

CHECKLIST ITEM #3
ZONING AUTHORITY APPROVAL



DEPARTMENT OF LAND USE

November 28, 2018

In reply, refer to:
2017-0663-V
18 Germay Drive

Charles Falletta
6 Mecco Circle
Wilmington, DE 19804

Dear Mr. Falletta:

The New Castle County Department of Land Use is in receipt of your request for a verification of zoning and use for tax parcel number 07-043.20-027, which is located at 18 Germay Drive in Wilmington, Delaware.

A review of the Official Zoning Map of New Castle County indicates the subject parcel is zoned I (Industrial) which permits a variety of industrial and commercial uses, including plastics manufacturing, pursuant to Table 40.03.110 and Section 40.33.270 D of the New Castle County Code.

Please note that this property is located within a floodplain, which could potentially limit development and new construction. No variance decisions or open building or zoning code violations were found for the subject property in a search of the tax parcel information system.

A Record Resubdivision Plan for Lots 16 & 18, Germay Industrial Park (Microfilm Number 011196) was recorded in the Office of the Recorder of the Deeds for New Castle County on April 8, 1992. The approval and recordation of this plan indicate compliance with the subdivision and zoning code regulations in effect at that time. A copy of the recorded plan is enclosed for your information. Any new construction or changes in use to that shown on the record plan will require compliance with current UDC regulations.

Please be advised that this letter only verifies whether the type of use that exists or is proposed on the site – to the extent you described it in your zoning verification application – is permitted, not permitted, or permitted under limited circumstances in the zoning district. This letter is not a permit and does not offer any guarantee that any other required plans, applications, certifications, or variances for your project will be approved.

If your project involves an expansion of the existing use, a change in use, alterations to the building or site, demolition, or new construction, one or more permits may be needed before you can initiate the use. The following is a summary of Department of Land Use permits, certificates, and plans that may be required for your project.

Any new use or change of use in an existing building may require:

1. **Limited Use Permit.** If the existing or proposed use is identified as a "limited use" on the first page of this letter you will need to apply for a Limited Use Permit. This application must

be accompanied by a site plan, or other supporting documentation, demonstrating that the special standards for that use are met. Refer to Articles 3 and 31 of the Unified Development code for additional information.

2. **Certificate of Use.** To either institute a new use, or expand an existing use, in an existing building you must obtain a Certificate of Use. The Department will determine whether the building meets the building code and parking requirements for such use. Refer to Chapter 6 of the New Castle County Code (Building Code) for additional information.

Any new construction, or alteration or expansion of existing buildings and features on the site may require:

1. **Major or Minor Land Development Plan.** If your project will subdivide land or add more than 1,000 square feet of gross floor area, you must submit a major or minor land development plan. The plan will be reviewed for compliance with the land development criteria outlined in the Unified Development Code. During review of the plan, the Department may hold public hearings and may identify other applications, plans, studies, or permits that need to be submitted before development can commence. Refer to Article 31 of the Unified Development Code for general requirements.
2. **Parking Plan.** If your project requires installation, expansion, or reconfiguration of a parking lot, you will need to submit a parking plan. Refer to Articles 3 and 31 of the Unified Development Code for general requirements.
3. **Building Permit / Demolition Permit / Sign Permit.** If your project will involve altering or enlarging a building (including mechanical systems), demolishing all or part of a building, or installing new signs, you must obtain permits for those activities. During the review of these applications, the Department may identify other applications, plans, studies, or permits that need to be submitted before development can commence. Before the new or improved building can be inhabited, a **Certificate of Occupancy** must be secured from the Department. Refer to Chapter 6, Article 3 of the New Castle County Code (Building Code) for additional information.

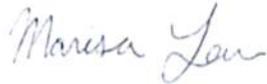
This summary of Department of Land Use permit applications is intended only for general informational purposes and is not intended to be inclusive of the comprehensive requirements contained in the New Castle County Code. Please be advised that some of the review processes described above may also require recommendations or decisions from County boards (Planning Board, Historic Review Board, Board of Adjustment, and Resource Protection Area Technical Advisory Committee) or outside agencies. New Castle County must abide by regulations imposed on it by a variety of State and Federal agencies. Accordingly, any of the County permits described above may be subject to additional review processes that address environmental concerns; resource protection; public health, safety, and welfare; and a variety of other issues. In some cases, landowners may need to address the requirements of those agencies independently.

Landowners contemplating a change of use, future development, or alterations to buildings and land are encouraged to engage the services of an engineer, land surveyor, and/or attorney for advice on any physical constraints that may limit development of the property, and guidance on what permits may be needed to commence a new use or development.

General questions regarding the plan review process; building, demolition, and sign permits; and Certificates of Use/Occupancy, can be answered by the Department at 395-5400. Copies of documents such as certificates of occupancy or code violations may be obtained, where applicable

and available, by submitting an Information Request Form (FOIA). The form is available online at www.nccde.org. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Marisa Lau".

Marisa Lau
Planner II



DIVISION 40.33.200 USE DEFINITIONS

The uses found in Table 40.03.110 are defined in this Division. Specific uses may be further defined in Division 40.33.300. If a use is not enumerated in either of these Divisions, see Section 40.31.520 for interpretations. Any use not specifically listed in Table 40.03.110 and defined in this Article is expressly prohibited, unless the interpretation is that the use is similar to a permitted use. The 2002 North American Industrial Classification System (NAICS), as published by the Federal government and as may be amended from time to time, shall be used as a guide to define uses.

SECTION 40.33.270 INDUSTRIAL USES

- D. **Light industry.** This category is designed to accommodate limited intensity levels of manufacturing and assembly activities, storage, warehousing, services, associated offices and similar uses. This includes the following uses:

Construction of buildings (NAICS 236)

Heavy and civil engineering construction (NAICS 237)

Special trade contractors (NAICS 238)

Food manufacturing (NAICS 311, except 3111, 3116, 3117)

Beverage and tobacco product manufacturing (NAICS 312, except 31212, 31213, 31214, 3122)

Textile mills, textile product mills and apparel manufacturing (NAICS 313, 314, 315)

Leather and allied product manufacturing (NAICS 316)

Wood product manufacturing (NAICS 321, except 3211, 321991)

Paper manufacturing (NAICS 322, except 3221)

Printing and related support services (NAICS 323)

Carbon black manufacturing (NAICS 325182)

Pharmaceutical and medicine manufacturing (NAICS 3254)

Soap cleaning compound and toilet preparation manufacturing (NAICS 3256)

Printing ink manufacturing (NAICS 32591)

Plastics and rubber product manufacturing (NAICS 326)

Nonmetallic mineral product manufacturing (NAICS 327, except 32731, 32732, and 3279)

Fabricated metal product manufacturing (NAICS 332, except 332993)

Machinery manufacturing (NAICS 333)

Computer and electronic product manufacturing (NAICS 334)

Electrical equipment, appliance and component manufacturing (NAICS 335)
Motor vehicle parts manufacturing (NAICS 3363)
Motorcycle, bicycle and parts manufacturing (NAICS 336991)
Furniture and related product manufacturing (NAICS 337)
Miscellaneous manufacturing (NAICS 339)
Wholesale trade (NAICS 42)
Nonstore retailers (NAICS 454, except 45431)
Trucking transportation (NAICS 484)
Transit and ground passenger transportation maintenance, service, storage facilities (NAICS 485, 487)
Support activities for transportation (NAICS 488)
Postal service, regional (NAICS 491)
Couriers and messengers, regional (NAICS 492)
Warehousing storage facilities (NAICS 493)
Information industries (NAICS 51)
Miniwarehousing and self-storage units (NAICS 53113)
Rental and leasing services (NAICS 532)
Architectural, engineering, and related services (NAICS 5413)
Scientific research and development services (NAICS 5417)
Services to buildings and dwellings (NAICS 5617)
Medical and diagnostic laboratories (NAICS 6215)
Marina and associated uses (NAICS 71393)
Special food services (NAICS 7223)
Automotive paint, body, interior repair and maintenance (NAICS 811121)
Commercial and industrial machinery and equipment repair (NAICS 8113)
Crematories (NAICS 812220)
Heavy industry, where the business is less than twenty thousand (20,000) square feet
Research and development facility, where the facility generally resembles an industrial or manufacturing facility or where such facility manufactures a finished product

(Amended September 22, 1988 by Ordinance 98-080; amended December 14, 1999 by Ordinance 99-075; amended March 12, 2002 by Ordinance 01-112; amended October 22, 2002 by Ordinance 02-075; amended September 26, 2006 by Ordinance 06-080)