



# Town of **Clayton** Comprehensive Plan

adopted December 2008 and certified  
**January 2009**



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

[www.ipa.udel.edu](http://www.ipa.udel.edu)

*Town of*  
**Clayton**  
*Comprehensive Plan*

adopted December 2008 and certified  
**January 2009**



STATE OF DELAWARE  
OFFICE OF THE GOVERNOR

RUTH ANN MINNER  
GOVERNOR

January 7, 2009

The Honorable Wayne Stover  
Mayor  
Town of Clayton  
P.O. Box 1130  
Clayton, DE 19938

RE: Certification of Comprehensive Plan

Dear Mayor Stover:

I am pleased to inform the Town of Clayton that as of December 8, 2008, per the recommendation of the Office of State Planning Coordination, the comprehensive plan for the Town of Clayton is hereby certified provided no major changes to the plan are enacted. The certification signifies that the comprehensive plan complies with the requirements of Delaware Code Title 22, Section 702.

I would like to thank the Town of Clayton for working with the State of Delaware to incorporate our comments before adoption. We look forward to working with the Town of Clayton as you move into the implementation stage of your plan.

Once again, congratulations on your certification.

Sincerely,

A handwritten signature in black ink that reads "Ruth Ann Minner".

Ruth Ann Minner  
Governor

**AN ORDINANCE BY THE CLAYTON TOWN COUNCIL**  
**Adopting the 2008 Clayton Comprehensive Plan**

WHEREAS, Section 2.1(a) of the *Town Charter of Clayton, Delaware*, states that the Town Council "shall have all the powers granted to municipal corporations and to towns by the Constitution and general laws of the State of Delaware, together with all the implied powers necessary to carry into execution all the powers granted;" and,

WHEREAS, pursuant to Title 22, Section 701 of the *Delaware Code*, the Town of Clayton established a planning commission which is known as the Clayton Planning and Zoning Committee; and,

WHEREAS, pursuant to Title 22, Section 702(a) of the *Delaware Code*, the Planning and Zoning Committee has prepared the 2008 comprehensive plan and has included in that plan the elements required for municipal comprehensive plans in Title 22 Section 702(b) of the *Delaware Code*; and,

WHEREAS, the Town sought public participation in the development of the plan as follows:

- (a) On September 19, 2007, the Planning and Zoning Committee held a public workshop
- (b) On March 20, 2008 and Town Council and the Planning Zoning Committee jointly hosted a community dinner; and,

WHEREAS, the Town sought participation and comments from New Castle County, Kent County, the Town of Smyrna, and the Smyrna School District during the entire plan-development process through informal staff-level contact, written invitations to public meetings and hearings, and formal meetings; and,

WHEREAS, pursuant to Sections 6.2-3.1 and 6.2-3.3 of the *Clayton Zoning Ordinance*, the Planning and Zoning Committee held a public workshop to review and transmit a draft of the comprehensive plan to the Town Council and to the Office of State Planning Coordination on September 29, 2008; and,

WHEREAS, a link to the draft plan was posted on the Clayton website on October 2, 2008; and,

WHEREAS, in a letter dated November 18, 2008 (PLUS 2008-10-03), a copy of which is attached to and made a part of this ordinance, the Office of State Planning Coordination released comments on the draft plan with a requirement for certification that annual reports for 2005-2007 be submitted; and,

WHEREAS, on November 25, 2008, a link to the PLUS comments was posted on the Clayton website; and,

WHEREAS, the annual reports required for plan certification were submitted to the Office of State Planning Coordination on December 1, 2008; and,

WHEREAS, on December 8, 2008, the Town Council held a public hearing on the draft plan to consider the Planning & Zoning Committee's recommendation, to review PLUS comments, consider plan revisions based on PLUS comments, and to receive additional public testimony; and,

WHEREAS, notice of this public hearing

- (a) Appeared in the *Smyrna-Clayton SunTimes* on December 3, 2008,
- (b) Was placed in the Town's utility bills sent to all account holders on December 3, 2008,
- (c) Was posted at the Town offices,
- (d) Was posted on the Town's website; and,

**AN ORDINANCE BY THE CLAYTON TOWN COUNCIL**  
**Adopting the 2008 Clayton Comprehensive Plan**

WHEREAS, on December 8, 2008 at its regular meeting, the Town Council took action on the plan 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, considered revisions, and received additional testimony, hereby adopts the *2008 Clayton Comprehensive Plan*, dated October 2008, a draft copy of which is attached to and made a part of this Ordinance.

AND BE IT FURTHER ORDAINED that the following revisions be made to the plan.

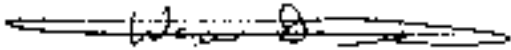
- (a) Minor editing to correct mistakes, incorrect information, or typing errors,
- (b) Revisions recommended in a memorandum, dated December 2, 2008, from Linda Raab, IPA Planning Consultant to Mayor Stover, a copy of which is attached to and made a part of this ordinance.

AND BE IT FURTHER ORDAINED that this plan be submitted to the Office of State Planning Coordination for certification by the Governor.

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

ADOPTED this 8th day of December, 2008.

By



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Wayne Stover  
Mayor and Council President  
Town of Clayton, Kent County Delaware

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## Town Officials and Staff

### *Elected and Appointed Officials*

Town Council	Wayne D. Stover, Mayor and Council President Robert E. Berghorn, Vice Mayor Wilmer E. Abbott, IV, Secretary Michael Harrington, Assistant Treasurer Thomas E. Horn, Jr., Treasurer
Planning & Zoning Committee	David Letterman, Chairperson Les Bartlett, Committee Member Charles Cooper, Committee Member Tom Ruppert, Committee Member Jamie Tobin, Committee Member Rodney Whalen, Committee Member
Town Attorney	Scott Chambers, Esq., Schmittinger & Rodriguez, P.A. Kathryn Garrison, Esq., Schmittinger & Rodriguez, P.A.

### *Town Staff*

Administration	Jeanette Hurlock, Senior Clerk/Recording Secretary JoAnna Nelson, Deputy Clerk Christine D. Letterman, Deputy Clerk
Inspections and Enforcement	Derrick Johnson, Inspector/Code Enforcement Officer Sue Muncey, Administrative Assistant
Public Safety	Brian Hill, Chief of Police Kristine Reed, Administrative Assistant—Public Safety
Public Works	Jeffrey A. Hurlock, Town Foreman Gary Faulkner, Manager David Ross, Lead Technician Gary Everage, Technician Roland Timmons, Mechanic/Technician

## County and State Officials

### *Kent County*

Levy Court

P. Brooks Banta, President, 1st District  
Bradley S. Eaby, 2nd District  
Allan F. Angel, Vice President, 3rd District  
Eric L. Buckson, 4th District  
W.G. Edmonson, II, 5th District  
Harold K. Bode, 6th District  
Richard E. Ennis, Sr., At-Large

County Administrator

Michael J. Petit de Mange

Planning Services Department

Sarah E. Keifer, AICP, Director

### *New Castle County*

County Executive

Christopher A. Coons

County Council

Paul G. Clark, Council President  
Joseph Reda, 1st District  
Robert S. Weiner, 2nd District  
William J. Tansey, 3rd District  
Penrose Hollins, 4th District  
Stephanie McClellan, 5th District  
William Powers, 6th District  
George Smiley, 7th District  
John J. Cartier, 8th District  
Timothy P. Sheldon, 9th District  
Jea P. Street, 10th District  
David L. Tackett, 11th District  
William Bell, 12th District

Chief Administrative Officer

Jeffrey W. Bullock

Land Use Department

Dave Culver, General Manager

### *State of Delaware*

Governor

Ruth Ann Minner

Senate

Bruce C. Ennis,, Senator, 14th District

House of Representatives

William J. Carson, Jr., Representative, 28th District

Office of State Planning Coordination

Constance C. Holland, AICP, Director

## **Institute for Public Administration**

This comprehensive plan 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 IPA 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 Scientist, coordinated staff efforts to produce the final plan. Nicole Minni, GIS specialist with IPA, provided support for the development of digital mapping data. Mark Deshon, IPA assistant policy specialist, provided editorial support and designed the plan's cover.

### **Institute Director**

Jerome R. Lewis, Ph.D.

### **Clayton Comprehensive Plan Team**

Linda P. Raab, AICP, Planning Consultant

Martin W. Wollaston, Planning Services Manager

### **Mapping and GIS Development**

Nicole M. Minni, GIS/Graphics Specialist

### **Design and Editorial Support**

Mark A. Deshon, Assistant Policy Specialist

# Chapter 1. Introduction

The *2008 Town of Clayton Comprehensive Plan* 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.

## 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.”

Since Clayton's population is estimated to be greater than 2,000, the *2008 Town of Clayton Comprehensive Plan* includes the elements of a comprehensive plan described in Section 702(b) of the *Delaware Code*. It is “a document in text and maps” containing “a description of the physical, demographic and economic conditions of the jurisdiction; as well as policies, statements, goals and planning components for public and private uses of land, transportation, economic development, affordable housing, community facilities, open spaces and recreation, protection of sensitive areas, community design, adequate water and wastewater systems, protection of historic and cultural resources, annexation.” In addition, the town's process for preparing this plan was accomplished in “coordination with other municipalities, the county, and the state....”

Title 22, Section 702(e) of the *Delaware Code* also 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. The adopted comprehensive plan shall be revised, updated and amended as necessary, and re-adopted at least every 10 years.

Clayton's first comprehensive plan was enacted in 1978. On December 11, 1996, Clayton adopted a new plan. The 1996 plan was updated on January 16, 2003, and certified by the Office of State Planning Coordination on January 24, 2003. Since its adoption, the 2003 plan was amended twice. This plan fulfills the requirement for a ten-year re-adoption.

Like all Delaware plans, this plan 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.”

## 1-2. Plan-Development Process

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

### ***1-2a. Local Public Participation***

The Town held two public participation events to seek input from the community.

#### ***Public Workshop—September 19, 2007***

The Clayton Planning & Zoning Committee hosted a workshop on September 19 2007. To encourage maximum community participation, the following notice was placed in the utility bills sent to each Clayton household on August 31, 2007.

Notice is hereby given that the Clayton Planning and Zoning Committee will hold a workshop on Wednesday, September 19, 7:00 pm, at the Clayton Fire Hall, 300 Railroad Avenue.

The purpose of this workshop is to solicit public input that will provide guidance to the Planning and Zoning Committee as it develops a 10-year update to the Town's comprehensive plan to recommend to the Town Council. Examples of the types of issues that will be discussed at this workshop include transportation, housing, employment, the environment, municipal services, and land use. The workshop also seeks input on the Clayton community's vision for its future particularly on land use and growth so that the resulting document can guide decisions on development proposals, annexations, and capital improvements.

A copy of Clayton's current comprehensive plan is available for inspection at the Clayton Town Hall during regular business hours. It can also be accessed on the website maintained by the Institute for Public Administration, University of Delaware at <http://www.ipa.udel.edu/localgovt/municipalities/clayton/>

This notice was also placed in the *Smyrna-Clayton SunTimes* on September 5, 12, and 19, 2007. In addition, on August 30, 2007, an e-mail was sent to officials from the Office of State Planning Coordination (OSPC), the Smyrna School District, the Dover/Kent Metropolitan Planning Commission, the Delaware Rural Water Association, 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 and Kent County as well as several members of the Clayton Town Council.

The meeting began with a summary of a comprehensive plan's general characteristics and an outline of the contents of Clayton's current plan. The group then reviewed a number of events that have taken place in the Clayton vicinity over the past five years. The remaining discussion focused on the land use plan, especially for areas proposed for annexation. The meeting concluded with a discussion of growth, annexation, and development of the area surrounding Clayton. The group recommended that one parcel be added to the proposed annexations set forth in 2005 plan update.

Each participant was asked to provide written answers to three questions. Respondents were asked to identify the most important issues facing Clayton over the next several years and express their opinions on whether and how the town should grow.

#### ***Community Dinner—March 20, 2008***

On March 20, 2008, the Clayton Town Council and Planning & Zoning Committee jointly hosted a community dinner at the Clayton Fire Hall to seek additional input from the community. Invitations to the dinner were placed in the utility bills sent to each Clayton household on February 29, 2008.

The Town Council and the Planning and Zoning Committee are updating Clayton's comprehensive plan and would like to hear your ideas on Clayton's future. Should the town grow? Does the town need more stores and other types of businesses? What services should be provided? What sorts of problems do you think the community will face over the next 5 to 10 years? Please join the Town Council and the Planning and Zoning Committee to help chart Clayton's future at a community dinner and workshop at the Clayton Fire Hall, 300 Railroad Avenue, on March 20, 2008 at 6:30 pm.

You can see Clayton's current comprehensive plan on the web at <http://www.ipa.udel.edu/localgovt/municipalities/clayton/> or at the Clayton Town Hall, 414 Main Street, 653-8419, during regular business hours.

This notice was also placed in the print edition of *Smyrna-Clayton SunTimes* on March 5, 13, and 19, 2008. An article about the dinner was posted on the *SunTimes* Web edition of March 12, 2008.

In addition, on February 26, 2008, an e-mail was sent to officials from the Office of State Planning Coordination (OSPC), the Smyrna School District, the Dover/Kent Metropolitan Planning Commission, the Delaware Rural Water Association, New Castle County, Kent County, and the Town of Smyrna. A follow-up e-mail was sent on March 11, 2008.

Approximately 100 people participated in the workshop, including representatives from the Office of State Planning Coordination and Kent County as well as several members of the Clayton Town Council.

The meeting focused on solely on the question of whether Clayton should expand its boundaries. Discussion centered on the 2005 plan's future land use map which depicts land uses within Clayton's current corporate limits and indicates areas suitable for annexation.

Each participant was asked to provide written answers to four questions. As with the September 19 workshop, respondents were asked to identify the most important issues facing Clayton over the next several years and to express their opinions on whether and how the town should grow. In addition, respondents were given a map of the Clayton area and asked to indicate the parcels or areas that the town should consider for annexation. The mayor left the public record for the workshop open for two weeks in order provide time for citizens to complete the questionnaire and maps.

### ***1-2b. Planning Commission Preparation***

Title 22, Section 702(a) of the *Delaware Code* assigns responsibility for comprehensive plan preparation to municipal planning commissions. On June 27, 2007, the Clayton Planning and Zoning Committee met with IPA planners to initiate preparation of Clayton's plan. As pointed out earlier, the committee was involved in two public participation events. At a special meeting of September 29, 2008, the committee reviewed a draft of the 2008 plan document and transmitted it to the Town Council; and, in accordance with Town Council direction, authorized submission of the plan for PLUS review.

### ***1-2c. Intergovernmental Review County and Municipal Review***

Recognizing the importance of intergovernmental coordination with nearby counties and towns, the Clayton town staff and IPA planners initiated and maintained contact with New Castle County, Kent County, the Town of Smyrna, and the Smyrna School District during the process of updating the plan. As

stated in the previous section, these local officials were invited to the September workshop and the March community dinner. Web links to the draft plan were sent to the Town of Smyrna, the Smyrna School District, and New Castle County; Kent County received an invitation to comment as part of the PLUS review. Written comments supporting the draft plan were provided by the Town of Smyrna, Kent County, and the Smyrna School District. In addition, Clayton officials hosted a meeting with the New Castle County Executive and staff to discuss annexation and preservation issues. The proposed annexation of the Wright Farm coupled with preservation of the Peoples Farm described in 10-3b is the result of this collaboration.

### ***State Review***

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 (OSPC) organizes the comment process and works with each jurisdiction on items required for plan certification.

On October 31, 2007, OSPC and the state agencies involved in the PLUS process reviewed the 2005 plan amendment. The purpose for this review was to outline issues and items for Clayton to consider during the 2008 plan development. These comments were documented in a written response dated December 3, 2007.

On October 1, 2008, a draft of the 2008 plan was sent to the OSPC for PLUS review. Both OSPC and IPA posted the draft plan on their websites, and a link to the plan was posted on the town website. In addition, copies of the plan were available at the Clayton Town Office.

On October 23, 2008, OSPC and the state agencies involved in the PLUS process reviewed the draft plan. In a letter dated November 18, 2008, the OSPC released Clayton's PLUS review comments. During the week of November 24, 2008, a link to the PLUS comments was posted on the town website.

### ***1-2d. Town Council Adoption***

On December 8, 2008, the Town Council held a public hearing on the plan. Notice of this hearing was posted on the Clayton website, at the Town offices, in the print edition of the *Smyrna Clayton SunTimes* on December 3, 2008, and in an insert to the December utility bills sent to each Clayton residential and commercial customer. No public testimony was presented.

On December 8, 2008, the Town Council adopted the plan. A copy of the Council's ordinance adopting the plan follows OSPC's certification letter in this document.

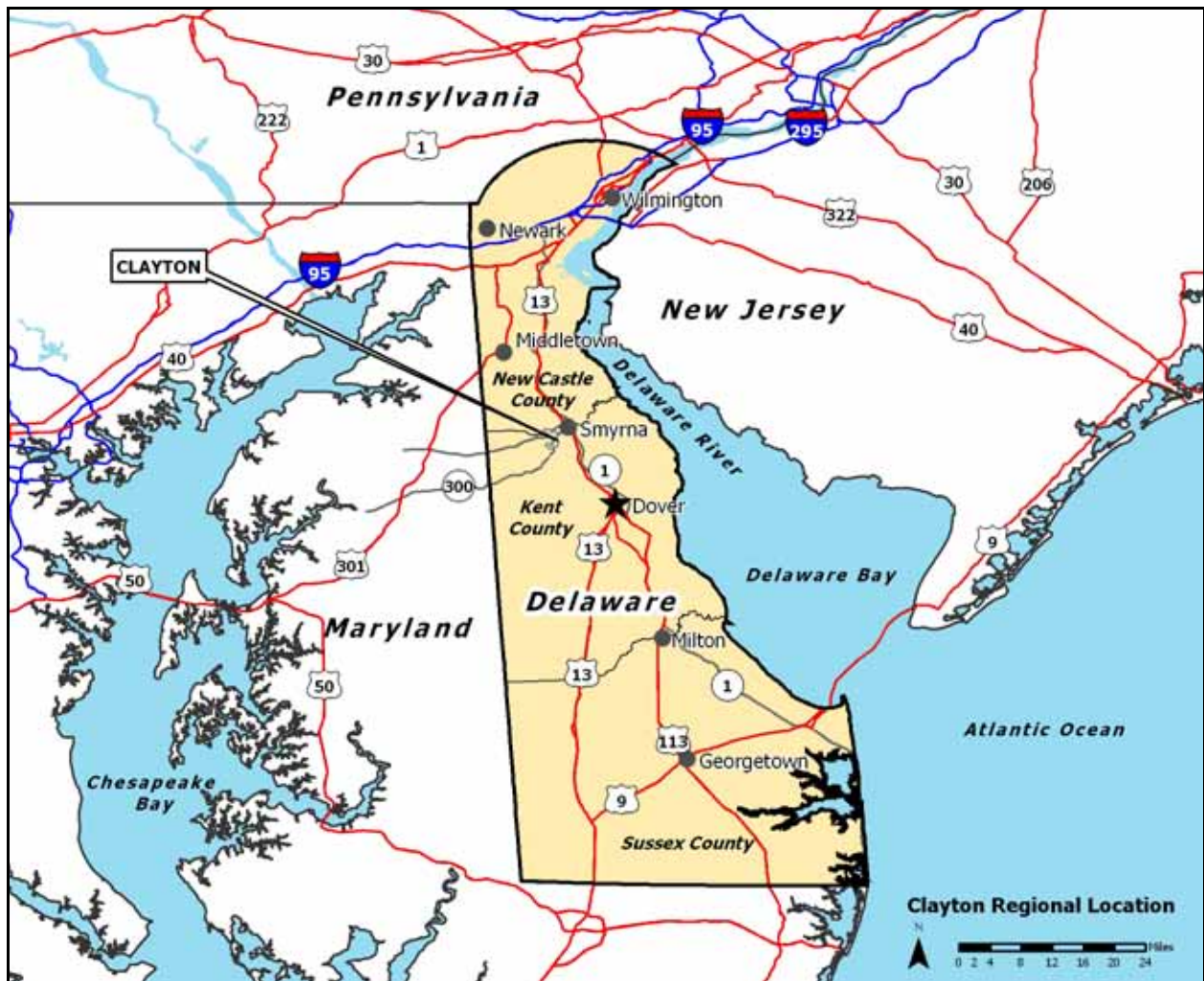
### ***1-2e. Plan Certification***

On January 7, 2009, the governor certified the plan. A copy of the certification letter follows the inside cover of this document.

## Chapter 2. Background

### 2-1. Location

The map below depicts Clayton's regional location. Clayton is located in central Delaware. It is strategically situated along the State Route (SR) 1 and U.S. Route 13 corridors about 65 miles south of Philadelphia and 90 miles east of Washington, D.C. Within Delaware, it is 40 miles south of Wilmington and about 15 miles north of Dover, Delaware's capital city. Routes 1 and 13 connect the Clayton area to the I-95 corridor. State Routes 6 (which becomes Maryland Route 291) and 300 link Clayton to the U.S. Routes 301/50 corridor which connects the area to the western shore of Maryland.



Map 1 provides an aerial view of the Clayton vicinity. As the map shows, most of Clayton is in Kent County, but approximately 127 acres are in New Castle County. The town is situated about two miles west of the intersection of U.S. Route 13 and SR 6. Clayton's eastern boundary adjoins the western boundary of the town of Smyrna. 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.



## 2-2. 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.

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.

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 the Delaware House of Representatives in 1823 and later served as Governor Samuel Paynter's Secretary of State. He won three (non-consecutive) terms in the United States Senate between 1829 and 1853 and was appointed Secretary of State by President Zachary Taylor.

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 a number of properties in the western part of the town between 2003 and 2005 has enabled Clayton to diversify its housing stock, thereby providing opportunities for young families to settle, and to remain, in town. The commercial area along Main Street supports a variety of commercial enterprises.

Most of Clayton's working residents are employed outside of the town. Hanover Foods took 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 the size and location of its substantial land holdings.

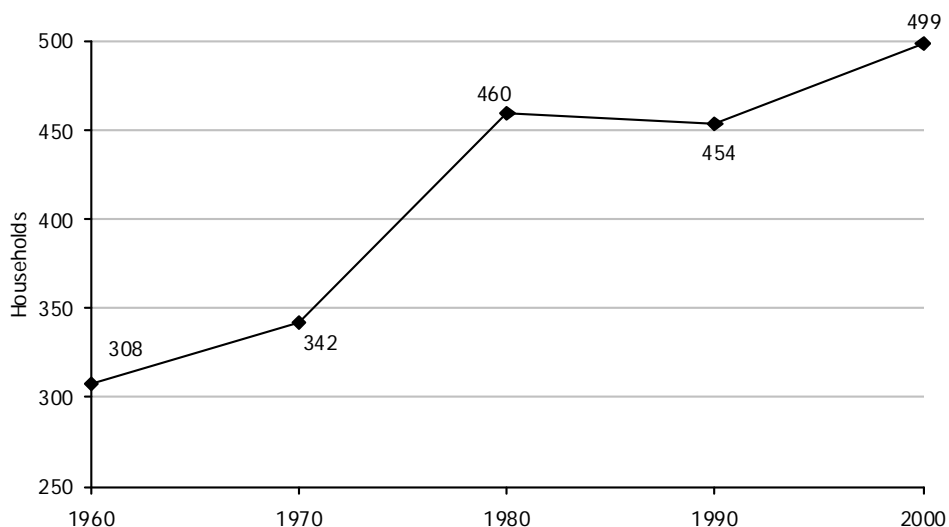
## 2-3. Community Profile

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

### 2-3a. Households

Figure 1 depicts Clayton's trend in households from 1960 to 2000. 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 ten percent increase from 454 households in 1990 to 499 households in 2000.

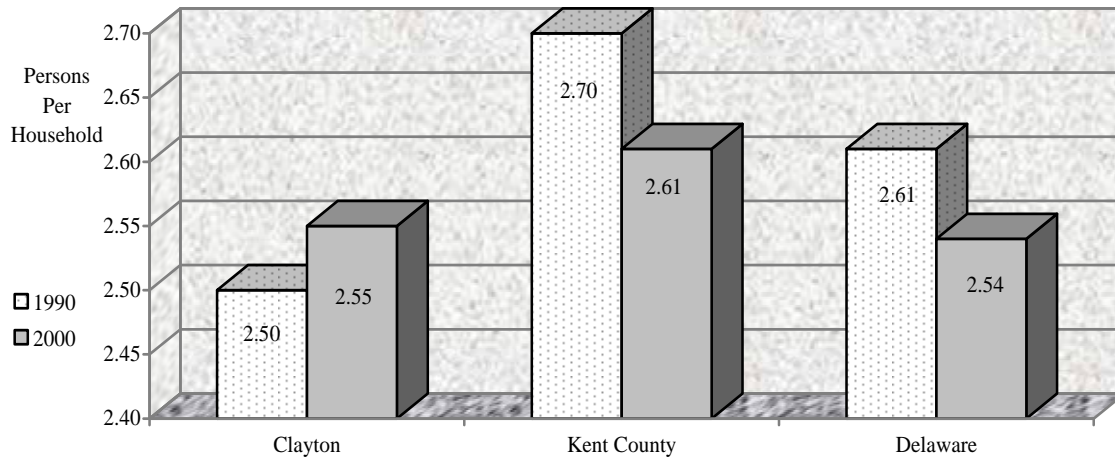
**Figure 1. Clayton Households, 1960-2000**



Source: U.S. Census 1960-2000; 1990 from Summary Tape File 3, 2000 from Summary File 1

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

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



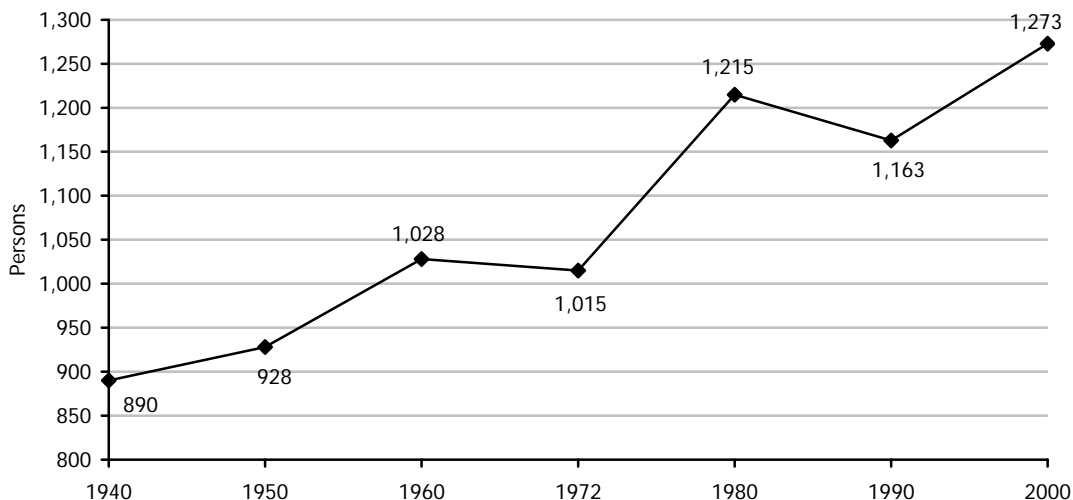
Source: U.S. Census 1990 Summary Tape File 1; U.S. Census 2000 Summary File 1

## 2-3b. Population

### Population Trends

Figure 3 shows Clayton's population trend from 1940 to 2000. 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; 1990 from Summary Tape File 1; 2000 from Summary File 1

Table 1 compares Clayton's population changes with those of Kent County and Delaware from 1940 to 2000. As the table shows, the population in Delaware and Kent County increased steadily, while Clayton's population 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; 1990 from Summary Tape File 1; 2000 from Summary File 1

### ***Current Population***

Clayton's current population estimate was made by multiplying the number of households by the average family size. Since every Clayton household receives utility services from the town, the number of utility bills was used as the estimated number of current households. This figure was multiplied by the town's average family size from the 2000 Census to estimate Clayton's 2008 population. Table 2 outlines these calculations.

**Table 2. Current Population Estimate**

Item	Calculations		Sources and Notes
Current Households	963		Number of Residential Utility Bills, 02/29/2008
Average Household Size	2.55		U.S. Census 2000, Summary File 1
Current Population		2,456	Households times Average Family Size

### ***Population Projection***

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. Clayton's population was projected using buildout calculations (A jurisdiction reaches buildout when there is no developable, vacant land).

Table 3 estimates the number of housing units that could be built within Clayton's current municipal boundaries. This calculation includes homes approved but not yet constructed. It also includes undeveloped or redevelopable properties where development plans are unknown. For these properties, an estimate of the number of possible units was made by multiplying the property's acreage by the number of dwelling units per acre allowed under current zoning regulations. As the table shows, Clayton could have 1,320 new homes at buildout.

Table 4 calculates the impact of the addition of 1,320 new homes on Clayton's population. Using the 2000 Census figure of 2.55 persons per household, it was estimated 1,320 units could result in an increase of 3,365 persons. When added to Clayton's estimated 2008 population of 2,456, the buildout population is 5,827.

**Table 3. Buildout Calculations**

Property Name	Zone	Dwelling Unit Type(s)	Acres	Unbuilt Units	Notes
The Ovations	R	2- & 3-Family Attached	37.0	200	Over-55 cluster approved 04/23/2008
Old Country Farm	R	Detached	161.0	387	Under construction
Green Gable Farm	R	Detached	78.0	328	Estimate at 4.2 DUs/acre
Providence Crossing	RS	Detached	182.0	225	Under construction
Huntington Mills	RS	Detached	84.0	19	Under construction
Village of Wheatley's Pond	R	Townhouses	1.2	22	No activity
Denbone	R1	Apartments	4.9	48	Rezoned October 2007
Budd	R	Detached	3.4	14	Estimate at 4.2 DUs/acre
Liberty Knoll	R	Townhouses	3.1	41	12 homes recorded; 30 homes approved
Johnson	R	Detached	0.5	2	Estimate at 4.2 DUs/acre
Grain Mill Station	R	Townhouses	4.7	34	Plan approved 03/24/2008
Totals			559.8	1,320	Per approved plans or current zoning

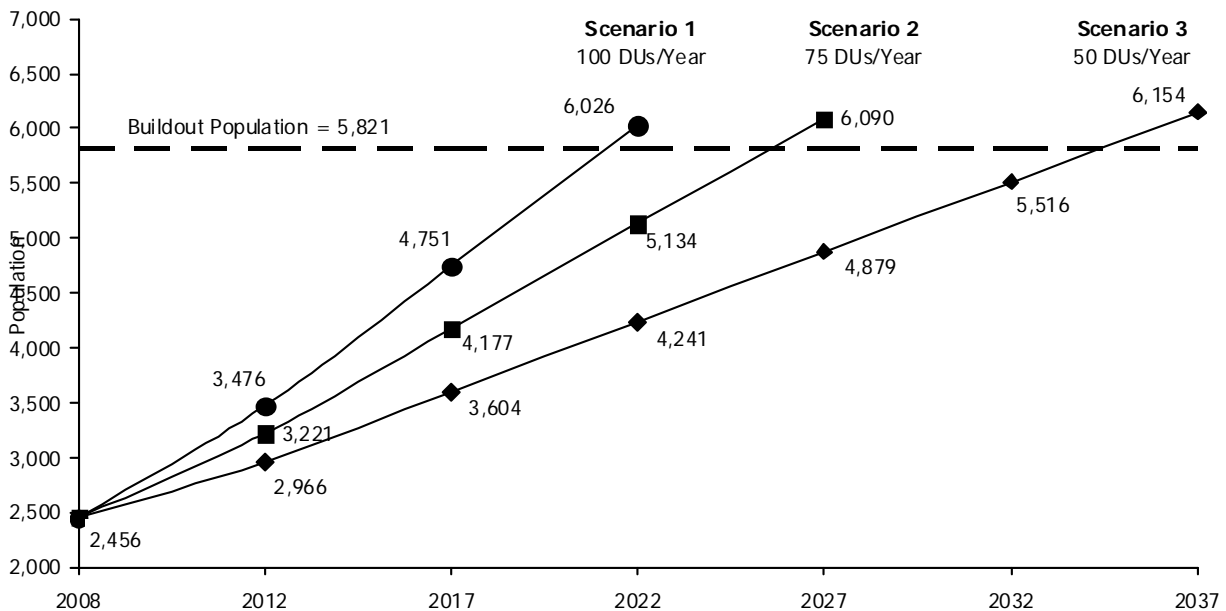
Source: Town of Clayton as of 02/29/2008, compilations by IPA

**Table 4. Population at Buildout**

Item	Calculations		Sources and Notes
Current Population		2,456	Table 2
Future Households	1,320		Table 3
Average Household Size	2.55		U.S. Census 2000, Summary File 1
Future Population		3,365	Households times Average Family Size
Population at Buildout		5,821	Current Population plus Future Population

Compiled by IPA, March 2008

Though the market will determine the pace of buildout, Figure 4 charts how population growth might occur. The dashed line represents population at buildout estimated in Table 4; each of the three scenarios assumes different rates of growth. Scenario 1 shows how Clayton's population would increase if 100 homes were built each year; buildout would be achieved around 2020. In Scenario 2, buildout occurs around 2025 with 75 homes constructed each year. Scenario 3, based on 50 homes per year, does not reach buildout until 2035.

**Figure 4. Buildout Scenarios**

Compiled by IPA, March 2008

### 2-3c. Racial Composition

Clayton's racial composition is shown in Table 5. 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.

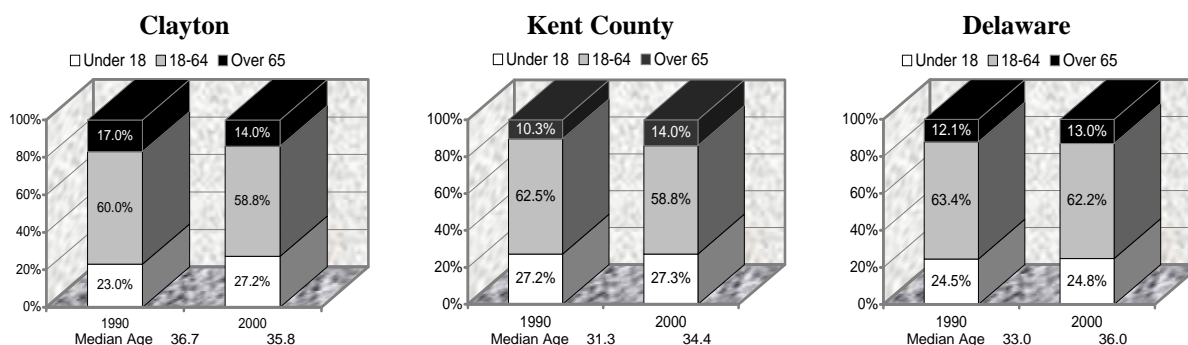
**Table 5. Clayton Racial Composition, 2000**

Race	Percent	
One Race		
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	
Total One Race		99.3
Two or More Races		0.7
Total		100.0

Source: U.S. Census 2000 Summary File 1

### 2-3d. Age Profile

Figure 5 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 to 35.8, while the county's and the state's median ages increased. Kent County's median age jumped from 31.3 to 34.4, and the state's median age increased from 33.0 to 36.0.

**Figure 5. 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

### **2-3e. Educational Attainment**

Table 6 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 6. Educational Attainment**

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%

Note: Includes Persons 25 Years and Older

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

## Chapter 3. Planning Environment

Clayton's planning environment consists of more than its own plans and policies. 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 2008 Comprehensive Plan.

### 3-1. 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.

#### 3-1a. State Strategies

On September 23, 2004, Governor Ruth Ann 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 is important for municipal planning because it depicts graphically, as well as describes, the areas to which the State will channel its financial resources. It also identifies the areas that are not intended for development. While the state does not intend that this document direct local land use decisions, it does intend that the *Strategies* document 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 (PLUS).

#### *Investment Levels*

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 in those areas. Table 7 lists each investment level, its characteristics, and a summary of its state investment strategies.

As Map 2 shows, Clayton's corporate limits are mostly within Investment Levels 1, 2, and 3. Level 1 areas reflect the town boundaries as of the late 1990s. Levels 2 and 3 are areas annexed into Clayton between 1999 and 2005. Most of these areas are nearly built out, under development, or the subject of development plans. Approximately 240 acres, located in the southwestern part of Clayton between Underwoods Corner Road and Wheatley's Pond Road (SR 300), are in Level 4.

The area east of Clayton is within Investments Levels 1 and 2. Most of the area west of Clayton is designated Level 4.



**Table 7. State Strategies Investment Levels**

<b>Investment Level</b>	<b>Characteristics</b>	<b>Strategies</b>
Level 1	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 Transfer of Development Rights (TDR) receiving areas	Encourage... Redevelopment and reinvestment Efficient use and maintenance of existing public and private investment
Level 2	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	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	Lands in long-term growth plans where development not suitable in near term Lands adjacent to, or within, fast-growing areas in Investment Levels 1 or 2 that are impacted by environmentally sensitive features, agricultural preservation issues, or infrastructure concerns	Generally limited state investment until... 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	Predominantly agricultural containing agribusiness or farm complexes Small settlements 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	Discourage additional development unless related to area needs. Limit infrastructure investment, except to address public health, safety, or welfare.

Source: *Delaware Strategies for State Policies and Spending Update, 5 Year Update*, July 2004, signed by the governor on September 23, 2004, pages 36-56.

### ***Out of Play Areas***

Out of Play Areas are not available for development or for redevelopment. In these areas, the state intends to 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. Other out-of-play areas include protected lands under the New Castle County Unified Development Code (UDC), and floodplains in Kent County. As Map 2 indicates, floodplains, protected by both New Castle and Kent Counties are adjacent to Clayton.

### ***3-1b. Agricultural Preservation Areas***

Map 2 also depicts land in Delaware's Farmland Preservation Program. Authorized by the Delaware Agricultural Lands Preservation Act of 1991 (House Bill 200), the program aims to strike a balance between two important goals.

- Preserving a critical mass of crop land, forest land, and open space to sustain Delaware's quality of life

- Providing landowners an opportunity to preserve their land in the face of increasing development pressures and decreasing commodity values.

Delaware's farmland preservation program is a voluntary program that authorizes the creation of preservation districts and easements.

- *Agricultural Preservation District*—In order to be considered for designation as an Agricultural District, a property must consist of at least 200 contiguous acres of agricultural or forest land. Areas of lesser acreage may qualify if adjacent to or within a three-mile radius of an existing district. Once designated as a district, the property must be used for agriculture or forest land for ten years. At the end of ten years, the property owner may withdraw from the program, continue the preservation easement, or make application to create an agricultural easement by selling development rights
- *Agricultural Easement*—Delaware's farmland preservation program provides for purchase of the development rights of agricultural or forest land that have been in Agricultural Preservation Districts for a minimum of ten years.

As Map 2 indicates, no Agricultural Preservation Districts or Easements are within Clayton's corporate limits. However, a number of parcels in farmland preservation are adjacent to or near the town's boundaries in the vicinity of Wheatley's Pond Road (SR 300) and Alley Corner Road and on both sides of Sunnyside Road near the railroad.

### **3-2. 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 Providence Creek, which forms the boundary between New Castle and Kent Counties.

#### **3-2a. New Castle County Planning History**

Ensuring the rural character of southern New Castle County, which includes the area north of Providence Creek between the Middletown-Odessa 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 their 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 depicted in the Out-of-Play Areas on Map 2.
- *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 designated “Very Low” density for the land north of Providence Creek.

### **3-2b. 2007 New Castle County Plan Update**

On July 24, 2007, the County Council updated the 2002 plan. Like the 2002 Plan, the 2007 plan update calls for directing development and redevelopment to the northern parts of the County and to the Middleton-Odessa vicinity. The future land use map (Map II-2) designates the area north of Providence Creek for “Resource and Rural Preservation” and advocates very low density. Accordingly, this area is not planned for “significant infrastructure investment” especially sewer service (Map VII-B-2). However, the plan designates the area as a TDR (transfer of development rights) sending area as a way to respect the development rights of the property owners in the County’s southern area. The TDR program allows southern County property owners to sell and transfer their development rights to properties in areas earmarked for urban services.

## **3-3. Kent County**

Kent County’s plans and policies are important for Clayton’s planning efforts because, except for the New Castle County 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 to Alley Corner Road (SR 15).

### **3-3a. Kent County Planning History**

Like New Castle County, Kent County’s recent land use actions have underscored the its commitment to agricultural preservation and growth management. Responding to the 1995 *Cabinet Committee on State Planning Issues Report*, the Levy Court enacted a 1996 ordinance aimed at strengthening the county’s ability to conserve farmland and direct growth to areas where infrastructure was either in place or planned. The ordinance established a growth overlay zone representing an approximate two-mile radius from each of the county’s sewage-pumping stations. Densities up to three dwellings per acre with minimum 10,000-square-foot lot were allowed where sewer service either was in place or an expansion was economically feasible. Areas outside the growth zone were considered for service only when environmental and health concerns surfaced in existing developments. The ordinance also established density standards and open-space requirements for developments in the county’s two agricultural (Agriculture Conservation, AC and Agricultural Reserve, AR) zones.

The *2002 Kent County Comprehensive Plan Update*, adopted March 23, 2002, refined the growth zone boundaries and confirmed the Levy Court’s 1996 policy.

### ***3-3b. 2007 Kent County Draft Plan Update***

The *Draft 2007 Kent County Comprehensive Plan* (Fourth Draft, 07/01/2008), confirms the Growth Zone Overlay as the primary growth management strategy. County officials will continue to use the boundaries of the Growth Zone Overlay to determine where investments in public infrastructure and services should be made. Within the Growth Zone, the county intends to provide “a full suite of public services including adequate roads, water, wastewater, parks and recreation, and fire and emergency medical services.” The plan also recommends utilizing the county’s transfer of development rights (TDR) program to channel development away from rural areas.

The plan supports protecting the land use patterns, aesthetic character, and values of the cities and towns. Accordingly, the plan calls for development in and around cities and towns to respect existing development patterns of adjacent municipalities. Achieving this means that county and municipal officials must strengthen their intergovernmental ties with respect to development-plan review, service extensions, and annexations.

### **3-4. Town of Smyrna**

Smyrna’s plans and policies are important for Clayton because most of the 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 as the Town implements the annexation strategy adopted in the 2002 Plan; some of this growth directly affects Clayton’s land use decisions, especially the Wal-Mart distribution center in the Smyrna Industrial Park located adjacent to Clayton’s corporate limits on the south side of SR 300.

#### ***3-4a. Smyrna’s Planning History***

Smyrna’s planning history begins with the adoption its first Comprehensive Plan in 1973. Though economic conditions did not indicate a market for significant new development, it was determined that that then-existing utility systems would accommodate a doubling of population. The plan recommended creating an historic district and establishing a code enforcement program to preserve housing stock. Other plan recommendations included a health clinic and a new town hall, police station, and library.

Between 1973 and Smyrna’s latest plan, the Town Council adopted two updates. The 1988 update called for a compact land cost-effective growth pattern that where lands would be annexed to create opportunities for employment. The 1997 update designated an area in the southeast quadrant of the railroad tracks and Wheatley’s Pond Road (SR 300) as an area suitable for an industrial park where the Wal-Mart distribution center is now located.

#### ***3-4b. 2002 Town of Smyrna Comprehensive Plan***

Smyrna’s 2002 plan builds on the 1988 and 1997 plans. The growth annexation element of the plan identifies 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 map depicts Smyrna's ultimate boundaries as co-terminus with the areas proposed for annexation in Clayton's 2005 plan amendment. If Clayton and Smyrna are able to annex the areas depicted in their current comprehensive plans, the Kent County enclave between the two municipalities will be eliminated.

### **3-5. Town of Clayton**

This section chronicles Clayton's comprehensive planning history. It also describes the environment in which planning and land use regulation is conducted in the town.

#### ***3-5a. Planning History***

##### ***1978 Comprehensive Plan***

Clayton adopted its first comprehensive plan in 1978. The most significant outcomes of that plan were the adoption of the town's first zoning map, zoning ordinance, and subdivision regulations in 1979. Over the following 20 years, the Town annexed the Wheatley's Pond and Longwood Lane communities and a small parcel on the north side of SR 300 across from the Smyrna Industrial Park.

##### ***1996 Comprehensive Plan***

In 1996 Clayton became one of the first Delaware municipalities to adopt a new comprehensive plan in response to the Shaping Delaware's Future initiative. The 1996 plan recommended annexation of two parcels: the Hanover Home Farm and the St. Joseph's Industrial School Property. The owners of the Hanover Home Farm have not requested annexation, and the property remains undeveloped. The Clayton Town Council annexed the St. Joseph property in 1998. This annexation is significant because the St. Joseph holdings extend into New Castle County. The entire New Castle County portion is being farmed. Although most of the Kent County portion remains undeveloped, the buildings and grounds once occupied by the former St. Joseph's Industrial School have been rehabilitated to accommodate the Providence Creek Charter School.

The 1996 plan also recommended that the 1979 zoning and subdivision ordinances be updated. Accordingly, the Town Council adopted a completely revamped zoning ordinance in 1998. A year later the Council adopted updated subdivision regulations. In 2000 the town was comprehensively rezoned to implement the land uses recommended in the 1996 plan.

##### ***2002 Plan Update***

In accordance with guidelines from the Office of State Planning Coordination, the Town updated its plan in 2002. 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.

### ***2003 and 2004 Plan Amendments***

Between 2002 and 2004, two amendments were made to the land use map adopted in 2002. The first, adopted on July 14, 2003, changed the land use 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 (Grain Mill Station), 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.

Though these plan amendments made no changes in Clayton's proposed annexation area, two annexations occurred during this time period. In 2003, the Town annexed the 84-acre Davis Farm (Huntington Mills). In 2004, the 182-acre Lester Farm (Providence Crossing) was incorporated into the Clayton town boundary.

### ***2005 Plan Amendment***

In 2005, the Town amended its comprehensive plan once again. This plan update consolidated the provisions of the 2002 update, the 2003 amendment, and the 2004 amendment into a single document. It also updated information on population, transportation, housing, employment, the environment, municipal services, and land use. In addition, a significant number of developed and undeveloped properties, covering about 340 acres in the area between Underwoods Corner Road and Wheatley's Pond Road (SR 300), were added to Clayton's annexation area. The largest of these was the 163-acre Diemeke Farm (Mitchell Investments, Old Country Farm), currently being developed with 412 single-family homes at a density of about three dwellings per acre. As part of the development-review process for this parcel, 25 acres were dedicated for a future intermediate school, and two acres were set aside for a water-storage facility. The second largest parcel recommended for annexation was the 76-acre Green Gable Farm which remains undeveloped. The developed properties included the Pheasant Point and Byler subdivisions, located on the south side of Underwoods Corner Road near its intersection with Wheatley's Pond Road.

### ***3-5b. 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.

## **Chapter 4. Environmental Resources**

### **4-1. Description**

#### ***4-1a. Geology and Soils***

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 comprising 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.

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.

#### ***4-1b. Topography***

Clayton's topography can be characterized as gently sloping. As shown on Map 3, elevations range from a low point of 15 feet above sea level at the sewage-lift station, located on Providence Creek near the railroad tracks, to a high point of 55 feet in the Old Country Farm community located between Wheatley's Pond Road (SR 300) and Underwoods Corner Road. Slopes within the town limits are generally five feet or less. There are few areas with slopes greater than five feet near streambeds.

#### ***4-1c. Streams, Rivers, Lakes, and Ponds***

Map 3 displays streams, rivers, lakes, and ponds in the Clayton vicinity. Clayton is located in the Smyrna River drainage basin, which flows in an easterly direction to the Delaware Bay. Three 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 stormwater-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. A third stream, Mill Creek, which forms part of Clayton's southern border, flows northeast through Smyrna and Lake Como and across U.S. Route 13 and SR 1 before joining the Smyrna River.

#### ***4-1d. Source-Water Protection Areas***

Source-water protection areas are wellhead-protection areas and excellent-recharge areas.

##### ***Wellhead-Protection Areas***

A wellhead-protection area is the surface and subsurface area surrounding a water well that supplies a public water system through which contaminants are likely to reach the well. As Map 3 shows, there are three wellhead-protection areas in Clayton that provide the town's drinking water supply. In addition, there are two large wellhead-protection areas serving properties outside of Clayton whose boundaries stretch on to properties within Clayton's corporate limits.



### ***Excellent-Recharge Areas***

A recharge area is land on top of an aquifer. Precipitation falling on the land surface provides all the water that recharges aquifers. Recharge areas are classified as excellent, good, fair, and poor according to how rapidly rain water filters through the ground to the underlying aquifer. Aquifers are layers of gravel and sand within which water is stored and moves underground. Maintaining good water quality in local aquifers is especially important, because Clayton 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, there are three excellent-recharge areas within the town limits. 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.

### ***4-1e. Floodplains***

Map 3 displays the boundaries of the 100-year floodplain associated with streams and rivers in the Clayton vicinity. The 100-year floodplain is the area where a flood has a one percent probability of being equaled or exceeded in any given year. This is also referred to as the base flood.

As the map shows, the most extensive floodplain areas in and around Clayton are along Providence Creek, which forms the border between Kent and New Castle Counties. There are also floodplains along Greens Branch and Mill Creek.

### ***4-1f. 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.

Table 8 lists the types of wetlands found in Delaware.

**Table 8. Delaware Wetland Types**

<b>Tidal</b>	<b>Non-Tidal</b>
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 (DNREC), [www.dnrec.state.de.us/dnrec2000/Divisions/FW/Adopt-A-Wetland](http://www.dnrec.state.de.us/dnrec2000/Divisions/FW/Adopt-A-Wetland)

Map 3 shows the locations of wetlands in the Clayton vicinity. As the map indicates, there are no tidal wetlands within Clayton. Non-tidal wetlands in Clayton are associated with the Paw Paw Branch, Greens

Branch, Mill Creek, and Providence Creek. Non-tidal wetlands, not associated with streams, are found on the St. Joseph property.

#### **4-2. Goals**

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

#### **4-3. Recommendations**

- Continue requiring annexed properties to connect to Clayton's water and sewer system.
- Participate in organized efforts to develop environmental-protection measures, such as a Tributary Action Team.
- Strengthen environmental-protection requirements in local development procedures.
- Develop regulations to protect environmental resources; utilize model ordinances developed by the Delaware Department of Natural Resources and Environmental Control (DNREC) and incorporate Kent County standards where feasible.
- Utilize resources, such as the Delaware Rural Water Association, for assistance in drafting environmental-protection regulations and policies.

## Chapter 5. Historic Resources

### 5-1. Description

The map below depicts four properties in the Clayton vicinity that have been recognized for their historical significance to the Delaware and the United States by their inclusion on the National Register of Historic Places. Authorized under the National Historic Preservation Act of 1966, the National Register is America's official list of cultural resources that merit preservation. National Register-listed properties number more than 80,000 and can be districts, sites, buildings, structures, or objects recognized for their significance in American history, architecture, archeology, engineering, or culture. The National Register is administered by the National Park Service, which is part of the U.S. Department of the Interior. National Register status is awarded following a rigorous evaluation of a property's historic criteria.

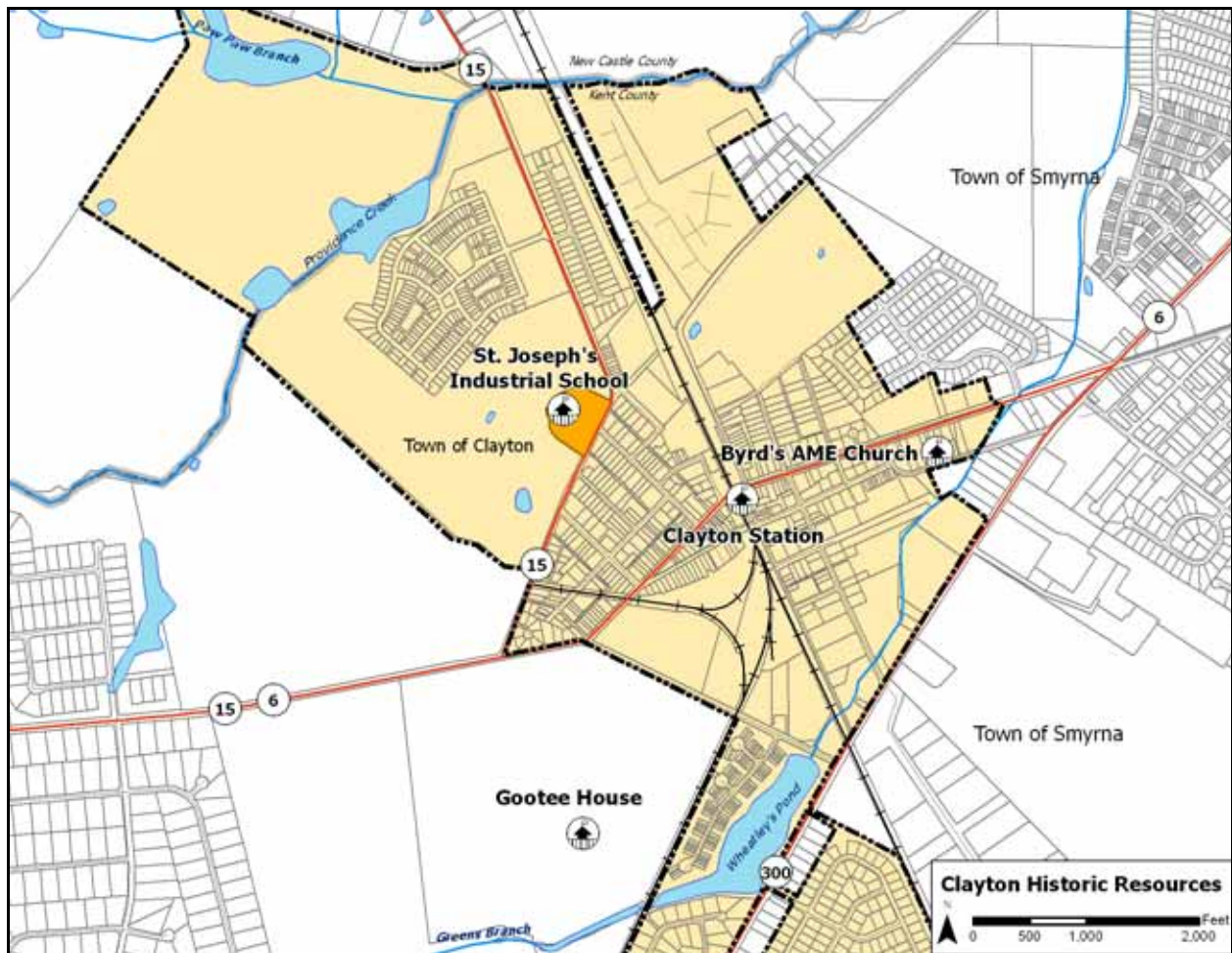


Table 9 provides additional information about each National Register property in and near Clayton.

**Table 9. Clayton Vicinity National Register Properties**

Property Name	Date Built	Date Listed	Type of Listing	Current Use
Byrd's AME Church	1894	1982	Site	Place of Worship
Clayton Railroad Station	1855	1986	Site	Office
Benjamin Gootee House	1860	1983	Site	
St. Joseph's Industrial School		2002	Site and District	Educational Institution

Source: State Historic Preservation Office

The Town of Clayton itself is also recognized for its historical significance as an early railroad town. A historical marker at the northwest corner of Main and North Bassett Streets provides a short history of Clayton's early settlement, incorporation, and railroad heyday. The state program, which locates markers at historically significant places, is directed by the Delaware Public Archives.

The Clayton Railroad Station is perhaps most important to the town's railroad heritage, even though trains no longer stop at the station. In the years following its cessation as a rail station, the building has been in private ownership and used for small-scale commercial enterprises. To ensure that the station is maintained as a historic property, the Town holds a right of first refusal to purchase the railroad station should current owners decide to sell the property.

## **5-2. Goal**

- Preserve historic heritage.

## **5-3. Recommendations**

- Keep right of first refusal to purchase Clayton Railroad Station.
- Assist owners of historic properties in preserving historic a property's characteristics by reducing or waiving permit fees, fast-track permit processing, etc.

## Chapter 6. Economic and Community Development

### 6-1. Description

#### 6-1a. Income and Poverty

Table 10 presents a comparison of 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. Household Income, Clayton, Kent County and Delaware, 1999**

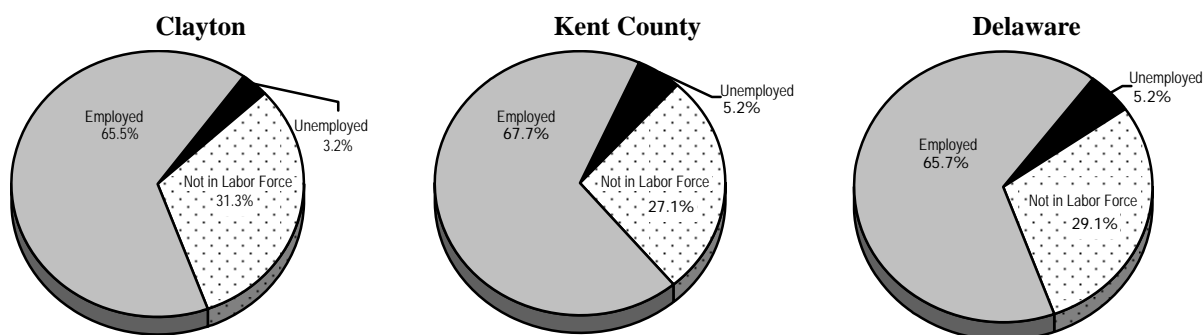
Item	Clayton	Kent County	Delaware
Median Household Income	\$43,462	\$40,950	\$47,381
Households with wage-and-salary income	78%	82%	79%
Mean wage and salary income	\$46,179	\$47,818	\$57,407
Households with social-security income	29%	26%	27%
Households with retirement income	22%	22%	21%
Households with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

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

#### 6-1b. Employment and Unemployment

Figure 6 portrays the employment status for Clayton, Kent County, and Delaware. Unemployment rates are low in all three jurisdictions, which indicates that those looking for work are able to find it. Kent County and Delaware's unemployment rates are 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, more Clayton households receive social security than the households in Delaware and Kent County.

**Figure 6. Employment Status Clayton, Kent County, and Delaware, 2000**



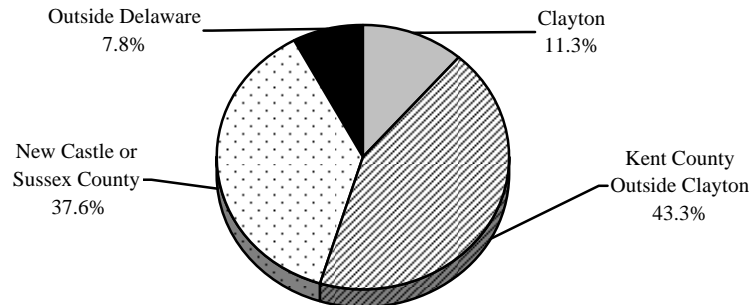
Note: Includes Civilian Labor Force, Residents 16 Years and Older,

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

### 6-1c. Work Locations

Figure 7 shows where Clayton residents work. More than half of Clayton residents work either in town or in Kent County. Slightly more than 43 percent work in either Sussex or New Castle Counties. Nearly eight percent of Clayton residents work outside the state.

**Figure 7. Work Locations for Clayton Residents, 2000**



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

### 6-1d. 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 a 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 Clayton, Smyrna, Kent County, and Delaware, 2000**

Occupation	Clayton	Smyrna	Kent County	Delaware
Farming, fishing, and forestry occupations	0.0%	0.8%	0.7%	0.5%
Construction, extraction, and maintenance occupations	11.9%	9.5%	11.6%	9.5%
Production, transportation, and material moving occupations	19.3%	15.0%	15.3%	12.5%
Management, professional, and related occupations	25.5%	25.8%	28.5%	35.3%
Service occupations	13.9%	21.7%	17.0%	14.6%
Sales and office occupations	29.4%	27.2%	26.9%	27.6%

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

### 6-1e. Kent County Businesses

Table 12 lists the types of business in Kent County (including those in Clayton) for 1999 and 2006. When compared with the occupations of Clayton residents in Table 11, it shows that Clayton residents are likely to continue to find work in their occupations in Kent County. For example, nearly 12 percent of Clayton residents work in construction; the number of construction businesses rose by 27 percent between 1999 and 2006.

**Table 12. Kent County Businesses, 1999 and 2006**

Type of Business	1999		2006		Change 1999-2006	
	Number of Businesses	Percent of Total	Number of Businesses	Percent of Total	Number Change	Percent Change
Forestry, Fishing, Hunting, and Agriculture Support; Mining; Utilities	17	0.6	27	0.8	10	58.8
Construction	343	11.5	437	13.4	94	27.4
Manufacturing	85	2.9	81	2.5	-4	-4.7
Transportation and warehousing	141	4.7	139	4.3	-2	-1.4
Wholesale trade	118	4.0	105	3.2	-13	-11.0
Retail trade	598	20.1	624	19.2	26	4.3
Information	40	1.3	48	1.5	8	20.0
Finance and insurance	167	5.6	190	5.8	23	13.8
Real estate and rental and leasing	123	4.1	137	4.2	14	11.4
Professional, scientific, and technical services	215	7.2	258	7.9	43	20.0
Management of companies and enterprises	29	1.0	24	0.7	-5	-17.2
Administrative, support, waste management, remediation services	158	5.3	170	5.2	12	7.6
Educational services	27	0.9	39	1.2	12	44.4
Health care and social assistance	260	8.7	328	10.1	68	26.2
Arts, entertainment, and recreation	52	1.7	61	1.9	9	17.3
Accommodation and food services	210	7.0	230	7.1	20	9.5
Other services (except public administration)	354	11.9	348	10.7	-6	-1.7
Unclassified establishments	42	1.4	7	0.2	-35	-83.3
Total Number of Establishments	2,979	100.0	3,253	100.0	274	9.2

Note: Kent County businesses include Clayton businesses.

Source: U.S Census Bureau, County Business Patterns 1999 and 2006

## **6-1f. Clayton Employment Base**

### **Agri-Businesses**

As pointed out earlier, the area south and west of Clayton is agricultural. Not surprisingly, a number of agri-business establishments are located in and adjacent to Clayton.

- **Atlantic Tractor**—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. The company also maintains a machine shop on Wilson Avenue and a storage facility on Smyrna Avenue.
- **Southern States**—Southern States is a farmer-owned cooperative that purchases, manufactures, and processes feed, seed, fertilizer, farm supplies, and fuel. Its retail store is located on School Lane, and storage facilities are on South Bassett Street.
- **Mid-Atlantic Biodiesel**—Mid-Atlantic Biodiesel operates a manufacturing establishment that separates methyl ester and crude glycerine from refined soybean oil. It is located adjacent to Southern States on School Lane. Methyl ester can be mixed with regular #2 diesel fuel for use in diesel engines and oil-fired boilers for home-heating fuel. Crude glycerine is used in the manufacture of cosmetics and pharmaceutical products.
- **Royster-Clark**—Located in the southeast intersection of the railroad and Wheatley's Pond Road, Royster-Clark manufactures fertilizer and pest-control products for agricultural use.

- **Hanover Foods**—Hanover Foods’ processing plant, located on the north side of SR 6 adjacent to the western border of Clayton, employs between 200 and 300 people. Its products include canned, freeze-dried, and frozen vegetables.

### ***Other Industrial Establishments***

The remainder of Clayton’s employment base consists of 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 the Eagle Group (formerly, 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 is located on South Bassett Street between Wheatley’s Pond Road and Main Street including Tappahanna Construction and Delmarva Refrigeration.

### ***Retail Businesses***

Clayton has two retail business locations. The first is on Main Street between the railroad station and Clayton Avenue. In addition to Atlantic Tractor, businesses in this area include an ice cream store, a pizza restaurant, a florist, and a tavern and package goods store. A second small commercial area is located on west side of Wheatley’s Pond Road between Bassett Street and the town boundary containing offices, a deck-construction company, and a daycare center.

## **6-2. Issues and Opportunities**

### ***6-2a. Town Center***

Clayton is fortunate because it has retained many small-town characteristics in its town center which is located on both sides of Main Street west of the railroad. Although the volume of through traffic on Main Street has increased, this 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 in two- and three- story structures. 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 a small-town atmosphere, Clayton must continue its efforts strengthen its town center as a focal point for shopping, socializing, and civic activities. The Town launched such an effort 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 (such as setbacks, building coverage, minimum parcels sizes) 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 to initiate actions to foster civic pride by sponsoring civic events such as Fourth of July fireworks.



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 railroad. However, this area has little visual appeal, functions inefficiently, and lacks clear definition. Figure 8 depicts the conditions and design issues found in this area when the 1996 plan was adopted.

**Figure 8. Design Issues, Clayton Town Center**

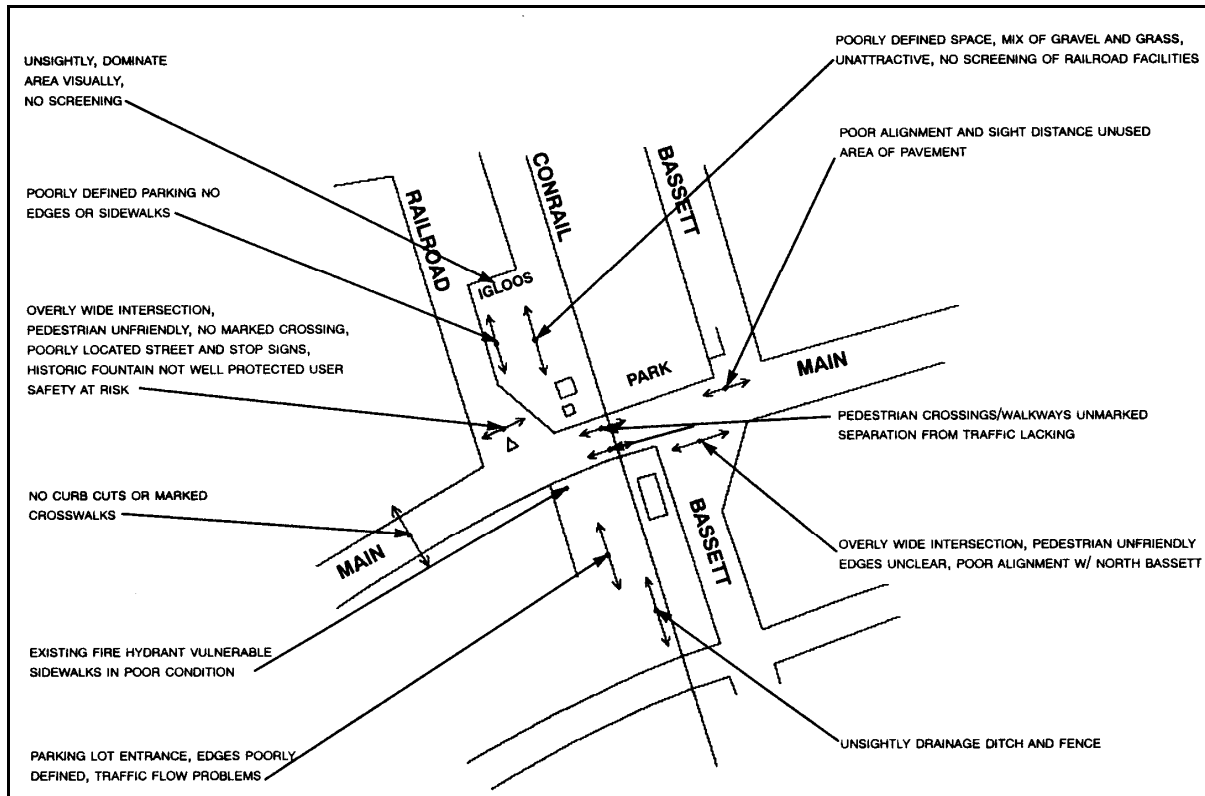


Figure 9 illustrates how redesigning this area can reestablish it as Clayton's town center. This design is based on the following objectives.

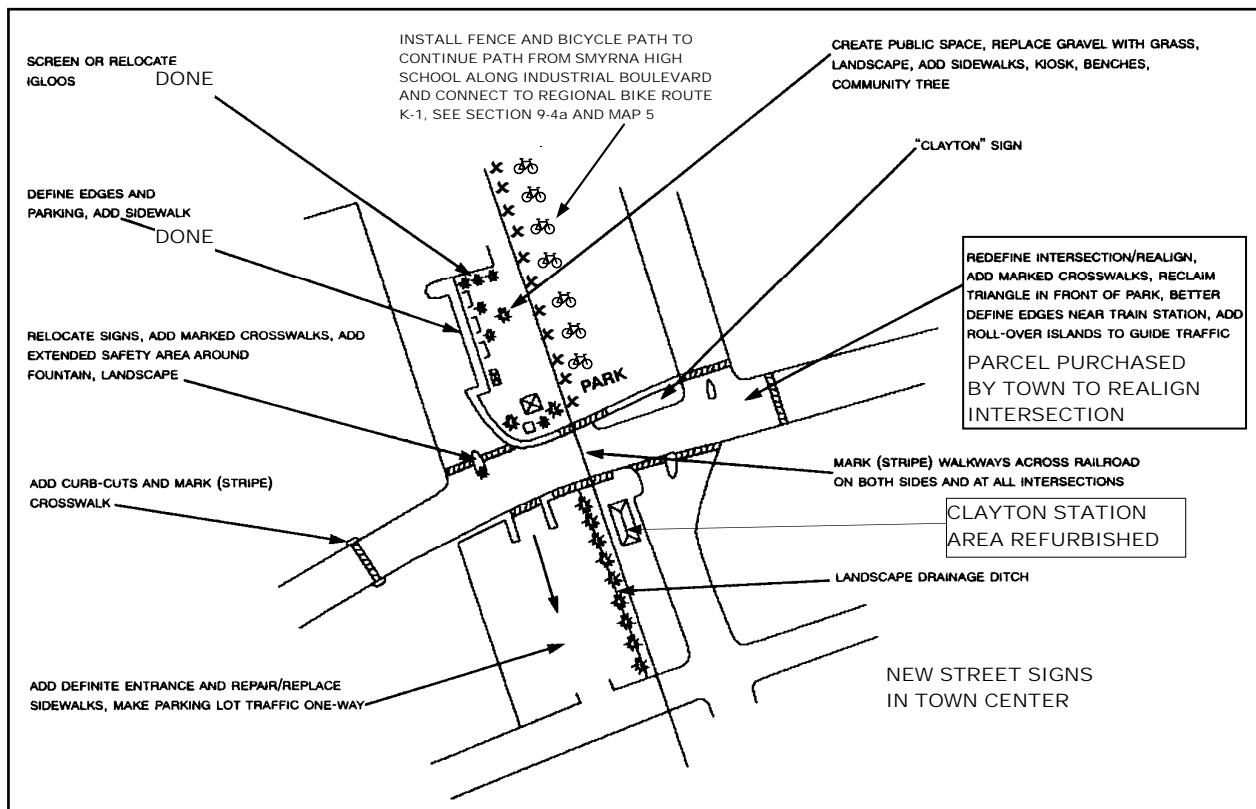
- Define edges and boundaries clearly.
- Improve pedestrian and bicycle safety.
- Create public spaces for community events.
- Improve parking areas with paving, signage, landscaping.
- Provide direction and information to residents and visitors.
- Provide clear sense of place.
- Improve traffic movements 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 9 also notes steps that have been taken to resolve some of the design issues illustrated in Figure 16. Recycling igloos have been moved to Wilson Street near the water-storage tower. The parking area on

the northwest corner of Main Street and the railroad has been paved and striped. The town purchased property at the southeast corner of Main and Bassett to improve the alignment of the two streets. Finally, the Town Council installed new street signs in the town center.

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 9. Design Options, Clayton Town Center**



### 6-2b. South Bassett Area

The South Bassett Area is located along Bassett Street between Main Street and Wheatley's Pond Road. Its mix of residential, commercial service, and light-industrial uses indicates that this area is in transition from residential to non-residential. Many businesses in this area are in buildings that once were homes; they tend to be small-scale and are relatively compatible with one another. Realizing that the market will determine the pace of transition, it must be managed in a way that protects homeowners while encouraging new business to locate in the area and existing business to remain and expand.

### 6-3. Goals

- Attract new business to Clayton's town center.
- Encourage additional businesses in industrial park.

## 6-4. Recommendations

- Overall
  - Work with the Delaware Economic Development Office (DEDO) to market sites in industrial park.
  - Seek technical assistance through DEDO's Delaware Main Street Program.
  - Conduct market study to determine demand for additional retail establishments.
  - Delineate areas suitable for commercial development on land use plan.
- Town Center
  - Continue improvements at the intersection of the railroad and Main Street.
  - Seek funding and technical assistance to continue the bicycle route from Industrial Way along the railroad property to 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 contact between elected officials and the community.
- South Bassett Area
  - 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.
  - Maintain land use regulations that limit sizes of businesses.
-

## Chapter 7. Housing

### 7-1. Housing Conditions

This section provides information on housing stock in the Clayton vicinity. Recognizing that the search for housing is typically without regard to jurisdictional boundaries, this plan assumes that Clayton's housing market includes the Town of Smyrna as well as the unincorporated areas near both towns. As shown in Figure 7, more than half of Clayton's residents work either in town or in Kent County.

#### 7-1a. Housing Types

Table 13 depicts the types of housing found in Clayton, Smyrna, and Kent County in 2000. When viewed as a whole, the housing stock in the Clayton-Smyrna market provides substantial choice in all housing categories. Both Smyrna and Clayton have about the same proportion of townhomes and single-family detached homes. Smyrna, with its higher proportion of multi-family homes, balances Clayton's higher percentage of mobile and manufactured homes.

When compared with Kent County, the Clayton-Smyrna area offers a wider variety of housing choices. Though the proportion of single-family detached homes is greater in the Clayton-Smyrna area than in Kent County, the proportions of semi-detached, townhomes, and multi-family homes are higher than those of Kent County, but the county has a larger proportion of mobile and manufactured homes.

**Table 13. Housing Types, Clayton, Smyrna, and Kent County, 2000**

Housing Type	Clayton	Smyrna	Clayton Plus Smyrna	Kent County
Single-Family Detached	60.6%	62.9%	62.5%	58.4%
Duplex or Semi-Detached (2-Family)	0.8%	3.3%	2.8%	1.9%
Single-Family Attached (Townhouses)	14.4%	15.0%	14.9%	8.4%
Multi-Family (3 or More Units)	3.0%	18.1%	15.2%	12.6%
Mobile or Manufactured Homes	21.2%	0.7%	4.6%	18.6%
Other (Boat, Van, etc.)	0.0%	0.0%	0.0%	0.1%

Source: U.S. Census 2000 Summary File 3

At Table 13 indicates, most of Clayton's housing stock consists of single-family, detached homes. A single-family, detached home is not attached to any other building and is totally surrounded by yards. Several large single-family detached developments are located in Clayton's recently annexed areas west of the railroad. In addition to single-family homes, there are a few two-family homes found primarily in the residential areas along Main Street on both sides of the railroad. A two-family home has separate living quarters for two families arranged either side-by-side (a semi-detached, duplex, or twin) or on upper and lower floors.

Clayton's housing stock 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 12-unit townhouse community on West Duck Creek Parkway (SR 15). In the Wheatley's Pond subdivision, a second townhome community is approximately 75 percent complete.

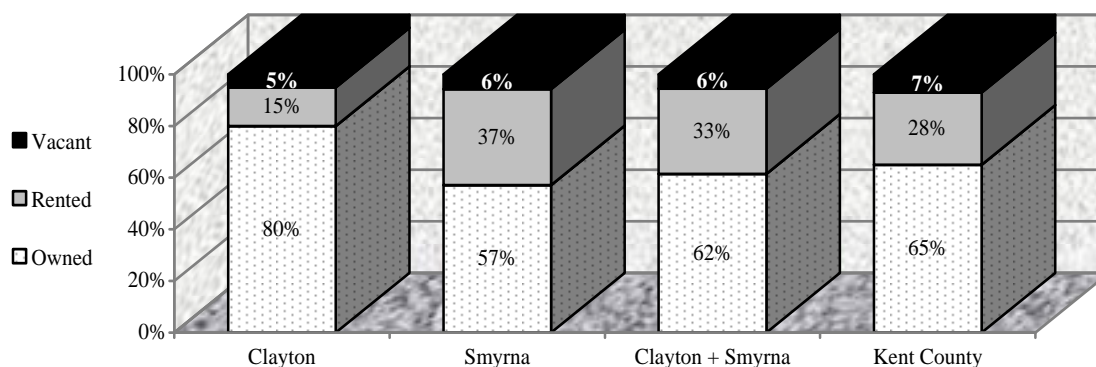
There are two small apartment buildings in town located at Coleman Street and Cherry Alley. An apartment building contains three or more separate living quarters usually with a common entrance. In addition, there are several apartment units located above businesses in the Main Street commercial area.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

### ***Occupancy and Vacancy***

Figure 10 compares owner-occupied, renter-occupied, and vacant units in the Clayton-Smyrna area, and Kent County. As shown in the figure, vacancy rates, which are less than seven percent in all jurisdictions, are adequate to provide choice and maintain fair prices.

The majority of homes in all three jurisdictions are owner-occupied, but Clayton's percentage of owner-occupied units is substantially higher than that of Smyrna and the county. Vacancy rates, which are less than seven percent in all jurisdictions, are adequate to provide choice and maintain fair prices. Clayton's 15 percent renter occupancy is the likely result of its small supply of rental housing (pointed out in the previous section), but the 37 percent rental rate comprising Smyrna's housing stock is likely satisfying the demand for rental housing in the Smyrna-Clayton housing market.

**Figure 10. Occupancy and Vacancy, Clayton, Smyrna, and Kent County, 2000**



Source: U.S. Census 2000 Summary File 3Tables H6, H7, H30

### ***7-1b. Age of Housing Stock***

Table 14 provides information on the age of housing units in Clayton, Smyrna, and Kent County. As the table indicates, Clayton's housing stock is older than that of Kent County or Smyrna with more than a third of Clayton's housing stock at least 65 years old (i.e., constructed before 1940). In contrast, less than ten percent of the county's homes, and less than 20 percent of Smyrna's homes, were built before 1940.

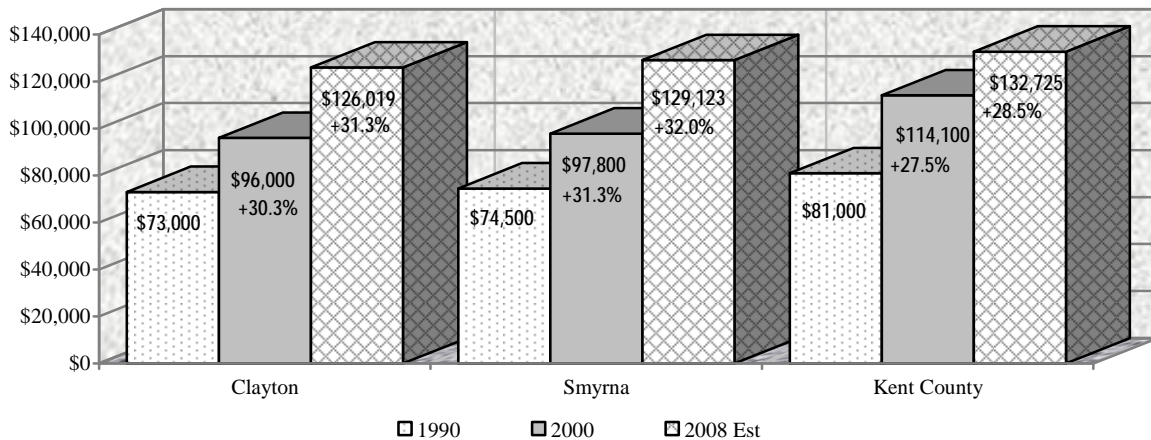
**Table 14. Age of Housing Stock, Clayton, Smyrna, and Kent County, 2000**

Year Built	Clayton	Smyrna	Kent County
1990 to March 2000	18.2%	19.0%	25.6%
1980 to 1989	13.9%	8.2%	17.4%
1960 to 1979	18.0%	37.0%	32.1%
1940 to 1959	15.4%	17.9%	15.1%
1939 or earlier	34.5%	17.8%	9.8%

Source: U.S. Census 2000 Summary File 3

**7-1c. Housing Values****Owner-Occupied**

Figure 11 compares Clayton's 1990, 2000, and 2008 median housing value with those of Smyrna and Kent County. As the table shows, housing values in both Smyrna and Clayton increased by greater percentages than the housing values in Kent County.

**Figure 11. Median Housing Values, Clayton, Smyrna, and Kent County, 1990, 2000, 2008**

Note: Includes owner-occupied housing units

Source: U.S. Census 1990 Summary Tape File 3; U.S. Census 2000 Summary File 3; 2008 estimate computed by IPA by applying the annual change between 1990 and 2000 to determine a 2008 value unadjusted for inflation; adjustment for inflation made by applying the average annual change in the consumer price index for each year between 2000 and 2008

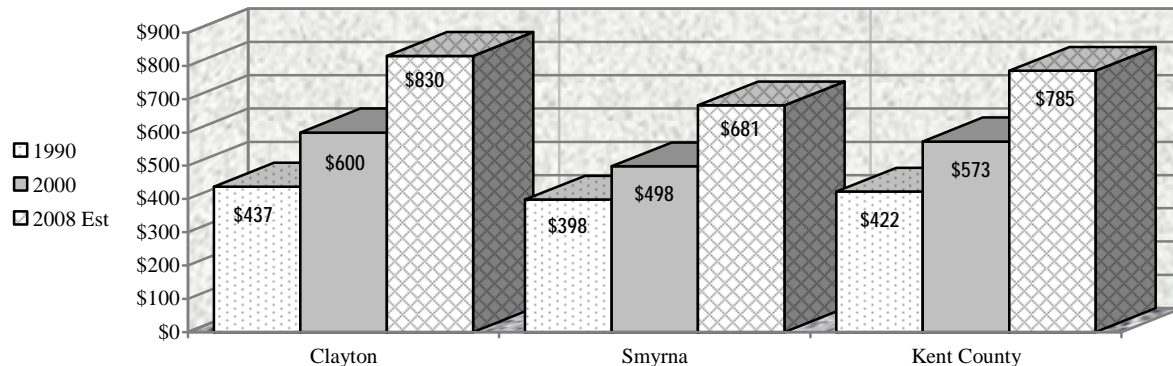
It is important to realize that the value in 2008 assumes continuation of the trend between 1990 and 2000 and does not account for the increase in the supply of housing resulting from annexations that took place in both Smyrna and Clayton between 2000 and 2008. A review of property transfers published by *The Wilmington NewsJournal* indicates that, between 2000 and 2008, homes in the older sections of Clayton have sold for less than \$200,000. In the newer areas west of the railroad, sales prices are generally between \$200,000 and \$400,000.

**Rental Housing**

Figure 12 compares monthly rental rates in Clayton, Smyrna, and Kent County in 1990 and 2000. As the table indicates, rent in Clayton tends to be higher than in Smyrna or Kent County. A reason for this might be that the units for rent in Clayton are more likely to be either townhomes or single-family detached

homes. As pointed out earlier, Clayton's current housing stock has far fewer apartments (multi-family) which are nearly always rental housing. As also pointed out earlier, the six percent vacancy rate in the Clayton-Smyrna market area does not seem to indicate that there is an imbalance between the demand for and the supply of rental housing.

**Figure 12. Median Gross Rent, Clayton, Smyrna, and Kent County, 1990, 2000, 2008**



Source: U.S. Census 1990 Summary Tape File 3; U.S. Census 2000 Summary File 3; 2008 estimate computed by IPA by applying the annual change between 1990 and 2000 to determine a 2008 value unadjusted for inflation; adjustment for inflation made by applying the average annual change in the consumer price index for each year between 2000 and 2008

A review of current rental rates performed on July 23, 2008, using a several Internet search engines indicated that rents in the Clayton-Smyrna area range from \$725 to \$1,500. Clayton has no assisted, rental housing units, but there are eight locations in Smyrna where assisted, rental housing is available.

## 7-2. Housing Highlights 2000-2008

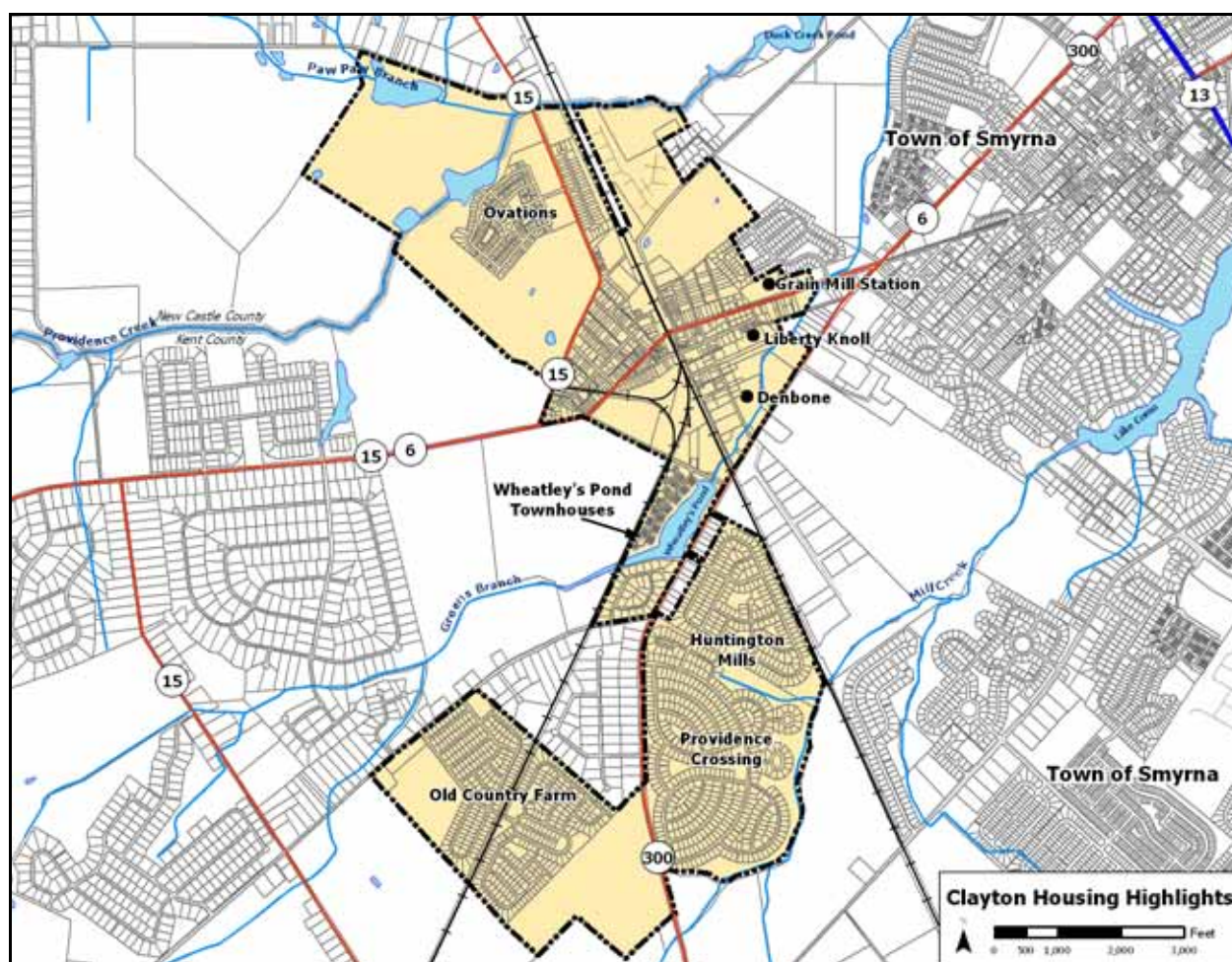
Since 2000, Clayton has been increasing as well as diversifying its housing stock. Table 15 highlights these changes, and the map below it depicts their locations. As the table shows, between 2003 and 2005, this was accomplished primarily through annexation. More recently, residential development activity has shifted from the single-family detached communities west of the railroad to infill and redevelopment within “old” Clayton. Unlike the single-family detached communities annexed areas, townhomes and garden apartments are being proposed for these infill and redeveloped properties.

The single housing goal for 1996 and 2005 comprehensive plans was to “provide sound and affordable housing for residents of all income levels.” Clearly, Clayton has done just that. In addition to the increase in and the diversification of its housing supply, Clayton hired a full-time code-enforcement official in 2003. Since then a number of older—often two-family—homes along Main Street have been renovated.



**Table 15. Clayton Housing Highlights, 2000-2008**

Name	Type of Development	No of Homes	Type of Home	Status
Ovations (Ages 55 and Over)	Infill	200	Semi-Detached and Townhomes	Recorded, Construction not Started
Liberty Knoll	Infill	41	Townhomes	14 Recorded; Buildout by 2010
Grain Mill Station	Redevelopment	34	Townhomes	Plan Approved, March 2008
Denbone	Infill	48	Garden Apartments	Rezoned for Multi-Family, August 2007
Wheatley's Pond Townhouses	Annexed 1989	90	Townhomes	68 Built, 22 Remaining
Huntington Mills	Annexed 2003	199	Single-Family Detached	169 Built, 30 Remaining
Providence Crossing	Annexed 2004	425	Single-Family Detached	155 Built, 270 Remaining
Old Country Farm	Annexed 2005	412	Single-Family Detached	Under Construction





**7-3. Goal**

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

**7-4. Recommendations**

- Continue to build a code-enforcement program.
- Continue supporting infill development.
- Ensure that land use regulations provide for mixes of housing types.
- Encourage annexation petitioners to propose developments with a variety of housing types.
- Support housing initiatives that encourage young families to remain in Clayton or move to the Clayton area.

## **Chapter 8. Community Facilities and Services**

Community facilities and services constitute a network of interrelated public and semi-public institutions and activities that give each jurisdiction its identity. These facilities and services not only affect the attractiveness of a community as a place to live, work, and do business, but also influence its growth pattern. Like most Delaware municipalities, service provision is a shared responsibility. The Town of Clayton is responsible for water service, electricity, trash collection, street and sidewalk maintenance, leaf collection, snow removal, street lighting, code enforcement, building permitting and inspection, and planning and zoning. Other services are provided by the state, the county, semi-public agencies, or private establishments. Map 4 depicts the locations of many of the facilities discussed in this section.

### **8-1. 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 last Tuesday in April, and the council meets on the second and fourth Mondays of every month. 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. Each council member is assigned responsibility for a government service.

### **8-2. Town Facilities**

#### ***Existing Facilities***

The Town employs a town foreman and several clerks and administrative assistants to oversee the daily operations of the town. 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 used for public works is stored.

#### ***Planned Facilities***

The Town Council has determined that new facilities are needed for all services—police, public works, and administrative staff. The Council purchased a 32,000 square-foot property located at the northeast corner of South Bassett Street and Smyrna Avenue where a larger, modern facility could be built. The Council is also exploring a joint venture to house public safety operations in a single facility.

### **8-3. Utilities**

This section provides information about the utilities that service Clayton residents, including water, wastewater, electricity, natural gas, telecommunications, solid-waste management, and stormwater management. These services are essential to town residents and businesses.

#### ***8-3a. Water System***

Clayton operates its own water system. This section describes Clayton's existing water system and planned improvements.

### ***Supply and Storage***

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 to provide public water to Clayton's residential and business customers. Map 3 shows the wellhead-protection areas surrounding these wells.

Water is stored in two tanks, both of which are adjacent to water supply wells. One tank is located on the north side of Smyrna Clayton Boulevard near the Town & Country subdivision and adjacent to the proposed Grain Mill Station subdivision. The second is located west of the railroad near the intersection of Wilson Avenue and Duck Creek Parkway.

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 constantly. The *Source Water Assessment of the Public Water Supply Wells for Clayton Water, Kent County, Delaware*, completed in 2004, 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."

Although the 2004 source water-assessment report rated Clayton's water supply safe and adequate, a stricter standard, adopted by the federal Environmental Protection Agency (EPA) in 2006, established 10 micrograms per liter as the maximum acceptable arsenic level for public drinking water. To reduce Clayton's current 12 micrograms per liter to the EPA standard of 10, the Town has built a water-treatment plant on the Wilson Avenue property. This plant treats water from every existing water-supply well and is expected to provide treatment capability for planned new wells. In addition to the required arsenic-removal process, the treatment plant has disinfection equipment, pump controls, and instrumentation.

### ***Transmission***

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.

### ***Planned Improvements and Expansion***

To ensure water supply for new communities of Huntington Mills, Providence Crossing, and Old Country Farm, Clayton plans to locate a new well on a two-acre parcel in the Old Country Farm subdivision on Underwoods Corner Road near Alley Corner Road. For water storage, the Town has partnered with Artesian Water Company, which serves the Wind Song subdivision located west of Clayton on Millington Road (SR 6) near Alley Corner Road (SR 15). This partnership will enable connections between the two

systems as well as jointly fund a half-million gallon-storage tower adjacent to the well at Old Country Farm. The water tower is under construction and is slated to be in service by the beginning of 2009.

### ***8-3b. Wastewater System***

Clayton's sewerage system was laid out in 1915. Every property in Clayton is connected to the sewer system. The Town Council continues to maintain a policy that every property within Clayton's corporate limits be served with public sewer. Developers are responsible for the installation of transmission lines for new development, and the town is responsible for their maintenance. 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.

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. Route 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 in New Castle County on the north side of Providence Creek opposite Hanover's food processing property.

The recently annexed areas west of the railroad are connected directly to the Kent County system. Sewage from Old Country Farm flows to a lift station. It is pumped over SR 300 where it joins sewage collected from Huntington Mills and Providence Crossing. From there, sewage from the three subdivisions flows to a county lift station in Smyrna near Lake Como. This lift station also serves a number of the new developments in south Smyrna.

### ***8-3c. 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.

- Thirteen 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 Huntington Mills subdivision.

Clayton is a member of the Delaware Municipal Electric Corporation (DEMEC). 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), DEMEC 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.

### ***8-3d. Natural Gas***

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

### ***8-3e. Telecommunications***

Clayton contracts with Comcast for cable television service for Clayton residents. The town's franchise was renewed in 2005. A number of other providers offer telephone and internet access. There are no fiber optic lines in the town limits.

### ***8-3f. Solid-Waste Management***

#### ***Trash Collection and Disposal***

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

#### ***Recycling***

Two voluntary options for recycling are available in Clayton. The first is free of charge, where residents must bring recyclable materials to a collection site adjacent to the Wilson Street water storage tower.

A second option is a fee-based, curbside program available from the Delaware Solid Waste Authority, which allows homeowners to place recyclable materials along curbsides in an approved container. The types of materials that can be recycled include aluminum, paper, plastic and glass. The program also provides for the removal of branches, excess grass, and any other natural yard material.

### ***8-3g. 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.

## **8-4. Public Safety**

### ***8-4a. Police Protection***

The Clayton Police Department is a 24-hour service department located at 414 Main Street in the same building as the town hall. The department currently employs nine full-time personnel which includes the police chief, a patrol supervisor, an administrative assistant, and six patrol officers.

The department's primary mission is to provide the citizens of Clayton with 24-hour police protection. Police officers enforce Delaware State Law and Clayton Town Ordinances. They respond to calls for service, investigate all crimes committed within town limits, and apprehend local fugitives. Officers also conduct property checks for both residences and businesses.

The department has achieved the Homeland Security requirements of the National Incident Management System and National Response Plan training. Though the department has benefited from Homeland Security grants, the current funding situation makes it unlikely Homeland Security funding will continue at previous levels.

The Clayton Police Department also provides community policing support. Officers involved in community policing become involved in programs aimed at creating trust between the public and the police. Clayton's community policing officers provide instruction in both the DARE (Drug Abuse Resistance Education) and GREAT. (Gang Resistance Education and Training) programs. The DARE and GREAT programs are designed to teach drug and gang awareness in the school system. The DARE and GREAT programs also provide positive police contact with school-age children. The community policing unit also operates a child-identification program, a summer youth program, and initiates various safety programs.

The administrative section is responsible for administrative support. Administrative staff is responsible for maintaining all records related to the department's operation. They provide citizens with copies of both crime and accident reports. They also maintain records of police officers' training.

#### ***Existing Facilities***

The department's facilities include a small communications center, an office for the chief, work stations for on-duty officers, and an area for office equipment. When not utilized for patrol, police vehicles are parked on Main Street and Smyrna Avenue. Since the town does not have a holding facility for people who are arrested, the Smyrna Police Department's cells are utilized for temporary holdings. Committed prisoners are transported to the Department of Corrections Smyrna facility located north of Smyrna near the rest stop on U.S. Route 13.

#### ***Planned Facilities***

The police department plans to relocate to the new town offices. To meet future needs of the department and the community, the new police station will have larger office space, upgraded communications equipment, a holding facility, and off-street parking for police vehicles.

### **8-4b. Fire Protection**

#### ***Existing Facilities***

Fire protection is provided by the Clayton Fire Company Number 1, Inc., Station 45. Founded in 1891, the company's headquarters is located at 214 Railroad Avenue. Its 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.

#### ***Planned Facilities***

Like the Clayton Town Council, Clayton firefighters have identified a need to expand and modernize their facilities. As mentioned earlier, the Town and the Fire Company have discussed a shared facility.

### **8-4c. Emergency Medical Service**

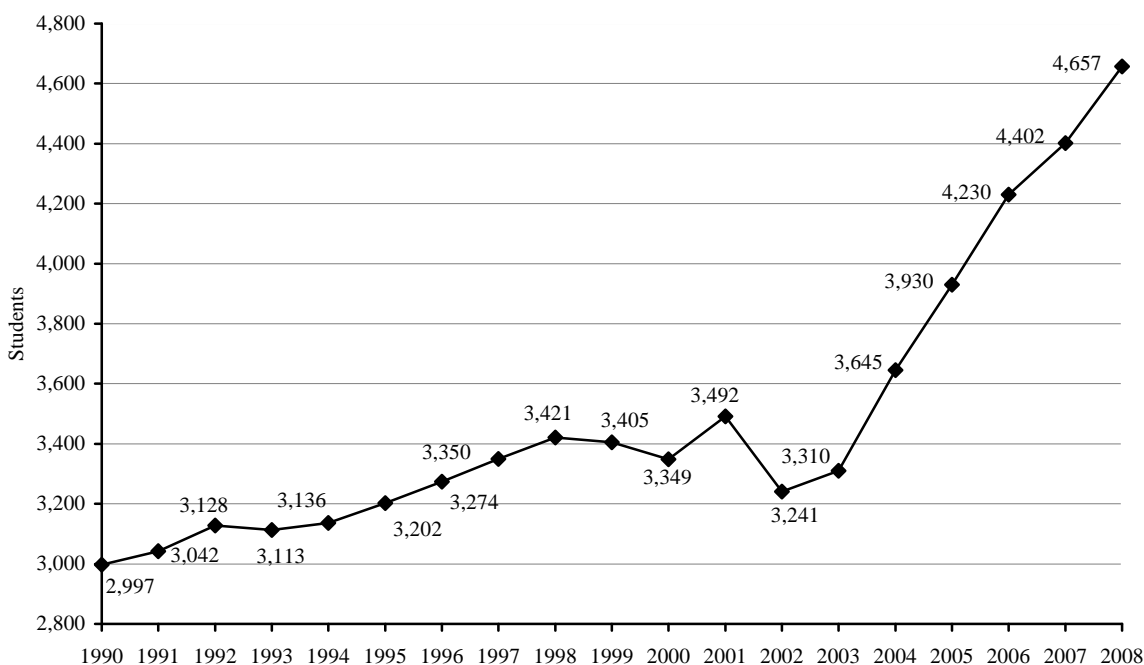
Emergency medical service is provided by the David C. Harrison Ambulance Company Station 64 and Kent County paramedics. The ambulance company, located at 111 West Glenwood Avenue, was founded in 1924 by a small group of World War I veterans. The company is responsible for basic life support and ambulance transport for both the Clayton and Smyrna fire districts. County paramedics from Medic Station 66 provide advanced life support. Their station is located on the south side of SR 300 near its intersection with Carter Road.

## **8-5. Educational Facilities**

### **8-5a. Smyrna School District**

Clayton is in the Smyrna School District. The district, which encompasses approximately 175 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 serve as the board's executive secretary.

Figure 13 tracks enrollment in the Smyrna School District from September 1990 to September 2008. Between 1990 and 2000 enrollment increased fairly steadily with the exception of 1993. After a decline in 2002, enrollment rose slightly in 2003. Since then enrollment has skyrocketed.

**Figure 13. Smyrna School District Enrollment, 1990 to 2008**

Note: Does not include Providence Creek Academy or private educational facilities.

Source: Delaware Department of Education, Number of Students by Grade Grouping [www.doe.state.de.us/reporting/enrollment](http://www.doe.state.de.us/reporting/enrollment); Center for Applied Demography and Survey Research, University of Delaware, [www.cadsr.udel.edu/demography](http://www.cadsr.udel.edu/demography)

Table 16 lists the public schools attended by public-school students living in Clayton. Students begin their education at Clayton Elementary School for kindergarten through fourth grade. They move to John Bassett Moore School for fifth and sixth grades, Smyrna Middle School for seventh and eighth grades, and Smyrna High School for grades 9-12. Smyrna Middle, John Bassett Moore, and Smyrna High Schools are located in Smyrna, and Clayton Elementary is located at the corner of Main Street and School Lane in Clayton.

**Table 16. Smyrna District Schools Serving Clayton Students**

Facility	Location	Grades
Clayton Elementary School	510 West Main Street—Clayton	Kindergarten through 4 <sup>th</sup>
John Bassett Moore School	20 West Frazier Street	5 <sup>th</sup> and 6 <sup>th</sup>
Smyrna Middle School	700 Duck Creek Parkway	7 <sup>th</sup> , 8 <sup>th</sup> , and 9 <sup>th</sup> in 2009 and 2010 7 <sup>th</sup> and 8 <sup>th</sup> after 2010
Smyrna High School	500 Duck Creek Parkway	10 <sup>th</sup> through 12 <sup>th</sup> in 2009 and 2010 9 <sup>th</sup> through 12 <sup>th</sup> after 2011

Source: Smyrna School District, 2007-2008 school year

Clayton Elementary School's enrollment for the 2007-2008 school year was 538 students, up 13 percent from 2006-2007. A major renovation to the school was completed in January 1995, which included an



addition to and a refurbishing of the existing facility. A second expansion, completed in September 2006, added six classrooms, eliminated the need for portable classrooms, and increased capacity from 500 to 600 students. The library was refurbished during the summer of 2007.

The school district's long-range plans anticipate an increase in school enrollment of about five percent per year through 2012. The district's governing board has planned for this by constructing new facilities, adding space to existing facilities, and shifting attendance areas.

Planned improvements that will affect Clayton students include the following.

- Clayton Intermediate School—To accommodate the areas west of Clayton, construction of a 600-student intermediate school is planned on a 25-acre parcel, reserved during Clayton's approval process for the Old Country Farm subdivision. The school is scheduled to open for the 2011-2012 school year.
- Smyrna High School—To relieve serious overcrowding, an expansion to the school is planned that will add classroom space, a cafeteria, and gymnasium. Classroom space is expected to be completed for the 2010-2011 school year with the entire project ready for the 2011-2012 school year. In the meantime, school officials plan to house Smyrna High School freshmen at Smyrna Middle School, located adjacent to the high school. By doing this, school officials can provide a safe, convenient, and less crowded environment for all high school students, and Smyrna Middle School's proximity allows students to participate in high school activities and to be taught by high school faculty.

### ***8-5b. Providence Creek Academy Charter School***

Authorized by Title 14, Chapter 5 of the *Delaware Code* in 1995, charter schools strive to "improve student learning; encourage the use of different and innovative or proven school environments and teaching and learning methods; provide parents and students with improved measures of school performance and greater opportunities in choosing public schools within and outside their school districts; and to provide for a well-educated community" ([www.doe.state.de.us/programs/charterschools](http://www.doe.state.de.us/programs/charterschools)).

One charter school is located in Clayton at 355 West Duck Creek Road in facilities once occupied used as an educational institution for special students by the Catholic Josephite Brothers. Providence Creek Academy serves students in kindergarten through eighth grade. For the 2008-2009 school year, 671 students were enrolled.

Providence Creek is planning the construction of a campus-like facility on 33 acres adjacent to its current facility. All school-related activities and services will be relocated to the new campus, which will comprise 79,600 square feet of academic space in three buildings as well as athletic fields. The projected opening date is September 2009.

### ***8-5c. Private Education***

There is one private educational facility in the Clayton area. Smyrna Christian Academy is located in New Castle County between Duck Creek Road (SR 15) and U.S. Route 13 at 1630 Joe Goldsborough Street.

## 8-6. Recreation and Open Space

### 8-6a. Recreation Facilities

Table 17 lists public recreational facilities serving Clayton. Two public recreational facilities are within Clayton's corporate limits. One is located at the Clayton Elementary School and has a small ballfield, and a small playground. The second, Stephen Robert Rebar Park, located on Smyrna Avenue near the Clayton railroad station, has benches and playground equipment.

**Table 17. Recreation Facilities Serving Clayton Residents**

Facility Name	Location	Features
Clayton Elementary School	School Lane and Main Street	Ballfield and playground
Stephen Robert Rebar Park	Smyrna Avenue near Clayton railroad station	Playground equipment, benches
Smyrna Municipal Park	Main Street across from North Smyrna Elementary School	Playing fields, tennis courts, swings, picnic tables, pavilions
Smyrna High School	South side Duck Creek Parkway	Ballfields
Duck Creek Parkway	North side Duck Creek Parkway opposite Smyrna High School	Tennis courts, fields for little league baseball, softball, big league baseball
Lake Como	North of Sunnyside Road between Carter Road and U.S. Route 13	Sandy beach, paddleboats, playground, fishing, picnic area
Big Oak County Park	East of Route 1 on Big Oak Road south of Smyrna	Sports fields, playground, picnic area, nature trail, wetland boardwalk; Innovation Technology Exploration Center (ITEC)
Garrison's Lake Golf Course	NW corner Hickory Ridge Road and U.S. Route 13	18 hole golf course, maintenance building, club house; projected to open Spring 2008
Blackbird State Forest and Blackiston Wildlife Area		10,000 acres of camping, horseback riding, hunting
Boys and Girls Club of Smyrna	East Commerce Street, Smyrna	Educational programs including tutoring and enrichment; arts and crafts, athletic programs
Providence Creek Academy	West Duck Creek Parkway	Walking and bicycling trails when school is not in session
Bombay Hook National Wildlife Refuge		16,000-acres featuring walking trails, observation towers, and a visitor center with interactive displays

Source: Compiled by IPA, January 2008

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, adult baseball, and tennis are located across from Smyrna High School on Duck Creek Road.

### 8-6b. Open Space

Clayton's open space has two components. The first consists of open space created through the town's subdivision-review process, which requires developers to dedicate open space proportional to the size of their development projects. Some of the dedicated open space is left in a natural state, while other land is made available for passive or active recreation activities. The second component is the stream valleys, floodplains, and water bodies throughout the town.

## **8-7. Civic and Social Services**

### ***8-7a. Postal Service***

The Town of Clayton is served by a United States Post Office. It is located at 12 Railroad Avenue between Main and East Streets.

### ***8-7b. Library Services***

#### ***Kent County Public Library***

The Library Division of the Kent County Department of Community Services provides county-wide library services. Kent County's Public Library is located at 2319 South DuPont Highway in Dover. Its collection includes fiction and non-fiction books, large-print books, periodicals, newspapers, video tapes, DVDs, books-on-tape, and CDs, and is organized for adults, young adults, and children. The periodical collection features access to 2,500 periodicals and newspapers online. In addition, computers provide Internet access and contain popular computer programs. Each year, library staff also conduct more than 100 programs of interest to adults and children. In 2006 a drive-through window service was initiated.

The card catalog is automated and allows patrons to access the resources in the public libraries of Kent and Sussex Counties, Delaware Technical & Community College, and Wesley College. Resources from any of these libraries may be obtained through the IntraLibrary requests and delivered to the Kent County Public Library.

Since 1990, the library has operated a bookmobile to serve the rural areas of the county. The bookmobile makes over 250 stops per year. Some of the typical stops include Hartly, Cheswold, Felton, Frederica, and the Kent County complex.

A recent report by the Delaware Division of Libraries found Kent County's library space to be insufficient. It determined that one large library and two regional libraries are needed.

#### ***Smyrna Public Library***

The closest library to Clayton is the Smyrna Public Library located in a historic building 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. In 2003 the number of items in the library's collection was about 17,000.

Plans to secure funding have been submitted to the Delaware Division of Libraries for Smyrna to build a 20,000-square-foot regional library on U.S. Route 13 in the southern portion of the town.

### ***8-7c. Senior Services***

Two senior centers serve the Clayton vicinity. The Lillian Smith Senior Center is a private enterprise located within the Clayton town limits 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. Located on SR 300 between Clayton and Kenton, the Mamie Warren Senior Center has about 500 members and covers the Smyrna, Clayton, and Kenton areas.

The types of services offered by these centers include on-site meals and Meals on Wheels for those who are homebound, tax and insurance-claim assistance, crafts, bingo and other social activities, transportation to medical appointments, and basic health screenings.

DART First State addresses the transportation needs of the Delaware's senior and disabled population through the Senior Citizens Affordable Taxi (SCAT) program. The program offers a discount on taxi fares. Anyone who has a physical or mental disability that prevents them from operating a motor vehicle or is age 65 or older may be eligible for this service, which is provided by private companies.

### ***8-7d. Places of Worship***

There are four places of worship in Clayton. Table 18 lists their names and locations.

**Table 18. Clayton Places of Worship**

<b>Place of Worship</b>	<b>Location</b>
Byrd's AME Church	Dickerson Street
Calvary Baptist Church	South Bassett Street
Christ Care Missionary Baptist	Main Street at Lillian Smith Senior Center
Ewell's St. Paul United Methodist Church	Corner of Clayton Avenue and West Street

Source: Compiled by IPA, January 2008

## **8-8. Goals and Recommendations**

### ***Goals***

- Overall
  - Provide quality municipal services.
  - Work with other levels of government to secure services for Clayton residents.
- Utilities
  - Provide a safe and reliable supply of drinking water and fire protection.
  - Ensure sufficient sewage-treatment capacity.
  - Secure safe and dependable electric power.
- Recreation
  - 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***

- Utilities
  - 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.
- Regularly monitor solid-waste-collection and –disposal services requirements.
- Continue supporting opportunities for recycling.
- Public Safety
  - Regularly review police-protection requirements.
  - Monitor fire-protection and emergency medical services.
- Recreation and Open Space
  - Place parcels identified as open space on subdivision plans in the OS (Open Space) Zone during the comprehensive rezoning that will follow the adoption of this plan.
  - Utilize provision in subdivision regulations mandating that developers either dedicate recreational land or pay a fee in lieu of dedication.
  - 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.
  - 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 Rail-to-Trail Master Plan.

## **Chapter 9. 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 are most concerned about "through traffic," particularly trucks. Another traffic-related concern was parking in the commercial areas. A third concern was additional bus service. A fourth concern was sidewalks and bicycle trails. Finally, residents strongly supported resuming rail service at the Clayton station.

This section looks at the transportation system serving Clayton and vicinity. It includes streets and roads, bus transportation, rail service, and bicycle facilities, and pedestrian ways.

### **9-1. Vehicular Transportation**

Map 5 depicts the streets and roads serving the Clayton vicinity. Most of the roads within the Town 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 which is a designated scenic byway), and Duck Creek Parkway, accommodate travel within the Clayton vicinity. Kenton-Smyrna Road (SR 300) and Millington Road (SR 6) are east-west highways that connect the Clayton area to western Delaware and U.S. 301. As pointed out earlier, SR 1 and U.S. Route 13 (see Clayton Regional Location map on page 5) are north-south arterial roads linking the Clayton vicinity to other parts of the state.

### **9-2. 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. Route 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 intersection of U.S. Route 13 and Mount Vernon Avenue. The second closest stop is at the Smyrna Rest Area at the intersection of SR 1 and U.S. Route 13. Greyhound provides private intercity bus service along U.S. Route 13 with a stop in Smyrna.

### **9-3. Railroads**

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

#### ***9-3a. 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.

Between 2001 and 2004, the Delaware Transit Corporation (DTC), the public transit division of DelDOT, conducted three studies assessing the feasibility of commuter passenger rail service to Dover or

Middletown. The studies ascertained that service could utilize the existing line, but major improvements to it would be required. Current thinking is that development patterns and densities do not support passenger rail service.

### ***9-3b. 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. This plan continues to recommend this area as a pedestrian and bicycle facility.

### ***9-3c. Clayton-Easton Line***

The third rail line, the Clayton-Easton line, begins at School Lane and extends 44 miles to through Marydel 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.

## **9-4. Bicycle Routes**

Map 5 displays bicycle routes and a potential rail-trail facility in the Clayton vicinity.

### ***9-4a. State, Regional, and Recreational Connectors***

In October 2005, the *Delaware Bicycle Facilities Master Plan* was adopted. Its primary purpose is “to recognize bicycle facilities as an integral part of the transportation system and provide suitable accommodations for bicycles on the statewide roadway network.” The plan makes recommendations for bikeway design. It also designates a network of bicycle facilities that fall into three categories. Statewide routes provide north-south connections primarily along existing roadways through Delaware and connect to Pennsylvania and Maryland. Regional routes connect larger municipalities and activity centers. Recreational connectors, designated primarily in rural areas, join local activity centers and recreational areas with the state and regional network.

Two bicycle routes in the state plan go directly through Clayton's corporate limits. State Bicycle Route 1, which runs through Clayton along Duck Creek Parkway, School Lane, and Wheatley's Pond Road, is part of a 37-mile route that begins in New Castle County, passes through Dover and Sussex County, and on to Maryland. K-1, a regional route, runs east from the Maryland state line along SR 6 through Clayton to Woodland Beach. A third designated route is a regional connector running north and south on U.S. Route 13 through Smyrna.

### ***9-4b. Rail-Trail***

The State Bicycle Plan identifies the 44-mile Clayton-Easton Line as having rail-trail potential in a portion of Kent County that has few active recreational opportunities. Recently, DNREC's Division of Parks and Recreation signed a lease with the Maryland Department of Transportation 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 facility would become the responsibility of the Division of Parks and Recreation.

Recognizing the importance of this potential rail-trail, Clayton's more recent subdivisions provide access to it. As Map 5 shows, access is provided from the Wheatley's Pond and Old Country Farm subdivisions.

#### **9-4c. Local Routes**

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 and connects to an existing trail at Smyrna High School. The other runs west along Industrial Boulevard from Smyrna High School to North Bassett Street. As shown in Figure 9 and on Map 5, this plan recommends that the Industrial Boulevard route be continued south along the railroad right-of-way to Main Street.

The Town of Smyrna has completed a paved bicycle/pedestrian trail along Green's Branch in northern Smyrna that connects Glenwood Avenue, Duck Creek Parkway, and North Main Street. This trail provides 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 also provides access to two scenic overlooks of Duck Creek and is part of a system of trails in and around Smyrna.

#### **9-5. Pedestrian Connections**

The Town Council wants Clayton to be a friendly, walkable town. Sidewalks are required in all new subdivisions. They cannot be part of the paved travel lanes and they must be included within rights-of-way of all new streets and roads. Residential sidewalks must be five-feet wide, and in commercial and industrial developments, sidewalks must be from curb to property line. In addition, the subdivision regulations authorize the town to require perpetual, unobstructed easements to facilitate pedestrian access from roads to schools, parks, playgrounds, or other nearby roads. These access easements must be at least 20-feet wide, and their locations must be indicated on subdivision plats.

As Map 5 shows, existing or planned sidewalks serve most of Clayton's residential areas. The area east of South Bassett Street between Wheatley's Pond Road and Dickerson Street has fewer sidewalks than the rest of the town. However, as the land use section of this plan describes, this area is undergoing redevelopment. Since the redevelopment plans will involve subdivision or resubdivision, the town will have opportunities to require the installation of sidewalks.

In addition, most of the newer subdivisions west of the railroad have been recorded with easements that provide access to open spaces within the subdivisions and connections to adjacent subdivisions or public places. Some examples of these connections can be seen clearly on Map 6. One example is along Wheatley's Farm Drive, where an easement permits provides access to the Clayton-Easton rail line and Wheatley's Pond. Many additional pedestrian connections are in the Huntington Mills, Providence Crossing, and Old Country Farm subdivisions.



## 9-6. 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 parking requirements in zoning ordinance.
  - 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.
  - Strengthen subdivision regulations to require bike connections within subdivisions, to routes in the *Delaware Bicycle Facilities Master Plan*, and to local routes; utilize the bicycle master plan's standards as the basis for bicycle-facility design.
- Rail Service
  - Investigate eligibility for funds to acquire, rehabilitate, and operate railroad station.
  - Monitor state activities concerning the establishment of rail passenger service through Clayton; advocate Clayton's position to DelDOT officials.

## Chapter 10. 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.

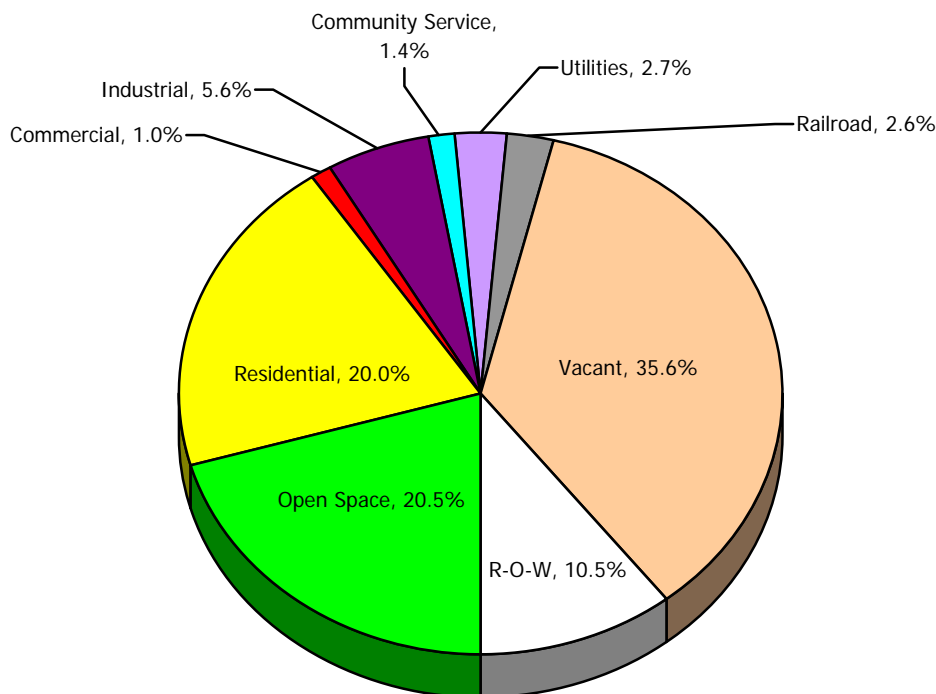
### 10-1. Current Land Use

This section describes Clayton's existing land uses and discusses undeveloped and redeveloping land. Map 6 depicts the town's existing development pattern. The map delineates each tax parcel and displays its land use as of January 2008.

#### 10-1a. Land Use Distribution

Figure 14 summarizes the distribution of land uses within the town. As the table shows, more than a third of Clayton is undeveloped. This is the result of a series of annexation occurring between 2003 and 2005 totaling about 500 acres, which included the Davis (Huntington Mills), Lester (Providence Crossing), Diemeke (Old Country Farm), and Green Gable Farms. When developed, most of this undeveloped land will be residential. The second most prevalent land use is open space, most of which is 127 acres of the St. Joseph's property in New Castle County. Residential land uses account for 20 percent of Clayton's developed land, but this percentage could top 50 percent when undeveloped areas reach buildout.

**Figure 14. Clayton Land Use Distribution, 2007**



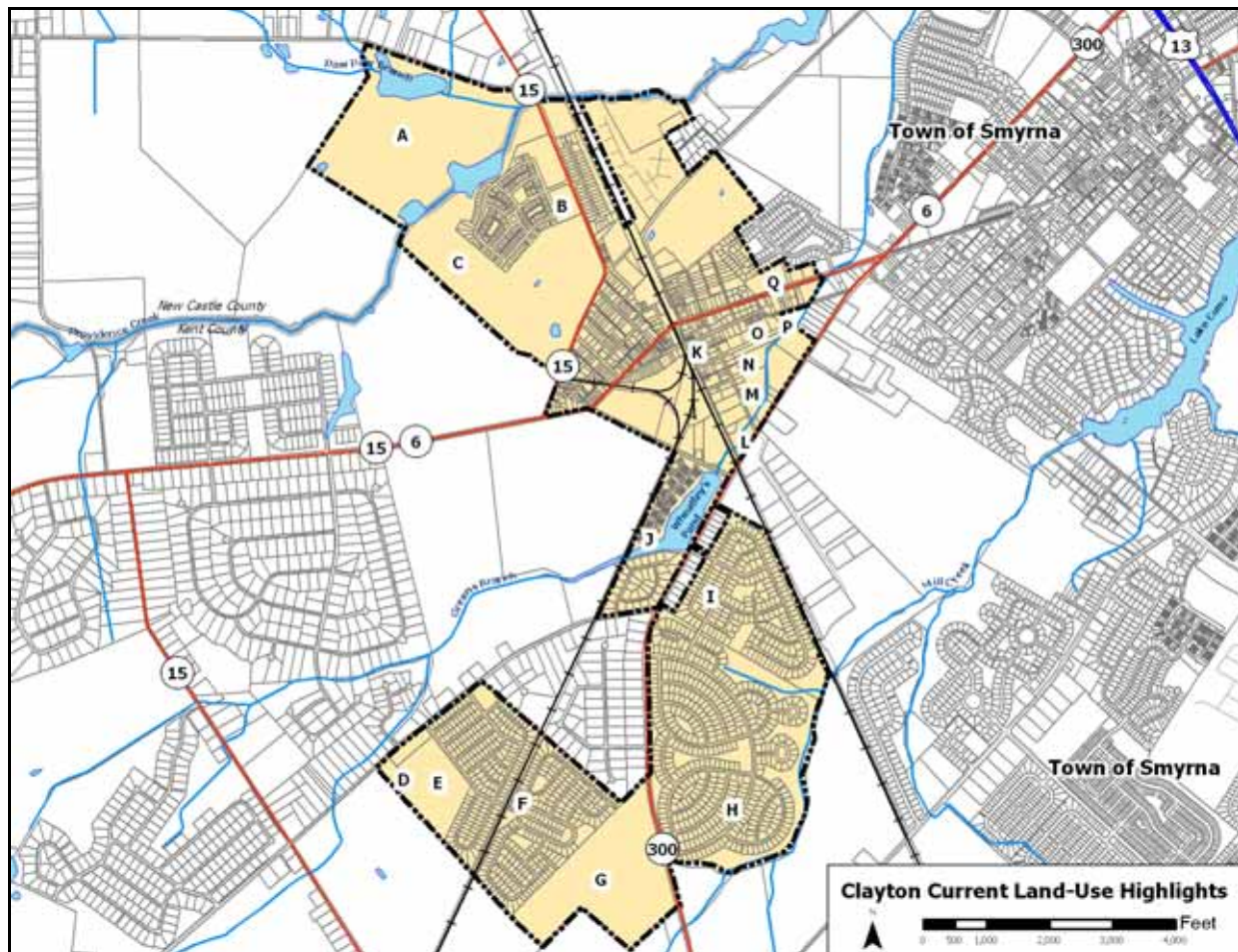
Compiled by IPA, June 2008

### 10-1b. Current Land Use Highlights

Table 19 shows the status of undeveloped and redevelopable parcels, and the map below depicts their locations.

**Table 19. Developing, Redeveloping, and Undeveloped Land**

Map Ref	Name	Status
A	St. Joseph—New Castle County	Zoned OS (Open Space), Development not Permitted
B	The Ovations	Recorded for 200 Semi-Detached Homes and Townhomes, Construction not Started
C	Providence Creek Charter School	Development Plan Approved; Open 09/2009
D	Water Tower	Town and Artesian Project Under Construction
E	School Site	Projected Opening 2011
F	Old Country Farm	412 Single-Family Homes Under Construction
G	Green Gable Farm	No Known Plans
H	Providence Crossing	155 SF Single-Family Homes Built, 270 Vacant
I	Huntington Mills	169 Single-Family Homes Built, 30 Undeveloped
J	Wheatley's Pond Townhouses	68 Townhomes Built, 22 Undeveloped
K	New Town Hall	Site Acquired
L	Catts	No Known Plans
M	Denbone	Rezoned to Redevelop with Multi-Family
N	Budd	No Known Plans
O	Liberty Knoll	41 Townhomes Approved, 14 Recorded; Buildout by 2010
P	Johnson	No Known Plans
Q	Grain Mill Station	34 Townhomes Approved



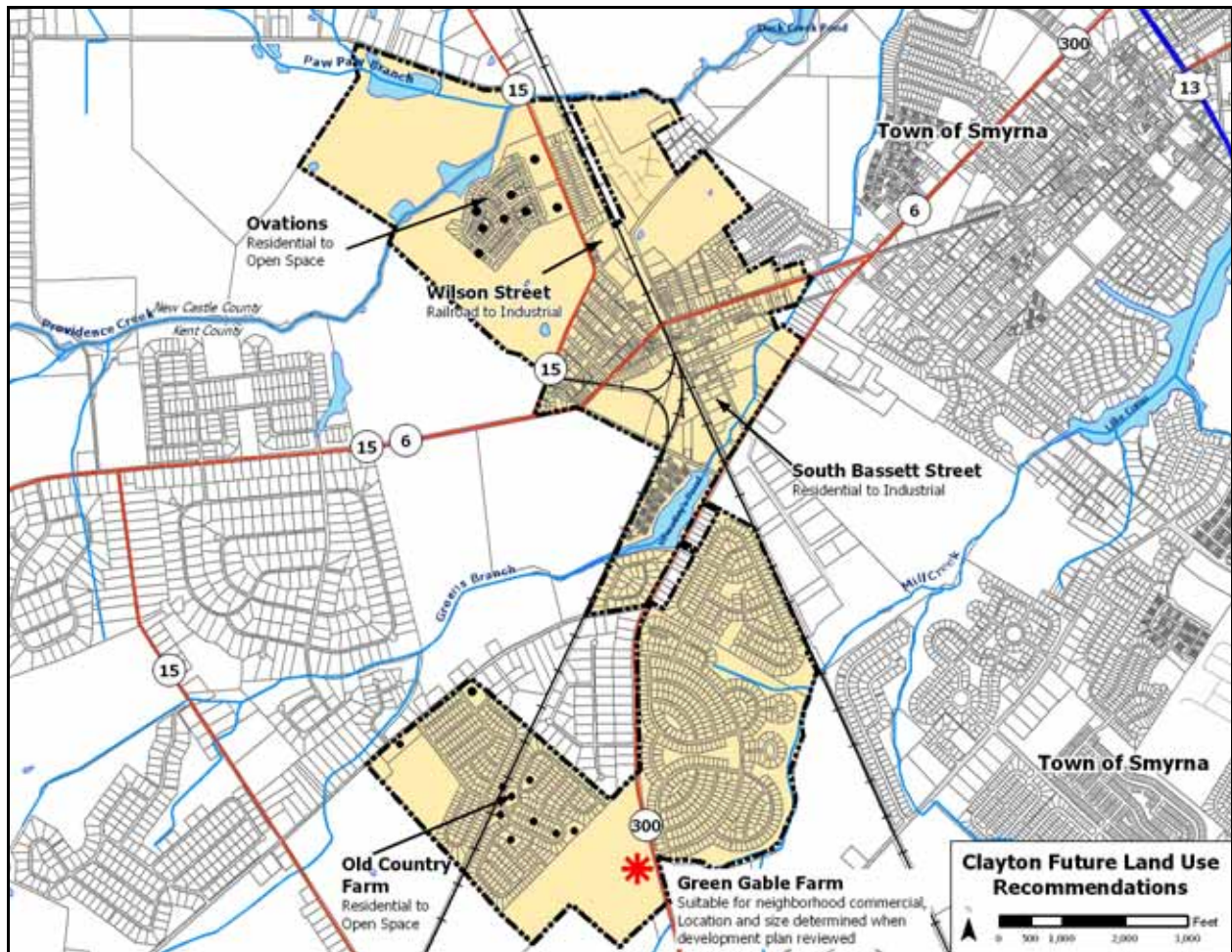


## 10-2. Future Land Use

Map 7 depicts the land use pattern that will guide the town's development decisions and forms the basis for the comprehensive rezoning that must follow the adoption of this plan. Except for the changes recommended in Table 20, the town's future land uses are the same as those in the 2005 plan update.

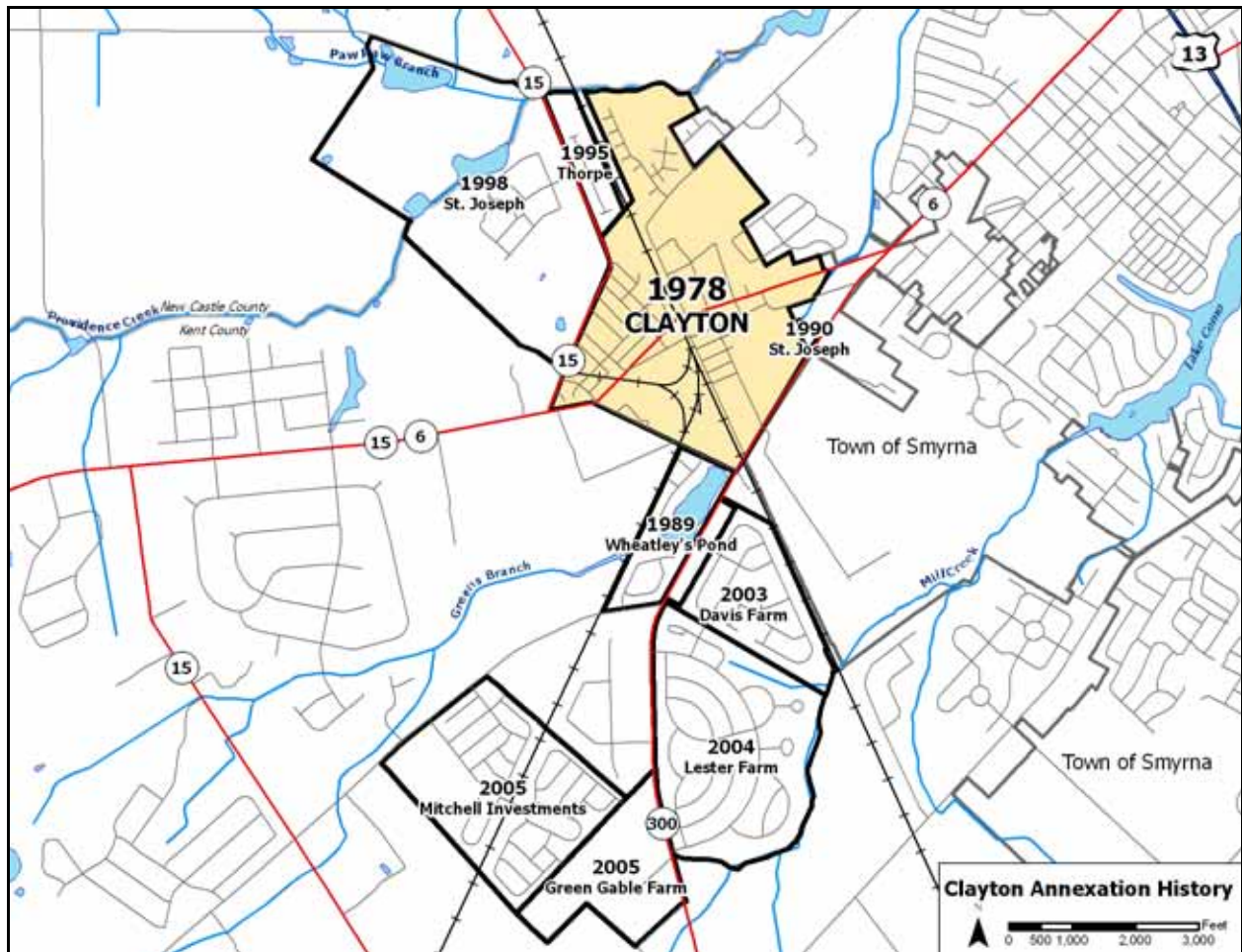
**Table 20. Future Land Use Recommendations**

Location	Proposed Change	Justification and Comments
Ovations	Residential to Open Space	Preserve parcels dedicated to stormwater management, perimeter buffer, and pathways as open space
Wilson Street	Railroad to Industrial	Better fit for the town's public works facilities on this site
South Bassett Street	Residential to Industrial	Designate single land use for parcel whose land use (and zoning) is in two different classifications
Old Country Farm	Residential to Open Space	Preserve parcels dedicated to stormwater management, buffer from railroad right-of-way, and pathways as open space
Green Gable Farm	Residential to Mix of Residential and Commercial	<ul style="list-style-type: none"> <li>Responds to a concern raised at one of the community workshops</li> <li>Neighborhood commercial recommended</li> <li>Commercial not suitable for entire parcel, should be allowed only as part of a complete development plan for the entire Green Gable Farm</li> <li>Approximate size of commercial—2-3 acres</li> <li>Recommended location—Fronting on SR 300 (Wheatley's Pond Road), see * on map below</li> <li>Size and location determined during development-plan review</li> <li>May require amendment to zoning ordinance</li> </ul>



### 10-3. Growth and Annexation

The map below charts Clayton's annexation history from 1978 to the town's most recent annexation in 2005. As the map shows, the directions in which Clayton can annex are somewhat limited. 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, Huntington Mills (Davis Farm), Providence Crossing (Lester Farm), Old Country Farm (Mitchell Investments), and the Green Gable Farm indicates that Clayton has already charted expansion in this direction. Growth in a westerly direction not only would unite "Clayton West" with the heart of Clayton, but also would create a logical area for municipal services. Depending on the feasibility of providing infrastructure, there is some opportunity for exploring the annexation of additional land in New Castle County in the vicinity of the St. Joseph property located between Providence Creek and Clayton-Delaney Road.

### ***10-3a. 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 extended easily and economically.

The economic feasibility of service extension is especially important with regard to water and sewer service. Clayton's Subdivision Regulations require that every property within the town limits be connected to public water and sewer. To secure sewer service to Providence Crossing, Huntington Mills, and Old Country Farm, Clayton has joined forces with the county and the Town of Smyrna to direct sewage to a lift station near Lake Como. Regarding water service, the Town has partnered with Artesian Water Company to construct a well and a storage tower in the Old Country Farm subdivision. Artesian 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 3-1a and Map 2), because they indicate where the state is most likely to allocate its resources. Serious consideration must also be given Kent County's growth area (see Section 2-3 and Map 2), which depicts the area where the county intends to provide utilities and services. Yet another consideration is Delaware's Farmland Preservation Program (see Section 0 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 to 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.

### ***10-3b. Areas Recommended for Annexation***

Drawing on the annexation criteria outlined above, this section identifies and discusses 141 properties comprising about 1,140 acres as suitable for annexation. Map 7 depicts the locations of each area.

It must be emphasized that Clayton may consider annexing only when a property owner requests to be annexed. Recommendation 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.

**Wright Farm**

<b>Future Land Use Map Reference—A</b>		
	Wright Farm	Peoples Farm (information only; not proposed for annexation)
Number of Parcels	1	1
Acreage	200.0	330.0
Current Land Use	Agriculture	Agriculture
State Investment Strategy Level	4	4
New Castle County Proposed Land Use	Resource and Rural Protection	Resource and Rural Protection
Clayton Plan Recommendation	Residential	Open Space

The Wright Farm is the subject of an annexation petition to the Clayton Town Council. The applicants have proposed that development of the Wright Farm be permitted in return for permanent preservation of the Peoples Farm. The Peoples Farm is not proposed for annexation.

This plan recommends that the Wright Farm be annexed to Clayton because it represents an opportunity to preserve 330 acres of open space on the Peoples Farm, provided that the following issues are resolved to the satisfaction of both the Town of Clayton and New Castle County.

- Perhaps the most important issue affecting this annexation proposal is the compatibility of the applicant's proposal with New Castle County's land use and service-provision policies. As pointed out earlier, the 2007 New Castle County Comprehensive Development Plan Update designates the area in which the farms are located as "Resource and Rural Preservation." (see 3-2b). The zoning for this area is Suburban Reserve (SR), which permits a maximum of 60 single-family homes. Since the property is outside of the county's sewer service area, development may occur only with individual well and septic systems. In addition, significant public infrastructure investment is not planned in the southern portion of the county.
- The second most important issue is crafting a mechanism to ensure preservation of the Peoples Farm. As stated earlier, the Peoples Farm is not proposed to be annexed into Clayton. Accordingly, this plan recommends annexation of the Wright Farm if, at the time of annexation, preservation of the Peoples Farm is ensured via a deed restriction running in favor of both New Castle County and the Town of Clayton. The deed restriction should specify that development of the Peoples Farm will be prohibited until and unless both the County and the Town agree to such development.
- A third issue is sewer service. Since Clayton's subdivision regulations require that all properties be connected to public water and sewer, sewer service must be extended in order for the Wright Farm to be developed with the town limits. This will require an approximate 4,000-foot transmission line from the Wright Farm to Clayton's lift station on Providence Creek east of the railroad (assuming that the sewer extension would run from the Wright Farm down the Paw Paw Branch to the lift station). To handle the increased sewage flow, it is likely that the lift station's pumping mechanism must be upgraded, and a parallel force main would be required to carry the sewage to the point where it can flow by gravity. In addition, the increased sewage flow might exceed Clayton's current allocation of 400,000 gallons per day.
- A fourth issue involves the Paw Paw Branch and a second, unnamed branch of Providence Creek located in the northeast corner of the property. There are three small ponds, wetlands, and floodplains



associated with these creeks, and development of the property should be situated a sufficient distance from these environmental elements. In addition, vehicular access to the property from Clayton-Delaney Road should be placed so as not to have an adverse impact on the stream.

### ***Dennison's Area***

<b>Future Land Use Map Reference—B</b>	
Number of Parcels	19
Acreage	10.2
Current Land Use	17 Single-Family and Manufactured Homes; 2 Undeveloped
State Investment Strategy Level	1
In Kent County Growth Zone?	Yes
Kent County Plan Recommendation	Residential Medium Density—5 Dwellings Per Acre
Clayton Plan Recommendation	Residential

This area is recommended for annexation because it is likely to be more economically feasible for Clayton, than for Smyrna, to provide sewer service. This area drains by gravity to and is within 2,000 feet of Clayton's sewage pumping station on Dump Road. Most of the homes in this area were constructed in the 1950s and 1960s and are served with individual wells and septic systems. Lots range in size from 14,000 square feet to one acre, an average lot being about a half acre. 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.

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 roads and streets. If these facilities do not meet Clayton's standards, Clayton should require that they meet town standards as a condition of annexation. In addition, public water should be extended in conjunction with sewer service

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.

### ***Chandler Property***

<b>Future Land Use Map Reference—C</b>	
Number of Parcels	1
Acreage	1.0
Current Land Use	Residential
State Investment Strategy Level	1
In Kent County Growth Zone?	Yes
Kent County Plan Recommendation	Residential Medium Density—5 Dwellings Per Acre
Clayton Plan Recommendation	Residential



This property is recommended for annexation because it is more closely tied to Clayton than to Smyrna. In addition, Clayton can extend services to it.

### ***Johnson Property***

<b>Future Land Use Map Reference—D</b>	
Number of Parcels	1
Acreage	1.7
Current Land Use	Undeveloped
State Investment Strategy Level	1
In Kent County Growth Zone?	Yes
Kent County Plan Recommendation	Residential Medium Density—5 Dwellings Per Acre
Clayton Plan Recommendation	Residential

Until recently, this property was assumed to be included within Clayton's town boundary. Accordingly, it is recommended for annexation to solidify Greens Branch as Clayton's boundary. The plan recommends residential land use to maintain consistency with the land use pattern in the area surrounding this parcel. In addition, Clayton can logically extend services to it.

### ***Kenton Parkway Area***

<b>Future Land Use Map Reference—E</b>	
Number of Parcels	14
Acreage	10.1
Current Land Use	13 Single-Family; 1 Undeveloped
State Investment Strategy Level	1 and 2
In Kent County Growth Zone?	Yes
Kent County Plan Recommendation	Residential
Clayton Plan Recommendation	Commercial

The most compelling reason for annexation of these 14 parcels is that 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.

Commercial land uses are recommended for these properties as a logical continuation of the commercial area fronting Wheatley's Pond Road east of South Rodney Street. This designation would increase commercial acreage available to service the Smyrna Industrial Park and the subdivisions west of the railroad. It further provides an opportunity for Clayton to diversify its tax base.

***Royster-Clark Fertilizer Plant***

<b>Future Land Use Map Reference—F</b>	
Number of Parcels	1
Acreage	6.0
Current Land Use	Industrial, Produces Fertilizing Products for Agriculture
State Investment Strategy Level	3
In Kent County Growth Zone?	Part
Kent County Plan Recommendation	Industrial
Clayton Plan Recommendation	Residential, allow continuation of fertilizer plant

It is logical to include this property within Clayton because of its location between the Huntington Mills subdivision and the railroad, which divides Clayton from Smyrna between Wheatley's Pond Road and Mill Creek. In addition, Clayton supplies electricity to the plant. Further, water and sewer can be easily extended to the parcel.

Residential land use is recommended for this parcel to continue the residential land use pattern in the Huntington Mills subdivision and along Wheatley's Pond Road. The fertilizer processing operation should be permitted to remain either as a legal, nonconforming use or as a conditional use, because it is part of the agri-business component of Clayton's economic base as pointed out in 6-1a. In order to allow the plant as a conditional use, the zoning ordinance must be amended.

***Wheatley's Pond Road Single-Family Area***

<b>Future Land Use Map Reference—G</b>	
Number of Parcels	15
Acreage	8.4
Current Land Use	13 Single-Family; 2 Undeveloped
State Investment Strategy Level	2
In Kent County Growth Zone?	Partially
Kent County Plan Recommendation	Low-Density—3 Dwellings Per Acre
Clayton Plan Recommendation	Residential

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, these homes are served with individual well and septic system; 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 has extended sewer lines to service the adjacent Huntington Mills subdivision.

Residential land use is recommended for these lots to continue the current land use pattern. Even though the 15 lots are substantially larger than the 10,000-square-foot minimum for lots in the RS Zone, resubdivision, though theoretically possible, is unlikely to occur given the placement of existing structures and the requirements for new construction, particularly access. Since these lots front Wheatley's Pond Road, which is a state road, they present no problems regarding road standards.

***Hanover and Davis Farms Area***

<b>Future Land Use Map Reference—H</b>				
	Hanover Home Farm	Franczek Property	John Irving Davis Farm	Davis Frontage Properties
Number of Parcels	1	1	1	4
Acreage	130.0	10.0	149.2	4.4
Current Land Use	Agriculture	Single-Family	Agriculture	Single-Family
State Investment Strategy Level	3	3	3	3
In Kent County Growth Zone?	Part	No	No	No
Kent County Plan Recommendation				
Clayton Plan Recommendation	Residential	Residential	Residential	Residential

This plan recommends the Hanover and Davis Farms 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. The Franzcek and Frontage properties are included to avoid the creation of enclaves. 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. Greens Branch, which flows through Wheatley's Pond, and the rail spur provide an opportunity to connect these properties to other Clayton 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. These properties also present an opportunity for Clayton to create open space under the mandatory dedication standards of Clayton's Subdivision Regulations or to acquire land on which to provide public open space and recreational opportunities. They also create an opportunity to create additional vehicular, bike, and pedestrian connections between "Clayton West" and the town center.

Three issues affect the development of these properties. 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. Homes should be located a sufficient distance from the boundary of this floodplain. A third issue affecting the Franzcek property is the substantial wetlands in its northwest corner.

A development plan for the Davis and Hanover Farms should include the following elements.

- A cluster layout that features a variety of housing types
- Designation of the stream and floodplain as open space
- Vehicular connectivity among the parcels (if developed at different times) and with the rest of the town
- Bike and walking paths that lead to the town center
- Open space to tie into Wheatley's Pond, within subdivision process
- Incorporation and buffering of the Frontage properties

Further development for the Franzcek property should include the following elements.

- Designation of the stream and floodplain as open space
- A buffer between the wetlands and platted lots

***Byler and Pheasant Point Area***

<b>Future Land Use Map Reference—I</b>		
	Byler Subdivision	Pheasant Point Subdivision
Number of Parcels	16	61
Acreage	29.0	67.0
Current Land Use	6 Single-Family; 10 Undeveloped	61 Single-Family
State Investment Strategy Level	4	4
In Kent County Growth Zone?	No	No
Kent County Plan Recommendation	Low Density	Low Density
Clayton Plan Recommendation	Residential	Residential

These properties are recommended for annexation for the following reasons.

- A logical town boundary and utility-service area for Clayton would be established.
- Enclaves (county land surrounded by land within municipal boundaries) would not be created.
- Water service can be supplied by Clayton and Artesian.
- Clayton and Kent County can provide sewer service utilizing the county lift station near Lake Como.
- Clayton can easily provide other services, especially police protection.

***Sensenig Property***

<b>Future Land Use Map Reference—J</b>			
	West of Railroad	East of Railroad	Railroad
Number of Parcels	1	1	1
Acreage	126.5	78.9	3.6
Current Land Use	Agriculture	Agriculture	Rail Line
State Investment Strategy Level	4	4	4
In Kent County Growth Zone?	No	No	No
Kent County Plan Recommendation	Low Density	Low Density	Low Density
Clayton Plan Recommendation	Residential	Residential	Railroad

These properties are recommended for annexation as a logical extension of Clayton's boundaries to Alley Corner Road (SR 15) and Underwoods Corner Road. The road, together with the agricultural easement bordering the Green Gable Farm and the Sensenig property, form a strong transition from municipal development to the rural character south and west of Alley Corner Road.

The issues affecting the development of this property are similar to many of the other properties recommended for annexation, especially the economic feasibility of extending sewer service. A development plan for this parcel should incorporate the following elements.

- Cluster layout that provides for a variety of housing types
- Usable open space in the areas created by clustering
- Pedestrian and bike connections to the school site in the Old Country Farm subdivision, the Green Gable Farm, Alley Corner Road, and Wheatley's Pond Road (which is a state bicycle route)
- Vehicular connectivity to the Green Gable Farm

***Railroad at Providence Creek***

<b>Future Land Use Map Reference—K</b>	
Number of Parcels	1
Acreage	7.4
Current Land Use	Delmarva Secondary Rail Right-of-Way
State Investment Strategy Level	1, 2, and 3
In Kent County Growth Zone?	No
Kent County Plan Recommendation	Industrial
Clayton Plan Recommendation	Railroad

This parcel is recommended for annexation because it is surrounded on three sides by property in the Town of Clayton.

***10-3c. Areas Not Recommended for Annexation***

The following areas are not recommended for annexation in this plan.

- Twin Farms, Gunners Run, Wind Song Farm, and the lots on the east side of Alley Corner Road (SR 15) because they are, or are soon to be, developed
- The Hurd property, because it would not be contiguous with Clayton's future boundaries and since annexation of Twin Farms, Wind Song Farm, and the lots fronting the east side of Alley Corner Road are not proposed for annexation
- Plantation Crossing, Jockey Hollow Farm, and Kentbourne because of their locations west of Alley Corner Road—a logical future boundary for Clayton
- Hanover Foods Plant, since Clayton lacks sufficient sewage transmission capacity to service the plant
- Agricultural Districts and PDRs depicted on Map 2, since they are more appropriately left in Kent County, and they form a logical transition from urban to rural density

Though this plan does not recommend the areas identified above for annexation, the Clayton community remains concerned about becoming the *de facto* service provider (electricity, water, sewer, police) for these and other nearby areas that are not within its corporate limits. This issue was underscored when the Kent County Levy Court approved a subdivision plat for the 158-acre Twin Farms on September 28, 2004. 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.

## Chapter 11. 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 describes many of the mechanisms referred to in the "Recommended Actions" throughout the plan.

### 11-1. Comprehensive Rezoning

Map 8 depicts Clayton's current zoning. 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." This means that Clayton must rezone the entire town so that the zoning districts are compatible with the land uses depicted in Map 7.

### 11-2. Land Use, Building, and Property-Maintenance Codes

Land use (zoning and subdivision), building, and property-maintenance codes are perhaps the most important (and visible) plan-implementation strategies. The comprehensive plan recommends general locations, character, and density of development, but the codes and ordinances adopted to implement the plan are laws with penalties for violation. Land use codes (zoning and subdivision) legislate permitted uses in each zone and stipulate how undeveloped land can be made suitable for development. Building codes govern construction standards, and property-maintenance codes insure that, once built, premises are kept in good condition.

#### 11-2a. Land Use (Zoning and Subdivision) Codes

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 (conditional uses). It also regulates building height, lot sizes, setbacks, yards and green space, the number and sizes of signs, space for off-street parking, and environmental-protection standards.

Subdivision refers to the process of splitting up or assembling land for development. The regulations governing this process designate utility locations, street rights-of-way, open space, and common areas. They also outline the services, such as water, sewer, gas, and electricity, and amenities that a developer must supply prior to sale of subdivided land.

Clayton's first zoning and subdivision ordinances were adopted in 1979. Working closely with the Planning & Zoning Committee, the Clayton Town Council completely revised the Zoning Ordinance in 1998 and the Subdivision Regulations in 1999. Since then, several amendments have been adopted. In the ten years since these revisions, a number of local governments have merged zoning and subdivision regulations into a single ordinance. Accordingly, this plan recommends that Clayton also consolidate its zoning and subdivision regulations.

### ***11-2b. Building Code***

A building code establishes standards for the construction of new buildings and additions or substantial changes to existing buildings. A building code specifies the types of materials that may or may not be used and mandates standards for structural integrity, and general design. Since 2004, Clayton has administered building regulations within the town limits. To ensure compliance with the provisions of the building code, permits are required, and inspectors make routine inspections at certain milestones in the construction process.

Clayton's building code is the International Code Council's *International Building Code (IBC)/International Residential Code (IRC), 2003 Edition*.

### ***11-2c. Property-Maintenance Code***

A property-maintenance code establishes standards regarding how a structure is to be maintained once it is built. It is different from a building code, which specifies regulations for construction. Property-maintenance 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.

Clayton has adopted the International Code Council's *International Property Maintenance Code, 2003 Edition*.

### ***11-2d. Code Enforcement***

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 has, since 2003, employed a full-time code-enforcement officer, who enforces zoning, subdivision, building, and property-maintenance codes. The officer is also responsible for building inspections.

## **11-3. Capital-Improvements Programming**

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-improvements 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 ensures 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 town center–revitalization program.
- Capital-improvements programming could also be used to plan the funding for need municipal structures, such as the new town hall, fire station, and police facilities.

## **11-4. Environmental Protection**

This section provides detail on a number of measures to protect Clayton’s environmental resources identified in Chapter 4. This plan recommends that these measures be folded into an all-inclusive approach to environmental protection. This could be accomplished by incorporating an environmental-protection chapter in a land use ordinance or by adoption as a separate environmental-protection code.

### ***11-4a. Surface-Water Protection***

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.

The first step in combating water pollution from point and nonpoint sources is to determine acceptable pollution levels—the TMDLs. On December 1, 2006, Delaware Department of Natural Resources and Environmental Control (DNREC) adopted regulations establishing the TMDL for the pollutants in the Smyrna River watershed that are outlined in Table 21.



**Table 21. Smyrna River Watershed TMDLs**

<b>Pollutant</b>	<b>Waste Load Allocation for Point Sources</b>	<b>Load Allocation for Nonpoint Sources</b>	<b>TMDL</b>	<b>Reduction from 2002-2003 Baseline</b>
Total Nitrogen (pounds per day)	168.00	574.23	742.23	40%
Total Phosphorus (pounds per day)	12.18	45.64	57.82	40%
Enterococcus (number of colonies per day)	7.66E+10	9.71E+10	1.74E+11	75%

Source: *Delaware Administrative Code*, Title 7, Section 7425, adopted December 1, 2006; *DNREC, Smyrna River Proposed TMDLs*, August 2006

The second step is to develop a pollution-control strategy. DNREC's Watershed Assessment staff works with Tributary Action Teams, comprising of residents of each watershed, the public, and other stakeholders, to develop this strategy. A Tributary Action for the Smyrna River Watershed has not been organized, but some of the strategies that will be explored with the team include the following.

- 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

Even though the Tributary Action Team has not yet formed, Clayton can develop ways to mitigate nutrient and bacteria levels by controlling stormwater runoff, protecting riparian areas, wetlands, and floodplains, and requiring buffers around aquatic resources and plantings.

### ***11-4b. Source-Water Protection***

The Safe Drinking Water Act Amendments of 1996 mandated that each state develop a Source Water Assessment and Protection (SWAP) Program to 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

Title 7, Section 6082 of the *Delaware Code* requires each local jurisdiction with a population greater than 2,000, as determined by the most-recent census, to implement measures to protect sources of public drinking water within its boundaries. Local governments with fewer than 2,000 residents 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 Institute for Public Administration's Water Resources Agency at the University of Delaware.

Since Clayton's population at the last census was fewer than 2,000 persons, state law does not require that the town adopt measures to protect water-supply sources within its boundaries. However, this plan recommends that the town review the measures recommended in the guidance manual and consider adopting those that would be most appropriate for the town.

#### ***11-4c. Wetlands***

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.

As pointed out in 4-1f, there are no tidal wetlands within Clayton. This plan recommends that Clayton adopt measures to protect these valuable environmental resources. Such regulations could be included in a land use ordinance or be part of an environmental-protection code.

#### ***11-4d. Floodplains***

Protecting flood-prone areas is important, not only as an integral component of a comprehensive environmental-protection program, but also for participation in the National Flood Insurance Program. Although Clayton's current zoning and subdivision ordinances require delineation of flood-prone areas on site and subdivision plans, and the town does not permit most buildings and structures within in floodplains, there is a need for additional local regulations governing floodplains. This is especially important given that future land use recommends development along Greens Branch.

To assist local governments with floodplain management, DNREC has drafted a model flood damage-reduction ordinance. This plan recommends that Clayton utilize this model and Kent County flood regulations to craft legislation protecting flood-prone areas within town.

### **11-5. Healthy Communities Initiative**

A community that supports healthy lifestyles is one that provides opportunities for physical activities and healthy eating. Clayton already has a number of laws, regulations and policies aimed at encouraging healthy lifestyles. This plan recommends continuing support for these efforts as well as a number of new recommendations for healthy living.

- As illustrated in Figure 9, the town has undertaken a number of measures to make the Town center an attractive place to which people will want to walk or bike. This plan continues that effort with a recommendation for a local bike path along railroad right-of-way to connect two existing bike paths.
- As described in Section 8-6b, dedication of land for open space is a requirement for development approval in Clayton. In addition, each new subdivision must have a system for non-vehicular connection within the subdivision and to adjacent communities where feasible.
- As Map 5 shows, existing or planned sidewalks serve or will serve most of the streets in Clayton.

- Clayton continues to support development of the Clayton-Easton Rail Line as a rail-trail as discussed in Sections 9-3c and 9-4b.
- As pointed out in Section 9-5, Clayton's subdivision regulations require 5-foot wide sidewalks in residential subdivisions. In nonresidential areas, sidewalks must extend from curb to property line.
- As shown on Map 5 and described in Section 9-4c, Clayton has completed two bicycle paths that lead to Smyrna High School.

## **11-6. Intergovernmental Coordination**

Over the years, Clayton has sought assistance from various county agencies on a number of issues. Clayton has enjoyed an ongoing relationship with Kent County beginning in 1978, when the county planning staff helped Clayton adopt its first comprehensive plan. As pointed out earlier, this relationship must be strengthened to achieve land use patterns in the county that complement Clayton's development densities.

More recently, Clayton has established a working relationship with New Castle County. This plan's recommendation for preservation of the Peoples Farm and annexation (and subsequent development) of the Wright Farm was formulated with substantial input from New Castle County staff and officials.

With respect to state agencies, the PLUS process has encouraged closer ties between Clayton and the PLUS members. Many state agencies are providing guidance on plan elements outside of the formal PLUS review meetings. Particularly significant is the solid relationship that has been forged between Clayton and the Office of State Planning Coordination. Beginning especially with the 2002 plan update, OSPC staff have been instrumental in identifying and solving local planning issues, especially those that cross jurisdictional boundaries.

To continue the inter-jurisdictional relationships begun in the development of this comprehensive plan, town officials should initiate the following actions.

- 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, New Castle County, and the Office of State Planning Coordination.
- Request comment 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.

## **Appendix: Maps**

- Map 1. Clayton Vicinity Aerial View
- Map 2. State and County Planning Environment
- Map 3. Environmental Features
- Map 4. Community Facilities
- Map 5. Transportation Network
- Map 6. Current Land Use
- Map 7. Future Land Use
- Map 8. Existing Zoning



# TOWN OF CLAYTON

Map 1  
Aerial View



Clayton Town Boundary



Smyrna Town Boundary



County Boundaries



Local Roads



State Roads



U.S. Roads



Railroads



Streams & Rivers



Lakes & Ponds



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

Adopted by the Clayton Town Council 12/08/2008  
Certified by the Governor 01/07/2009

**Sources**  
**Orthophotography** - Joint-funded project by the Delaware Office of Management and Budget, Delaware Department of Natural Resources and Environmental Control, Delaware Department of Transportation, U.S. Geological Survey Geospatial Information Office, National Geospatial Intelligence Agency, Kent, New Castle, and Sussex Counties, and the City of Dover, 2007.  
**Municipal Boundaries** - Office of State Planning Coordination; Clayton 11/15/2005, Smyrna 10/01/2007.  
**Streets and Roads** - Delaware DataMill, 2nd TeleAtlas Delivery, 08/08/2008.  
**Railroads** - Delaware Department of Transportation, 1992, amended by IPA to reflect removal of Main Street North tracks.  
**Rivers, Streams, Lakes, and Ponds** - U.S. Geological Survey, National Hydrology Dataset-High Resolution, 11/15/2005.

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




# TOWN OF CLAYTON

## Map 2 State and County Planning Environment

### State Strategies



#### Investment Levels

	Level 1		Level 3
	Level 2		Level 4

#### Protected Areas

 Out of Play









#### Agricultural Preservation Areas

	Easements		Districts
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### Kent County Planning

 Kent County Growth Boundary

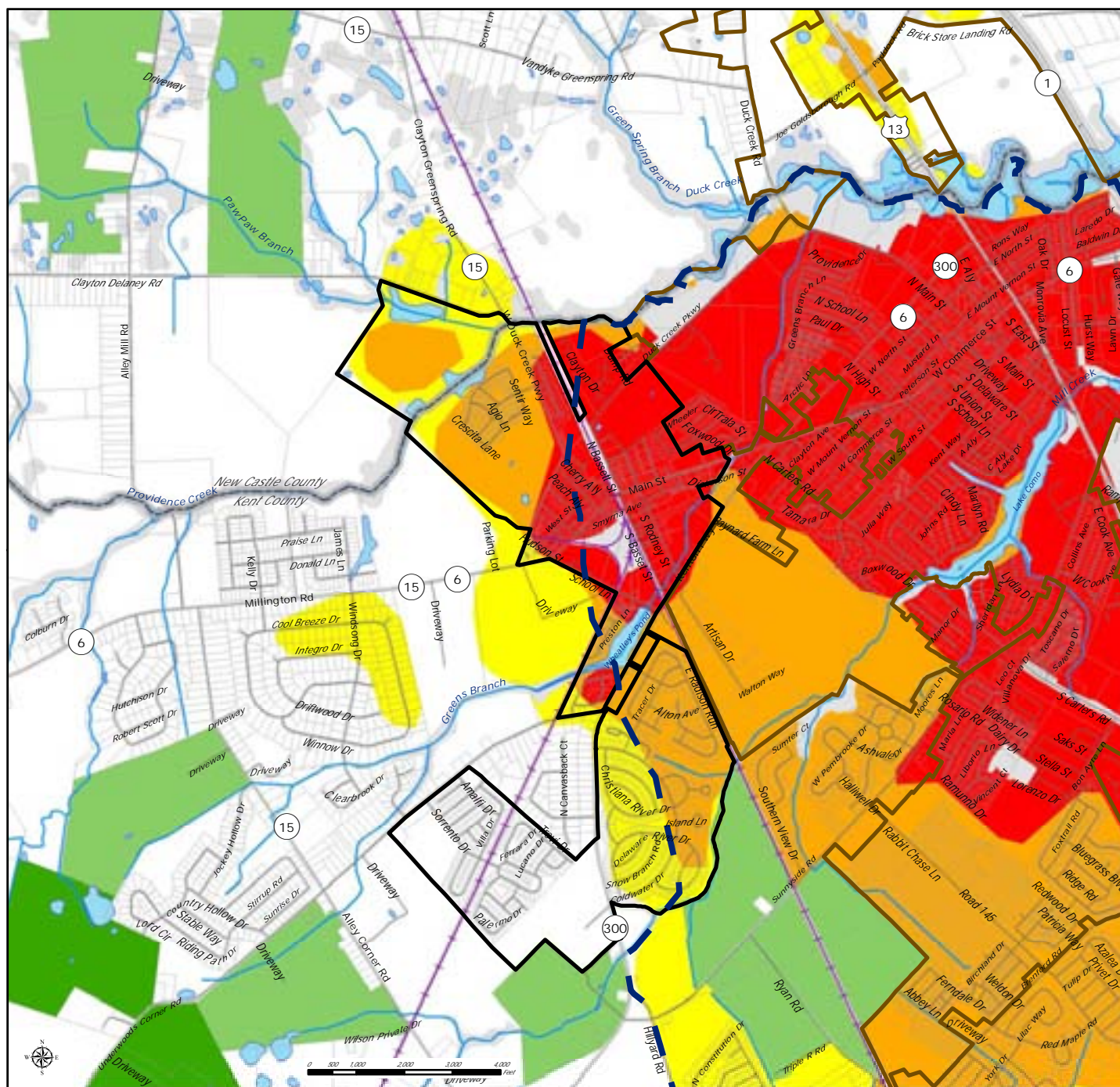
### Base Map Data

	County Boundaries		Streets & Roads
	Clayton Town Limits		Railroads
	Smymrna Town Limits		Rivers & Streams
	Parcel Boundaries		Lakes & Ponds

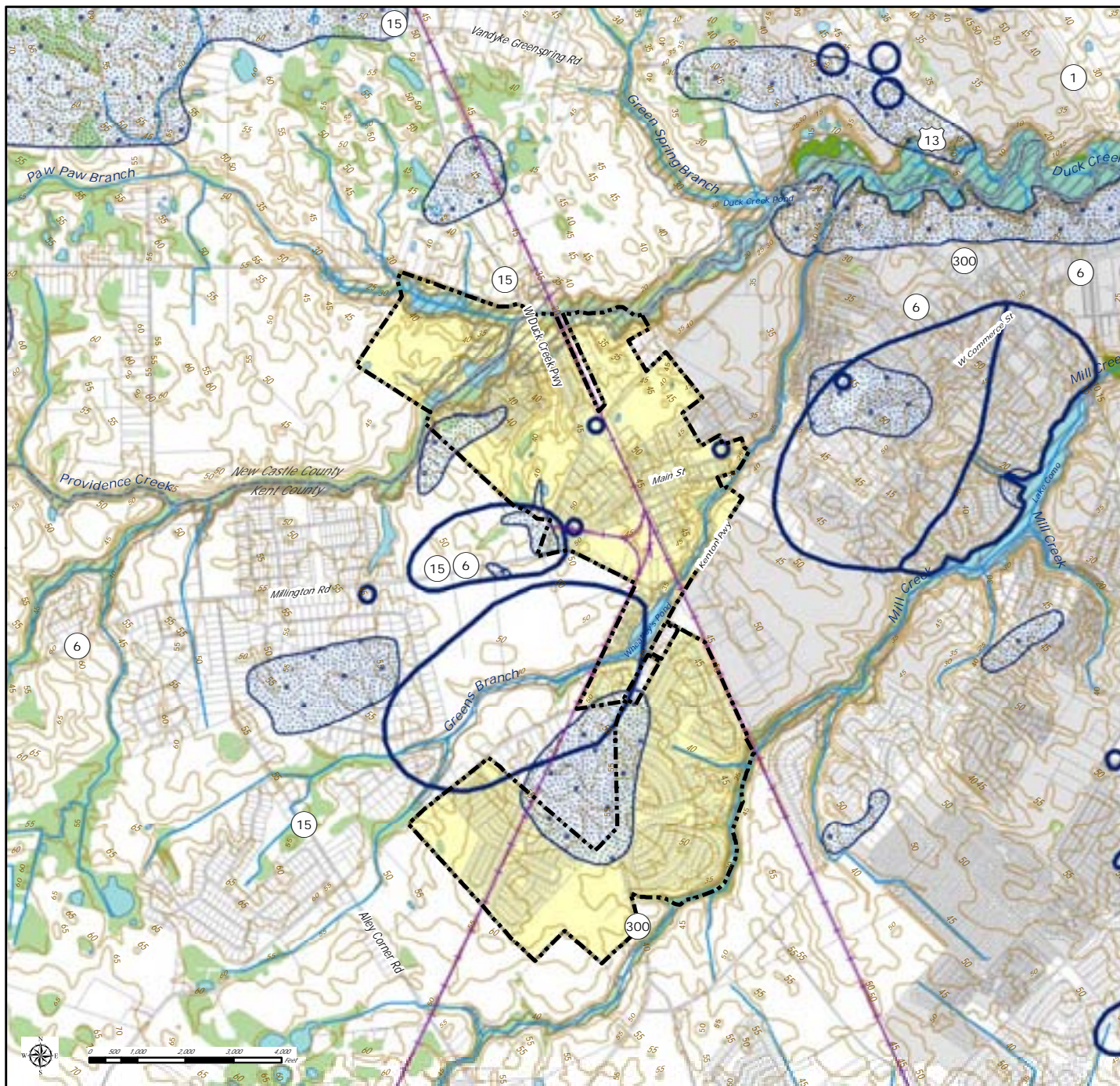
Adopted by the Clayton Town Council 12/08/2008  
Certified by the Governor 01/07/2009

**Sources**  
**State Investment Strategies** - Office of State Planning Coordination, 09/2004.  
**Agricultural Preservation Districts** - DE Department of Agriculture, 06/2008.  
**Kent County Growth Boundary** - 2007 Draft Comprehensive Plan Update.  
**Parcel Boundaries** - Delaware DataMII, 06/26/2008.  
**Streets and Roads** - Delaware DataMII, 2nd DataAtlas Delivery, 08/08/2008.  
**Railroads** - Delaware Department of Transportation, 1992, amended by IPA to reflect removal of Main Street North tracks.  
**Rivers, Streams, Lakes, and Ponds** - U.S. Geological Survey, National Hydrology Dataset-High Resolution, 11/15/2005.

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# TOWN OF CLAYTON

## Map 3 Environmental Features

### Source Water Protection Areas



Wellhead  
Protection



Excellent  
Recharge

### Wetlands



Tidal



Non-Tidal

### Floodplains



100-Year Floodplain

### Topography



5-Foot Contours

### Streams, Rivers, Lakes & Ponds



Rivers and  
Streams



Lakes &  
Ponds

### Base Map Data



County  
Boundaries



Parcel  
Boundaries



Clayton  
Town Limits



Streets &  
Roads



Smyrna  
Town Limits



Railroads

Adopted by the Clayton Town Council 12/08/2008  
Certified by the Governor 01/07/2009

### Sources

**Wellhead Protection Areas** - Delaware Department of Natural Resources and Environmental Control (DNREC), Water Supply Section, December 2008.

**Recharge Areas** - Delaware Geological Survey (DGS) and DNREC, 02/01/2006.

**Wetlands** - Statewide Wetlands Mapping Project (SWMP), DNREC, 2000.

**Floodplains** - DNREC, Federal Emergency Management Agency (FEMA), Digital Flood Insurance Rate Map (FIRM) as amended by New Castle County 10/06/2000 and Kent County 05/03/2003.

**Topography** - United States Geological Survey.

**Rivers, Streams, Lakes, and Ponds** - U.S. Geological Survey, National Hydrology Dataset-High Resolution, 11/15/2005.

**Municipal Boundaries** - Office of State Planning Coordination; Clayton as of 11/15/2005, Smyrna as of 10/01/2007.

**Parcel Boundaries** - Delaware DataMill, 06/26/2008.

**Streets and Roads** - Delaware DataMill, 2nd Quarter TeleAtlas Delivery, 08/08/2008.

**Railroads** - Delaware Department of Transportation, 1992, amended by IPA to reflect removal of Main Street North tracks.

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# TOWN OF CLAYTON

## Map 4 Community Facilities

### Town Government



Town Hall, Police HQ



Public Works

### Utilities



Water Storage



Lift Station



Water Treatment



Pump Station



Electricity



Natural Gas



DEMCO

### Public Safety



Fire Company



Ambulance Company



Medic Station

### Educational Facilities



Existing Public



Existing Charter



Existing Private



Proposed Public



Proposed Charter

### Recreation and Open Space



Recreation Facilities



Lakes & Ponds



Clayton Open Space



Rivers & Streams



100-Year Floodplain

### Civic and Social



Senior Center



Post Office



Smyrna Library

### Base Map Data



County Boundaries



Parcel Boundaries



Clayton Town Limits



Streets & Roads



Smyrna Town Limits

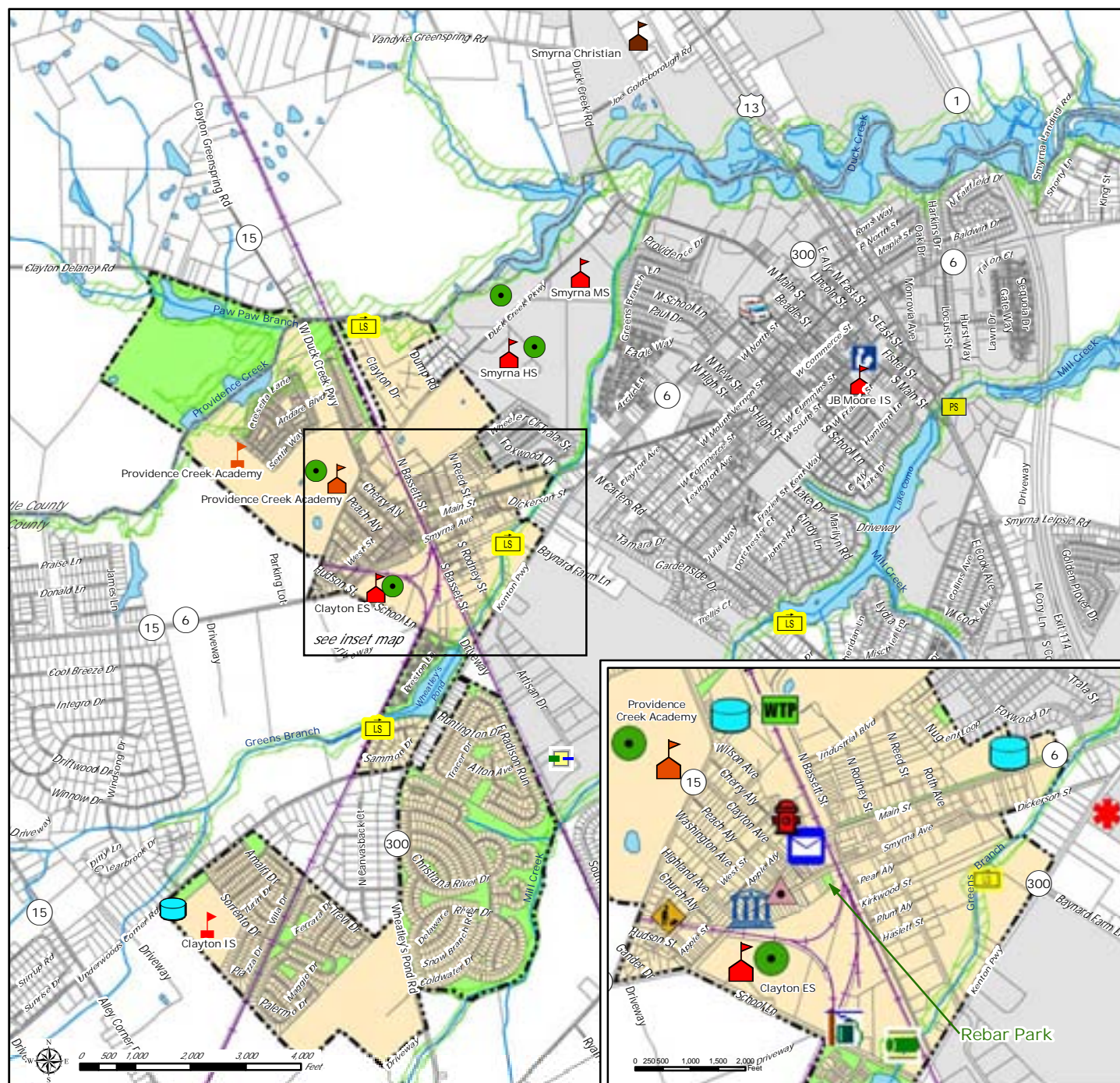


Railroads

Adopted by the Clayton Town Council 12/08/2008  
Certified by the Governor 01/07/2009

**Sources**  
**Municipal Boundaries** - Office of State Planning Coordination: Clayton, 11/15/2006, Smyrna 10/01/2007.  
**Parcel Boundaries** - Delaware DataMIL, 06/26/2008.  
**Streets and Roads** - Delaware DataMIL, 2nd TeleAtlas Delivery, 08/08/2008.  
**Railroads** - Delaware Department of Transportation, 1992, amended by IPA to reflect removal of Main Street North tracks.  
**Rivers, Streams, Lakes, and Ponds** - U.S. Geological Survey (USGS), National Hydrology Dataset-High Resolution, 11/15/2005.  
**Floodplains** - Delaware Department of Natural Resources and Environmental Control (DNREC); Federal Emergency Management Agency (FEMA), Digital Flood Insurance Rate Map (FIRM) as amended by New Castle County 10/06/2000 and Kent County 05/03/2003.

**Note**  
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# TOWN OF CLAYTON

## Map 5 Transportation Facilities

### Roads & Railroads

- U. S. Roads
- Local Roads
- State Roads
- Railroads

### Bicycle Routes

- State Route 1
- Regional Route K-1
- Regional Connectors
- Existing Local
- Proposed Local

### Potential Rail to Trail

- Clayton-Easton Rail Line

### Sidewalks

- Existing
- Planned

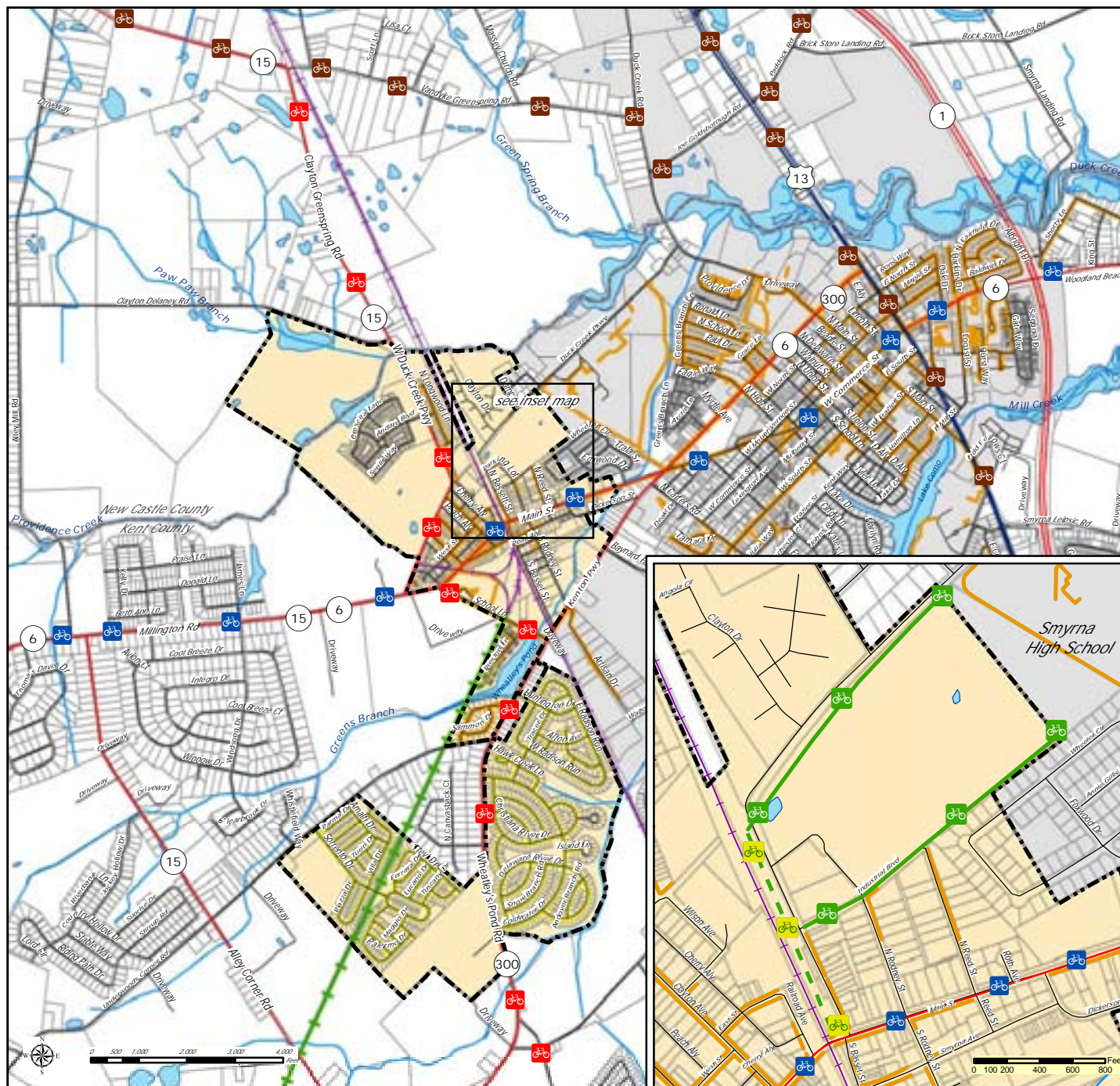
### Base Map Data

- County Boundaries
- Parcel Boundaries
- Clayton Town Limits
- Lakes & Ponds
- Smyrna Town Limits
- Rivers & Streams

Adopted by the Clayton Town Council 12/08/2008  
Certified by the Governor 01/07/2009

**Sources**  
**Streets and Roads** - Delaware DataMill, 2nd Quarter TeleAtlas, 08/08/2008.  
**Railroads** - Delaware Department of Transportation (DelDOT), 1992, amended by IPA to reflect removal of Main Street North tracks.  
**Bicycle Routes** - DelDOT, Delaware Bicycle Facilities Master Plan, October 2005.  
**Sidewalks** - Dover/Kent Metropolitan Planning Organization, 2005, amended by IPA to reflect Clayton subdivisions through October 2007.  
**Municipal Boundaries** - Office of State Planning Coordination; Clayton as of 11/15/2005, Smyrna as of 10/01/2007.  
**Parcel Boundaries** - Delaware DataMill, 06/26/2008.  
**Rivers, Streams, Lakes, and Ponds** - U.S. Geological Survey, National Hydrology Dataset-High Resolution, 11/15/2005.

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# TOWN OF CLAYTON

## Map 6 Current Land Use

### Land Uses

- Open Space
- Residential
- Community Service
- Commercial
- Utilities
- Industrial
- Railroad
- Undeveloped

### Base Map Data

- Clayton Town Limits
- Smyrna Town Limits
- Parcel Boundaries
- Streets & Roads
- Railroads
- 100-Year Floodplain
- Lakes & Ponds
- Rivers & Streams

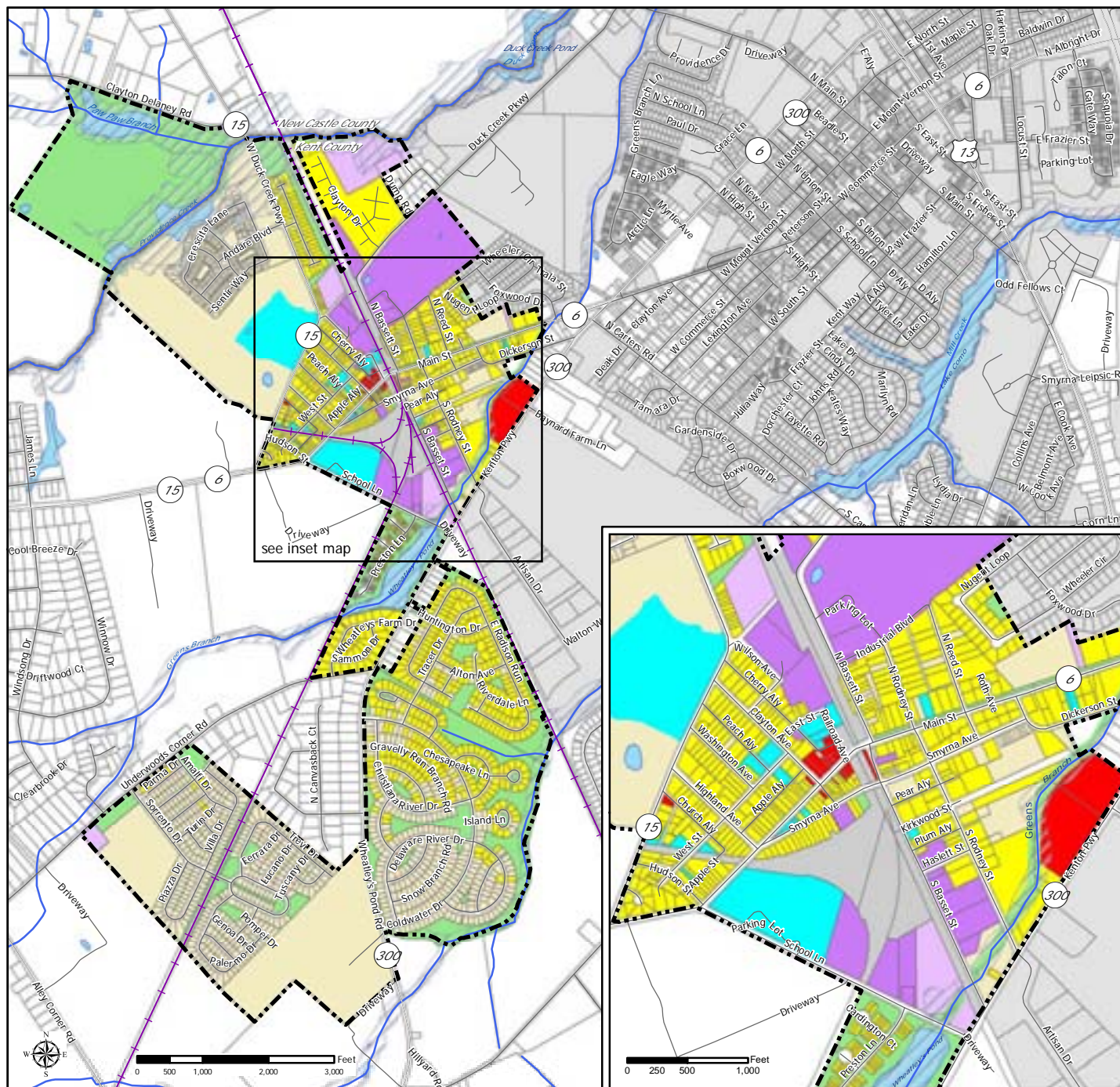
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### Sources

**Municipal Boundaries** - Office of State Planning Coordination; Clayton 11/15/2005, Smyrna 10/01/2007.  
**Parcel Boundaries** - Delaware Data/Mi, 06/26/2008.  
**Streets and Roads** - Delaware Data/Mi, 2nd Quarter TeleAtlas Delivery, 08/08/2008.  
**Railroads** - Delaware Department of Transportation, 1992, amended by IPA to reflect removal of Main Street North tracks.  
**Floodplains** - Delaware Department of Natural Resources and Environmental Control (DNREC); Federal Emergency Management Agency (FEMA), Digital Flood Insurance Rate Map (FIRM) as amended by New Castle County 10/06/2000 and Kent County 05/03/2003.  
**Rivers, Streams, Lakes, and Ponds** - U.S. Geological Survey, National Hydrology Dataset-High Resolution, 11/15/2005.

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# TOWN OF CLAYTON

## Map 7 Future Land Use

### Within Town Boundary

	Open Space		Commercial
	Residential		Industrial
	Town Center		Railroad

### Proposed Annexations

	Residential		Railroad
	Commercial		

### Preservation Proposal

	R.C. Peoples Farm
--	-------------------

### Environmental Elements

	Wellhead Protection Areas		100-Year Floodplain
	Excellent Recharge Areas		Non-Tidal Wetlands

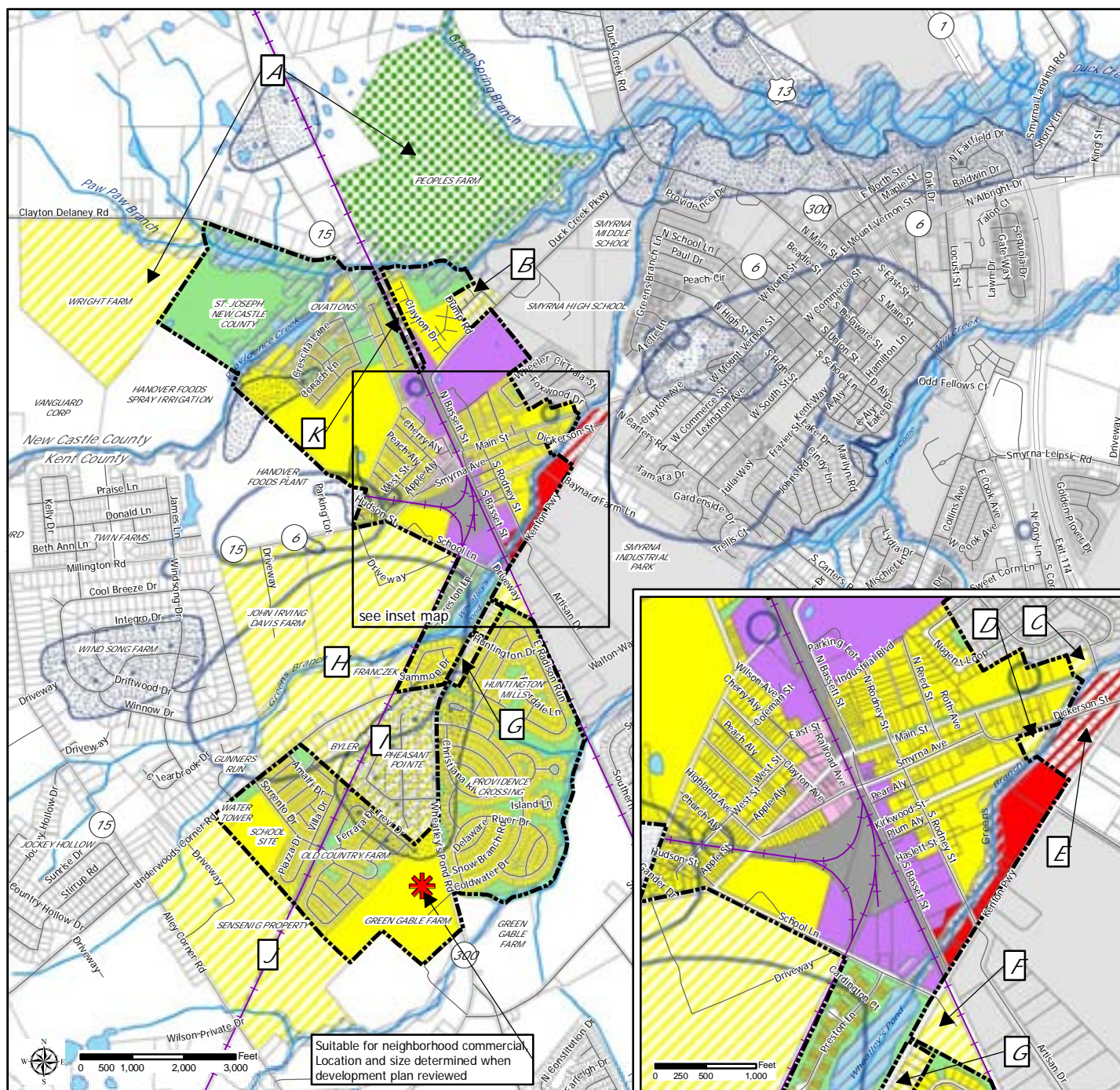
### Base Map Data

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	Clayton Town Limits		Railroads
	Smyrna Town Limits		Lakes & Ponds
	Parcel Boundaries		Rivers & Streams

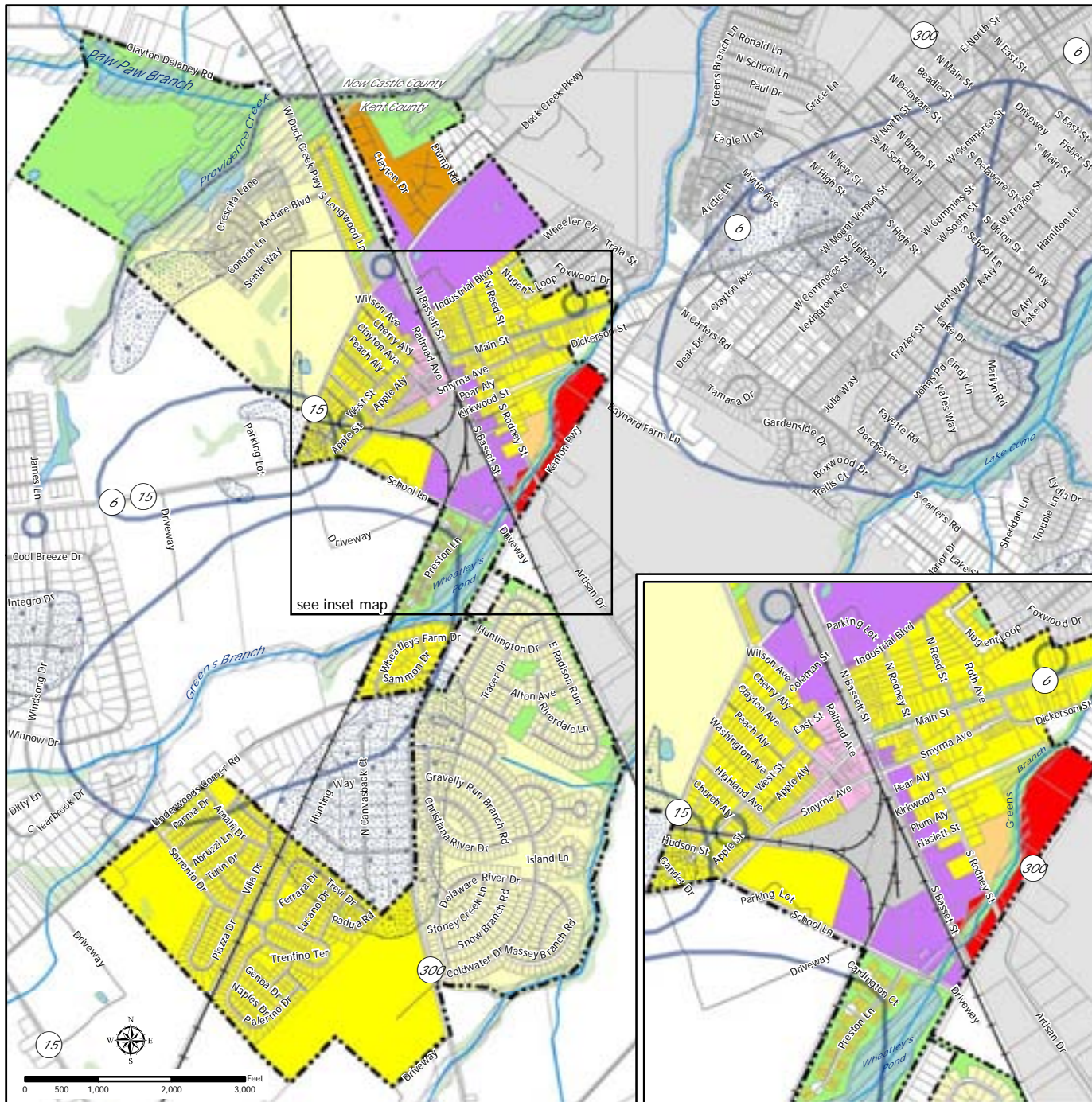
Adopted by the Clayton Town Council 12/08/2008  
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**Sources**  
Wellhead Protection Areas - Delaware Department of Natural Resources and Environmental Control (DNREC), Water Supply Section, November 2005.  
Recharge Areas - Delaware Geological Survey (DGS) and DNREC, August 2008.  
Floodplains - DNREC; Federal Emergency Management Agency (FEMA), Digital Flood Insurance Rate Map (FIRM) as amended by New Castle County 10/06/2000 and Kent County 05/03/2003.  
Wetlands - Statewide Wetlands Mapping Project (SWMP), DNREC, 2000.  
Municipal Boundaries - Office of State Planning Coordination; Clayton as of 11/15/2005, Smyrna as of 10/01/2007.  
Parcel Boundaries - Delaware DataMII, 05/26/2008.  
Streets and Roads - Delaware DataMII, 2nd Quarter TeleAtlas, 08/08/2008.  
Railroads - Delaware Department of Transportation, 1992, amended by IPA to reflect removal of Main Street North tracks.  
Rivers, Streams, Lakes, and Ponds - U.S. Geological Survey, National Hydrology Dataset-High Resolution, 11/15/2005.

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# TOWN OF CLAYTON

## Map 8 Existing Zoning

### Zoning Districts

	OS, Open Space		TC, Town Center
	RS, Residential Suburban		C2, General Commercial
	R, One-Family & Townhouse		I, Industrial
	R1, Multiple-Family		RR, Railroad
	RMH, Manufactured Housing		

### Environmental Elements

	Wellhead Protection Areas		100-Year Floodplain
	Excellent Recharge Areas		Non-Tidal Wetlands

### Base Map Data

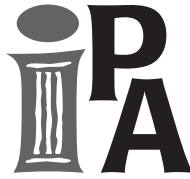
	County Boundaries		Streets & Roads
	Clayton Town Limits		Railroads
	Smyrna Town Limits		Lakes & Ponds
	Parcel Boundaries		Rivers & Streams

Adopted by the Clayton Town Council 12/08/2008  
Certified by the Governor 01/07/2009

**Sources**  
**Zoning Districts** - Town of Clayton Comprehensive Rezoning 02/13/2006; Denbore Rezoning 10/08/2007.  
**Municipal Boundaries** - Office of State Planning Coordination; Clayton 11/15/2005, Smyrna 10/01/2007.  
**Parcel Boundaries** - Delaware DataMil, 06/26/2008.  
**Streets and Roads** - Delaware DataMil, 2nd TeleAtlas Delivery, 08/08/2008.  
**Railroads** - Delaware Department of Transportation, 1992, amended by IPA to reflect removal of Main Street North tracks.  
**Rivers, Streams, Lakes, and Ponds** - U.S. Geological Survey, National Hydrology Dataset-High Resolution, 11/15/2005.  
**Wellhead Protection Areas** - Delaware Department of Natural Resources and Environmental Control (DNREC), Water Supply Section, November 2005.  
**Recharge Areas** - Delaware Geological Survey (DGS) and DNREC, August 2008.  
**Floodplains** - DNREC; Federal Emergency Management Agency (FEMA), Digital Flood Insurance Rate Map (FIRM) as amended by New Castle County 10/06/2000 and Kent County 05/03/2003.  
**Wetlands** - Statewide Wetlands Mapping Project (SWMP), DNREC, 2000.

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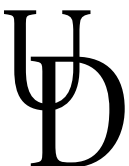


***Institute for Public Administration  
College of Human Services, Education & Public Policy  
University of Delaware  
180 Graham Hall  
Newark, DE 19716-7380***

*phone: 302-831-8971 e-mail: [ipa@udel.edu](mailto:ipa@udel.edu) fax: 302-831-3488*

***[www.ipa.udel.edu](http://www.ipa.udel.edu)***

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