the Preliminary Land Use Service (PLUS), the certification process involves review and comment from state departments and agencies. The Office of State Planning Coordination organizes the comment process and works with each jurisdiction on items required for plan certification.

On May 2, 2005, a draft of the plan amendment was sent to the Office of State Planning Coordination for PLUS review. OSPC and IPA posted the plan amendment on their websites. In addition, copies of the plan amendment were available at the Clayton Town Office.

On June 1, 2005, the Office of State Planning Coordination and the state agencies involved in the PLUS process reviewed the plan amendment.

In a letter dated June 20, 2005, the Office of State Planning Coordination released Clayton's PLUS review comments.

1-6c. Town Council Review

On June 27, 2005, the Town Council held a public hearing on the plan amendment.

1-6d. Plan Adoption

On June 27, 2005, the Town Council adopted the plan amendment. A copy of the Council's ordinance adopting the plan follows OSPC's certification letter in this document.

1-6e. Plan Certification

On June 28, 2005, the state certified the plan amendment. A copy of the certification letter follows the inside cover of this document.

CHAPTER 2. CURRENT PLANNING ENVIRONMENT

Clayton's planning environment consists of more than its own plans and policies. Rather, it encompasses the plans and policies of the state, the counties in which the town is located, and adjacent municipalities. This section summarizes plans and policies of the State of Delaware, New Castle County, Kent County, and the Town of Smyrna. Together with Clayton's planning issues, state, county, and other relevant municipal plans form the backdrop for Clayton's plan amendment.

2-1. State of Delaware

For more than 40 years, the State of Delaware has wrestled with growth management and the wise investment of state funds. Beginning with the State Planning Council in 1959, state officials have pursued a variety of strategies to channel development to existing communities, preserve farmland, provide employment opportunities, and maintain a high quality of life.

On September 23, 2004, Governor Minner signed the *Delaware Strategies for State Policies and Spending Update, Five-Year Update July 2004*, which guides state funding decisions and policy formation. Consisting of text and maps, the *Strategies* document classifies the entire state using investment levels based on the predominant type of development. These levels form the basis for identifying locations where state-supported growth should occur and establishes guidelines for state investment. Table 6 lists each level, its characteristics, and a summary of its state investment strategies.

The *Strategies* document is important for municipal planning because it depicts graphically, as well as describes, the areas to which the State will channel its financial resources. While the state does not intend that this document direct local land use decisions, it does intend for the *Strategies* document to guide its funding decisions. Delaware local governments must incorporate these strategies in their comprehensive plans and land use decisions because they form the basis for state review of local land use actions as required under the Preliminary Land Use Service.

Map 2 depicts the state strategies and agricultural preservation areas in the Clayton vicinity. As the map shows, Clayton's current corporate limits are mostly within the Investment Levels 1 and 2. Except for the disputed areas north of Providence Creek long U.S. 13 and SR 1, the Town of Smyrna lies within Investments Levels 1 and 2. Most of the area west of Clayton is designated Level 4. Map 2 also identifies lands in Delaware's Farmland Preservation Program in the Clayton vicinity. Authorized by the Delaware Agricultural Lands Preservation Act of 1991 (House Bill 200), the program's primary goal, like that of the state strategies, is to channel development to areas where public facilities and services can accommodate it, so that land best suited for agriculture can be conserved.

Table 6. State Investment Strategies and Agricultural Preservation

Investment Level	Characteristics	Strategies
Level 1	<ul style="list-style-type: none"> • Municipalities, census designated places, urban places in counties • Higher density than surrounding areas • Assortment of housing types • Variety of transportation modes • Mixed uses within buildings • Sense of place • Suitable Transfer of Development Rights (TDR) receiving areas 	<p>Encourage...</p> <ul style="list-style-type: none"> • Redevelopment and reinvestment • Efficient use and maintenance of existing public and private investment
Level 2	<ul style="list-style-type: none"> • Less developed areas within municipalities • Suburban or rapidly growing areas in counties having existing or planned public utilities • Suitable TDR receiving areas. • Adjacent or near Investment Level 1 Areas • Small towns and rural villages • Limited array of housing types • Primarily local office and commercial uses 	<ul style="list-style-type: none"> • Base investment decisions on available infrastructure. • Promote broad mix of housing types and commercial uses. • Encourage development that is consistent with existing character. • Encourage compact, mixed use development.
Level 3	<ul style="list-style-type: none"> • Lands in long-term growth plans of counties or municipalities where development is not suitable in near term • Lands adjacent to, or within, fast-growing areas in Investment Levels 1 or 2 that are often impacted by environmentally sensitive features, agricultural preservation issues, or infrastructure concerns 	<p>Generally limited state investment until...</p> <ul style="list-style-type: none"> • Nearby Level 1 or 2 areas are built up • Providing public facilities is a logical extension of facilities serving Investment Levels 1 or 2
Level 4	<ul style="list-style-type: none"> • Predominantly agricultural containing agribusiness or farm complexes • Small settlements often located at historic crossroads • Undeveloped natural areas, such as forestlands • Large recreational uses, such as state and county parks or fish and wildlife preserves as well as private recreational facilities 	<ul style="list-style-type: none"> • Discourage additional development unless related to area needs. • Limit infrastructure investment, except to address public health, safety, or welfare.
Out of Play	Not available for development or for redevelopment, such as floodplains in New Castle County, public parks, and natural areas	Expend funds primarily on land maintenance and management; environmental protection, and mitigation with some development of public facilities that further health, safety, and welfare goals.
Disputed Areas	Currently subject to legal actions or other inter-jurisdictional disputes	Depends on status and nature of the dispute
Agricultural PDRs and Districts	<ul style="list-style-type: none"> • 200 contiguous acres devoted to agricultural and related uses • Continuous use for agriculture for ten years • Opportunity to sell development rights to preserve farmland permanently 	<ul style="list-style-type: none"> • Preserve a critical mass of crop land, forest land, and open space. • Provide landowners an opportunity to preserve their farms in an era of mounting development pressures and decreasing commodity values.

Source: Delaware Strategies for State Policies and Spending Update, Five Year Update July 2004, signed by the governor on September 23, 2004, pages 36-56, 87-88.

2-2. New Castle County

New Castle County's plans and policies are important because Clayton's corporate limits either extend into the county or border it. In addition, the Clayton community supports maintaining the existing rural character of the area north of Duck Creek, which forms the boundary between New Castle and Kent Counties.

Ensuring the rural character of southern New Castle County (which includes the area north of Duck Creek) between the Middletown-Odessa-Towsend area and the Clayton-Smyrna area is a cornerstone of the county's land use program.

- *1997 Comprehensive Development Plan Update*—This plan update designated the area north of Duck Creek as appropriate for “Very Low” density of no more than “0 to 1 Dwelling Units Per Acre.”
- *1997 Unified Development Code (UDC)*—The UDC contains strong standards to protect natural resources and farmland. Some of these are:
 - Suburban Reserve Zone—Land in the Suburban Reserve Zone is reserved for long-term development, and the preservation of open space and agricultural activities are encouraged. Public sewer and water service is not provided in this area, and densities generally may not average more than one dwelling per five acres. Development plans that cluster homes and leave substantial amounts of open space are encouraged.
 - Sunsetting—Approved development plans, for which construction has not begun after five years from the approval date (or the UDC's adoption date), may be subject to revision if not in compliance with current standards.
 - Environmental Standards—The UDC includes strict standards to protect wetlands, stream valleys, steep slopes, and forested areas.
- *1998 Comprehensive Rezoning*—Following adoption of the 1997 plan update and enactment of the UDC, the entire county was rezoned to reflect the land uses adopted in the plan. The rural areas north of Duck Creek were zoned Suburban Reserve.
- *2002 Comprehensive Development Plan*—On March 25, 2002, New Castle County adopted an update to its 1997 plan update. Consistent with the state strategies and continuing the land use policies of the 1997 update, this plan once again designates the land the area north of Duck Creek as rural.

2-3. Kent County

Kent County's plans and policies are important for Clayton's planning efforts because, except for the New Castle portion of the St. Joseph's property, Clayton's corporate limits are in the county. In addition, Clayton receives a number of services from the county, particularly sewer service. Finally, the most likely properties for annexation into Clayton are located in Kent County west and southwest of Clayton's current boundaries along State Routes 6 and 300.

Like New Castle County, Kent County's recent land use actions have underscored the county's commitment to agricultural preservation and growth management. Responding to the *Cabinet Committee on State Planning Issues Report* of April 1995, the Levy Court enacted an ordinance strengthening the county's ability to conserve farmland and direct growth to areas where infrastructure is in place. A key component of this legislation was the delineation of a growth overlay zone constructed by drawing circles consisting of roughly a two-mile radius from each of the county's sewage-pumping stations and

combining the circles. The ordinance also established density standards and open space requirements for developments for the county's two agricultural zones inside and outside of the overlay zone.

Kent County's growth overlay zone is important for Clayton because it shows the area within which Kent County intends to provide sewer service. The *Kent County Comprehensive Plan Update*, adopted March 23, 2002, confirms this policy:

Present County policy on provision of service is to provide that service in areas of the growth zone wherever economically feasible. Areas outside the growth zone are considered for service when there are environmental and health concerns for existing development.

Map 2 depicts Kent County's growth zone in conjunction with the state investment strategies. Clayton must consider this boundary as the community charts the direction of the town's growth.

2-4. Town of Smyrna

Smyrna's plans and policies are important for Clayton because most of Clayton's eastern boundary adjoins Smyrna's western boundary. In addition, both Smyrna's and Clayton's boundaries create enclaves around a number of parcels in Kent County. Further, the boundary line between the two towns bisects the Town and Country Subdivision (formerly the Johnson Farm) located between SR 6 and Duck Creek Parkway adjacent to Smyrna High School. Finally, Smyrna has experienced and will continue to experience a growth spurt; some of this growth directly affects Clayton's land use decisions, especially the recently opened Wal-Mart distribution center in the Smyrna Industrial Park located adjacent to Clayton's corporate limits on the south side of SR 300.

Smyrna's comprehensive plan recommends the railroad as Smyrna's western boundary. It also recommends that annexation petitions from properties between the boundaries of Clayton and Smyrna—the Spruance City and SR 300 area—be evaluated on a case-by-case basis and consistent with Clayton's desires. Accordingly, the Smyrna plan's growth area maps depict Smyrna's ultimate boundaries as co-terminus with the areas proposed for annexation in this plan amendment. If Clayton and Smyrna are able to annex the areas depicted in their respective comprehensive plans, the Kent County enclave between the two municipalities will be eliminated.

2-5. Town of Clayton

This section describes Clayton's governmental structure and outlines the environment in which planning and land use regulation is conducted in the town.

2-5a. Town Government

Clayton's governing body consists of five council members. The council members are elected for two-year terms. Town elections are held the first Saturday of May, and the council meets on the second and fourth Mondays of every month, except during the summer months. The president of the council, elected from among the council members at the first meeting after an election, serves as the mayor of the town.

The town employs a town foreman and two town clerks to oversee the daily operations of the town. The Town of Clayton is responsible for water service, electricity, trash collection, street and sidewalk maintenance, snow removal, street lighting, code enforcement, building permitting and inspection, and planning and zoning. The Clayton Town Hall, located at 414 Main Street, houses the police department

and offices for the administrative staff. It also contains assembly space used for meetings of the town council, the planning and zoning committee, and other groups and committees. The town also owns a garage on West Street where equipment is stored.

2-5b. Planning and Development Management

Clayton has an active Planning and Zoning Committee. The committee consists of five members, with the chairperson elected from among them each year. In accordance with the town's zoning ordinance, the committee makes recommendations to the mayor and council on nearly all development-related matters.

The Town exercises authority over planning, zoning, and subdivision within its boundaries. The town foreman supervises the day-to-day administration of development-related codes and regulations. He/she administers the zoning and subdivision ordinances and often provides staff expertise to the Town Council, Planning & Zoning Committee, and Board of Adjustment.

Over the past several years, Clayton has assumed responsibility for a number of development-management functions from Kent County. In December 2002, the Town adopted a property-maintenance code and hired a part-time code-enforcement officer to administer it. On April 14, 2004, the Town Council named the first town building inspector and established the ICC (International Code Council) International Residential and Business Code, 2003 edition, as the town's building regulations. At the same time, local service functions (inspections, regulations and permits) were transferred from Kent County to the town.

2-5c. Development and Annexation Activity, 1996-2004

Table 6 tracks Clayton's development and annexation activity from adoption of the 1996 plan to 2005. As the table shows, the Wheatley's Pond single-family homes are completed, while the townhouses in that development are almost 50 percent complete. The Longwood Lane Subdivision is built-out, and a number of homes have been built on infill properties scattered throughout the town.

Table 6. Development and Annexation Activity, 1996-2004

Property	Location	Acres	Status 2005
Wheatley's Pond	Southwest quadrant, School Lane and SR 300	21.1	Single-family portion built-out; townhouses approximately 45% complete
Thorpe (Longwood Lane)	Between Greenspring Road and railroad north of Old Duck Creek Road	21.0	Nearly built-out with 48 single-family detached homes
St. Joseph's Property	Between Greenspring Road and Providence Creek	235.0	Annexed 1997; existing buildings redeveloped for charter school
Davis Farm (Huntington Mills)	East side of SR 300 opposite Wheatley's Pond Subdivision	84.0	Annexed 04/14/2003; development underway
Lester Farm (Providence Crossing)	East side of SR 300 adjacent to the Davis Farm	182.0	Annexed 01/24/2004; subdivided, development not yet started
Johnson Farm (Town & Country)	Between Main Street and Duck Creek Parkway, adjacent to Smyrna	3.6	60 townhouse lots resubdivided for single-family lots, 2004

Source: Town of Clayton, January 2005

The 1996 plan recommended annexation of two parcels: the Hanover Home Farm and the St. Joseph's School Property. The owners of the Hanover Home Farm have not requested annexation, and the property remains undeveloped. Shortly after adoption of the 1996 plan, owners of the St. Joseph's property petitioned for annexation of the 235-acre tract located in both New Castle and Kent Counties. The Clayton Town Council annexed this property in 1997 and zoned the entire property RS, which permits the development of single-family detached homes on 10,000 square-foot-lots. The entire New Castle County portion is being farmed. Although most of the Kent County portion remains vacant, the buildings and grounds once occupied by the former St. Joseph's Industrial School have been rehabilitated to accommodate the Providence Creek Charter School.

Consistent with the 1996 plan, the 2002 plan update recommended annexation of the Hanover Home Farm. It also recommended annexation of several properties west of Clayton, including the 84-acre Davis (Huntington Mills) Farm, the 182-acre Lester (Providence Crossing) Farm, 15 single-family homes opposite the Wheatley's Pond subdivision, and the 2.4-acre Royster-Clark fertilizer plant located at the southeast corner of Wheatley's Pond Road and the railroad. To the east of Clayton, the plan update recommended the annexation of the Dennison Area located on the north side of Duck Creek Parkway east of the Clayton Courts Mobile Home Park and 15 properties near the intersection of State Routes 6 and 300.

Between the 2002 plan update and this amendment, two amendments were made to the land use map. The first, adopted on July 14, 2003, changed the land use (and zoning) for two parcels located at the northwest corner of South Bassett Street and Wheatley's Pond Road from industrial to commercial. The second amendment, adopted March 8, 2004, changed land uses on two properties. The land use for the 3.75-acre Southern States property, located on the east side of School Lane between Clayton Elementary and the railroad spur, was changed from residential to industrial to allow the construction of a state priority economic-development project. The 4.7-acre Stoney Knoll Farm, located on the north side of Main Street was changed from part-residential and part-industrial land uses to residential, to resolve an inconsistency between the land use and zoning maps and assign a single land use classification to the entire parcel.

CHAPTER 3. COMMUNITY CHARACTER

Community character refers to the image of an area, town, or village. Some of the factors that determine a community's character include its built environment, natural features, open spaces, housing styles and types, infrastructure, and public facilities and services. In this section, Clayton's community character is described, and goals and recommendations are developed.

3-1. Environmental Features

This section describes Clayton's environmental features and establishes goals and recommendations.

3-1a. Description

This section includes a description of Clayton's topography, geology, hydrology, and soils as well as a discussion of efforts to mitigate water pollution in Delaware waterways. Map 3 depicts environmental features in the Clayton vicinity.

Topography

Clayton's topography can be characterized as gently sloping. Elevations range from a low point of 25 feet above sea level at the sewage-lift station to a high point of 46.9 feet at the railroad track on the east side of Main Street. Slopes within the town limits are generally five feet or less. There are few areas with slopes greater than five feet near streambeds.

Geology

Clayton, as well as the rest of Kent County, is located within the Atlantic Coastal Plain physiographic province. The Atlantic Coastal Plain consists of geological formations comprised of deep-lying crystalline rocks covered with layers of gravels, sands and clays. The layers that make up the Coastal Plain dip gently towards the Atlantic Ocean from northwest to southeast.

Soils

The majority of underlying soils in Clayton are Sassafras series soils. These soils are highly productive, well drained, and generally not subject to flooding. Thus, they are suitable for both development and agriculture. Other soil types found in Clayton include Woodstown, Johnson, Evesboro, and Rumford. Soils in the Johnson series are not suitable for development because they occur along creek beds in floodplains. Woodstown series soils have moderate limitations to development, and both Evesboro and Rumford series soils are suitable for development.

Streams, Rivers, Lakes, and Ponds

Map 3 displays streams, rivers, lakes, and ponds in the Clayton vicinity and delineates the floodplains associated with area streams and rivers. Clayton is located in the Smyrna River drainage basin, which flows in an easterly direction to the Delaware Bay. Two tributaries of the Smyrna River flow through Clayton. Providence Creek forms part of Clayton's northern corporate limits and is the boundary between Kent and New Castle Counties. Greens Branch flows eastward from the west corner of Clayton's corporate limits through Wheatley's Pond, which is used as a storm water management facility for the adjacent Wheatley's Pond residential development. Both Providence Creek and Greens Branch flow into Duck Creek before joining the Smyrna River.

Wetlands

Wetlands are important because they filter pollutants from water, mitigate flooding, and provide habitats for wildlife and many plant species. Wetlands also offer a wide range of recreational opportunities including canoeing, fishing, and bird-watching. Through proper water management, careful site selection for development projects, and identification of sites for restoration, wetlands can be protected and managed.

Section 404 of the federal Clean Water Act regulates tidal wetlands protection. The Act governs (and usually prohibits) construction and filling activities in areas containing wetlands or wetland-associated hydric soils. Verification of wetland presence is provided by a United States Army Corps of Engineers (USACE)-approved wetlands delineation. Tidal wetlands are provided additional, and more stringent, regulatory protection than non-tidal wetlands under Title 7, Chapter 66 of the *Delaware Code* and provisions of the state's Tidal Wetlands Regulations. The Wetlands Section of DNREC's Division of Water Resources administers Delaware's wetlands-protection programs.

Table 7 lists the types of wetlands found in Delaware, and Map 3 shows their locations.

Table 7. Delaware Wetlands

Tidal	Non-Tidal
Salt Marshes	Freshwater Marshes
Brackish Marshes	Forested Wetlands
Freshwater Marshes	Delmarva Bays
Scrub-Shrub Wetlands	Riverine Wetlands
Riverine Wetlands	Lake/Pond Wetlands

Source: Delaware Department of Natural Resources and Environmental Control,
www.dnrec.state.de.us/dnrec2000/Divisions/FW/Adopt-A-Wetland

Recharge Areas

A recharge area is land on top of an aquifer. Precipitation falling on the land surface provides all water that recharges aquifers. Aquifers are layers of gravel and sand within which water is stored and moves underground. Excellent recharge areas consist of predominantly sandy soils that allow precipitation to most rapidly infiltrate to the underlying aquifer. Good, fair and poor recharge areas have respectively slower infiltration rates.

Maintaining good water quality in local aquifers is especially important, because Clayton (as well as all of Kent and Sussex Counties) obtains drinking water from wells drilled into aquifers. Care must be taken when developing recharge areas to ensure that precipitation does not pick up and carry contaminants downward to aquifers and that sufficient open area is preserved so that precipitation can recharge the aquifers beneath it. As shown on Map 3, the Clayton vicinity contains substantial acreage of excellent recharge areas.

Pollution Control

Section 303(d) of the federal Clean Water Act (CWA) requires states to develop a list of water bodies for which current pollution-control activities are not sufficient to attain applicable water-quality standards and to establish total maximum daily loads (TMDLs) for pollutants of concern. A total maximum daily load is the greatest amount of a pollutant that a water body can absorb each day without violating water-quality standards—in other words, a pollution limit. Examples of pollutants, which can harm water bodies, include nitrogen and phosphorus, bacteria, sediments, and heat. There are two sources of these pollutants: “point” sources, such as sewage treatment plants; and, “nonpoint” sources, such as runoff from farms, parking lots, and golf courses.

To combat water pollution, the Delaware Department of Natural Resources and Environmental Control (DNREC) first establishes acceptable pollution levels, i.e., the TMDLs. Department staff then works with Tributary Action Teams, comprising residents of each watershed, to develop strategies for reducing pollution. Some of the methods explored with these teams include

- Eliminating point-source discharges
- Managing fertilizer and manure applications
- Replacing failing septic systems with modern sewage-disposal systems
- Employing protective agricultural practices such as planting vegetative-buffer strips between cropland and waterways

3-1b. Goals and Recommendations

Goals

- Preserve nearby water bodies for their designated uses.
- Support and contribute to the state’s strategies for curbing water pollution.

Recommendations

- Work with DNREC to develop policies, procedures, and best management practices (BMPs) aimed at controlling pollution.
- Continue working on economically feasible means to connect all properties within the town limits to the water and sewer system.
- Condition annexation on connection to Clayton’s water and sewer system.
- Review development procedures in Clayton’s zoning and subdivision laws.

3-2. Housing

This section provides information about Clayton's housing stock and establishes goals and recommendations.

3-2a. Description

This section describes Clayton's housing stock. It includes information on type, age, value, and occupancy rates.

Type of Housing Stock

Table 8 depicts the types of housing found in Kent County and the State of Delaware. The table shows that detached homes were the most prevalent in all jurisdictions. Kent County's percentage of attached homes was significantly lower than that of Clayton or Delaware. The state and the county had substantially more multi-family dwellings than Clayton, but Clayton's percentage of manufactured homes was higher than either Kent County or Delaware.

Table 8. Housing Types, Clayton, Kent County, and Delaware, 2000

Housing Type	Clayton	Kent County	Delaware
Single-Family Detached	61%	58%	56%
Single-Family Attached	14%	8%	14%
Multi-Family	4%	15%	19%
Manufactured Homes	21%	19%	11%

Source: U.S. Census 2000 Summary File 3

Age of Housing Stock

Table 9 provides information on the age of housing units in Clayton, Kent County, and Delaware. As the table indicates, Clayton's housing stock is older than that of Kent County or the State with more than a third of Clayton's housing stock at least 65 years old (i.e., constructed before 1940). In contrast, around ten percent of the county's and the state's homes were built before 1940.

Table 9. Age of Housing Stock Clayton, Kent County, and Delaware, 2000

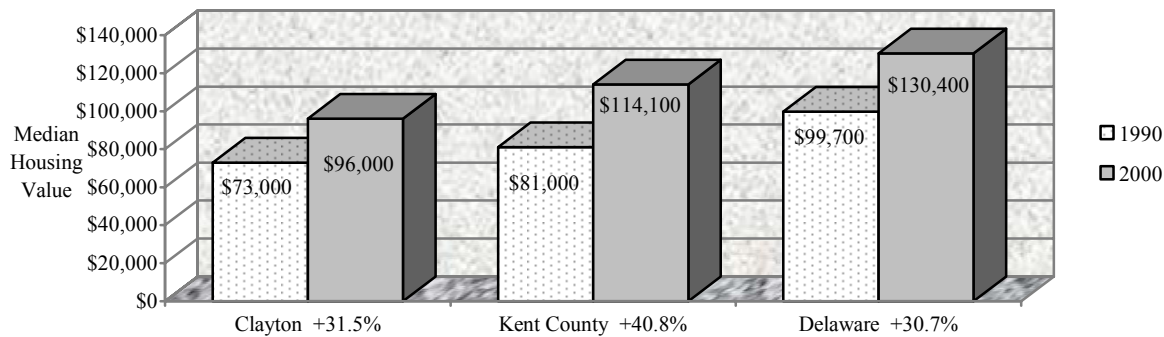
Year Built	Clayton	Kent County	Delaware
1990 to March 2000	18.2%	25.6%	21.2%
1980 to 1989	13.9%	17.4%	17.7%
1960 to 1979	18.0%	32.1%	30.9%
1940-1959	15.4%	15.1%	19.5%
1939 or earlier	34.5%	9.8%	10.7%

Source: U.S. Census 2000 Summary File 3

Housing Value

Figure 8 compares Clayton's 1990 and 2000 median housing value with those of Kent County and Delaware. In 1990, Clayton's median housing value was \$73,700. This was a little less than the \$81,000 median value of housing units in Kent County, but well below the \$99,700 median value in Delaware. Between 1990 and 2000, median home prices rose in all three jurisdictions. Clayton experienced a higher increase in home values than the state, but Kent County posted a gain of nearly 41 percent, well above those of Clayton and the state.

Figure 8. Median Values of Owner-Occupied Housing Units, Clayton, Kent County, and Delaware, 1990 and 2000

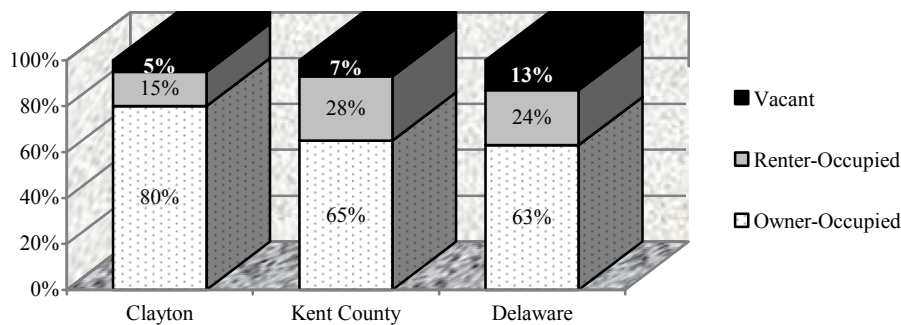


Source: U.S. Census 1990 Summary Tape File 3; U.S. Census 2000 Summary File 3

Ownership and Vacancy

Figure 9 compares the proportion of owner-occupied, renter-occupied, and vacant dwelling units in Clayton with those in Kent County and the state. As shown in the figure, the majority of homes in all three jurisdictions are owner-occupied, but Clayton's percentage of owner-occupied units is substantially higher than those of the county and state. While 28 percent of Kent County's housing stock and 24 percent of the state's housing stock is rented, only 15 percent of Clayton's homes are rented. Clayton and Kent County's vacancy rates were substantially lower than that of the state.

Figure 9. Ownership and Vacancy Rates, Clayton, Kent County and Delaware, 2000



Source: U.S. Census 2000 Summary File 3

3-2b. Goals and Recommendations

Goal

- Provide sound and affordable housing for residents of all income levels.

Recommendations

- Seek financial assistance from the state.
- Continue to build a code-enforcement program.
- Pursue opportunities for "move up" housing to encourage young families to remain in Clayton or move to the Clayton area.

3-3. Economic Development

This section profiles Clayton residents' income sources, provides information on employment, and presents goals and objectives.

3-3a. Description

This section summarizes income sources and provides employment information affecting Clayton residents.

Income

Table 10 compares income sources of households in Clayton, Kent County, and Delaware. Clayton's median household income in 1999 was \$43,462, \$3,000 higher than the county average but \$7,000 lower than the state average. Only one percent of Clayton residents received public assistance income, compared to three percent for the state and county. The percent of households with retirement income was nearly the same for all three jurisdictions.

Table 10. Selected Household Income Data, Clayton, Kent County and Delaware, 1999

Item	Clayton	Kent County	Delaware
Median Household Income	\$43,462	\$40,950	\$47,381
Households with wage-and-salary income	78%	82%	79%
Mean wage and salary income	\$46,179	\$47,818	\$57,407
Households with social-security income	29%	26%	27%
Households with retirement income	22%	22%	21%
Households with public-assistance income	1%	3%	3%

Source: U.S. Census 2000, Summary File 3

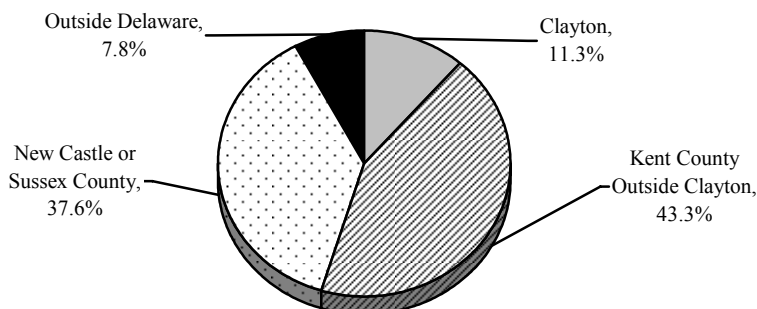
Employment

This section provides information on where Clayton residents work and the types of work that they do.

Work Locations

Figure 10 shows where Clayton residents work. Eleven percent of Clayton residents work in town. Close to 38 percent work in Kent County, and 43 percent work in either Sussex or New Castle Counties. Nearly 8 percent of Clayton residents work outside the state.

Figure 10. Work Locations for Clayton Residents, 2000



Source: U.S. Census 2000, Summary File 3; compiled by IPA

Occupations

Table 11 summarizes types of work that residents of Clayton, Kent County, and Delaware do, i.e., their occupations. "Occupation" is not to be confused with "industry," which refers to the type of business. The table shows that the majority of residents in all three jurisdictions work in management or professional positions or in sales or office jobs. In Kent County and Clayton, about 32 percent of residents hold service and production jobs, compared with about 27 percent in Delaware. Construction-related occupations comprise around 12 percent in Kent County and Clayton and 5.5 percent in Delaware.

Table 11. Occupations of Residents of Clayton, Kent County, and Delaware, 2000

Occupation	Clayton	Kent County	Delaware
Management, professional, and related occupations	25.5%	28.5%	35.3%
Service occupations	13.9%	17.0%	14.6%
Sales and office occupations	29.4%	26.9%	27.6%
Farming, fishing, and forestry occupations	0.0%	0.7%	0.5%
Construction, extraction, and maintenance occupations	11.9%	11.6%	9.5%
Production, transportation, and material moving occupations	19.3%	15.3%	12.5%

Source: U.S. Census 2000, Summary File 3

Types of Businesses

Table 12 lists the types of business in Kent County (including those in Clayton) where almost 65 percent of Clayton residents work. As the table shows, more than 40 percent of Kent County businesses are retail trade, construction, or services.

Table 12. Types of Business in Kent County, 1999

Type of Business	Number	Percent
Forestry, fishing, hunting, and agriculture support; Mining; Utilities	17	0.6%
Construction	343	11.5%
Manufacturing	85	2.9%
Wholesale trade	118	4.0%
Retail trade	598	20.1%
Transportation and warehousing	141	4.7%
Information	40	1.3%
Finance and insurance	167	5.6%
Real estate and rental and leasing	123	4.1%
Professional, scientific, and technical services	215	7.2%
Management of companies and enterprises	29	1.0%
Administrative, support, waste management, remediation services	158	5.3%
Educational services	27	0.9%
Health care and social assistance	260	8.7%
Arts, entertainment, and recreation	52	1.7%
Accommodation and food services	210	7.0%
Other services (except public administration)	349	11.7%
Auxiliaries (except corporate, subsidiary and regional management)	5	0.2%
Unclassified establishments	42	1.4%
Total Number of Establishments	2,979	100.0%

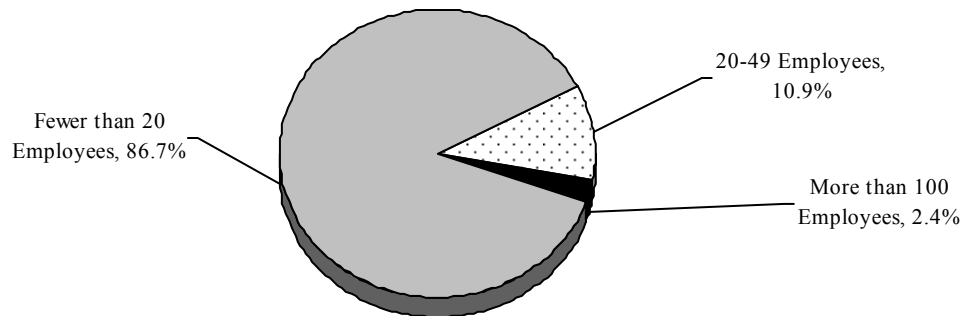
Note: Kent County businesses include Clayton businesses.

Source: U.S. Census Bureau, *County Business Patterns 1999 Delaware*

Sizes of Businesses

As shown in Figure 11, Kent County businesses are predominantly small. Nearly 87 percent employ fewer than 20 people.

Figure 11. Sizes of Businesses, Kent County, 1999



Source: U.S Census Bureau, *County Business Patterns 1999 Delaware*; compiled by IPA

Clayton's Employment Base

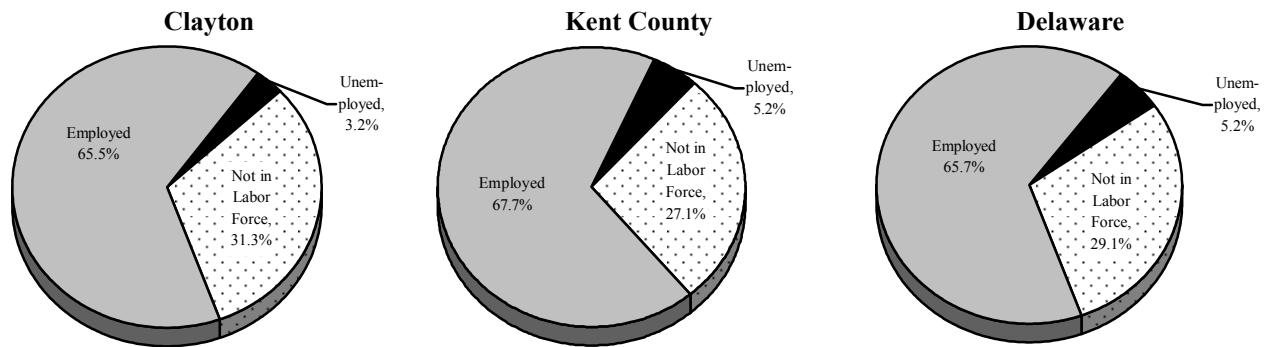
Clayton's employment base reflects that of Kent County. The town's typical employers are small light-industrial, construction and retail businesses. The Clayton-Smyrna Industrial Park, located on North Bassett Street south of Duck Creek Parkway, is Clayton's major employer. The park's primary tenant is Metal Masters, which manufactures food-service equipment and wire shelving. Other employers in the North Bassett Street area include Brothers Electrical Contracting and Schwann's Foods. Another group of light-industrial employers, located on South Bassett Street between Wheatley's Pond Road and Main Street, includes Tappahanna Construction and Delmarva Refrigeration. Hanover Foods, located on the north side of SR 6 just outside the western border of Clayton, employs between 200 and 300 people.

Atlantic Tractor (formerly Clements Supply) is the largest retail operation in Clayton. Its retail store is located at the corner of Main Street and Clayton Avenue; and the company maintains a machine shop on Wilson Avenue and a storage facility on Smyrna Avenue. Other retail establishments include an ice cream store, a sandwich shop, and an eatery located on Main Street. Another retail establishment is Southern States, located on School Lane with storage facilities on South Bassett Street. There is a small commercial area on west side of Wheatley's Pond Road north of Bassett Street containing offices and a daycare center.

Employment and Unemployment

Figure 12 portrays the employment status for Clayton, Kent County, and Delaware. In all three jurisdictions, about 2/3 of households receive wages and salaries. Kent County's and Delaware's unemployment rates are two percent higher than Clayton's, but more Clayton residents are not in the labor force (i.e., those able, available, and seeking work). Persons not in the labor force are typically young, disabled, or retired. As pointed out in Table 10, 29 percent of Clayton households receive social security, which is two and three percent higher than the households in Delaware and Kent County, respectively.

Figure 12. Employment Status Clayton, Kent County, and Delaware, Civilian Labor Force, Residents 16 Years and Older, 2000



Source: U.S. Census 2000, Summary File 3

3-3b. Goals and Recommendations

Goals

- Attract new business to downtown.
- Encourage additional businesses in industrial park.

Recommendations

- Work with the Delaware Economic Development Office (DEDO) to market sites in the industrial park.
- Seek technical assistance through DEDO's Delaware Main Street Program.
- Conduct a market study to determine demand for additional retail establishments.
- Delineate areas suitable for commercial development on the land use plan.

3-4. Recreation and Open Space

This section describes recreational facilities in the Clayton area and presents goals and recommendations.

3-4a. Description

Table 13 lists public recreational facilities serving Clayton. Two of these facilities are within Clayton's corporate limits and are located at the Clayton Elementary School. One is a small ballfield, and the other is a small playground.

Smyrna has many public recreation facilities that Clayton residents can use. The Smyrna Municipal Park has softball fields, tennis courts, swings, picnic tables, and pavilions. Ballfields are also located at Smyrna High School. Facilities for little league baseball, softball, big league baseball, and tennis are located across from Smyrna High School on Duck Creek Road.

Additional nearby facilities include Blackbird State Forest, Blackiston Wildlife Area, Bombay Hook National Wildlife Refuge, and Woodland Beach Wildlife Area.

Table 13. Recreation Facilities Serving Clayton, 2005

Facility	Location	Features
Clayton Elementary School	School Lane and Main Street	Ballfield and playground
Smyrna Municipal Park	Main Street across from North Smyrna Elementary School	Softball fields, tennis courts, swings, picnic tables, and pavilions
Smyrna High School	South side Duck Creek Parkway	Ballfields
Duck Creek Parkway	North side Duck Creek Parkway near Smyrna High School	Tennis courts, fields for little league baseball, softball, and big league baseball
Blackbird State Forest	Greenspring Road (Rt 15) at Dexter's Corners	
Blackiston Wildlife Area	Near Kenton between State Routes 6 and 300	
Bombay Hook National Wildlife Refuge	SR 9 east of Smyrna	15,978-acre haven for migrating and resident waterfowl
Woodland Beach Wildlife Area	SR 6 at Delaware River	Aquatic Resource Education Center

Source: Compiled by IPA

3-4b. Goals and Recommendations**Goals**

- Provide an adequate supply of open space for recreational activities.
- Balance demand for recreation and open space with both fiscal resources and responsibilities associated with ownership and maintenance of public properties.

Recommendations

- Purchase land around Greens Branch for recreation and/or open space.
- Utilize provision in subdivision regulations mandating that developers either dedicate recreational land or pay a fee in lieu of dedication.
- Work with private land owners to utilize their land, either permanently or temporarily, for recreation.
- Designate greenways adjacent to floodplains and roads on land use map.
- Apply for park acquisition funds and request technical assistance from DNREC on open-space preservation.
- Encourage owners of land adjacent to Greens Branch to plant native trees and to take other actions to restore streamside wetlands to enhance the stream's attractiveness for biking and walking.
- Enforce standards for protecting greenways in the zoning ordinance and subdivision regulations.
- Establish formal coordination with Smyrna, Kent County, and New Castle to conserve wetlands and develop greenways along Providence Creek and Greens Branch.
- Seek technical assistance from DNREC and the Urban Forestry Program under the State Department of Agriculture to determine appropriate restoration methods for Greens Branch.
- Work with DNREC and the Delaware Department of Transportation (DelDOT) to identify opportunities to target unused railroad rights-of-way for hiking, biking, or other recreational purposes such as those outlined in the statewide Rails to Trails Master Plan.

3-5. Utilities

This section provides information about the utilities that service Clayton residents and outlines goals and recommendations for them.

3-5a. Description

This section describes utilities including services such as water, sewer, electricity, natural gas, telephone lines, and cable television. These services are essential to town residents and businesses.

Water System

This section describes Clayton's water system and outlines statewide efforts to protect water quality.

Supply and Transmission

Clayton operates its own water system. All properties within the corporate limits receive public water. Clayton's water supply comes from groundwater. Three wells, which operate in shifts, tap the Rancocas Aquifer that provides Clayton's water supply. Water is stored in two tanks. One tank is located between Main Street and the Johnson Farm (Town & Country), and the other is located just off Wilson Avenue west of the railroad. Hanover Foods operates its own water supply and storage system. Five wells supply water for the plant's operations. Water is stored in a tank located on the company's property.

Water quality is monitored continuously, and the Town recently received a grant for arsenic removal. As shown in Map 3, there are many good and excellent aquifer recharge areas in the Clayton vicinity. The Town plans to dig a new well adjacent to the Wilson Avenue water tower.

Clayton's water transmission system was laid out between 1909 and 1918 with four-inch-diameter pipes. The 1978 comprehensive plan recognized that these were not adequate, and the Town embarked on a program of incremental replacement with six-inch lines. In addition, the lines connecting the storage towers with the transmission system have been replaced with ten-inch pipes. Incremental repair and replacement will continue to keep the transmission system in good condition.

To provide water storage for new development on the Davis and Lester properties, the Clayton is looking to a public-private agreement with Artesian Water Company, which serves the Wind Song subdivision located west of Clayton between State Routes 6 and 300. The agreement would provide connections between the two systems as well as fund a storage tower on the Diemecke farm.

Source Water Assessment and Protection Program

The Safe Drinking Water Act Amendments of 1996 mandated that each state develop a Source Water Assessment and Protection (SWAP) Program to better protect public drinking water sources. There are three basic components of all SWAP Programs.

- Delineation of the boundaries of the land areas most important to public water sources
- Identification of potential sources of contamination within those boundaries
- Assessment of susceptibility of the public water source to these contaminants

Delaware's SWAP Program is coordinated mainly by DNREC, which developed the majority of the assessments for public water systems in Delaware, including Clayton. The *Source Water Assessment of the Public Water Supply Wells for Clayton Water, Kent County, Delaware* was completed in 2004. This study contained the following findings.

- Clayton's wells have low vulnerability to contamination, because they are in confined aquifers.
- Within Clayton's wellhead areas, there is no discrete potential source of contamination.
- Overall, Clayton's drinking-water supply system "exceeds standards to metals," and it has a "low susceptibility to nutrients, pathogens, petroleum hydrocarbons, pesticides, PDBs, other organics, and inorganics."

In 2001, the Delaware General Assembly passed Senate Bill 119 which requires each local jurisdiction with a population greater than 2000 to implement measures to protect sources of public drinking water within its boundaries by the year 2007. Local governments with less than 2000 are not required to implement source-water protection measures, but are strongly encouraged to do so. A variety of tools are available to assist jurisdictions in their efforts to better protect sources of public drinking water, including ordinances, best management practices, and public education. These measures are provided in the *Source Water Protection Guidance Manual for the Local Governments in Delaware* developed for DNREC by the Water Resources Agency/Institute for Public Administration at the University of Delaware.

Since Clayton's population is under 2000 (see Figure 4), the town is not required by state law to adopt measures to protect water-supply sources within its boundaries. However, it would be prudent for the town to review the measures recommended in the guidance manual and consider adopting those that would be most appropriate for the town.

Wastewater System

Clayton's sewerage system was laid out in 1915. Developers are responsible for the installation of transmission lines for new development. The Town is responsible for maintenance of the transmission lines. Over the past several years, the Town has increased the efficiency of its sewer lines by lining them to prevent the infiltration of ground water.

Every property in Clayton is connected to the sewer system. The Town recently completed an extension to the sewer system along the north side of Wheatley's Pond Road between South Bassett Street and the town boundary. The mayor and council continue to maintain a policy that every property within Clayton's corporate limits be served with public sewer.

In 1986, Clayton joined the Kent County Regional Wastewater System. Established in 1973, the county system consists of a trunk collection system running north-south from Smyrna to Milford that transmits sewage to a single treatment facility in Frederica. Smyrna is one of the several contract users of the system, and Clayton subcontracts with the Town of Smyrna. The current contract permits Clayton to send 400,000 gallons per day to the system.

Most of the town's effluent flows by gravity to a pumping station located adjacent to the former town landfill at the north end of Dump Road adjacent to the railroad and Providence Creek. Sewage is pumped to a gravity line that flows, along with effluent from Smyrna, to County Pump Station No. 1, located on U.S. 13. From there, sewage enters the county's principal trunk line, which leads to the plant in Frederica.

Hanover Foods maintains its own sewage-treatment facility. Treated effluent from the plant is discharged onto land by a process known as spray irrigation. The land onto which the treated effluent is discharged is located on the north side of Providence Creek opposite Hanover Foods in New Castle County.

Sewage from Clayton's new developments west of the railroad will flow to a county lift station under construction near Lake Como. This lift station also will serve new developments in south Smyrna.

Electricity

The Town of Clayton provides electric service to all homes and businesses within the town boundaries and to a limited number of residential customers adjacent to the town. The areas outside of Clayton to which the town supplies electric service are:

- Dennison Trailer Court, located at the northeast corner of Dump Road and Duck Creek Parkway
- A one-acre lot on the north side of SR 6 whose western boundary is adjacent to the Clayton town limits and eastern border is adjacent to the Smyrna town limits. This lot is developed with a single-family detached home.
- Twelve parcels in the area located between Wheatley's Pond Road and Greens Branch east of the Clayton town limits. This area includes the William G. Anthony Subdivision, the lots of which range in size from 0.5 to 0.9 acre, and each lot is developed with a single-family detached home.
- Sixteen single-family lots, fronting on the south side of Wheatley's Pond Road near its intersection with Underwoods Corner Road adjacent to the recently-annexed Davis Farm.

Clayton is a member of the Delaware Municipal Electric Corporation (DMEC). The corporation supplies power to about 50,000 residential and business customers in nine Delaware municipalities. Smallest of the state's three power companies (The others are Delmarva Power and Delaware Electric Cooperative), DMEC buys for Clayton, Dover, Lewes, Middletown, Milford, Newark, New Castle, Seaford, and Smyrna. The Town is responsible for installing new electric lines and installing meters to monitor usage, as well as for maintaining the lines.

Natural Gas

Chesapeake Utilities supplies natural gas to Clayton. The utility company owns and maintains natural gas lines in the town.

3-5b. Goals and Recommendations

Goals

- Provide a safe and reliable supply of drinking water.
- Ensure sufficient sewage-treatment capacity.
- Secure safe and dependable electric power.

Recommendations

- Continue developing strategies for connecting unsewered properties to the sewer system.
- Continually monitor the quality and quantity of water supply.
- Periodically inspect and maintain water and sewer transmission lines.
- Maintain relationship with Kent County regional sewer system officials.

- Establish capital improvement projects for annual, incremental repairs and upgrades to water and sewer transmission systems.
- Assess long-term needs for water supply and storage; establish capital improvement projects for upgrades and major repairs to wells and storage towers.
- Remain an active member of the Delaware Municipal Electric Corporation.

3-6. Transportation

Transportation infrastructure is what keeps things moving into, out of, and around a jurisdiction. In this section, Clayton's transportation system is described, and goals and recommendations are presented for a number of issue areas.

Growth of the Clayton-Smyrna area has prompted concerns about traffic and parking. Residents were most concerned about "through traffic," particularly trucks. Another traffic-related concern was parking in the commercial areas. Another concern was additional bus service. Finally, residents strongly supported the resuming rail service with at the Clayton station.

3-6a. Description

This section describes the transportation system serving Clayton and its vicinity. It includes streets and roads, mass transit, and services for seniors and disabled persons, rail service, and bicycle and pedestrian trails.

Streets and Roads

Map 4 depicts the streets and roads serving the Clayton vicinity. As seen on the map, most of the roads in the Clayton area are municipal streets for which Clayton is responsible. A number of state-maintained roads, including Main Street (SR 6), Wheatley's Pond Road (SR 300), Greenspring Road (SR 15), and Duck Creek Parkway, accommodate travel within the Clayton vicinity. Kenton-Smyrna Road (SR 300) is the only arterial in the town. SR 1 and U.S. 13 are arterial roads accommodating travel between the Clayton vicinity and other parts of the state.

Bus Transportation

There is neither public nor private local bus service in the Clayton area. DART First State (Delaware Authority for Regional Transit) provides public bus service along U.S. 13 (formerly the Blue Diamond Route) between Wilmington and Dover. Connecting service is available between Dover and Milford. The stop nearest to Clayton is in Smyrna at the Smyrna Rest Stop at the intersection of SR 1 and U.S. 13. Greyhound provides private intercity bus service along U.S. 13 with a stop in Smyrna.

Transportation for Senior and Disabled Citizens

DART First State also addresses the transportation needs of Clayton's senior and disabled population. Residents of Clayton who are disabled or age 60 or older can apply for eligibility for paratransit services.

Railroads

This section discusses Clayton's three railroad rights-of-way. These are important because of their location within the town.

Delmarva Secondary

The most prominent rail line, which runs north and south through the center of Clayton, is known as the Delmarva Secondary Line. This line carries only freight, including some hazardous materials. Owned and operated by Norfolk Southern Company, it originates south of Wilmington and terminates in Pokomoke City, Maryland, where it connects with the Eastern Shore Railroad.

Over the past three years, the Delaware Transit Corporation (DTC), the public transit division of DelDOT, has been studying the feasibility of commuter passenger rail service. The Commuter Rail Task Force, which was established by the Delaware House of Representatives, directs this project working with DTC and DelDOT. This feasibility analysis consists of three studies.

The first study, the *Delaware Passenger Rail Engineering Study*, focused on the infrastructure needs and costs of instituting passenger rail service between Wilmington and Dover. Completed in January 2002, the purpose of this study was to address the feasibility of three alternative rail-service alignments between Wilmington and Dover. The study concluded that "there were no engineering flaws for any alternative, and that capital and operating and maintenance costs appear reasonable when compared to the cost of other new rail services in the United States."

The second study, the *Delaware Passenger Rail Operations Study*, examined operational issues and projected the likely ridership. The study also fine-tuned capital, operating, and maintenance costs. The study report was completed in May 2003 and concluded that the first leg of service should be from Wilmington through Newark to Middletown. Unfortunately, rail service south of Middletown—which would bring service through Clayton—would not be included. However, the study emphasized that "the long-term objective is to expand the service south to Dover as development along the State Route 1 continues."

The third study, an *Alternatives Analysis* is now being conducted. Initiated in March 2004, the *Alternatives Analysis* will refine the previous Engineering and Operations Studies. This study will provide data that is needed for Delaware decision-makers to choose whether or not to move forward with the institution of new passenger rail service in Delaware.

Main Street North

Clayton's second railroad right-of-way originates at the Norfolk Southern line and runs east along the north side of Main Street. The tracks were dismantled in 1991, and the State of Delaware owns the right-of-way. The 1996 Clayton Comprehensive Plan identified this line as suitable for biking and/or walking and designated—and subsequently zoned—it for open space.

Clayton-Easton Line

The third rail line, the Clayton-Easton line, begins at School Lane and extends 44 miles through Maryland to Easton, Maryland. Fourteen miles of this line are in Delaware. In the 1980s, the state of Maryland purchased this line from Norfolk Southern. After some commercial use, the Maryland Department of Transportation banked this rail line making it a candidate for re-use.

DNREC's Division of Parks and Recreation has identified the Clayton-Easton segment as having rail-trail potential in a portion of Kent County that has few active recreational opportunities. The Division is working to obtain a lease from MDOT to use the rail line as a recreational facility. Developing a facility of this type will require support and financial partners to build the rail-trail and other support facilities. Operation and maintenance of the linear recreational facility would become the responsibility of the Division of Parks and Recreation.

Bicycle and Pedestrian Trails

In the past decade, Delaware communities and state agencies have constructed pedestrian and bicycling trails, some that stretch across large areas. DNREC's Division of Parks and Recreation published the *Greenway & Trail Atlas for Delaware* identifying completed trails and potential trails.

The Town of Smyrna is creating a paved bicycle/pedestrian trail along Green's Branch in northern Smyrna, which will connect with three major thoroughfares—Glenwood Avenue, Duck Creek Parkway and North Main Street. Once completed, the trail will provide off-road access for pedestrians and cyclists to Memorial Park, the Little League/Little Lass Complexes, Smyrna High School, and numerous residential and commercial areas. The trail will also provide access to two scenic overlooks of Duck Creek. This project represents the first phase of implementation of a town-wide system of trails in and around Smyrna.

Using a \$100,000 grant from DelDOT, Clayton is developing two bike routes that it hopes to link with the Smyrna trails. One route begins at Clayton Courts near the intersection of North Bassett Street and Duck Creek Parkway. The other runs east along Industrial Boulevard.

3-6b. Goals and Recommendations

Goals

- Provide safe and reliable circulation within town.
- Improve transportation links to areas outside of town.

Recommendations

- Vehicular Transportation
 - Evaluate on-street parking pattern and off-street parking areas to determine if existing areas could be used more efficiently.
 - Review the parking requirements in the zoning ordinance.
 - Work with DelDOT to re-route through traffic south of Clayton onto SR 300.
 - Present alternate truck routes to DelDOT traffic engineers.
 - Request that DelDOT assess the feasibility of reopening the railroad crossing at Old Duck Creek Road and Duck Creek Parkway.
- Bicycle and Pedestrian Transportation
 - Do a sidewalk inventory; rank areas for new sidewalks or repairs.
 - Develop capital improvements project for annual, incremental sidewalk construction and repair.
 - Retain public rights-of-way that later could serve as pedestrian paths, bicycle links, or access to in-fill development.

- Support DNREC’s efforts to develop the Clayton-Easton rail-trail; participate in the design, planning, and public participation associated with the project.
- Work with DelDOT and DNREC to identify opportunities to target unused railroad rights-of-way for hiking, biking, or other recreational purposes.
- Apply for funding to develop bicycle and pedestrian facilities in the town.
- Work with Smyrna to develop bicycle/pedestrian links between the towns; develop a link from Greens Branch Trail to Clayton.
- Require developers to provide pedestrian and bike connections as part of their subdivision plans.
- Rail Service
 - Investigate eligibility for funds to acquire, rehabilitate, and operate railroad station.
 - Participate in state study concerning the establishment of rail passenger service through Clayton; advocate Clayton’s position to DelDOT officials.

3-7. Community Services

Community services constitute a network of interrelated public and semi-public activities that give each jurisdiction its own identity. These services not only affect the attractiveness of a community as a place to live, work, and do business, but also influence a jurisdiction’s growth pattern. This section describes Clayton’s community services and outlines goals and recommendations for them.

3-7a. Description

This section discusses the governmental and community services available to Clayton residents. Some services are provided by public and private organizations in the town and by other levels of government.

Solid-Waste Management

The Town of Clayton contracts with a private waste-management company for trash collection and disposal services to both residences and commercial businesses.

The Town sponsors a voluntary curbside-recycling program. Residents may bring articles for recycling to recycling igloos near the Wilson Street water tower.

There are no Superfund sites in the Clayton vicinity.

Stormwater Management

The Kent Conservation District has complete jurisdiction over stormwater management in Kent County. Most of the town’s stormwater runoff is collected in strategically located catch basins. Rainfall is transported to the catch basins by a combination of street gutters, culverts and storm sewers. The stormwater system is separate from the sewage collection system. The town’s gently-sloping topography and well-drained soils minimize drainage problems.

Public Safety

Police protection is provided by town officers and supplemented by Delaware State Police officers. These officers are from Troop 3 stationed south of Camden on U.S. 13. The Town employs a police chief and four officers. The town's police headquarters is located in the same building as the town's administrative offices at 414 Main Street. Police facilities include an office for the chief and workstations for officers.

Fire protection is provided by the Clayton Volunteer Fire Company Number 1, Inc., Station 45, located at the southwest corner of East Street and Railroad Avenue. The service area includes the Town of Clayton and the surrounding area, extending west to the Maryland line. The department has mutual aid agreements with neighboring fire companies so that Clayton firefighters can provide and request assistance.

As in many small towns, the Clayton Fire Company plays an integral role in the town. Residents call the fire company for most emergencies, and many town residents are involved in the activities of fire company, especially those residents who are involved in town government.

Emergency medical assistance is provided by the David C. Harrison Ambulance Company and Kent County paramedics. The ambulance company, located in Smyrna, is responsible for basic life support and ambulance transport for both the Clayton and Smyrna fire districts. County paramedics, stationed in Dover and at the Delaware Hospital for the Chronically Ill, provide advanced life support.

Educational Facilities

Clayton is in the Smyrna School District. The district, which encompasses approximately 1,179 square miles, serves students in northern Kent County and southern New Castle County. The district is governed by an elected five-member school board that appoints a superintendent to administer the district's activities and serves as the board's executive secretary. The district operates the school facilities listed in Table 14. It employs 407 staff members, 235 of whom are teachers.

Table 14. Smyrna School District Facilities, 2005

Facility	Location	Grades
Smyrna Kindergarten Center	Monrovia Avenue and Locust Street	Kindergarten and Pre-School
Clayton Elementary School	510 West Main Street—Clayton	First through Fourth
North Smyrna Elementary School	365 North Main Street	First through Fourth
Smyrna Elementary School	121 South School Lane	First through Fourth
John Bassett Moore Intermediate School	20 West Frazier Street	Fifth and Sixth
Smyrna Middle School	700 Duck Creek Parkway	Seventh and Eighth
Smyrna High School	500 Duck Creek Parkway	Ninth through Twelfth

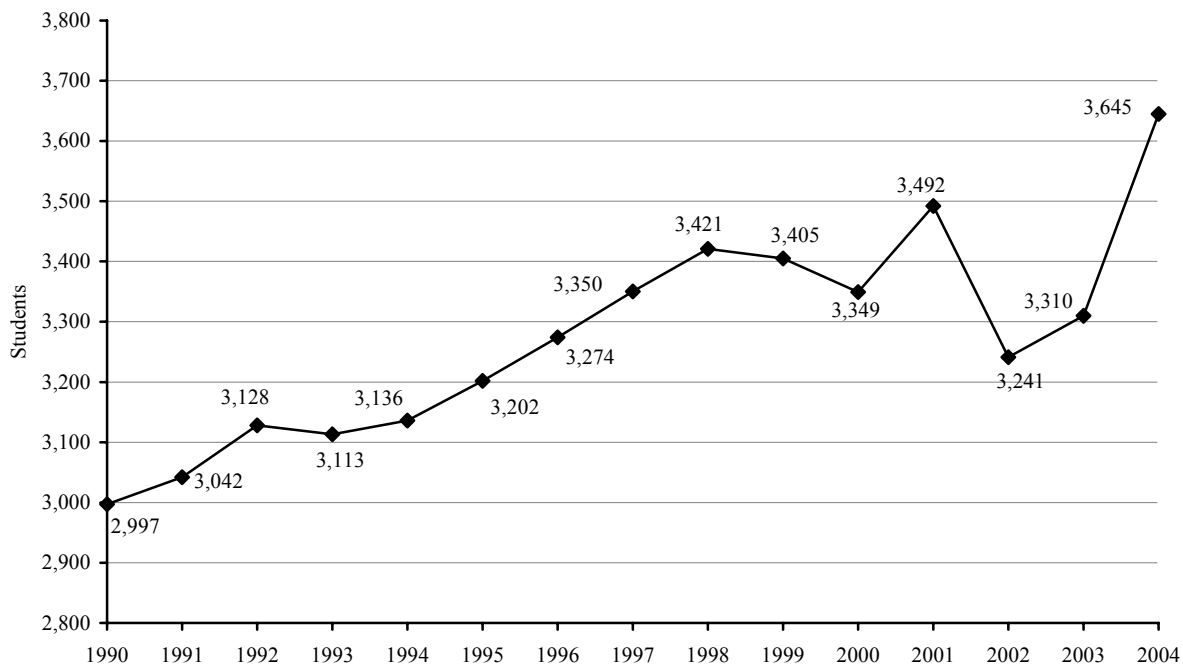
Source: Smyrna School District, www.smyrna.k12.de.us

Clayton's public school students begin their education at Smyrna Kindergarten Center and move to Clayton Elementary School for first through fourth grade. Students attend John Bassett Moore Intermediate for grades five and six. After completing intermediate school, students attend Smyrna Middle School for seventh and eighth grades and Smyrna High School for grades nine through twelve. Smyrna Kindergarten Center, John Bassett Moore Intermediate School, Smyrna Middle School, and Smyrna High School are located in Smyrna, and Clayton Elementary is located at the corner of Main Street and School Lane in Clayton.

Clayton Elementary School's enrollment for the 2004-05 school year was 362 students. A major renovation to the school was completed in January 1995, which included an addition to and a refurbishing of the existing facility. An additional renovation, which will add six new classrooms, eliminate the need for portable classrooms, and create capacity for 600 students, will be completed by September 2006.

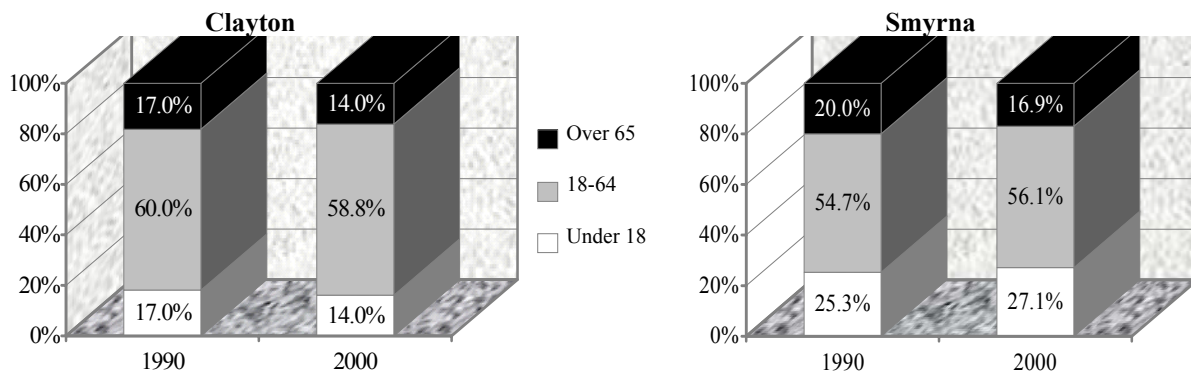
Figure 13 tracks enrollment in the Smyrna School District from September 1990 to September 2004. Between 1990 and 2000 enrollment increased fairly steadily with the exception of 1993. After a decline in 2002, enrollment rose in 2003 and skyrocketed in 2004.

Figure 13. Smyrna School District Enrollment, September 1990 to September 2004



Source: Delaware Department of Education, www.doe.state.de.us/reporting/enrollment; Center for Applied Demography and Survey Research, University of Delaware, www.cadsr.udel.edu/demography

There is reason to believe that school enrollment will continue to rise. Figure 14 shows that the percentage of school age children has increased in both Smyrna and Clayton between 1990 and 2000, while the percentage of persons over 65 years has declined. As shown in Figure 6, Kent County and Delaware experienced the opposite; the percentages of young people decreased while the percentages of seniors increased.

Figure 14. Age Distributions, Clayton and Smyrna, 1990 and 2000

Source: U.S. Census 1990 Summary Tape File 1; U.S. Census 2000 Summary File 1

Libraries

Kent County provides library services for Clayton residents. The closest library to Clayton is the Smyrna Public Library located at 107 South Main Street in Smyrna. Founded in 1858, the library collection includes books, audiocassettes, newspapers, and magazines. Other services include reciprocal borrowing and interlibrary loans.

The Smyrna Library is part of KentNet, an automated system linking it with other libraries in Kent County as well as the State Library and the Wesley College Library. This system allows library patrons to borrow from any library in the system and pick up their books at their nearest library free of charge. In addition, library catalogues can be accessed via the Internet.

The Kent County Department of Libraries also operates a bookmobile service. The bookmobile stop nearest Clayton is in the Town of Cheswold, south of Clayton. The bookmobile comes to Cheswold every other Thursday.

Postal Service

The Town of Clayton is served by a United States Post Office. It is located on the west side of Railroad Avenue between Main and East Streets.

Senior Services

The Lillian Smith Senior Center is a private enterprise located at 410 Main Street. Formerly the Clayton-Smyrna Senior Center, it was established in 1967 by Mrs. Lillian Smith. In 1992, when Mrs. Smith died at the age of 95, the center was renamed to honor her memory.

The senior center provides recreation and outreach services for seniors, as well as other important services. Recreational activities include ceramics, oil painting, exercise classes, monthly brunches, monthly luncheons, and bingo. Outreach services include visiting with and checking on seniors who cannot leave home. Additionally, the senior center is a satellite for Nemours Pharmacy, serving prescription drug needs for Clayton's seniors. The center also provides mammograms, annual flu shots, and free income-tax services for Clayton's senior citizens.

Cable Television

Comcast of Delmarva provides cable television service to Clayton residents. The town's franchise was renewed in 2005.

Healthcare

Table 15 lists healthcare facilities in close proximity to Clayton. Additional facilities are located in Dover and southern New Castle County.

Table 15. Healthcare Facilities Serving Clayton, 2005

Facility Name and Location	Services
Delaware Hospital for the Chronically Ill, Smyrna	Long-term and intermediate care
Scott Nursing Home, Smyrna	Intermediate care
Integrated Health Service (IHS), south of Smyrna	Skilled nursing and intermediate care
Kent General Hospital	Intermediate and acute care

Source: Compiled by IPA

Places of Worship

There are four places of worship in Clayton. Table 16 lists their names and locations.

Table 16. Places of Worship in Clayton, 2005

Place of Worship	Location
Power House Church	East side of Bassett Street, south of Main Street
Christ Christian Assembly	Southeast corner of Bassett Street and Smyrna Avenue
Boyd's AME Church	South side of Main Street, east of Dickerson Street
Ewell's St. Paul United Methodist Church	Corner of Clayton Avenue and West Street

Source: Compiled by IPA

3-7b. Goals and Recommendations

Goals

- Provide quality municipal services.
- Work with other levels of government to secure services for Clayton residents.

Recommendations

- Public Safety
 - Regularly review police protection requirements.
 - Monitor fire protection and emergency medical services.
- Solid-Waste Management
 - Regularly monitor collection and disposal services requirements.
 - Seek opportunities for recycling.

CHAPTER 4. LAND USE PLAN

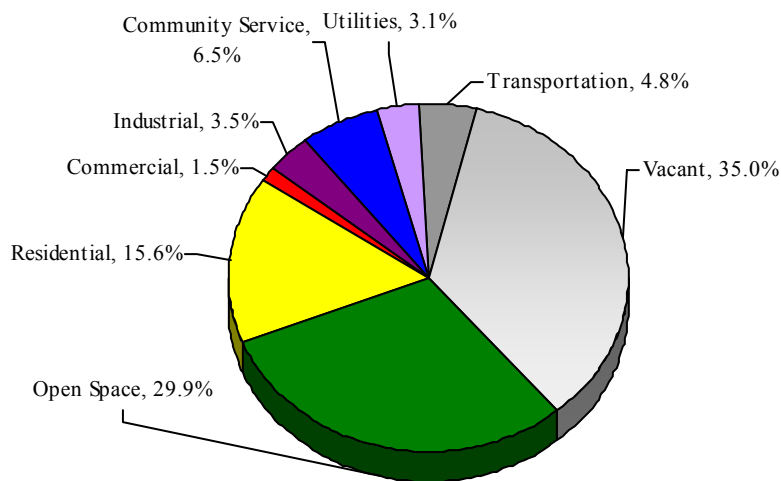
The land use plan consists of three sections. The first section describes Clayton's existing land uses. Using the visions, goals, and recommendations formulated in this plan, the second section portrays Clayton's desired development pattern within its current boundaries. The third section presents Clayton's growth and annexation program.

4-1. Existing Land Use

This section describes Clayton's existing land uses. Map 5 depicts Clayton's existing development pattern. The map delineates each tax parcel and displays its land use as of January 2005. Except for recently annexed properties between the railroad and SR 300, most of Clayton is developed.

Figure 15 summarizes the distribution of land uses within the town. As the table shows, more than a third of Clayton is vacant. This is the result of recent annexations of the Davis and Lester Farms, which totaled nearly 200 acres. When developed, most of this vacant land will be residential. The second most prevalent land use is open space, half of which is the portion of the St. Joseph's property in New Castle County. Residential land uses account for 15 percent of Clayton, but this percentage could top 50 percent when vacant areas reach buildout.

Figure 15. Clayton Land Use Distribution, 2005



Compiled by IPA, March 2005

4-1a. Residential

Almost 16 percent of Clayton's developed land is residential. Residential land uses includes one- and two-family homes, townhomes, apartments, and a mobile-home park.

One- and Two-Family Homes

Most of Clayton's developed residential land consists of single-family, detached homes on lots averaging about 1/4 acre in size. A single-family, detached home is not attached to any other building, and is totally surrounded by yards. In addition to single-family homes, there are a number of two-family homes found primarily in the older, residential areas close to the railroad. A two-family home has separate living quarters for two families arranged either side-by-side or on upper and lower floors.

Townhouses

Clayton's developed residential land also includes townhouses. A townhouse is part of a row of single-family homes that are attached to one another side-by-side and have front and rear entrances. There is a small townhouse community at the intersection of Greenspring and Old Duck Creek Roads. Townhouses are also under construction in the Wheatley's Pond subdivisions. When completed, this subdivision will contribute more than 90 townhouses to Clayton's housing stock.

Apartments

There are two small apartment buildings in town located at Coleman Street and Cherry Alley. An apartment building contains three or more separate living quarters usually with a common entrance. In addition, there are several apartment units located above businesses in the Main Street commercial area.

Mobile and Manufactured Homes

Clayton's housing stock includes a 26-acre mobile/manufactured-home park located east of the railroad on the north side of Duck Creek Parkway.

4-1b. Commercial

Comprising less than two percent of Clayton's land uses, commercial refers to retail sales and service businesses. The largest concentrations of Clayton's commercial businesses are located west of the railroad between Main Street and Coleman Street. A small number of retail operations can be found on South Bassett Street, often in combination with small-scale industrial uses.

4-1c. Industrial

Industrial land uses, comprising 3.5 percent of Clayton's land uses, include wholesale trade, storage, and contracting as well as manufacturing and processing activities. The largest single industrial parcel is the Clayton-Smyrna Industrial Park, located at the southeast quadrant of North Bassett Street and Duck Creek Parkway. Small-scale industrial uses are located on either side of the railroad along South Bassett Street between Wheatley's Pond Road and Smyrna Avenue. As the existing land use shows, these uses are mixed with residential uses, indicating that this area is undergoing a change from a residential to an industrial character.

4-1d. Community Services, Transportation, and Utilities

Community services, transportation, and utilities account for less than 20 percent of Clayton's land uses.

Community Services

Clayton's government and community-service land uses include the town hall and the post office, as well as the volunteer fire company headquarters, churches, the senior center, and the VFW. These uses are located throughout the established residential and commercial portions of the town.

Transportation

Transportation includes the land occupied by the railroad, including rail rights-of-way and the switching facility on Main Street. Streets and roads are not included.

Utilities

Clayton's utilities include two water towers that provide the town's drinking water and a sewage lift station at the end of Dump Road. Also included are the propane storage tanks and the Delmarva Power transformers located at the northeast corner of School Lane and SR 300.

4-1e. Open Space

Open space is land that is not slated for development. As stated earlier, the St. Joseph's property comprises most of Clayton's open space. Additional permanent open space is found in the new subdivisions of Town and Country, Wheatley's Pond, Huntington Mills, and Providence Crossing.

4-1f. Vacant Land

Approximately 35 percent of land within Clayton's corporate limits is vacant. Table 2 provides additional information about Clayton's vacant land.

4-2. Future Land Use

This section outlines the development pattern that helps Clayton achieve the visions and address the community issues outlined in the previous sections. Map 6 delineates the land uses recommended to guide the town's development decisions. The land uses recommended on the map are especially important for revising Clayton's zoning ordinance and subdivision regulations and for rezoning.

4-2a. Town Center

Even though the Clayton community generally endorses managed growth, residents want to maintain a small-town atmosphere. Perhaps the most potent image of a small town is its downtown commercial area—its Main Street. On a typical Main Street, traffic flows freely, and there is convenient parking for patrons of small commercial enterprises. There are sidewalks so that customers can walk easily from store to store. A common mix of stores might include a small market, a bakery, restaurants, a bank, a drug store, a variety store, specialty shops, and a dry cleaner. The stores themselves are never more than three stories tall. The upper levels of the stores often are offices or apartments, either for families of the merchants or for rent. In addition to the compact mix of uses characteristic of small town centers, small towns frequently have a focal point—a monument, a government building, a square or plaza, or simply an open area—that serves as a gathering place or location for civic events such as Fourth of July fireworks.

Issues and Opportunities

Clayton is fortunate because it has retained many of the characteristics of the small town center described in the previous section. Although the volume of through traffic on Main Street has increased, Clayton's commercial area is accessible, and on-street parking is available. There are sidewalks on both sides of Main Street enabling customers to park and walk conveniently to a number of stores. Main Street retains a mix of residential and commercial uses. There are several government and community service activities in the center of town including the post office, the town government and police station, the volunteer fire department, and the senior center. Most businesses are small, neighborhood-oriented enterprises.

To maintain its small-town atmosphere, Clayton must continue its efforts to strengthen its town center as a focal point for shopping, socializing, and civic activities. The Town launched its efforts to strengthen the town center by delineating town-center boundaries in the 1996 comprehensive plan. Two years later, the Town Council developed a new zoning district, the Town Center (TC) Zone, that permits a mix of

uses and flexible bulk and parking regulations. An area west of the railroad along Main Street was placed in the new TC Zone when the Town Council comprehensively rezoned the town in 2000.

A next step in improving the town center might be a marketing study to determine Clayton's retail needs. In addition, town officials should continue and initiate actions to foster civic pride.

Town-Center Design

A typical characteristic of a small town is a center for social interaction and daily activities. Examples of such centers include town squares or parks located close to the town hall, commercial enterprises, meeting places, and a post office.

Clayton's center is the area in the vicinity of Main Street and the Norfolk Southern Railroad between Railroad Avenue and Bassett Street. However, this area has little visual appeal, functions inefficiently, and lacks clear definition. Figure 16 depicts the conditions and design issues found in this area when the 1996 plan was adopted.

Figure 17 illustrates how redesigning this area can reestablish it as Clayton's town center. These recommendations are intended to accomplish the following objectives.

- Define edges and boundaries clearly.
- Improve pedestrian and bicycle safety.
- Create public spaces for community events.
- Improve parking areas with paving, signage, landscaping.
- Provide direction and information to residents and visitors.
- Provide a clear sense of place.
- Improve traffic movements and circulation.
- Provide multi-modal transportation opportunities.
- Improve the sense of connection and union between eastern and western sides of the community that are not readily apparent now.

Figure 17 also notes the steps that have been taken to resolve the design issues illustrated in Figure 16. As noted in the discussion of solid-waste management, the recycling igloos have been moved to Wilson Street near the water-storage tower. In addition, the parking area on the northwest corner of Main Street and the railroad has been paved and striped.

Some of these recommendations involve use of railroad-owned property. A long-term lease might be appropriate, particularly if Norfolk Southern feels that it might have a future use of these areas. A site should be designated a future bus stop if DelDOT eventually extends bus transit services to Clayton. This site could be incorporated into the public space near Norfolk Southern or in the vicinity of the former railroad station, especially if the town re-acquires the building.

All these improvements are incremental and can be scheduled as funding and support can be arranged. Continued commitment to maintaining landscaping and other improvements is essential. Local organizations and individuals might be willing to adopt portions of the center, thereby reducing the burden on the town government.

Figure 16. Design Issues, Clayton Town Center

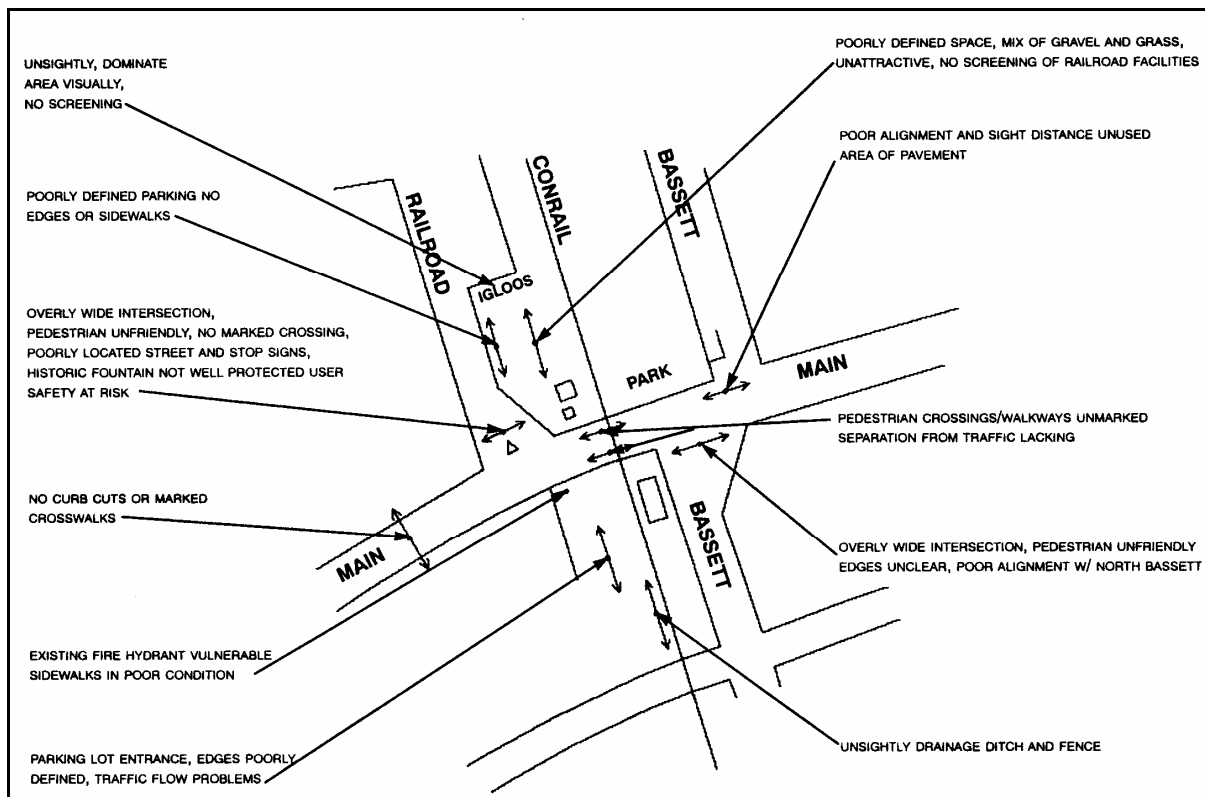
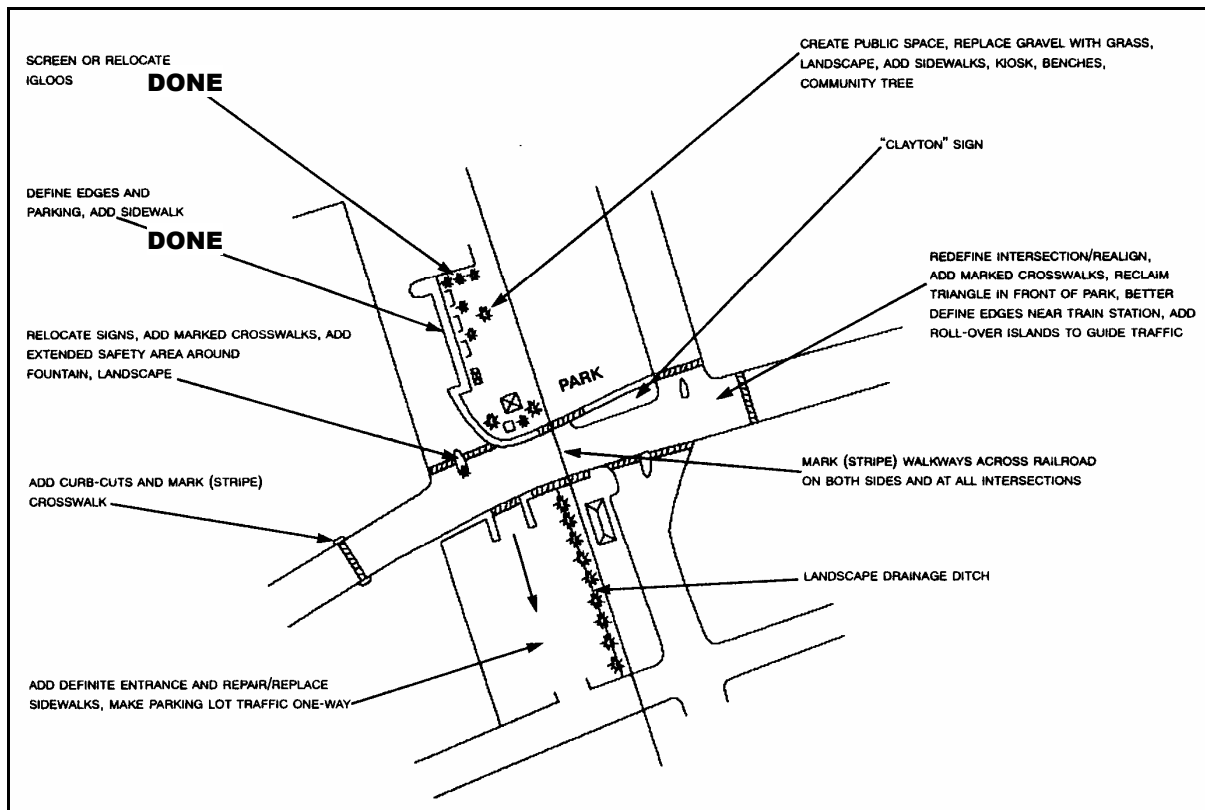


Figure 17. Design Options, Clayton Town Center



Recommendations

- Conduct the parking study recommended in the transportation discussion.
- Continue improvements at the intersection of the railroad and Main Street.
- Maintain parking areas in the town center and design street patterns that minimize vehicular speed.
- Create a capital-improvement project for street furniture, signs, and other visible features to define a boundary for Clayton's downtown.
- Continue to sponsor community events, such as Fourth of July celebrations.
- Develop additional mechanisms for reaching out to the community to encourage citizen involvement.
- Increase personal contacts between elected officials and the community.

4-2b. Greens Branch Area

The Greens Branch area is located east of Rodney Street between Wheatley's Pond Road and Smyrna Avenue. It includes several vacant parcels and the 30-acre VFW property, through which the Greens Branch flows.

Issues and Opportunities

The primary development issue in this area is the Greens Branch itself. The stream and its floodplain sever this area into parcels inefficient for development. Coupled with the existing development pattern, consisting of scattered residences, it appears that little development is likely to occur in this area.

This area, however, offers opportunities to obtain open space either to leave as such or improve for recreation purposes. Wheatley's Pond flows into Greens Branch providing an effective connection between the southwest and southeast parts of Clayton, which could be developed into walking or biking trails. Floodplain land could be acquired by purchase or through developer dedication at the time of subdivision. Matching funds and technical assistance are available from DNREC.

Since the presence of floodplain limits the amount of land available for development, clustering is recommended. Depending on the parcel, a mix of residential units is encouraged. This will permit the developer to achieve a reasonable return, the community to obtain open space, and the stream to be preserved.

Recommendations

- Obtain FEMA maps to delineate floodplain boundaries.
- Maintain Open Space designation on land use map for floodplain.
- Development Option 1
 - Designate land in floodplain for open space, remainder for residential.
 - Encourage clustering or mixed (single-family detached and townhouses) use residential.
- Development Option 2
 - Designate land in floodplain for open space, remainder for residential.
 - Purchase some land for ballfields and/or require mandatory dedication at time of subdivision.
 - Encourage clustering or mixed use (single-family detached and townhouses) residential.
 - Investigate matching funds from DNREC to be used to purchase land for trails and ballfields.
 - Seek funding and technical assistance from the Greenways and Trails Council and the Urban Forester at the Department of Agriculture.

4-2c. South Bassett Street

The South Bassett Street area, located between Rodney Street and South Bassett Street south of Main Street, contains a mix of residential, community service, and industrial uses. Most of these lots are small, although a few lots are fairly large.

Issues and Opportunities

The mix of residential, commercial service, and light-industrial uses indicates that this area is in transition from residential to non-residential. Many businesses along South Bassett Street are in buildings that once were homes. The development issue is managing this transition and delineating a logical boundary between residential and non-residential development. Realizing that the market will determine the pace of the transition, it is important to protect existing residences so that homeowners can keep their properties in good repair until they are ready to be converted to non-residential uses.

Fortunately, most existing non-residential uses front on South Bassett Street. They tend to be small-scale and are relatively compatible with one another.

Recommendation

- Maintain land use regulations that help homeowners in this area to maintain their homes until they are ready to be converted into non-residential uses.

4-2d. St. Joseph's School

The St. Joseph's School property is located in the northwest quadrant of Duck Creek and Green Spring Roads. The property consists of approximately 235 acres and extends north across Providence Creek into New Castle County. It is vacant, except for several school buildings near the corner of Green Spring and Duck Creek Roads.

Issues and Opportunities

About 108 acres of the St. Joseph's property is in Kent County. Once operated as an educational institution for special students by the Catholic Josephite Brothers, the property has been home to the Providence Creek Academy Charter School since September 2002. This school serves more than 600 students from kindergarten through eighth grade. Long-term plans include construction of a new building to house grades nine through twelve.

There are several issues involved with developing the Kent County portion of the St. Joseph's property.

- The first—and most important—issue is compatibility with Providence Creek Academy's programs, space requirements, and schedules.
- The second question concerns sewage service. Although Clayton's allocation at the Frederica sewage-treatment plant is adequate at present, new development must be managed carefully so that Clayton has sufficient treatment and transmission capacity to accommodate growth.

- A third development issue is access. There is no direct route from U.S. 13 through Smyrna and Clayton to this property. The feasibility of gaining access from Duck Creek Parkway east of the railroad appears improbable because both the Federal Railroad Administration and DELDOT will not approve new at-grade crossings and have ordered a 25 percent reduction in existing at-grade crossings. The feasibility of improved access from the north via Green Spring Road also is doubtful, since it would likely involve improvements to the Providence Creek crossing.
- A fourth development issue is Providence Creek and other wetlands that would render much of the property unsuitable for development as shown in Map 3.
- A fifth issue concerns respecting the historical significance of St. Joseph's Church and school buildings.

Approximately 127 acres of the St. Joseph's property are in New Castle County. Like the Kent County tract, the New Castle tract faces many of the same development issues. Not only is this tract further from existing infrastructure than is the Kent County tract, but it is also outside of the areas to which neither New Castle County nor Kent County intends to extend public services in the foreseeable future.

Recommendations

The extensive floodplain, limits on improving access to this site, sewage-service issues, and likely presence of wetlands strongly suggest an open-space-dominated development plan that focuses on Providence Creek Academy. An open-space-dominated development concept, focused on Providence Creek Academy, not only can address many issues associated with the St. Joseph's property but also can result in assets benefiting the Academy. Sewage service is already in place to serve the property. Additional sewage service demands are not likely to have a significant impact on either the transmission system or Clayton's allocation at the Kent County treatment facility. An open-space-dominated, low-intensity development is unlikely to place as great a burden on the road system as a conventional development.

Environmental constraints of the St. Joseph's property, which are often viewed as burdensome by developers, can be turned into assets for the Academy. Since it is likely that substantial portions of the property are undevelopable, the Academy gains opportunities to provide fields for sports and other outdoor activities. It also creates opportunities for a partnership between the Academy and the Clayton community for joint development and joint use of recreational facilities.

This plan also recommends that the New Castle County portion of the property remain in open space to maintain a rural development pattern in the area north of Duck Creek. This recommendation respects New Castle County's land use policies that call for rural densities in the area north of Duck Creek (see Section 2-2).

4-3. Growth and Annexation

The directions in which Clayton can annex are limited. Providence Creek defines a logical northern boundary for Clayton, especially since it also forms the border between Kent and New Castle Counties. A number of small parcels, sandwiched between Clayton and Smyrna in Kent County, constrain eastward growth. SR 300 and the railroad limit growth to the southeast, because the land on the south side of SR 300 is either part of the Town of Smyrna, or would constitute more logical extensions of Smyrna's town limits than Clayton's boundaries.

The most feasible area for Clayton's growth is west of its current boundaries, along SR 6 and Wheatley's Pond Road (SR 300) west of the railroad. Annexation of Wheatley's Pond, the Davis Farm, and the Lester Farm indicates that Clayton has already charted expansion in this direction. Growth in a westerly direction not only would help unite Wheatley's Pond and the two farms with the heart of Clayton, but also would create a logical area for municipal services.

4-3a. Annexation Criteria

An important factor to consider when identifying properties for annexation is the economic feasibility of providing public services. Clayton should give top priority to areas where the Town currently provides services and high priority to areas where town services can be provided easily and economically.

The economic feasibility of service extension is especially important with regard to water and sewer service. Realizing that the lift station and force main at the old Town landfill are nearing capacity, Clayton has joined forces with the county and the Town of Smyrna to secure sewer service to the recently annexed Lester and Davis farms. Regarding water service, the Town plans to drill a new well and is negotiating for interconnections with Artesian Water Company which supplies water service to the Wind Song subdivision located west of Clayton at the southeast quadrant of SR 6/15 and Alley Corner Road.

When considering annexation of a developed area, Clayton also must evaluate the condition of the area's existing infrastructure. In some cases, the costs of bringing roads, street lighting, and stormwater-management facilities into compliance with Clayton's standards may exceed the revenues and other benefits of annexation.

Another factor is plans and policies of other governmental levels. High priority must be given to the state investment strategies (see Section 2-1 and Map 2), because they indicate where the state is most likely to allocate its resources. Closely related to the state strategies is Kent County's growth zone (see Section 2-3 and Map 2), which depicts the area where the county intends to provide sewer service. Yet another consideration is Delaware's Farmland Preservation Program (see Section 2-1 and Map 2), which identifies areas earmarked for agriculture.

Review of any annexation petition should include a fiscal impact analysis of the proposed development plan. This analysis should include an estimate of the revenues that the proposed development would generate for the town. It should also include an estimate of the costs of bringing existing infrastructure into compliance with town standards, as well as the costs of providing on-going town services to the area proposed for annexation.

4-3b. Annexation Areas

Drawing on the annexation criteria outlined in the previous section, this section identifies and discusses areas suitable for annexation. It must be emphasized that Clayton may consider annexing only when a property owner requests to be annexed. Identification as suitable for annexation in this plan does not mean that a property automatically becomes part of Clayton, nor does it authorize Clayton to take unilateral action to annex it.

Map 6 identifies several annexation areas, and Appendix B provides additional land use information about each area. Two of the proposed annexation areas are located between Clayton and Smyrna. The remaining areas are west of Clayton's current corporate limits. Except the Underwoods Corner Area, all annexations were recommended in the 2002 plan update.

Dennison's Area

Future Land Use Map Reference	A
State Investment Strategy Level	1
Within Kent County Growth Zone?	Yes
Recommended Land Use	Residential

The Dennison's Area is located on the north side of Duck Creek Parkway just east of the Clayton Courts Mobile Home Park. It is totally surrounded by Smyrna and Clayton's town limits. The area includes 25 parcels, each of which is developed with a single-family detached home or a mobile/manufactured home. The parcels range in size from 0.3 to one acre, with the most typical being about 0.4 acre.

Most of these homes were constructed in the 1950s and 1960s and are served with individual wells and septic systems. A public health problem does not exist currently, but it is unlikely that the individual septic systems can continue to provide adequate waste removal indefinitely. Should it become necessary to extend sewer service to this area, or should residents of the area desire sewer and water service, it is likely to be more economically feasible for Clayton than Smyrna to provide service because this area drains by gravity to, and is within 2,000 feet of, Clayton's sewage pumping station on Dump Road. Public water should be extended in conjunction with sewer service.

Although it may be economically feasible to extend water and sewer service to this area, Clayton must also evaluate the condition of the infrastructure serving the area, especially the roads and streets. If these elements do not meet Clayton's standards, Clayton should consider requiring upgrades to meet town standards as a condition of annexation.

Another issue affecting the annexation of this area is the most appropriate zoning for the property following annexation. Most of the parcels in this area are larger than the 10,000 square foot minimum lot size of the RS Zone, Clayton's least dense zone. Although placing the area in the RS Zone might enable the owners of the larger lots to subdivide their properties into smaller lots, the existing road pattern and placement of structures on each lot precludes resubdivision of most lots.

If this area is annexed, the following conditions should be considered.

- Annex the entire area at the same time.
- Connect each annexed property to Clayton's water and sewer system.
- Require roads and other infrastructure to meet Clayton standards prior to annexation.

SR 6/300 Area

Future Land Use Map Reference	B
State Investment Strategy Level	1 and 2
Within Kent County Growth Zone?	Yes
Recommended Land Uses	<ul style="list-style-type: none"> • Residential for parcel on north side SR 6 • Commercial for remaining area.

The SR 6/300 Area is located east of Clayton's town limits between SR 6 (Main Street) and SR 300 (Wheatley's Pond Road). The properties in the area are served with individual wells and septic systems, and the Town of Clayton supplies electricity to them.

This area includes:

- A one-acre lot on the north side of SR 6 whose western boundary is adjacent to the Clayton town limits and eastern border is adjacent to the Smyrna town limits. This lot is developed with a single-family detached home.
- Eight lots in the William G. Anthony Subdivision located between Wheatley's Pond Road and Dickerson Avenue, east of Greens Branch and the Clayton town limits. The Anthony Subdivision lots range in size from 0.5 to 0.9 acre, and each lot is developed with a single-family detached home.
- Six parcels east of Greens Branch between SR 6 and Dickerson Avenue. These lots range in size from one-third acre to almost two acres, and most are developed with single-family homes.

Regardless of other reasons, the properties in SR 6/300 Area should be part of Clayton because Clayton provides electricity to them. In addition, Clayton can easily supply public water to these properties. Further, sewer can be provided utilizing the recently-constructed transmission line on the north side of Wheatley's Pond Road between South Rodney Street and the current town limits..

This plan recommends that the one-acre lot on the north side of SR 6 be designated for residential land uses. This designation is consistent with existing uses and with the planned use of the Johnson Farm for single-family homes.

Commercial land uses are recommended for the properties between Main Street and Wheatley's Pond Road as a logical continuation of the commercial area fronting on Wheatley's Pond Road east of South Rodney Street. This designation is appropriate for these properties as a means of creating a commercial area for uses that can complement and service the Smyrna Industrial Park. The park has been developing rapidly and no doubt will generate demand for convenience stores, personal services, and business uses associated with the park. It also recognizes that the development of other properties west of Clayton's current boundaries, recommended for annexation, are likely to generate demand for additional commercial locations. It further provides an opportunity for Clayton to diversify its tax base.

If any of these properties are annexed, the owner of each annexed property should be required to connect to Clayton's water and sewer system.

Royster-Clark Fertilizer Plant

Future Land Use Map Reference	C
State Investment Strategy Level	2
Within Kent County Growth Zone?	Partially
Recommended Land Use	Residential

The Royster-Clark fertilizer plant is located on a 2.4-acre parcel at the southwest corner of Wheatley's Pond Road and the railroad. As its name implies, the parcel is currently utilized to process fertilizer for agriculture. It is logical to include this property within Clayton, as the town limits extend to the south side of Wheatley's Pond Road.

If this area is annexed, the following conditions should be considered.

- Designate the fertilizer processing operation a legal, nonconforming use.
- Require connection to the Clayton water and sewerage system when service is extended to serve the area.

Wheatley's Pond Road Single-Family Area

Future Land Use Map Reference	D
State Investment Strategy Level	2
Within Kent County Growth Zone?	Partially
Recommended Land Use	Residential

The Wheatley's Pond Road Single-Family Area includes 15 single-family detached homes located on the south side of Wheatley's Pond Road opposite the Wheatley's Pond town homes and detached homes. Most of these homes are on half- to one-acre lots. Like the homes in the 6/300 Area, the homes in this area are served with individual well and septic systems, and receive electricity from Clayton.

That Clayton supplies electricity to the homes in this area in and of itself makes a strong case for their inclusion within Clayton's town limits. Furthermore, should it become necessary to provide, or should the home owners wish to receive, water and sewer service, it is likely to be economically feasible for Clayton to provide service, since the Town recently extended sewer lines to service the adjacent Huntington Mills subdivision.

The Wheatley's Pond lots are substantially larger than the 10,000-square-foot minimum for lots in the RS Zone. Though theoretically possible, resubdivision is unlikely on most of the 15 lots given the placement of existing structures and the requirements for new construction—particularly access. Since these lots front on Wheatley's Pond Road, they present no problems regarding road standards.

If any of these properties are annexed, the owner of each annexed property should be required to connect to Clayton's water and sewer system.

Hanover Home Farm Area

Future Land Use Map Reference	E and F
State Investment Strategy Level	3
Within Kent County Growth Zone?	No
Recommended Land Use	Residential

The Hanover Home Farm Area consists of two parcels totaling about 142 acres located west of and adjacent to Clayton between Underwoods Corner Road and SR 6/15. The Clayton-Easton rail spur is the boundary between Clayton's Wheatley's Pond community and these properties. The first property in the Hanover Home Farm Area is the 131-acre Hanover Home Farm. This farm is currently utilized to grow some of the food processed at the nearby Hanover Food processing plant on the north side of SR 6. The second parcel, consisting of ten acres, fronts on Underwoods Corner Road. Greens Branch forms the boundary between these two parcels.

This plan amendment recommends the Hanover Home Farm Area for annexation, because it provides an opportunity for additional housing choices within the town, especially for growing families wishing to settle or remain in Clayton. If the entire area could be developed as a single community, it could provide housing choice for all types of households as well as open space and recreation.

Two issues affect the development of this property. The first is sewage service. A pumping station would be required to direct sewage into the Clayton system. A second issue is the floodplain associated with Greens Branch, which forms the boundary between the two parcels. Homes should be located a sufficient distance from the boundary of this floodplain. Greens Branch, which flows through Wheatley's Pond, and the rail spur provide an opportunity to connect Clayton's neighborhoods with walking and bike paths, thus implementing this plan's recreation and open-space (see Section 3-4b) and transportation (see Section 3-6b) recommendations. Like the St. Joseph's property, these properties present an opportunity for Clayton to create open space as well as ballfields by requiring the developer to dedicate land under the mandatory dedication standards of Clayton's Subdivision Regulations.

If this area is annexed, development plan review should include the following.

- Encourage a cluster layout.
- Designate the developable portion for residential land use and the stream and floodplain as open space.
- Obtain open space to tie into Wheatley's Pond, within subdivision process.

Underwoods Corner Area

Future Land Use Map Reference	G	John Irving Davis Farm and Aronson Property
	H	Diemeke Farm
	I	Green Gable Farm
	J	Byler vacant
	K	Byler subdivided
	L	Pheasant Pointe II
State Investment Strategy Level	4	
Within Kent County Growth Zone?	No	
Recommended Land Use	Residential	

On September 28, 2004, the Kent County Levy Court approved a subdivision for the 158-acre Twin Farms subdivision located on the north side of SR 6/15 west of and adjacent to the Hanover Foods processing facility. This property had been the subject of inquiries about annexation into Clayton, but since the Town could have not annexed the property without amending the comprehensive plan, the property owners sought development approval in Kent County.

County approval of Twin Farms raised the issue as to whether Clayton might become the *de facto* provider of urban services (such as electricity, water, sewer, police) to this and similar tracts that have been and could be developed outside of its corporate limits. This issue was underscored in the fall of 2004 when the Planning & Zoning Committee addressed informal annexation inquiries from the owners of the 163-acre Diemeke Farm and the 78.1-acre Moore (Green Gable Farm) property. Consisting of about 240 acres, these properties are located between SR 300 (Wheatley's Pond Road) and Underwoods Corner Road south of and adjacent to the Pheasant Run II Subdivision.

Together, the Town Council and the Planning & Zoning Committee identified the following issues regarding annexation of the Diemeke and Moore properties.

- Location outside of Kent County's growth zone
- Designation as a Level 4 Area in the *State Strategies*, adopted September 23, 2004, where development is not encouraged and state investment is limited
- Contiguity of the Diemeke property unless either the Moore property is annexed first or both properties are annexed at the same time
- Economic feasibility of providing water and sewer service past the intervening Pheasant Pointe II subdivision which is served with individual wells and septic systems

The council and the committee realized that the situation goes beyond the annexation of one or two properties. Development pressure is building west of Clayton, and a comprehensive, intergovernmental approach clearly is warranted in order to avoid frequent plan revisions, piecemeal rezonings, and illogical infrastructure decisions in both Kent County and Clayton. In the meantime, Smyrna School District officials had identified the Diemeke property as a location for a new intermediate school. As noted in Section 3.5a, Clayton is working with Artesian Water Company and the county to develop long-term water and sewer service to areas west of the railroad.

With the Office of State Planning Coordination as coordinator, staff and officials from the Clayton, Kent County, the Smyrna School District, and the State Department of Agriculture held a number of meetings concerning development of areas west of Clayton. It was decided that these would be best served as part of Clayton, and the Town agreed to seek community input and recommend properties for annexation through this comprehensive plan amendment.

The properties depicted on Map 6 as “G” through “L” (“A” through “F” were recommended for annexation in the 2002 plan update.) represent what the Clayton community believes to be the most logical extension of the town limits. They were included for the following reasons.

- Except for the developed portion of the Byler subdivision and the Pheasant Pointe II community, the area is largely undeveloped. These developed properties were included to avoid creating enclaves and to make public water and sewer service available should the properties need or want it.
- Water service can be supplied by Clayton and Artesian.
- Clayton and Kent County can provide sewer service utilizing the County lift station under construction near Lake Como.
- Clayton can provide police protection.

Other subdivisions, such as Gunners Run, Twin Acres, and Wind Song Farm were not included because they are, or are soon to be, developed. Agricultural Districts and PDRs were excluded, since they are more appropriately left in Kent County, and they form a logical transition from urban to rural density.

CHAPTER 5. IMPLEMENTATION

The comprehensive plan is the first step in the municipal planning process. The land use map recommended the general locations for, character of, and density of development in Clayton. As such, it serves as a basis for the community's subsequent decisions concerning new development and redevelopment. This section identifies several mechanisms for carrying out the development pattern depicted on the land use map.

5-1. Regulatory Measures

Regulatory measures are laws that govern the use of land, density, streets, utilities, building design, and structure maintenance. In this section, four regulatory techniques are described.

5-1a. Zoning

Zoning is the chief means for implementing a comprehensive plan. The zoning ordinance consists of a written document and a map. It divides a municipality into districts or zones in order to regulate the use of land. The ordinance specifies what types of activities (uses) can occur in each district either as a matter of right (in all circumstances) or under certain conditions. It also regulates building height, lot sizes, setbacks, yards and green space, the number and sizes of signs, and space for off-street parking. Once adopted by the governing body, the zoning ordinance is law with penalties for violations.

Working closely with the Planning & Zoning Committee, the Clayton Town Council completely revised the Zoning Ordinance in 1998. Since then, a few minor amendments have been adopted. Following the adoption of this amendment, the Town Council should continue updating the Ordinance as needed.

Title 22, Section 702(c) of the *Delaware Code* requires that each municipality, "within 18 months of the adoption of a comprehensive development plan or revision thereof, amend its official zoning map to rezone all lands within the municipality in accordance with the uses of land [i.e., future land use] provided for in the comprehensive development plan." Map 7 depicts Clayton's current zoning. The zoning of all properties are consistent with the land uses depicted on the future land use map (Map 6) except for those used for open space in the Town and County and Huntington Mills subdivisions. It is recommended that the comprehensive rezoning place these parcels in the OS (Open Space) Zone.

5-1b. Subdivision

Subdivision refers to the process of splitting up or assembling land for development. The ordinances governing this process are often called the subdivision regulations. These regulations designate utility locations, street rights-of-way, open space, and common areas. They also outline the services, such as water, sewer, gas, electricity, and amenities that a developer must supply prior to sale of subdivided land. Like the zoning ordinance, the subdivision regulations are laws with penalties for violations.

The subdivision regulations work together with the zoning ordinance and the comprehensive plan to ensure that development takes place in an orderly manner. The comprehensive land use plan recommends general locations, character, and density of development. The zoning ordinance legislates the permitted densities for each zone. The subdivision regulations stipulate how vacant land can be made suitable for development. For example, a developer must design lots so that they meet the minimum size requirement for the zone in which the lots will be developed.

In 1999, the Clayton Town Council, with substantial input from the Planning & Zoning Committee, adopted new subdivision regulations. These regulations complement the zoning ordinance, and together the two codes have guided development over the past several years.

5-1c. Building Code

A building code establishes standards for the construction of new buildings and additions or substantial changes to existing buildings. Building codes specify the types of materials that may or may not be used and mandate standards for plumbing, electric wiring, structural integrity, and general design. As noted earlier, Clayton assumed control of its building codes from Kent County. To ensure compliance with the provisions of the building code, property owners must obtain proper permits, and inspectors must make routine inspections at certain milestones of the construction process.

5-1d. Housing Code

A housing code establishes standards regarding how a residence is to be used once it is built. It is different from a building code, which specifies regulations for the construction of buildings. Housing codes deal with occupancy (number of persons per room), plumbing and heating (e.g., minimum and maximum temperature), and fire safety. They also set standards for getting into, getting out of, and moving around a residence by regulating such things as corridors, obstructions to exits and entrances, and access to bedrooms and bathrooms. Like the zoning ordinance and subdivision regulations, a housing code is law with penalties for violations.

A typical enforcement program includes periodic inspection with notices issued to homeowners whose properties are in violation of housing code standards. Often, a jurisdiction with an established program can steer homeowners to financial assistance to correct violations.

Strong code enforcement is essential for Clayton. More than half of the town's housing stock was built prior to 1950. Code enforcement was underscored as an important component for revitalization, historic preservation, and maintenance of a small-town atmosphere. Realizing the importance of strong code enforcement, the Town adopted a property-maintenance code and hired its first code-enforcement officer in March 2003.

5-2. Capital-Improvements Program

Capital-improvements programming is a process of scheduling public physical improvements over a number of years, with a typical program covering five to six years. A capital-improvements program (CIP) is the document that reflects the outcome of capital-improvements programming. Once adopted, this program would become Clayton's fiscal plan—or schedule—for financing public improvements over time. A capital improvement is a new or expanded physical facility that is relatively large in size, expensive, and permanent. Typical capital-improvement projects include street construction or resurfacing, water-transmission lines, street lighting, downtown redevelopment projects, sidewalk improvements, and land acquisition. The CIP schedule balances a jurisdiction's need for public facilities with its ability to pay for them. By planning its capital improvements over a number of years, a jurisdiction stabilizes public expenditures and avoids sharp fluctuations in the tax rate. In addition, the process of programming capital improvements includes setting priorities on capital expenditures based on available funds, public need, and community support.

This plan identified several areas where capital-improvement programming could help Clayton identify needed public improvements and plan for accomplishing them. One type of capital-improvement project could be a revolving fund for land acquisition for open space. Each year the council could channel a portion of revenues to a separate fund that could be tapped when an opportunity to purchase recreational land becomes available. These funds might also be used to match state contributions to acquire recreational land. Another capital project might involve establishing a sinking fund for periodic repair and upgrade to the water and sewer systems. This would ensure that sufficient funds are available for an unanticipated expenditure and would enable Clayton to spend a little money each year on routine maintenance to avoid a major overhaul of the systems and the large expenditure associated with it. A similar sinking-fund arrangement might be appropriate for town beautification, where the Town Council would set aside a little money each year for street furniture, new signs, and trees for the town center. These funds could be used in conjunction with funds and technical assistance from state agencies to develop a downtown revitalization program.

5-3. Intergovernmental Coordination

Clayton officials not only included, but also sought the participation of other levels of government in the preparation of this comprehensive plan. To continue this inter-jurisdictional cooperation, begun in the development of this comprehensive plan, town officials should:

- Develop a system for notifying affected jurisdictions and agencies of proposed development-related actions in Clayton.
- Request information on, and input into, proposed actions of governments and quasi-governments that affect Clayton.
- Send copies of council and planning commission agendas to Smyrna, Kent County, and the Office of State Planning Coordination.
- Request written comments from affected jurisdictions and agencies on proposed development-related actions in Clayton that are of interest to them.
- Attend meetings of other agencies and jurisdictions.
- Ask other agencies and jurisdictions to send agendas and request the opportunity to review and comment on proposed actions in and nearby Clayton.

Clayton has enjoyed an ongoing relationship with Kent County since 1978, when Clayton adopted its first comprehensive plan which was prepared by the county planning staff. Over the years, Clayton has sought assistance from various county agencies on a number of issues. In turn, Kent County has a procedure for notifying municipalities of land use actions pending on properties adjacent to their boundaries.

The comprehensive planning process has forged a solid relationship between Clayton and the Office of State Planning Coordination. The annual reporting process required in Title 22, Section 702(g) of the *Delaware Code*, has given both Clayton and state planners a forum for identifying and solving local planning issues, especially those that cross jurisdictional boundaries. In fact, issues identified in Clayton's most recent annual report prompted this plan revision. An integral component of the plan amendment process was a number of meetings with officials from State Planning, the Smyrna School District, Kent County, and the Department of Agriculture to discuss issues related to growth west of Clayton.

APPENDIX A. PARCELS RECOMMENDED FOR ANNEXATION

Map Ref	Tax Parcel ID Location	Acres	Kent County Existing Zoning	Kent County Existing Land Use	Recommended Land Use
A	DC-00-00919-01-0100 114 Dump Road	0.90	RMH	Residential Mobile home	Residential
A	DC-00-00919-01-0100-001 Land of James Blanchfield	0.00	RMH	Residential Mobile home	Residential
A	DC-00-00919-01-0200 Duck Creek Parkway	0.04	RMH	Residential Single-family	Residential
A	DC-00-00919-01-0400 Duck Creek Parkway	0.56	RMH	Residential Single-family	Residential
A	DC-00-00919-01-0500 Duck Creek Parkway	0.00	RMH	Residential Single-family	Residential
A	DC-00-00919-01-0500-001 Dennison's Mobile Park	0.00	RMH	Residential Mobile home	Residential
A	DC-00-00919-01-0500-002 Dennison's Mobile Park	0.00	RMH	Residential Mobile home	Residential
A	DC-00-00919-01-0500-003 Dennison's Mobile Park	0.00	RMH	Residential Mobile home	Residential
A	DC-00-00919-01-0500-004 Dennison's Mobile Park	0.00	RMH	Residential Mobile home	Residential
A	DC-00-00919-01-0500-005 Dennison's Mobile Park	0.00	RMH	Residential Mobile home	Residential
A	DC-00-00919-01-0500-006 Dennison's Mobile Park	0.00	RMH	Residential Mobile home	Residential
A	DC-00-00919-01-0600 Duck Creek Parkway	0.37	RMH	Residential Mobile home	Residential
A	DC-00-00919-01-0700 117 Pom Run Drive	0.44	RMH	Residential Single-family	Residential
A	DC-00-00919-01-0800 Duck Creek Parkway	0.64	RMH	Residential	Residential
A	DC-00-00919-01-0800-001 Land of T. August	0.00	RMH	Residential Mobile home	Residential
A	DC-00-00919-01-0900 Duck Creek Parkway	0.30	RMH	Residential Mobile home	Residential
A	DC-00-00919-01-1000 Duck Creek Parkway	0.50	RMH	Residential Mobile home	Residential
A	DC-00-00919-01-1100 Duck Creek Parkway	0.91	RMH	Residential Single-family	Residential
A	DC-00-00919-01-1200 235 Duck Creek Parkway	0.40	RMH	Residential Single-family	Residential
A	DC-00-00919-01-1300 Duck Creek Parkway	0.45	RMH	Residential Single-family	Residential
A	DC-00-00919-01-1400 271 Duck Creek Parkway	0.45	RMH	Residential Single-family	Residential
A	DC-00-00919-01-1500 299 Duck Creek Parkway	0.58	RMH	Residential Single-family	Residential
A	DC-00-00919-01-1600 1612 Duck Creek Parkway	0.47	RMH	Residential Single-family	Residential
A	DC-00-00919-01-1700 Duck Creek Parkway	1.00	RMH	Residential Single-family	Residential
A	DC-00-00919-01-1800 Duck Creek Parkway	0.37	RMH	Residential Single-family	Residential

Map Ref	Tax Parcel ID Location	Acres	Kent County Existing Zoning	Kent County Existing Land Use	Recommended Land Use
B	DC-00-01807-01-0100 1100 Smyrna Clayton Boulevard Spruance Farm Subdivision	1.00	BG	Residential Single-family	Residential
B	DC-00-01808-01-0700 Glenwood Avenue Subdivision not known	0.37	AR	Residential Single-family	Commercial
B	DC-00-01808-01-0800 Glenwood Avenue Subdivision not known	0.37	IG	Residential Single-family	Commercial
B	DC-00-01807-01-0300 Smyrna-Clayton Boulevard Subdivision not known	0.26	BG	Vacant	Commercial
B	DC-00-01807-01-0400 Smyrna Avenue Subdivision not known	0.25	RS1	Residential Single-family	Commercial
B	DC-00-01807-01-0500 Smyrna Avenue Subdivision not known	0.67	MULTI	Residential Single-family	Commercial
B	DC-00-01807-01-0600 Smyrna Avenue Spruance Farm Subdivision	1.80	MULTI	Residential Single-family	Commercial
B	DC-00-01807-01-0700 Glenwood Avenue Wm. G. Anthony Subdivision	0.60	RS1	Residential Single-family	Commercial
B	DC-00-01807-01-0800 5099 Wheatley's Pond Road Wm. G. Anthony Subdivision	0.40	RS1	Residential Single-family	Commercial
B	DC-00-01807-01-0900 5087 Wheatley's Pond Road Wm. G. Anthony Subdivision	0.51	RS1	Residential Single-family	Commercial
B	DC-00-01807-01-1000 0 Glenwood Avenue Wm. G. Anthony Subdivision	0.82	RS1	Residential Single-family	Commercial
B	DC-00-01807-01-1100 0 Glenwood Avenue Wm. G. Anthony Subdivision	0.88	RS1	Residential Single-family	Commercial
B	DC-00-01807-01-1200 5029 Wheatley's Pond Road Wm. G. Anthony Subdivision	0.87	RS1	Residential Single-family	Commercial
B	DC-00-01807-01-1300 5011 Wheatley's Pond Road Wm. G. Anthony Subdivision	0.87	RS1	Residential Single-family	Commercial
B	DC-00-01807-01-1400 4993 Wheatley's Pond Road Wm. G. Anthony Subdivision	0.90	AR	Residential Single-family	Commercial
C	KH-00-01800-01-1300 SE Railroad/SR 300	2.40	AC	Industrial Fertilizer Plant	Residential
D	KH-00-01800-01-1400 Wheatley's Pond Road	1.00	AC	Residential Single-family	Residential
D	KH-00-01800-01-1500 Wheatley's Pond Road	0.50	AC	Residential Single-family	Residential
D	KH-00-01800-01-1600 4336 Wheatley's Pond Road	0.40	AC	Residential Single-family	Residential

Map Ref	Tax Parcel ID Location	Acres	Kent County Existing Zoning	Kent County Existing Land Use	Recommended Land Use
D	KH-00-01800-01-1700 4336 Wheatley's Pond Road	0.50	AC	Residential Single-family	Residential
D	KH-00-01800-01-1800 Wheatley's Pond Road	0.50	AC	Residential Single-family	Residential
D	KH-00-01800-01-1900 4256 Wheatley's Pond Road	0.50	AC	Residential Single-family	Residential
D	KH-00-01800-01-2000 4248 Wheatley's Pond Road	0.50	AC	Residential Single-family	Residential
D	KH-00-01800-01-2100 4212 Wheatley's Pond Road	0.50	AC	Residential Single-family	Residential
D	KH-00-01800-01-2200 4200 Wheatley's Pond Road	0.50	AC	Residential Single-family	Residential
D	KH-00-01800-01-2300 4147 Wheatley's Pond Road	1.00	AC	Residential Single-family	Residential
D	KH-00-01800-01-2400 Wheatley's Pond Road	0.50	AC	Residential Single-family	Residential
D	KH-00-01800-01-2500 Wheatley's Pond Road	0.50	AC	Residential Single-family	Residential
D	KH-00-01800-01-2600 Wheatley's Pond Road	0.50	AC	Residential Single-family	Residential
D	KH-00-01800-01-2601 Wheatley's Pond Road	0.60	AC	Residential Single-family	Residential
D	KH-00-01800-01-2900 4270 Wheatley's Pond Road	0.50	AC	Residential Single-family	Residential
E	KH-00-01800-01-0500 Hanover Home Farm Corner SR 6/School Road	131.30	AC	Agriculture	Residential
F	KH-00-01800-01-0501 SR 6/Railroad Franczek/Barczewski Property	10.70	AC	Residential Single-family	Residential
G	KH-00-01800-01-0600 6686 Millington Road John Irving Davis Property	160.00	AC	Agriculture	Residential
G	KH-00-01800-01-0602 Aronson Property	1.00	AC	Vacant	Residential
H	KH-00-02700-01-0900 Underwoods Corner Road Diemecke Farm	163.80	AC	Vacant	Residential
I	KH-00-02700-01-1000 Wheatley's Pond Road Green Gable Farm	78.10	AC	Agriculture	Residential
J	KH-00-01800-01-2821 Underwoods Corner Road Byler Subdivision	12.50	AC	Residential Single-family	Residential
K	KH-00-01800-01-2822 6816 Underwoods Corner Road Byler Subdivision	1.70	AC	Residential Single-family	Residential
K	KH-00-01800-01-2823 6734 Underwoods Corner Road Byler Subdivision	1.20	AC	Residential Single-family	Residential
K	KH-00-01800-01-2824 6688 Underwoods Corner Road Byler Subdivision	2.60	AC	Residential Single-family	Residential

Map Ref	Tax Parcel ID Location	Acres	Kent County Existing Zoning	Kent County Existing Land Use	Recommended Land Use
K	KH-00-01800-01-2825 6656 Underwoods Corner Road Byler Subdivision	2.40	AC	Residential Single-family	Residential
K	KH-00-01800-01-2826 6642 Underwoods Corner Road Byler Subdivision	2.80	AC	Vacant	Residential
K	KH-00-01800-01-2827 Underwoods Corner Road Byler Subdivision	1.50	AC	Vacant	Residential
K	KH-00-01800-01-2828 Underwoods Corner Road Byler Subdivision	1.00	AC	Vacant	Residential
K	KH-00-01800-01-2829 Underwoods Corner Road Byler Subdivision	1.00	AC	Vacant	Residential
K	KH-00-01800-01-2830 Underwoods Corner Road Byler Subdivision	1.00	AC	Vacant	Residential
K	KH-00-01800-01-2831 Underwoods Corner Road Byler Subdivision	1.00	AC	Vacant	Residential
L	KH-00-01800-01-2801 3563 Wheatley's Pond Road Pheasant Point Subdivision	2.00	AC	Residential Single-family	Residential
L	KH-00-01800-01-2802 3567 Wheatley's Pond Road Pheasant Point Subdivision	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-01-2803 3597 Wheatley's Pond Road Pheasant Point Subdivision	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-01-2804 3641 Wheatley's Pond Road Pheasant Point Subdivision	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-01-2805 3681 Wheatley's Pond Road Pheasant Point Subdivision	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-01-2806 3697 Wheatley's Pond Road Pheasant Point Subdivision	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-01-2807 West side Wheatley's Pond Road Pheasant Point Subdivision	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-01-2808 West side Wheatley's Pond Road Pheasant Point Subdivision	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-01-2809 West side Wheatley's Pond Road Pheasant Point Subdivision	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-01-2810 West side Wheatley's Pond Road Pheasant Point Subdivision	1.00	AC	Residential Single-family	Residential

Map Ref	Tax Parcel ID Location	Acres	Kent County Existing Zoning	Kent County Existing Land Use	Recommended Land Use
L	KH-00-01800-01-2811 3863 Wheatley's Pond Road Pheasant Point Subdivision	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-01-2812 3867 Wheatley's Pond Road Pheasant Point Subdivision	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-01-2813 3923 Wheatley's Pond Road Pheasant Point Subdivision	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-01-2814 14 Pheasant Point Pheasant Point Subdivision	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-01-2815 3973 Wheatley's Pond Road Pheasant Point Subdivision	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-01-2816 3987 Wheatley's Pond Road Pheasant Point Subdivision	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-01-2817 6964 Underwoods Corner Road Pheasant Point Subdivision	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-01-2818 6904 Underwoods Corner Road Pheasant Point Subdivision	1.30	AC	Residential Single-family	Residential
L	KH-00-01800-01-2819 Underwoods Corner Road Pheasant Point Subdivision	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-01-2820 6858 Underwoods Corner Road Pheasant Point Subdivision	1.70	AC	Residential Single-family	Residential
L	KH-00-01800-02-0100 101 N Canvasback Court Pheasant Point II	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-02-0200 103 N Canvasback Court Pheasant Point II	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-02-0300 Canvasback Court Pheasant Point II	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-02-0400 107 N Canvasback Court Pheasant Point II	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-02-0500 109 N Canvasback Court Pheasant Point II	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-02-0600 111 N Canvasback Court Pheasant Point II	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-02-0700 201 N Canvasback Court Pheasant Point II	1.00	AC	Residential Single-family	Residential

Map Ref	Tax Parcel ID Location	Acres	Kent County Existing Zoning	Kent County Existing Land Use	Recommended Land Use
L	KH-00-01800-02-0800 203 N Canvasback Court Pheasant Point II	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-02-0900 205 N Canvasback Court Pheasant Point II	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-02-1000 207 N Canvasback Court Pheasant Point II	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-02-1100 209 N Canvasback Court Pheasant Point II	1.60	AC	Residential Single-family	Residential
L	KH-00-01800-02-1200 West side N. Canvasback Court Pheasant Point II	1.50	AC	Residential Single-family	Residential
L	KH-00-01800-02-1300 206 N Canvasback Court Pheasant Point II	1.30	AC	Residential Single-family	Residential
L	KH-00-01800-02-1400 204 N Canvasback Court Pheasant Point II	1.30	AC	Residential Single-family	Residential
L	KH-00-01800-02-1500 202 N Canvasback Court Pheasant Point II	1.30	AC	Residential Single-family	Residential
L	KH-00-01800-02-1600 118 Hunting Way Pheasant Point II	1.20	AC	Residential Single-family	Residential
L	KH-00-01800-02-1700 116 Hunting Way Pheasant Point II	1.10	AC	Residential Single-family	Residential
L	KH-00-01800-02-1800 114 Hunting Way Pheasant Point II	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-02-1900 112 Hunting Way Pheasant Point II	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-02-2000 West side Hunting Way Pheasant Point II	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-02-2100 108 Hunting Way Pheasant Point II	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-02-2200 106 Hunting Way Pheasant Point II	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-02-2300 104 Hunting Way Pheasant Point II	1.10	AC	Residential Single-family	Residential
L	KH-00-01800-02-2400 102 Hunting Way Pheasant Point II	1.40	AC	Residential Single-family	Residential

Map Ref	Tax Parcel ID Location	Acres	Kent County Existing Zoning	Kent County Existing Land Use	Recommended Land Use
L	KH-00-01800-02-2500 100 S Canvasback Court Pheasant Point II	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-02-2600 102 S Canvasback Court Pheasant Point II	1.10	AC	Residential Single-family	Residential
L	KH-00-01800-02-2700 104 S Canvasback Court Pheasant Point II	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-02-2800 107 S Canvasback Court Pheasant Point II	1.80	AC	Residential Single-family	Residential
L	KH-00-01800-02-2900 105 S Canvasback Court Pheasant Point II	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-02-3000 103 S Canvasback Court Pheasant Point II	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-02-3100 101 S Canvasback Court Pheasant Point II	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-02-3200 100 N Canvasback Court Pheasant Point II	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-02-3300 102 N Canvasback Court Pheasant Point II	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-02-3400 104 N Canvasback Court Pheasant Point II	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-02-3500 106 N Canvasback Court Pheasant Point II	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-02-3600 108 N Canvasback Court Pheasant Point II	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-02-3700 110 N Canvasback Court Pheasant Point II	1.10	AC	Residential Single-family	Residential
L	KH-00-01800-02-3800 117 Hunting Way Pheasant Point II	1.30	AC	Residential Single-family	Residential
L	KH-00-01800-02-3900 113 Hunting Way Pheasant Point II	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-02-4000 111 Hunting Way Pheasant Point II	1.00	AC	Residential Single-family	Residential
L	KH-00-01800-02-4100 105 Hunting Way Pheasant Point II	1.00	AC	Residential Single-family	Residential









APPENDIX B. MAPS

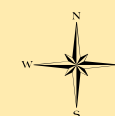
- Map 1. Clayton Vicinity Aerial View
- Map 2. State Investment Strategies and Agricultural Preservation Districts
- Map 3. Clayton Vicinity Environmental Features
- Map 4. Clayton Vicinity Transportation Network
- Map 5. Existing Land Use
- Map 6. Future Land Use
- Map 7. Existing Zoning

Town of Clayton, Delaware



Map 1. Clayton Vicinity Aerial View

-  Town of Clayton
-  County Boundaries
-  Centerline Roads
-  Private Roads
-  Municipal Roads
-  Railroads
-  Streams and Rivers
-  Lakes and Ponds

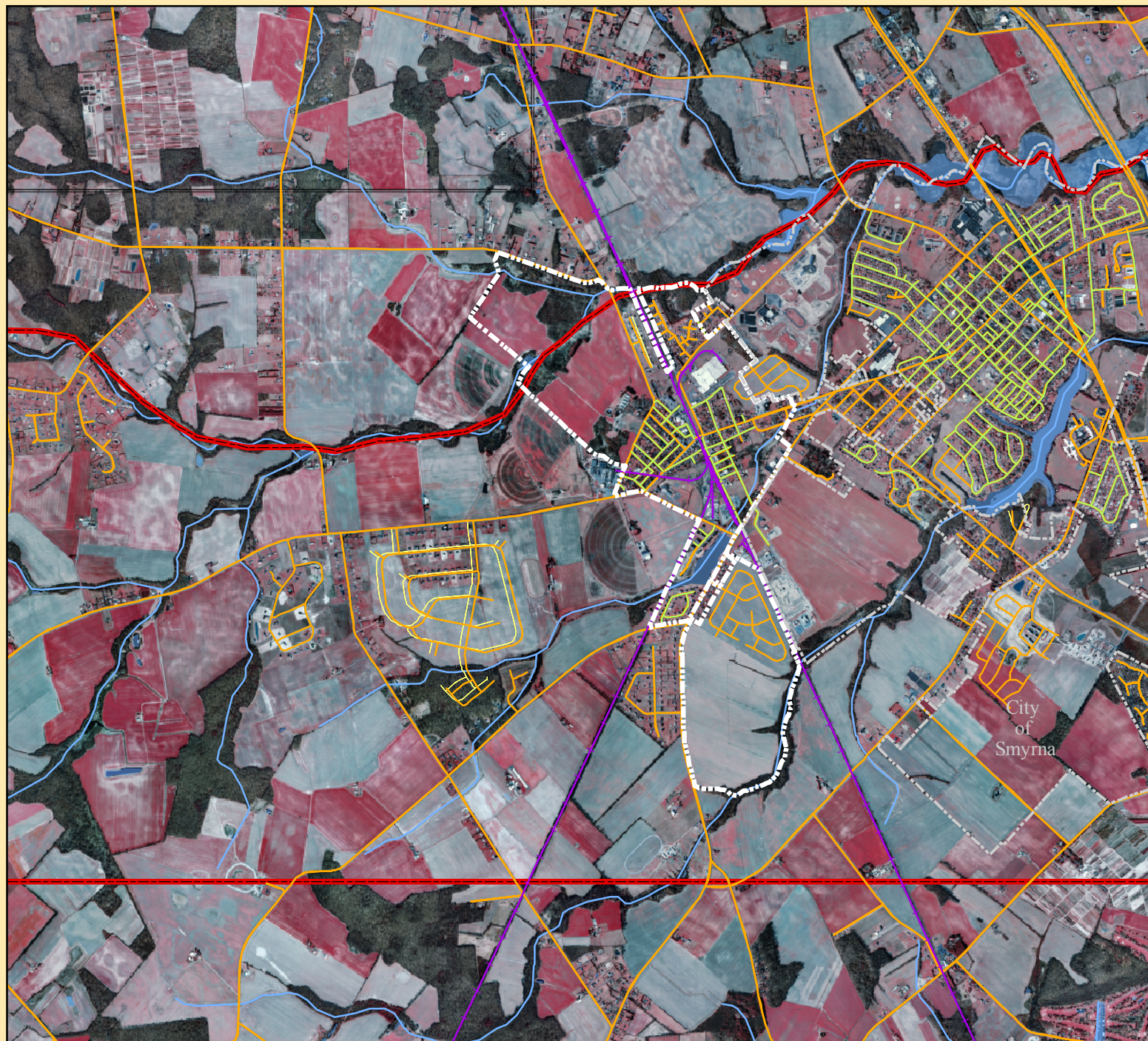


0 600 1,200 2,400 3,600 4,800 Feet

**Adopted by the Clayton Town Council
06/27/2005; Certified by the Office of
State Planning Coordination 06/28/2005**

Sources:
Digital orthophotography - Produced by Earth Data International in False Color Infrared at a scale of 1:2,400 with a 1 foot pixel resolution, March 2002.
Roads - Delaware Department of Transportation centerline file 2001. Created from Digital Orthophoto Quarter Quads 1997.
National Hydrography Dataset (NHD) is based upon the content of USGS Digital Line Graph (DLG) hydrography data integrated with reach-related information from the EPA Reach File Version 3 (RF3), 2004.
Municipal Boundaries - Delaware Office of State Planning Coordination, December 2004.

Note:
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Town of Clayton, Delaware



Map 2. State Investment Strategies and Agricultural Preservation Districts

- Area of Dispute
- Out of Play
- Level 1
- Level 2
- Level 3
- Level 4
- Agricultural PDRs
- Agricultural Districts
- KC Growth Zone
- Town of Clayton
- Town of Smyrna
- Roads
- Parcel Boundaries
- Streams and Rivers
- Lakes and Ponds

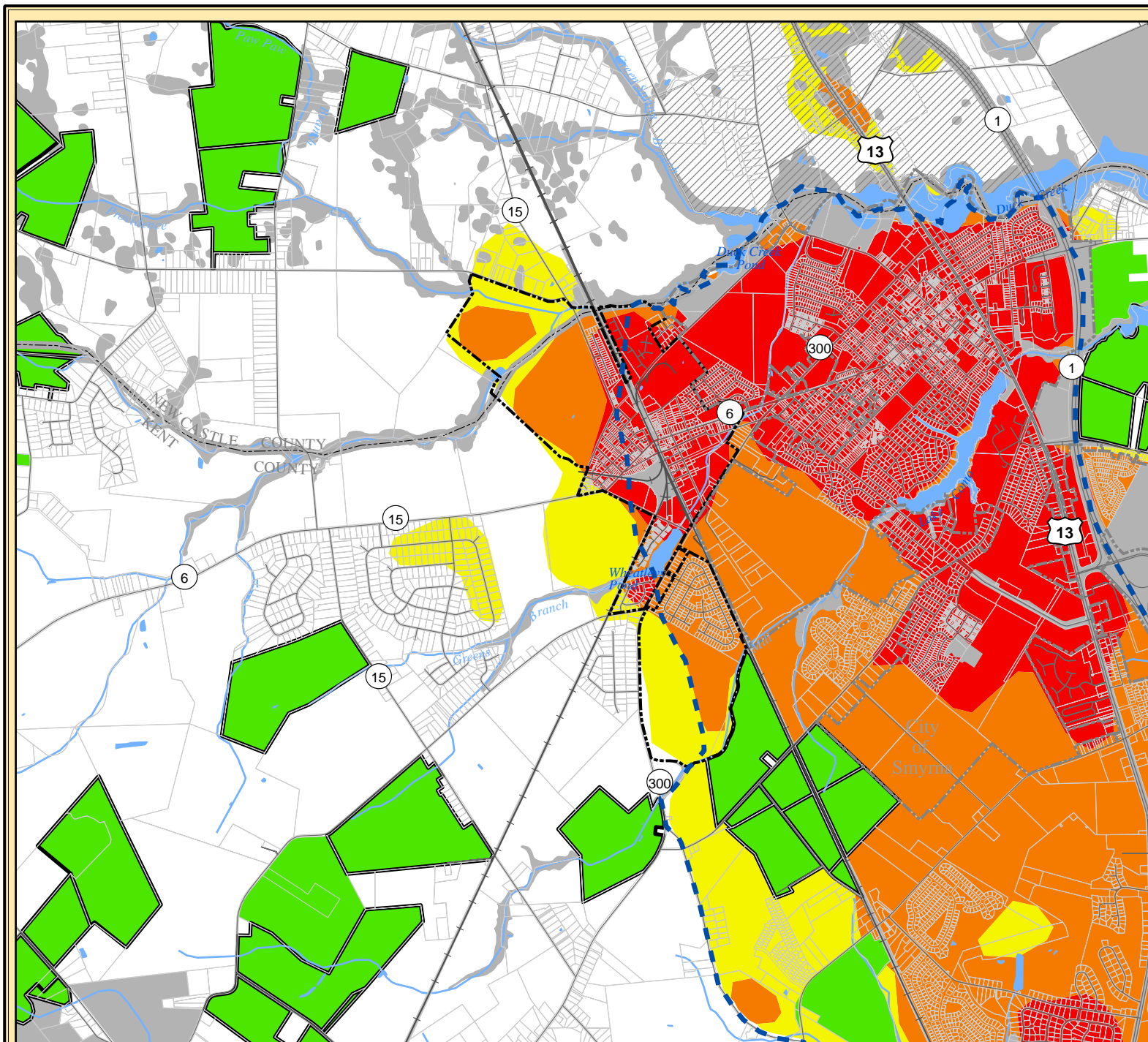
NOTE:
Please refer to the
Chapter "Directing
Growth" in the
State Strategies
Document for
definitions of
the four
investment Levels



Adopted by the Clayton Town Council
06/27/2005; Certified by the Office of
State Planning Coordination 06/28/2005.

Sources:
State Investment Strategies - Delaware Office of State Planning Coordination, September 2004.
Agricultural Districts and PDRs - Delaware Department of Agriculture, February 2004.
Roads - Delaware Department of Transportation centerline file 2001. Created from Digital
Orthophoto Quarter Quads 1997.
National Hydrography Dataset (NHD) - is based upon the content of USGS Digital Line
Graph (DLG) hydrography data integrated with reach-related information from the EPA
Reach File Version 3 (RF3), 2004.
Municipal Boundaries - Delaware Office of State Planning Coordination, December 2004.

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Town of Clayton, Delaware



Map 3. Clayton Vicinity Environmental Features

-  Tidal Wetlands
-  Non-Tidal Wetlands
-  100 Year Flood Plain
-  5' Contours
-  Excellent Recharge Areas
-  Good Recharge Areas
-  Town of Clayton
-  Town of Smyrna
-  County Boundaries
-  Roads
-  Streams and Rivers
-  Lakes and Ponds

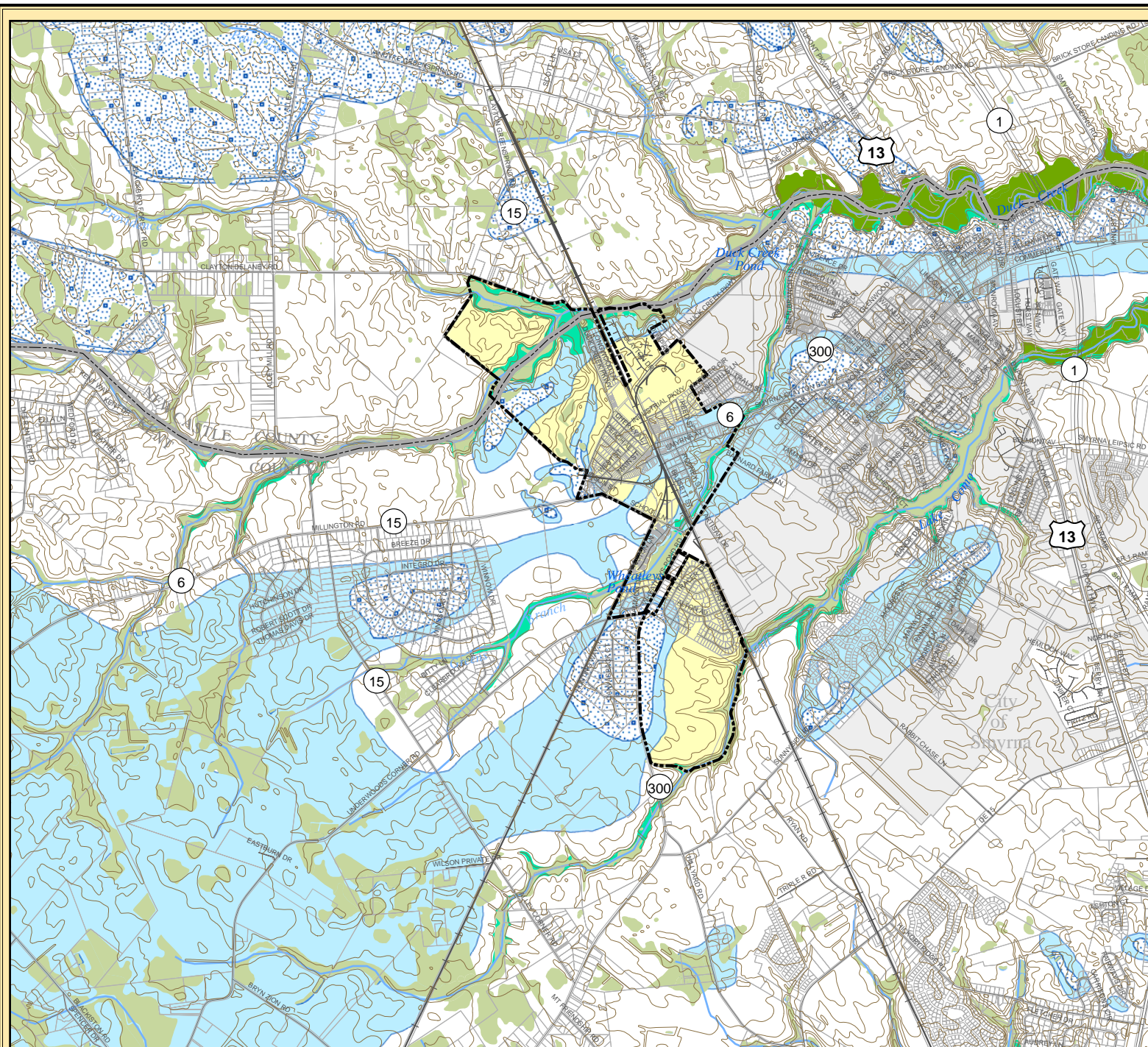


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Sources:
National Hydrography Dataset (NHD) is based upon the content of USGS Digital Line Graph (DLG) hydrography data integrated with reach-related information from the EPA Reaches File Version 3 (REF3), 2004.
Municipal Boundaries - Delaware Office of State Planning Coordination, December 2004.
Wetlands - State-wide Wetlands Mapping Project (SWMP), DNREC 2000.
Excellent and Good Recharge Areas - Delaware Geological Survey (DGS) and DNREC, 2002.
Flood Plains - Delaware Department of Natural Resources and Environmental Control (DNREC), FEMA, Digital Flood Insurance Rate Map (DFIRM), New Castle County, October 6, 2000 as amended, Kent County, May 5, 2003 as amended.

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Town of Clayton, Delaware



Map 4. Clayton Vicinity Transportation Network

- Town of Clayton
- County Boundaries
- State Roads
- Municipal Streets
- Suburban Streets
- Private Roads
- Railroads
- Streams and Rivers
- Lakes and Ponds

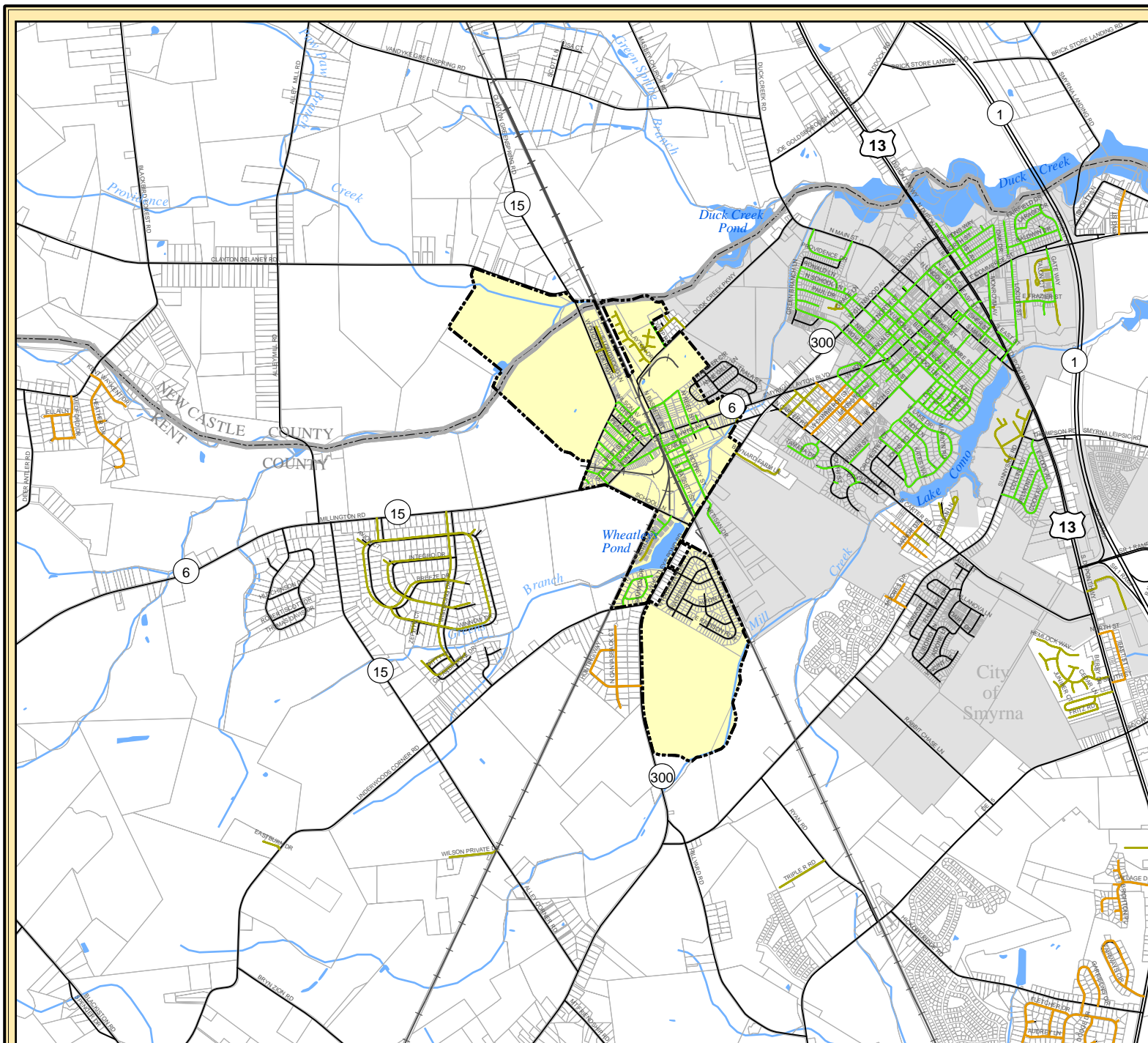


0 600 1,200 2,400 3,600 4,800 Feet

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Sources:
Roads - Delaware Department of Transportation centerline file 2001.
National Hydrography Dataset (NHD) is based upon the content of USGS Digital Line Graph (DLG) hydrography data integrated with reach-related information from the EPA Reach File Version 3 (RF3), 2004.
Municipal Boundaries - Delaware Office of State Planning Coordination, December 2004.

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Town of Clayton Delaware



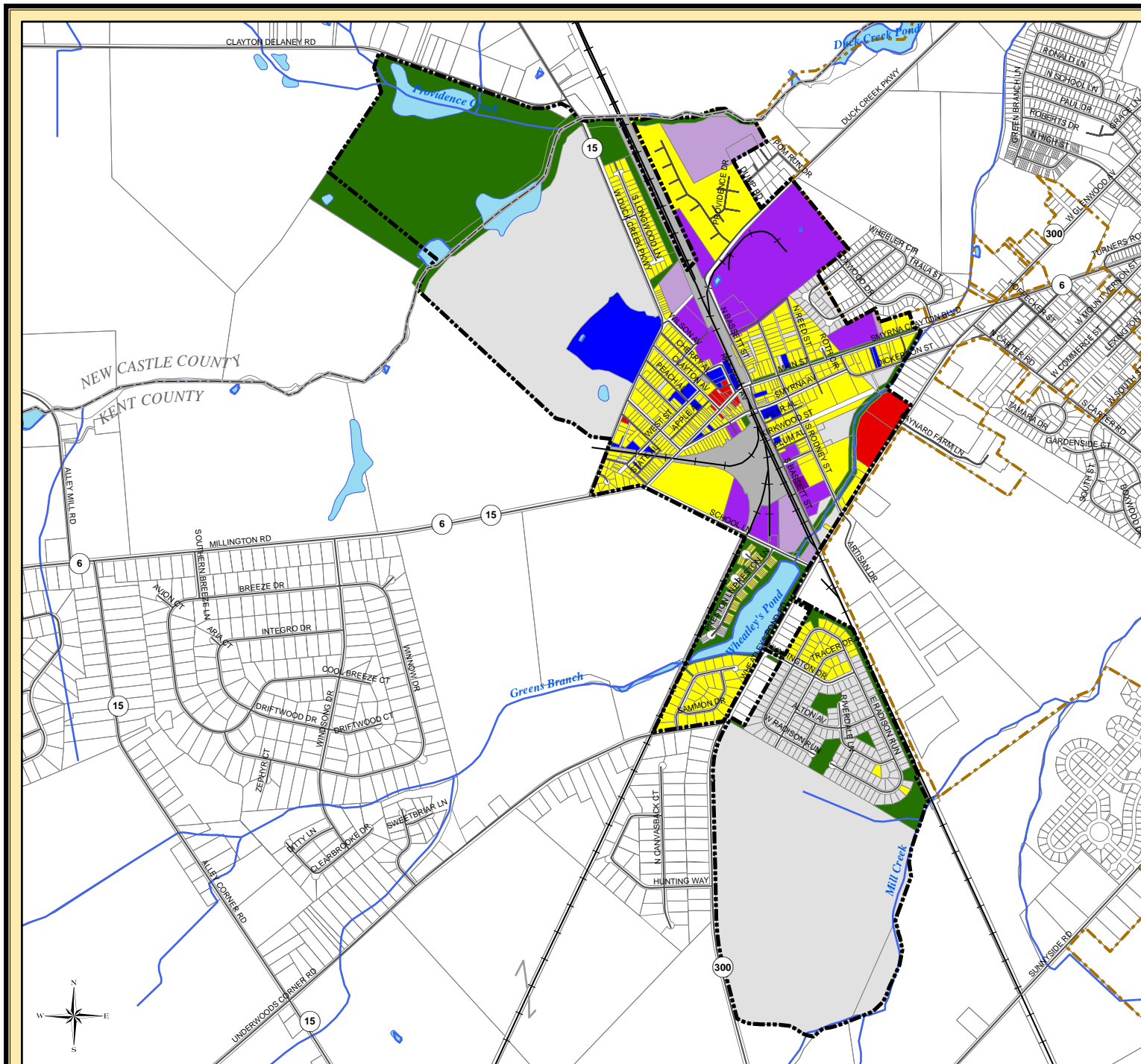
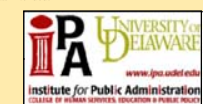
Map 5. Existing Land Use

- Open Space
- Residential
- Commercial
- Community Service
- Utilities
- Industrial
- Transportation
- Vacant
- Parcel Boundaries
- County Boundaries
- Town of Clayton
- Town of Smyrna
- Roads
- Railroads
- Streams
- Lakes and Ponds

0 375 750 1,500 2,250 3,000
Feet

**Adopted by the Clayton Town Council
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Sources
Roads - Delaware Department of Transportation centerline file (2001) created from Digital Orthophoto Quarter Quads (1997).
Hydrology - National Hydrology Dataset (NHD) based on the content of the USGS Digital Line Graph (DLG) hydrography data integrated with reach-related data information from the EPA Reach File Version 3 (RF3), 2004.
Municipal Boundaries - Delaware Office of State Planning Coordination, December 2004.
Parcels - New Castle County Department of Land Use, January 2001; Kent County Department of Planning Services, January 2005.
Land Use - Comprehensive Plan Amendment, adopted March 8, 2004.
Note
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Town of Clayton Delaware



Map 6. Future Land Use

Land Use

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

Proposed for Annexation

- Residential
- Commercial

Proposed Public Facilities

- Intermediate School
- Water Storage Facility
- Parcel Boundaries
- County Boundaries
- Town of Clayton
- Town of Smyrna
- Agricultural Districts
- Agricultural PDRs
- Railroads
- Roads
- Streams
- Lakes and Ponds

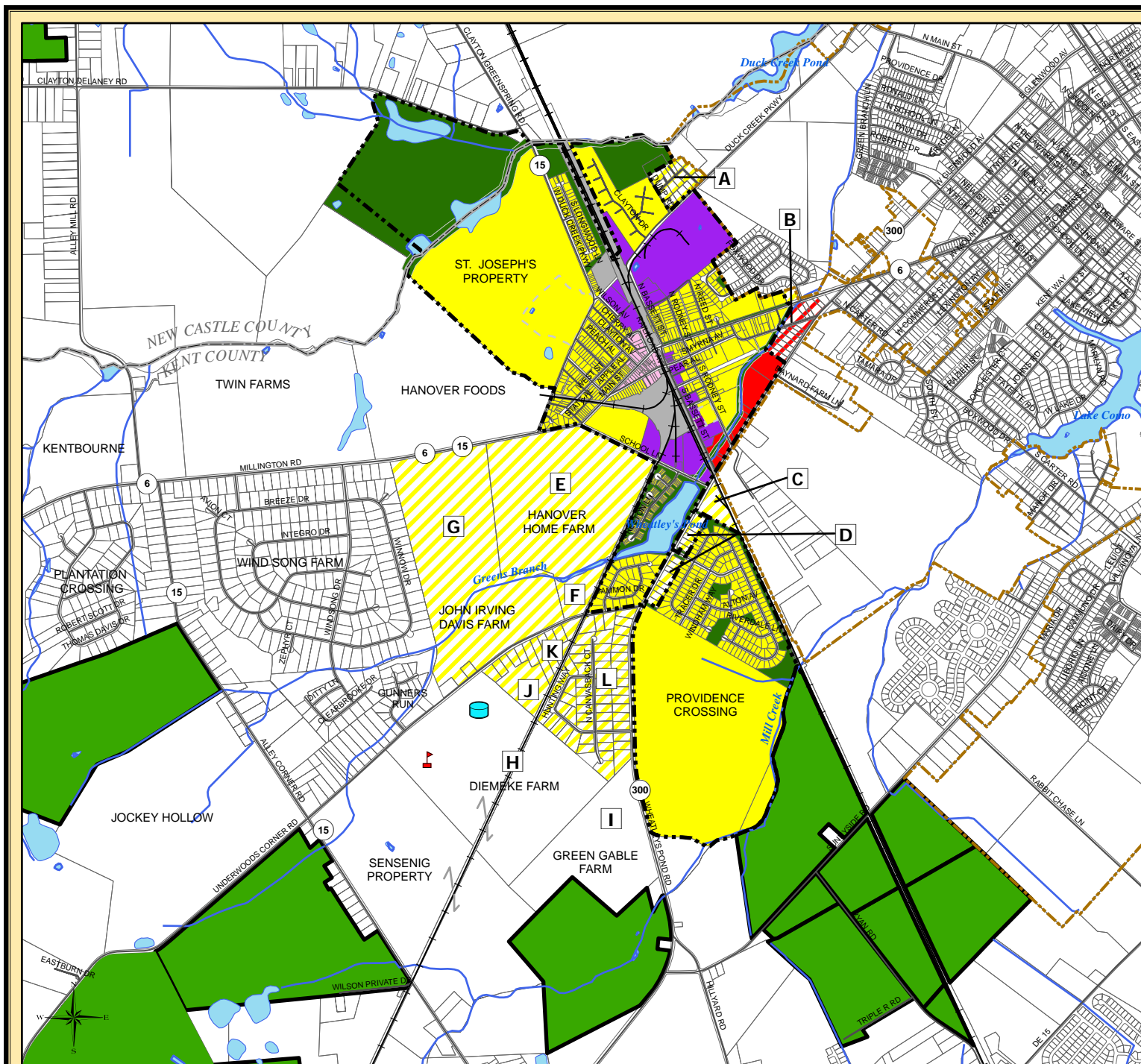
[A-L] See Plan Section 4-3, Growth and Annexation.

0 500 1,000 2,000 3,000 4,000 Feet

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Hydrology - National Hydrology Dataset (NHD) based on the content of the USGS Digital Line Graph (DLG) hydrography data integrated with reach-related data information from the EPA Reach File Version 3 (RF3), 2004.
Agricultural Districts & PDRs - Delaware Department of Agriculture, February 2004.
Municipal Boundaries - Delaware Office of State Planning Coordination, December 2004.
Parcels - New Castle County Department of Land Use, January 2001; Kent County Department of Planning Services, January 2005.

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Town of Clayton Delaware



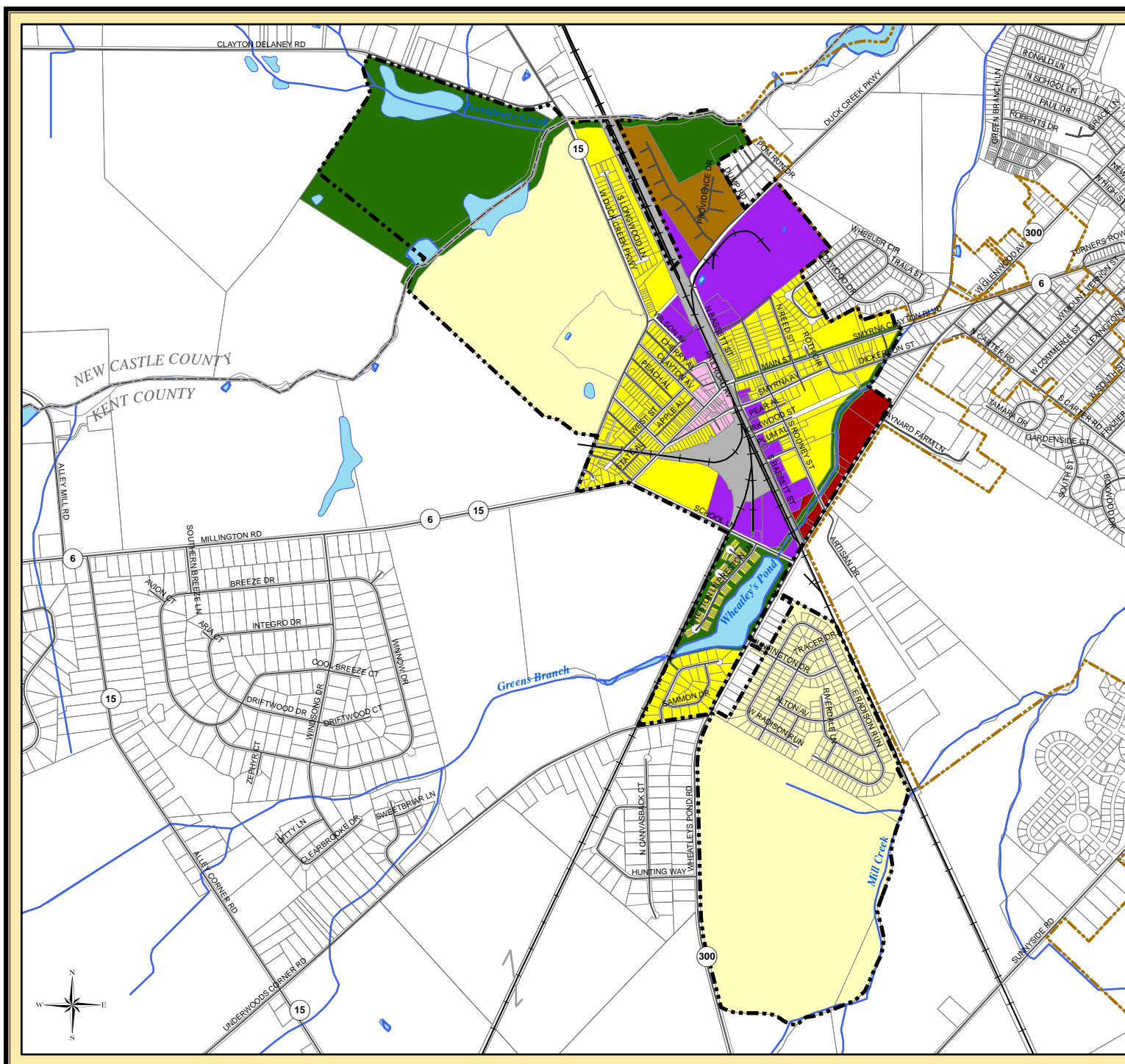
Map 7. Existing Zoning

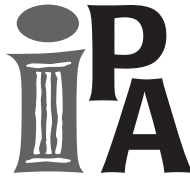
- OS Open Space
- RS Residential Suburban
- R One-Family & Townhouse
- RMH Manufactured Housing
- R1 Multiple Family
- TC Town Center
- C2 General Commercial
- I Industrial
- RR Railroad
- Parcel Boundaries
- County Boundaries
- Town of Clayton
- Town of Smyrna
- Roads
- Railroads
- Streams
- Lakes and Ponds

0 375 750 1,500 2,250 3,000
Feet

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Municipal Boundaries - Office of State Planning Coordination, October 2004.
Parcels - New Castle County Department of Land Use, January 2001; Kent County Department of Planning Services, January 2005.
Zoning Districts - Clayton Zoning Map, adopted March 8, 2004.
Note
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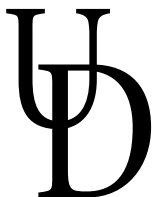


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