

I. Historic Preservation Element

Element Defined

Long before Delaware became the “First State,” its first peoples were members of the Lenni Lenape, also called the Delaware Tribe, and Lenape Nanticoke nations. Settling throughout the Delmarva peninsula, the tribes utilized the rich resources found along the Delaware Bay to sustain life for centuries. New Castle County’s European history begins in the early seventeenth century, when Dutch and Swedish explorers established military forts and trading posts along the Delaware Bay and Delaware River. In 1651, the Dutch constructed Fort Casimir on land which is now the Town of New Castle. England gained control of Dutch territory along the Delaware River in the 1660s and by the 1670s, Delaware was placed under the control of the Duke of York and became one of the original thirteen colonies.

Since its incorporation, New Castle County has played a vital role in American history. Colonial settlers in Delaware would become leading members of the American Revolution; Delaware was the first of the original 13 colonies to ratify the Constitution that formed the United States government. By the early nineteenth century, the economy in New Castle County was characterized by a mix of agriculture and industry, including the establishment of the DuPont powder mills in 1802. The Chesapeake and Delaware Canal was completed in 1829 and established an important trade network through Delaware and Maryland which spurred the establishment of small towns such as St. Georges. The Piedmont region of Delaware was characterized by mills and mushroom farms while south of the canal saw important technological advances in farming practices led by the rural elite. In the years leading up to and during the Civil War, New Castle County was an important stop on the Underground Railroad and home to many abolitionists. The Industrial Revolution took off within New Castle County as it did in many eastern states. By the early twentieth century, the suburbanization of New Castle County saw its early beginnings after the years of the Industrial Revolution. Today, New Castle County’s landscape is largely characterized by suburban development that boomed in the mid-twentieth century and continues to grow even today. New Castle County is home to several cultural institutions, including Winterthur and Hagley Museum, that continue to tell the story of the County’s history for the benefit of residents and visitors.

New Castle County has a long history of historic preservation policy dating back to the 1970s. In 1966 with the passage of the National Historic Preservation Act, the nation saw a push to preserve historic resources. New Castle County was quick to establish Historic overlay zoning districts in the early 1970’s. The first established Historic overlay zoning district was Holly Oak, which was rezoned in 1976. Today, New Castle County participates in the Certified Local Government (CLG) program, which is a federal program that helps state and local governments participate in historic preservation initiatives. By having an historic resources code and active Historic Review Board, New Castle County meets the requirements to participate in the CLG program and is able to receive preservation benefits in the form of an annual grant.

As New Castle County continues to identify, evaluate, and target areas where growth should occur, it should also target the preservation of historic resources and districts. Historic resources play an important role in ‘placemaking’; therefore, the County should identify opportunities to preserve these historic resources for the benefit of residents and visitors.

The continued preservation and protection of resources (buildings, structures, sites, objects, districts and landscape features) that have architectural, cultural, archaeological, educational and aesthetic value are critical to the character of the County. Their preservation play an important role in the health, prosperity and welfare of all citizens of the County and enhances the quality of life for all.

What We Heard

“What do you think the biggest challenge is for historic preservation in New Castle County?”

- Development pressure
- Big business
- Perceived cost
- Need more code protections
- Lack of cultural interpretation
- Retail development
- Need incentives
- Planning
- Lack of solid planning
- Developers
- People not aware of what properties and areas are historic
- Too expensive to make historic buildings fit modern needs”

– Public Poll Responses, Deep Dive Session 4

“As part of the comprehensive planning process, we have to look at these resources and identify viable ways to encourage and ensure their preservation. To preserve historic resources and promote their value and significance through the comprehensive plan’s goals and strategies, we should identify opportunities for historic preservation and placemaking and pair them together.” – Betsy Hatch, Historic Preservation Planner NCC Department of Land Use, Deep Dive Session 4

New Castle County Today

Historic preservation practices in New Castle County continue to evolve over time as historic resources are continually identified. New Castle County’s Unified Development Code states that in order to be evaluated for historic designation, a resource should generally be a minimum of 50 years in age. In order to achieve its goals and encourage historic preservation, the County has several key tools on the local, state, and national level. In November of 2020, New Castle County adopted an ordinance that enhanced and modernized the Historic Review process and achieved several key goals including incentives for Historic overlay zoning, preservation of historic resources on major land development plans, and new powers to the Historic Review Board pertaining to demolition permits. In order to understand historic preservation in New Castle County, it is important for residents to understand the current tools at the County’s disposal.

New Castle County Historic Review Board

The New Castle County Historic Review Board is established under the County’s Unified Development Code and is charged with making recommendations and decisions on land use applications that impact the County’s historic resources. The Historic Review Board is one of

the primary authorities for historic resources in the unincorporated portions of the County. These applications include, but are not limited to, building and demolition permits, land development plans, Historic overlay rezonings, and nominations to the National Register of Historic Places.¹ The Historic Review Board also plays a pivotal role in the Demolition by Neglect regulations, which require that the County's historic resources within the bounds of an Historic overlay zone are maintained to a certain standard to avoid deterioration due to lack of maintenance.

The Historic Review Board consists of nine members that are appointed by the County Executive and County Council. The Board members are comprised of preservation professionals including an architect and archaeologist, as well as individuals who have demonstrated a concern in the field of historic preservation and have knowledge of the County's history.

New Castle County Historic Overlay Zoning Districts

New Castle County developed Historic overlay zoning in the 1970s as a tool to assist property owners with the protection of the integrity of their historic properties. It was intended to identify properties where renovations or other changes should be carefully considered and planned. Only exterior alteration and new development of land within the overlay zoning districts require historic review. The general philosophy behind the Historic overlay zoning districts is to respect the original character of the historic property by making repairs and renovations as seamless as possible. Historic overlay zoning districts are distinct from other historic designations, such as the National Register of Historic Places.

Today, New Castle County has 49 Historic overlay zoning districts, which are districts are designated by the Historic Review Board and County Council. In order to qualify, each district must be at least 50 years in age, or exceptionally significant to New Castle County, in addition to meeting one or more of 14 criteria outlined in the Historic Resources code. These districts have a unique set of regulations as established by the County to preserve the character of the resources while also supporting adaptive reuse and prevention of demolition by neglect. The 49 Historic overlay zoning districts span 335 parcels that include historic resources, vacant land that contribute to the character of an area, and even a major subdivision. In addition to designated regulations, Historic overlay zoning districts offer other incentives for owners, including development incentives, adaptive reuse opportunities, and tax credits. See *Map I-1* displaying the current Historic Overlay Zoning Districts within New Castle County.

New Castle County Historic and Cultural Resource Design Guidelines

The County established Historic and Cultural Resource Guidelines in 2006 to assist in the review of applications for modifications and new developments within the Historic overlay zoning districts. Similar to the Secretary of the Interior Standards for the Treatment of Historic Properties, the New Castle County Historic and Cultural Resource Design Guidelines can be a helpful tool for all projects that may impact an historic resource. Because Historic overlay zoning districts are not concentrated in one area of the County, there was an identified need for flexible and diverse guidelines on the local level. The resources included in the County's Historic overlay zoning districts span more than 200 years and include more

¹ For a full definition of the Historic Review Board's responsibilities, visit Section 40.30.330 of the Unified Development Code.

than 15 historic architectural styles, so the guidelines provide the flexibility for property owners to make changes that are appropriate to each building’s particular style. The design guidelines provide the principles of the County’s preservation approach, but do not dictate required styles, regulate the interior use of the properties (beyond the existing base zoning of the area), or require a single treatment that should be applied to all buildings in a district. When making determinations on proposals in Historic overlay zoning districts, the Historic Review Board consults the design guidelines.

Demolition By Neglect Provisions

The County’s Property Maintenance Code and Unified Development Code address “demolition by neglect.” This term refers to allowing a property to deteriorate by lack of care and maintenance to a point that demolition is the only safe or financially feasible option. This is often done by owners of historic properties who do not want or cannot afford to maintain the property to meet historic guidelines. New Castle County is required to inspect properties within the Historic overlay zoning districts annually to ensure that this does not occur. These inspections are reported to the HRB, and County Council and any property owners found to be neglecting their property will be notified and given an opportunity to respond to the claim.

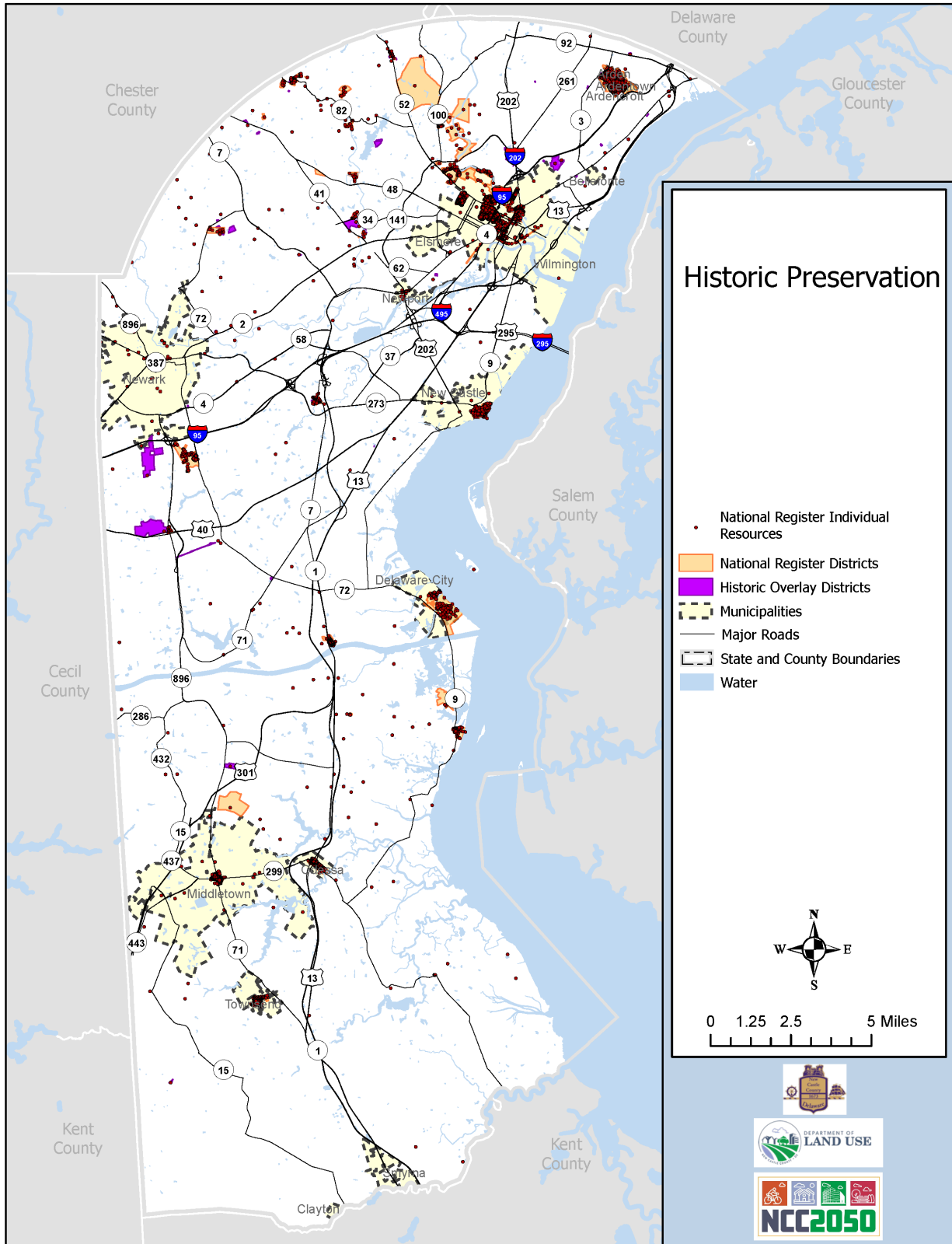
New Castle County Historic Marker Program

As a way of celebrating New Castle County’s historic resources and appreciation of the stewards of the County’s historic buildings, the Historic Marker Program was implemented in the winter of 2020. The program allows owners of County Historic overlay zoning districts to place a marker identifying that a structure is an officially designated New Castle County historic resource. So far, two historic markers have been placed on County historic resources since the program’s implementation (See *Figure I-1*).



Figure I-1: Example of County historic marker

Map I-1: Historic Overlay Zoning Districts



Certified Local Government Program

The [State of Delaware's Certified Local Government Program](#) (CLG) provides technical and financial assistance while encouraging preservation programs and practices at the local level. The CLG Program is a national program administered in Delaware by the State Historic Preservation Office (SHPO) in partnership with the National Park Service. Local governments can pursue CLG status to be eligible to receive this technical assistance and eligibility for grants to enhance the local government's historic preservation activities. CLG status requires the local government to enforce a preservation ordinance, establish a preservation committee, provide adequate public participation, review local National Register of Historic Places (NRHP) nominations, and maintain a publicly available list and map of local historic properties.

As a participant in the CLG program, New Castle County has the opportunity to apply for annual grant funds to promote various preservation activities in the County. In recent years, the County has partnered with the University of Delaware Center for Historic Architecture and Design (CHAD) to complete various documentation projects and nominations to the NRHP. Of those recent projects, New Castle County recently saw four resources added to the NRHP through participation in the CLG Program:

Parkers Dairy Palace

Listed October 15, 2019, Parker's Dairy Palace (See *Figure I-2*) is the best-known surviving example of a 1950s drive-in/walk-up soft serve ice cream stand remaining in New Castle County, Delaware.



Figure I-2: Historical photos of Parkers Dairy Palace

Florence and Isaac Budovitch House

Listed on January 30, 2020, the Florence and Isaac Budovitch House was constructed between 1955 and 1956 (See **Figure I-3**). This Contemporary style dwelling was designed by New York architect Edgar Tafel, an apprentice of Frank Lloyd Wright, and features distinctive Prairie School/Wrightian influences. The Budovitch House is significant at the local level as the only known Tafel-designed commission in the State of Delaware and as an excellent example of well-preserved mid-20th century Contemporary residential architecture.



Figure I-3: Florence and Isaac Budovitch House

Newark Union Church and Cemetery

Listed on February 6, 2020, Newark Union Church and Cemetery (See **Figure I-4**) served a wide range of religious groups for a total of nearly 300 years including Quakers, Methodists, Presbyterians, Anglicans and non-denominational Christians. Both the cemetery (founded in the late-17th century and still accepting burials) and the surviving Newark Union Church (built in 1845 and remodeled in 1906) represent the evolving religious demographics of residents north of Wilmington.



Figure I-4: Newark Union Church and Cemetery

(St. Daniels) African Union Church and Cemetery of Iron Hill

Listed on September 9, 2021, St. Daniels Church was constructed between 1852 and 1856 and is locally significant as the oldest known surviving, free Black church in northern Delaware that was built as part of Peter Spencer's African Union Church movement (See *Figure I-5*).



Figure I-5: (St. Daniels) African Union Church and Cemetery of Iron Hill

Byways and National Historic Trails in New Castle County

In addition to historic structures and sites, New Castle County also contains historically significant thoroughfares referred to as byways. There are two types of byways found in New Castle County, federally designated byways and state byways. The National Scenic Byways Program is overseen by the United States Department of Transportation's Federal Highway Administration in cooperation with state departments of transportation and other related agencies. The Delaware Byways Program began with the passing of Senate Bill 320 in 2000. This bill allowed DelDOT to establish a scenic byway advisory committee that is comprised of a variety of state and local agencies, which select byway locations throughout the state. The major differences between the two programs are funding sources and availability, as well as the level of local involvement as the state program allows for more local input than the federal program.

Designated byways in both programs possess certain intrinsic qualities that contribute to the history and historic landscape in New Castle County that should be continually preserved. The County is currently exploring a legislative approach to enhance protection of the byways through scenic viewshed protection paired with existing historic resource regulations. There are currently four byways within New Castle County:

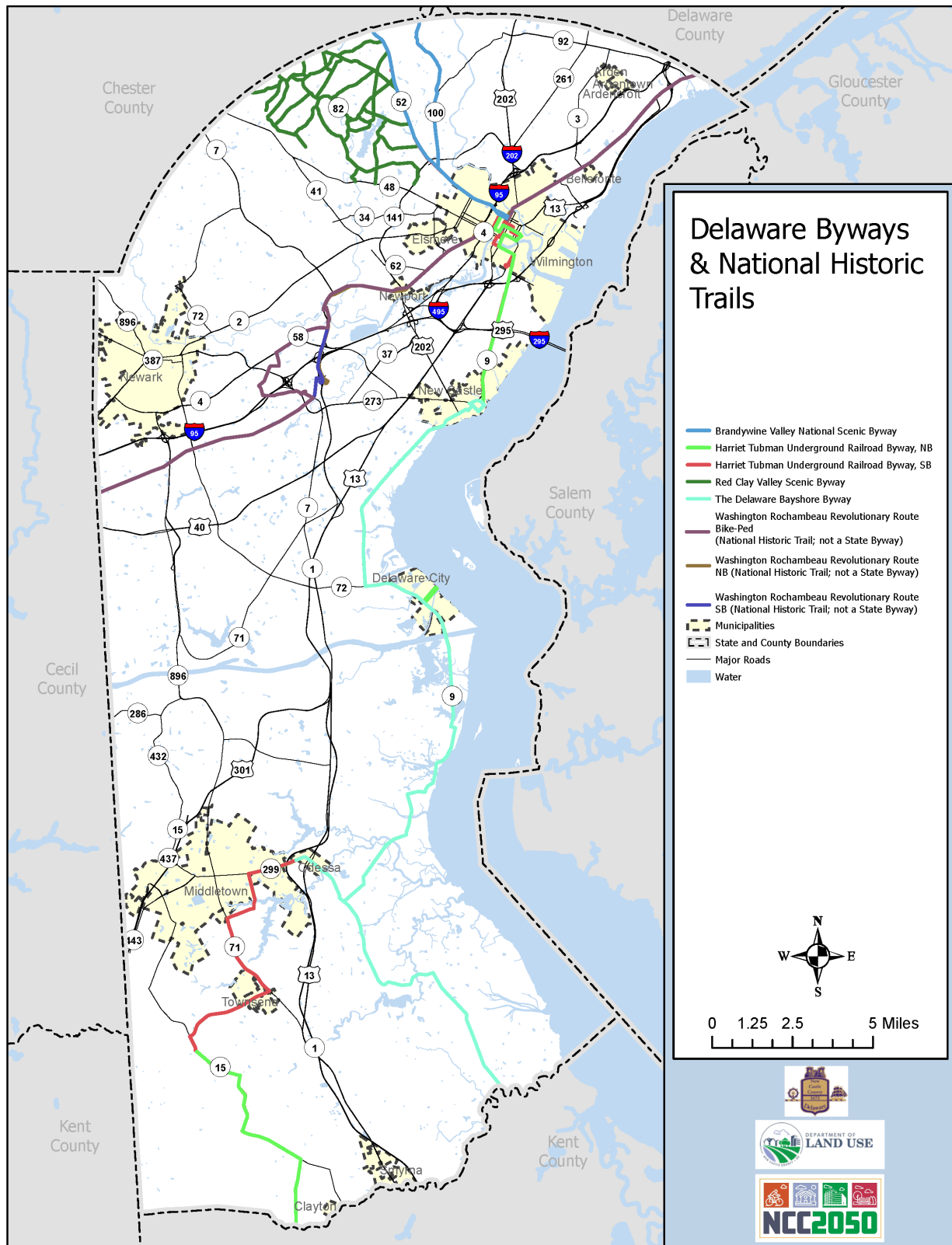
- The Brandywine Valley National Scenic Byway (federal)
- The Red Clay Valley Scenic Byway (state)
- The Harriet Tubman Underground Railroad Byway (state)
- Delaware Bayshore Byway (state)

National Trails

The National Trails system was established by the National Trails System Act of 1968 and includes scenic, historic, and recreational trails maintained by the National Park Service (NPS). The Washington-Rochambeau Revolutionary Route runs through northern New Castle County and can be enjoyed by residents and visitors wishing to learn more about the movements of General Rochambeau's French Army and the Continental Army to Yorktown, Virginia, which ultimately led to the end of the Revolutionary War.

See *Map I-2* for the byway and National Historic Trail locations throughout New Castle County.

Map I-2: Byways and National Historic Trails



National Register of Historic Places

New Castle County is home to hundreds of historic buildings, sites, structures, and resources that are listed on the National Register of Historic Places (NRHP). While Historic overlay zoning districts are regulated locally by the Historic Review Board, the resources on the NRHP are listed nationally through the National Park Service (NPS).

The NRHP coordinates and supports both public and private efforts to identify, evaluate, and protect America's historical and archeological resources. In order to qualify for the National Register of Historic Places, a resource must meet one of more of four criteria.

- A. Is associated with events that have made a significant contribution to the broad patterns of our history; or
- B. Is associated with the lives of persons significant in our past; or
- C. Embodies the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. Has yielded or may be likely to yield, information important in history or prehistory.

The [National Historic Preservation Act \(NHPA\)](#) defines a resource as any “prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion on, the National Register of Historic Places, including artifacts, records, and material remains related to such a property or resource.” According to the NPS, NRHP Historic Districts include “a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.”

The National Register of Historic Places program remains a crucial planning tool for preservation on the local, state, and federal level. Resources listed on the NRHP automatically qualify for County Historic overlay zoning and therefore are immediately flagged when part of building project or land development proposals. Properties listed on the NRHP qualify for incentives such as federal, state, and local tax credits. Section 106 of the NHPA requires that each federal agency identify and assess the effects its actions may have on historic buildings and must consider public views and concerns about historic preservation when making project decisions. The Advisory Council on Historic Preservation, which is the regulatory body to determine nationally designated resources, regulates the Section 106 process. The County is often a consulting party in this process as part of intergovernmental coordination and historic preservation planning activities on a regional and federal level.

Currently, New Castle County has over 5,000 resources individually listed on the NRHP, as well as 42 National Register Historic of Places Districts.²

Similar to the National Register of Historic Places, the National Historic Landmarks Program (NHL) is a list of historic buildings, sites, structures, objects, and districts that represent an outstanding aspect of American history and culture. There are currently 12 National Historic Landmarks in New Castle County. While unincorporated New Castle County has 4, many of the designated NHL's are located within the County's municipalities.

² Data source: Delaware Historical and Cultural Affairs

Tax Incentive Programs

New Castle County Tax Credit Program

New Castle County properties listed on the National Register of Historic Places or within an Historic overlay zoning may be eligible for [historic tax credits](#) that are applied to County property taxes.

State Tax Credits

Delaware's [Historic Preservation Tax Credit Program](#) provides assistance for preservation or rehabilitation of historic buildings. Buildings must be listed on the NRHP or certified in another way as contributing to an historic district.

Federal Tax Credits

Listing in the NRHP, as described below, makes historic properties eligible for [federal preservation tax credits](#) from the National Park Service which has distributed more than \$45 billion in private investment and National Park Service grant programs like [Save America's Treasures](#) and [Preserve America](#).

Future Historic Preservation in New Castle County

While much work is occurring to further the preservation of historic resources in New Castle County, demolition by neglect remains a relevant issue throughout the County. The National Register of Historic Places and County Historic overlay zoning district can be used to effectively preserve many of the places facing potential threats. Through these programs and careful planning, New Castle County can continue to encourage and reward preservation efforts, enhance community character, and enrich the lives and surroundings of residents.

A similar issue exists south of the Chesapeake and Delaware canal. Agricultural lands that have played a vital role in the advancement of New Castle County are threatened by development. This not only effects the natural environment but threatens the preservation of historic features linked to New Castle County's rich farming heritage. Continuing to incorporate historic resource protection into the planning and development process is vital to preserving the past while promoting an innovative and successful future.

The County is evaluating and targeting areas where growth should occur, which includes designating historic districts and resources that are appropriate and compatible for development and "placemaking," as well as identifying other opportunities to preserve historical resources. For example, Christiana Village is in an area with sufficient infrastructure, property density, and a rich heritage that can grow and be celebrated through appropriate community design and planned growth. Another preservation opportunity is Port Penn, just south of the canal on Route 9 with similar attributes, where growth should be concentrated to preserve the vibrant surrounding agricultural land.

Related Goals, Objectives, and Strategies

12. Goal: The value and significance of the historic, prehistoric, and cultural resources in the county are known and promoted; significant resources are preserved for the benefit of residents and visitors.

12.1. Objective: Increase awareness of the county's historic/prehistoric/cultural resources, including tourism promotion.

12.1.1. Strategy: Create opportunities for the community to learn about historic preservation and participate in research and preservation efforts, such as an outreach program.

12.1.2. Strategy: Promote educational programs for the public, business, and development communities regarding the history, prehistory, and architectural history of the County, and the process and benefits of historic preservation.

12.1.3. Strategy: Digitize and publish New Castle County historic property inventory records for public use.

12.1.4. Strategy: Work with educational institutions and community organizations to feature the stories and resources.

12.2. Objective: Increase preservation and adaptive reuse of the county's historic/prehistoric/cultural resources.

12.2.1. Strategy: Develop a County-wide historic preservation plan, including inventorying and prioritizing existing historical sites and sites of historical significance that will be eligible for protection. The plan will have goals and strategies for protecting specific historic buildings, contexts, areas, landscapes, and resources, with emphasis on broadening the concept of historic resource preservation in the County Code to include landscapes and context.

12.2.2. Strategy: Preserve in our neighborhoods and across our county that which is meaningful and supports our quality of life by protecting and enhancing environmental, historical, and cultural assets.

12.2.3. Strategy: Define and incorporate greater protections for historic landscapes and contexts.

12.2.4. Strategy: Inventory and survey abandoned/neglected properties with potential historic significance.

12.2.5. Strategy: Develop a comprehensive approach to historic preservation in New Castle County that proactively incentivizes and rewards

residents for engaging in historic preservation activities, including Historic overlay zoning.

12.2.6. Strategy: Establish a program to work with property owners to preserve historic properties, with a focus on endangered resources and threats of demolition by neglect, in complement to more stringent enforcement of “demolition by neglect” laws.

12.2.7. Strategy: Create a grant or loan program to assist the owners of historically significant properties in maintaining the structural integrity and historic character of their structures.

12.2.8. Strategy: Strengthen the development incentives for preserving and rehabilitating historic structures as part of the land development process.

12.2.9. Strategy: Encourage adaptive reuse historic structures to preserve the character of existing neighborhoods, while providing options for small business owners.

12.2.10. Strategy: Be the example of careful preservation for residents, property owners, and developers by working to develop uses for historic properties owned by the County and by partnering with vocational high schools and college preservation trade programs.

12.2.11. Strategy: Continue supporting implementation of Byways efforts in the county.