

CITY OF DOVER PLANNING COMMISSION
Meeting and Quarterly Workshop Session
AGENDA
Monday, April 16, 2018 – 7:00 P.M.
City Hall, City Council Chambers
15 Loockerman Plaza, Dover, Delaware

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF AGENDA

ADOPTION OF MINUTES OF REGULAR MEETING of March 19, 2018

COMMUNICATIONS & REPORTS

- 1) Reminder: The next Planning Commission regular meeting is scheduled for MONDAY, May 21, 2018 at 7:00pm in the City Council Chambers.
- 2) Update on City Council Actions

OPENING REMARKS CONCERNING APPLICATIONS

OLD BUSINESS

- 1) Requests for Extensions of Planning Commission Approval: None
- 2) MI-18-03 Text Amendments: Manufactured Housing and Land Lease Communities (Dover Code of Ordinances, Chapter 66 and Zoning Ordinance, Article 3, Section 8 and Article 12)
–The Planning Commission on March 19, 2018 tabled action on the Review of Proposed Ordinance #2018-01 of Text Amendments to the *Dover Code of Ordinances*, Chapter 66 - Manufactured Homes, Mobile Homes, and Land Lease Communities; to *Zoning Ordinance*, Article 3, Section 8- Manufactured Housing (MH) Zone; and to *Zoning Ordinance*, Article 12- Definitions. *A Report on the Planning Commission’s Public Hearing and action to table this application was forwarded to City Council for their meeting of April 9, 2018. Planning Staff is working on the information requested by the Planning Commission; continued review is anticipated at a future meeting.*
- 3) Update on Appointment of the Architectural Review Oversight Subcommittee of Planning Commission (in accordance with *Zoning Ordinance*, Article 10 §2.28)

NEW APPLICATIONS: None

NEW BUSINESS

- 1) Presentation on Delaware PLAN4Health
 - a. *Guidance for Incorporating Health into the City of Dover’s Comprehensive Plan*

- 2) Project for Dover's 2019 Comprehensive Plan
 - a. Update on Project Activities
 - b. Evaluation of 2008 Goals and Recommendations

- 3) Department of Planning & Inspections Updates
 - a. Summary of 2017 and 2018 Applications

 - b. Updates on Current Studies and Projects
 - i. Downtown Parking Study
 - ii. Research Update on Potential *Zoning Ordinance* Amendments
 - iii. Certified Local Government (CLG) FFY2017 Grant Project and FFY2018 Grant Application

 - c. Updates on Program and Plan Activities
 - i. Downtown Development District Program
 - ii. Restoring Central Dover Community Plan

- 4) Open Discussion for Planning Commissioner Comments

ADJOURN

THE AGENDA ITEMS MAY NOT BE CONSIDERED IN SEQUENCE. THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS.

Posted Agenda: April 6, 2018

**CITY OF DOVER PLANNING COMMISSION
MARCH 19, 2018**

The Regular Meeting of the City of Dover Planning Commission was held on Monday, March 19, 2018 at 7:00 PM in the City Hall Council Chambers with Chairman Mr. Tolbert presiding. Members present were Mr. Holden, Mr. Roach, Ms. Edwards, Mr. Holt, Mr. Baldwin, Dr. Jones, Mrs. Welsh, Ms. Maucher and Mr. Tolbert.

Staff members present were Mrs. Dawn Melson-Williams, Mr. Eddie Diaz, Mr. Jason Lyon, Mr. Julian Swierczek and Mrs. Kristen Mullaney. Also present was Mr. Brian Finnegan. Speaking from the public was Mr. Michael Morton.

APPROVAL OF AGENDA

Mrs. Melson-Williams stated that there are a few updates to the agenda. First, is the correction of an application file number. Item #1 under New Applications, that application file number should be MI-18-03. It's listed on the agenda as MI-18-02. They discovered that there were two files that had the same file number so this text amendment being heard tonight is now tied to MI-18-03. Also, Site Plan S-18-03 Lidl Grocery Store & Retail Space at North DuPont Highway and Kings Highway NE will not be heard this evening at the request of the applicant to defer consideration. As noted on the agenda, that application and its public hearing will be rescheduled for a future meeting and will be subject to public notice requirements at that time. They did not complete public notice for this meeting, but it was on some of their information that could potentially be heard at this meeting.

Mrs. Welsh moved to approve the agenda as updated, seconded by Dr. Jones and the motion was unanimously carried 9-0.

**APPROVAL OF THE PLANNING COMMISSION MEETING MINUTES OF
FEBRUARY 20, 2018**

Ms. Edwards stated that there are typos on two of the applications from the February meeting that state Mr. Edwards instead of Ms. Edwards. Responding to Ms. Edwards, Mr. Tolbert asked that the record show the corrections to the minutes from February 20, 2018.

Mrs. Welsh moved to approve the Planning Commission Meeting minutes of February 20, 2018, seconded by Mr. Holt and the motion was unanimously carried 9-0.

COMMUNICATIONS & REPORTS

Mrs. Melson-Williams stated that the next Planning Commission regular meeting is scheduled for Monday, April 16, 2018 at 7:00pm in the City Council Chambers.

Mrs. Melson-Williams provided an update on the regular City Council and various Committee meetings held on February 26 & 27, 2018 and March 12 & 13, 2018.

Mrs. Melson-Williams stated that the Planning Office has started some of the initial steps in what will be the *2019 Comprehensive Plan* for the City of Dover. They have started some of the thinking process about how they are going to go about that so the Commission will definitely be

hearing more on that as we move through the upcoming months.

Mrs. Melson-Williams stated that there is a training opportunity from the University of Delaware Institute for Public Administration. Their next session which is Planning 203 which is scheduled for Friday, March 23, 2018 at the Paradee Center. If a Commission member is interested, Planning Staff can get them registered. It's Advanced Land Use Development Administration.

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

Mrs. Melson-Williams presented the audience information on policies and procedures for the meeting.

OLD BUSINESS

1) Requests for Extensions of Planning Commission Approval: None

2) Revisions to Applications:

- A. S-17-12 Capital Station Dover at 50 North DuPont Highway: Architecture Review – Review of Architecture for Building 4 associated with the commercial development to be known as Capital Station, at the northwest corner of North DuPont Highway and Division Street and also adjacent to Maple Parkway. The Planning Commission granted conditional approval on June 19, 2017 to the Site Development Plan S-17-12 for the development consisting of a 24,197 S.F. retail and restaurant multi-tenant building, a 6,625 S.F. retail and restaurant multi-tenant building, a 6,100 S.F. retail or restaurant building, a 6,080 S.F. restaurant building, and a 21,998 S.F. grocery store. Related site improvements include demolition of the former Playtex factory and provision of parking, landscaping, and pedestrian and bicycle facilities for the shopping center. The property is zoned SC-1 (Neighborhood Shopping Center Zone) and subject to the SWPOZ (Source Water Protection Overlay Zone – Tier 1: Secondary Wellhead Protection Area). The owner of record is Capital Station Dover LLC. Property Address: 50 North DuPont Highway. Tax Parcel: ED-05-077.06-01-02.00-000. Council District: 2.

Representative: Mr. Brian Finnegan, Capital Station Dover LLC

Mr. Diaz stated that back in June of 2017, the Planning Commission granted conditional approval of the Site Plan for Capital Station at 50 North DuPont Highway. As part of that approval, the Commission approved the architecture for four out of the five proposed buildings on the site. Those building include a 24,000 SF retail and restaurant building, a 6,600 SF retail and restaurant building, a 6,100 SF retail/restaurant building and a 22,000 SF grocery store. At that time, the Commission did not receive the architecture for Building 4 on the site which is in the northeast corner. The applicants were told that they would need to submit the architecture at a future meeting of the Planning Commission. They have submitted the architecture for this building that was seen before when the Comprehensive Sign Plan for the shopping center came through. This is the proposed appearance of a restaurant building which includes a variety of materials and colors throughout the building. Staff assessment of the architecture is that it complies with the Architectural Guidelines of the *Zoning Ordinance*. Tonight, the Planning

Commission needs to either approve the architecture as submitted or if necessary, request changes.

Mr. Finnegan stated that Mr. Diaz stated perfectly why they are here tonight. He has nothing to add; he is just here for any questions or concerns that the Commission has regarding the architecture.

Mr. Tolbert questioned if the applicant had any problem working with Staff in a collaborative manner with whatever requests or statements that they may make regarding the application? Responding to Mr. Tolbert, Mr. Finnegan stated no.

Mr. Holden moved to approve S-17-12 Capital Station Dover at 50 North DuPont Highway: Architecture Review for Building 4, seconded by Mrs. Welsh and the motion was carried 9-0 by roll call vote. Mr. Holden voting yes; due to the pass success of the Site Plan and Staff comments. Mr. Roach voting yes; it looks beautiful and it's going to be a welcomed addition. He loves the fact that the applicant took attention to detail to add signage to the back of the building. Ms. Edwards voting yes; she thinks that it will make a great addition to the City of Dover. Mr. Holt voting yes; it will be a great addition to the site. Mr. Baldwin voting yes; for the reasons previously stated and also the colors tend to tie in with the rest of the complex. Dr. Jones voting yes; it's a welcomed addition and things are moving along nicely. Mrs. Welsh voting yes; for all of the reasons previously stated. Ms. Maucher voting yes; for reasons previously stated. Mr. Tolbert voting yes; he sees no reason to change his vote. He votes yes before and the changes that are being presented now do not constitute a need to make any changes to his previous vote.

NEW APPLICATIONS

1) MI-18-03 Text Amendments: Manufactured Housing and Land Lease Communities (Dover Code of Ordinances, Chapter 66 and Zoning Ordinance, Article 3, Section 8 and Article 12) – Public Hearing and Review for Recommendation to City Council on Text Amendments to the *Dover Code of Ordinances*, Chapter 66 - Manufactured Homes, Mobile Homes, and Land Lease Communities; to *Zoning Ordinance*, Article 3, Section 8- Manufactured Housing (MH) Zone; and to *Zoning Ordinance*, Article 12- Definitions. The proposed ordinance reorganizes and clarifies a portion of the updates to the Dover Code made in August 2016 through Ordinance #2016-16. The proposed ordinance also brings the updates into compliance with provisions of the *Delaware Code* related to manufactured housing and rental housing, particularly Title 25, Chapters 53, 55, 70, and 71. The updates affected include requirements for placing and licensing manufactured homes, standards for management and maintenance of land lease communities, taxation, and code enforcement. A distinction is also made between manufactured homes and permanently placed manufactured homes in the *Zoning Ordinance*.

- A copy of the Proposed Ordinance #2018-01 is available on the City's website www.cityofdover.com under the Government Heading: Ordinances, Resolutions & Tributes. <https://www.cityofdover.com/ordinances-and-resolutions>

The Legislative, Finance, and Administration Committee reviewed the proposed Text Amendments on February 13, 2018 and the First Reading before City Council occurred on February 26, 2018.

The Public Hearing before the Planning Commission is set for March 19, 2018 and Public Hearing and Final Reading before City Council is on April 9, 2018.

Representative: None

Mr. Tolbert recused himself because he is resides in a manufactured home.

Mr. Diaz stated that this is series of Text Amendments to the *Dover Code of Ordinances*. The majority are in Chapter 66 Manufactured Homes, Mobile Homes and Land Lease Communities. A few are also in the *Zoning Ordinance*, Article 3 Section 8 which is the Manufactured Housing Zone and the *Zoning Ordinance*, Article 12 Definitions. We last had a major update to the provisions of the Code dealing with manufactured housing back in August 2016. Following that update and some concerns raised by the manufactured housing community, they recognized the need for additional changes to better conform the Ordinance with State Law and then also to clarify the procedures for enforcing the Ordinance and finally to reorganize Chapter 66 so that it would be easier to navigate and present the information in it in a more straight forward manner. Some of the substantial changes of this Ordinance include adding provisions to let land lease community owners pass on maintenance responsibilities to tenants. There are also revised provisions for office hours and rent receipts. In the *Zoning Ordinance*, there are provisions establishing that homes which are taxed and homes which only pay manufactured home license fees would not be permitted on the same parcel of land in order to simplify the Tax Assessor's tracking of what is taxed and what isn't.

We received a few comments from the Development Advisory Committee regarding the proposal. One is that stormwater facilities should be added to the list of private utilities a community owner would normally be responsible for. That has resulted in Staff Amendment #1 which can be found at the end of the DAC Report. The other major comment was that the Chief Building Inspector asked us to cross check the proposed changes with the upcoming proposed changes to the Building Code which is being updated from the 2009 version of the International Residential Code to the 2018 version. The 2018 version contains its own provisions for manufactured homes and they were asked to make sure that there would be no conflicts. Tonight, the proposed ordinance updates need either a positive or a negative recommendation from the Commission members. Staff will forward that recommendation to City Council for their approval or denial of the Ordinance.

Mr. Holt stated that he noticed that some of the streets going into the trailer parks need a lot of work done. Some of them have bad holes in the streets and if you are not careful you will end up losing a wheel or something. He questioned if this Ordinance will try to correct this situation in the parks? Responding to Mr. Holt, Mr. Diaz stated that where the streets are the private property of the manufactured housing community, this should create some stronger provisions for enforcing that maintenance.

Ms. Maucher questioned if there has been any input from the manufactured home community owner/operators or residents/tenants? Responding to Ms. Maucher, Mr. Diaz stated that input from the manufactured housing community owners was in large part of what lead to these proposed amendments during the second round. Their concern with the original amendment that

passed in 2016 was that it might contradict some aspects of State private property laws. The original Ordinance didn't contain allowances for them to by contract, assign maintenance over certain parts of their community to their tenants. For instance, the area immediately surrounding their homes and the landscaping that might be in that. That was the major concern that led to the change, but Staff believes that they have gone further than that in making the Ordinance clearer than it was before.

Dr. Jones stated that her concern would be if the homeowners had benefit of reading or hearing the changes or was the complete confidence placed in Staff and others to make the revisions? She is not uncomfortable; she just senses that there was reference to the concern from the very beginning. Responding to Dr. Jones, Mr. Diaz stated that homeowner representation was mainly led by Councilman Neil who sponsored the Ordinance.

Mr. Holden questioned if Staff could count the changes as being more or less protective of the tenants or provide us some commentary towards that end that gives them a flavor for what the changes are going to impart in the practical sense moving forward. Responding to Mr. Holden, Mr. Diaz stated that the original intent of the Ordinance updates in 2016 was definitely to be protective of the tenants by the provisions for maintenance directed at the community owners, adding better record keeping requirements, the requirement to post office hours where an onsite representative of the owner would be required to be at the community and things like requiring the owner to provide receipts to homeowners when they made payments for rent. With this latest Ordinance update, they have rolled that back a little bit to make things a bit easier on the community owners because their feedback was that the new provisions were too strict and didn't allow them the flexibility they needed to work with the tenants to share maintenance and responsibilities.

Mr. Holden stated that he found it a little odd that in order to move a manufactured home from its current site the owner has to get a Demolition Permit. Is it just lack of another process that it would account for? He is not sure why a Demolition Permit applies there. Responding to Mr. Holden, Mr. Diaz stated that a Demolition Permit applies because although the house itself may not be disassembled or trashed, there are still things that would have to happen to the site that would potentially be considered demolition like removing the footers of the old house, disconnecting utilities, etc. It is a sort of a misnomer for naming but that is something that has not changed since before the 2016 Ordinance.

Mr. Tolbert stated that Mr. Diaz made a statement that the development owners are responsible for the streets in the communities of manufactured homes or mobile homes. Responding to Mr. Tolbert, Mr. Diaz stated that where the streets are actually on the landowner's property and where they are private street they (the landowners) need to be responsible for the streets.

Mr. Tolbert stated that why he raised that question is because the development in which he lives in, the homes are on a permanent foundation and the streets are owned by the City. The City is responsible for the streets and therefore they pay for street repair and snow removal. Responding to Mr. Tolbert, Mr. Diaz stated that Persimmon Park Place is a manufactured home community that unlike the others in the City is not also a land lease community. There is no overarching land owner who owns all of the land beneath the manufactured homes. The homes and the lots are

owned by the individual homeowners and the streets in the development are owned by the City so this amendment would not apply to the streets in that particular development.

Dr. Jones stated that in the 2016 version, the land lease community owner was held responsible for all of the maintenance and she thinks that she read that the responsibility was going to be split or shared. Responding to Dr. Jones, Mr. Diaz stated that what it does is it allows the maintenance to be split or shared. It doesn't say that the land owner must do this or the tenant must do this; it says that the landowner must be responsible for all maintenance unless it is specifically designated to a tenant by a private contract.

Dr. Jones questioned if this change was initiated to be a little easier on the community owner? Responding to Dr. Jones, Mr. Diaz stated yes.

Mr. Holden stated that to the specific point that Dr. Jones was trying to make, in Section 66-4(a)v. Delegation of Maintenance Duties, that seems to allow under appropriate contract the responsibility of maintenance for roads or other to be transferred. The challenge is how do they ensure that that's a process that typically the residents of land lease communities are able to understand and proceed through. It tilts the favor back towards the land lease underlying owner and he doesn't necessarily know that that is bad or good but it's a challenge that he thinks maybe some more discussion is needed on. Responding to Mr. Holden, Mr. Diaz stated that in terms of the City determining or learning who is responsible for what, it is something that Planning Staff is going to have to work closely with Code Enforcement Staff on who in turn will have to work closely with the community owners and residents. Currently, when routine Code Enforcement issues come up in a lot of the manufactured home parks, for instance, trash left out on the street our Code Enforcement Officers go to the homeowners first. For less routine things like potholes in the road, they will go to the community owners first. He foresees that under the new Ordinance, that will largely continue to be the case. In cases where a land owner or a community owner can furnish proof in the form of the contract in question that responsibility needs to go to a different party then our Code Enforcement Staff can be redirected accordingly.

Mr. Holden stated that other than the correspondence you have had with the owners of these types of properties have you had other entities push for that allowed delegation of maintenance? Responding to Mr. Holden, Mr. Diaz stated no.

Mr. Holden questioned if currently it is the underlying owner that is responsible? Responding to Mr. Holden, Mr. Diaz stated that under the current 2016 Ordinance, the letter of the Code holds the owner responsible but their allegation to Staff is that they could not be held responsible because the language of the Code that is currently in place would go against other laws. The allowance for the delegation of maintenance responsibilities to a different party comes from the *Delaware Code*, Title 25 Chapters 53 and 55 which is the Landlord Tenant Code. Without the addition of this particular provision, they would be going against State Law.

Mr. Holden questioned if the City Solicitor offered that opinion to Staff? Responding to Mr. Holden, Mr. Diaz stated yes, he believes so.

Mr. Holden stated that his concern is that it is easy to pass off responsibility to an HRA or a

Homeowner's Association. He knows the wrangle that we have had in the State with getting Homeowner's Associations to take care of their roads and their stormwater ponds and generally it's a process that doesn't work. His concern is that the responsibility gets passed along and then allows these facilities to fall under greater disrepair. Those HOA's are much harder to get called to task to rectify a situation. He personally would love to challenge the City Solicitor to find us a path that can hold the underlying land owner, the person with the means to resolve a lot of these issues more responsible. At the end of the day, that cost likely gets flowed through to the residents but then they ensure as a City that these areas are going to be maintained and not have a negative drain on the City as a whole. He would seek from Staff a path to allow that time. How might the Planning Commission offer a pause to give that a closer look?

Ms. Maucher questioned if there was any requirement that the entity receiving responsibility has the technical expertise or the knowledge or financial ability to carry out those responsibilities? It's kind of vague in that regard and having dealt with failing wastewater systems, it can be unpleasant if they don't have the expertise. Responding to Ms. Maucher, Mr. Diaz stated that from a practical standpoint, he has a hard time foreseeing a circumstance where a land lease community owner would assign a homeowner responsibility for maintaining the whole stormwater pond behind their house. More typically, the sorts of maintenance responsibilities that are delegated are responsibility over the lot that the house sits on maintaining that lot free of trash or maintaining grass and whatever grass and bushes might be planted around the house. Without this provision, a homeowner could theoretically plant their own landscaping around the house and instead of taking care of it themselves; they could say it was the community owners so they should maintain it.

Mr. Holden stated that there certainly seems that there should be the ability to split out maintenance on the lot which he thinks is the issue with the Landlord Tenant Code and also maintenance of the roadways and/or utilities which are ones that a single resident has no ability to impact. He thinks that we could all agree that HOA's generally are not as adept as the underlying owner at taking care of those. He doesn't know our path and he asks Staff how the Commission can put this back in Staff's laps and give them some time to do what they may do with it? Do they table this action for the evening? He personally doesn't think that putting roads and utilities in an HOA is the right path either for the residents or for the City as a whole. Responding to Mr. Holden, Mrs. Melson-Williams stated that if the Planning Commission has some concerns about a particular section they could certainly in taking their action this evening make the recommendation that certain provisions or topic areas be further addressed or evaluated by Staff to bring additional information back to the Commission. The Commission could certainly do that without making a final recommendation on the entire package. This is subject to public hearing this evening. As with all text amendments, that (notice) was published in the local newspaper so there is that opportunity as well as being posted on these various agendas and the First Reading that occurred at City Council. There is nothing in our Code that requires us to send this proposed Text Amendment to every property owner and/or tenant that it may affect. On the question about how to move forward with this package, if you have concerns about the Text Amendment and would seek additional information you could certainly defer action on it until you receive a specific list of information and it could be brought up for continued discussion at a specific future meeting of the Commission.

Mr. Tolbert stated that in his experience with HOA's they don't seem knowledgeable enough to carry out the duties that they are supposed to carry out in being responsible for the developments that they are overseeing.

Dr. Jones stated that as we possibly defer action she would suggest that there are a couple of other things, in her opinion, that need to be tightened. She is not trying to make things difficult for the community owners. On Page 5 Office Hours (line 185), in her mind this doesn't really give a feeling of assurance to the tenants that there are going to be regular fixed office hours. Maybe she is adding a little bit too much to this and she doesn't want to nit-pick but if this is what people have to live by then we want to make very certain that there is not a lot left for interpretation. In Section 66-4(b)ii Receipt for Lot Payment (line 194), has this not been the case in the past? Responding to Dr. Jones, Mr. Diaz stated that there have been comments from various homeowners that they do not receive receipts for payment of rent so that was one of the things desired in the original 2016 Ordinance that is still here.

Ms. Maucher questioned if the additions comport with the Landlord Tenant Code? Responding to Ms. Maucher, Mr. Diaz stated that the Landlord Tenant Code does include provisions for the provision of receipts. The feedback received on that was that those provisions don't go far enough so we were asked to make our provisions for rent receipts more strict.

Mr. Tolbert opened a public hearing.

Mr. Michael Morton – First State Manufactured Housing Association

Mr. Morton stated that he is the President of First State Manufactured Housing Association and he also represents many of the community owners in the State of Delaware. He brought with him comments that he would like included in the record (*a copy was provided to the Commission*). He can represent to the Commission as an attorney who has been practicing in Delaware for over 35 years that the parts of Mr. Diaz's presentation that he heard were inconsistent with the law. This proposed Ordinance is a revision of changes that were passed roughly 18 months ago. They were stayed by agreement with the City Executive so that interest holders like himself and his clients could participate in the redrafting. They were told that they would be actively engaged in redrafting and the first notice that we got of a redraft was roughly 10 days ago that it was completed and would be heard this evening. This is quite a surprise to those of us who appeared at a prior time when the first version of this was heard. They have considerable concerns on the concept of pre-emption. He brought with him a case from the Supreme Court of Delaware that says these matters are pre-empted by State Law. That the efforts of the Dover City Council and the Planning Commission; however noble, conflict directly with the expressed provisions in the Manufactured Housing Act and are therefore unenforceable. He has gone through every single line of this Ordinance and he has highlighted roughly twenty-five specific examples where it conflicts with the Manufactured Housing Code. That is why this was stayed by agreement so that they could go through those to discuss them with the Solicitor. The Solicitor is well aware of their concerns about the constitutionality of this Ordinance and the enforceability of the Ordinance. Since he is handing out copies he will not go through every single thing. He will simply point out two very specific things and then a number of examples. The applicable Manufactured Housing Code Section 7001 very specifically says that in reference to the relationship between a landlord and a resident in a manufactured housing community, this Code

regulates and determines that legal rights, remedies and obligations of all parties to a rental agreement wherever executed for a lot, a manufactured home and a manufactured home community within the State. The second provision that is in difficulty with this is the State Installation Code. It is very specific that it is the only Code governing installations of manufactured homes. The reason that he points out both of these is that multiple sections of this proposed Ordinance conflict directly with that. The Supreme Court in *Cantina vs. Montana* back in 2005 referring back to a case in 1965 had made it absolutely clear that the prerogative on issues of this nature belong to the House and the Senate not to local entities like cities and counties. The purpose statement for this Ordinance itself clearly conflicts both with the purpose statement of the State Code and with the specific elements. Your purpose statement says that “this subchapter applies to rental agreements for manufactured home lots and regulates and determines legal rights and remedies.” It also references obligations for communications and other specific issues on maintenance and the like. All of these are specifically referenced in the State Code under the concept of pre-emption that determines the scope of those. This body is not authorized, empowered or cannot enforce an Ordinance that tramples on the specific language of the Manufactured Housing Code. The Manufactured Housing Code also says that sole enforcement rights of those rights and responsibilities lies with the Attorney General’s Office. From the beginning to the end, we have great concerns about this. He has written portions in his comments by line with specific references to the fact that even the definitions that the City has proposed to use conflict with the long term well recognized definitions in the Manufactured Housing Code. The Manufactured Housing Code which he calls in this response, sets forth extensively the maintenance requirements of land community owners such as Wild Meadows within the City of Dover. It sets forth the responsibilities and the obligations and it also sets forth the remedies for landlords and tenants in this relationship. They are extensive provisions and they distinctly define the rights and responsibilities of each party. Under the concept of pre-emption, you as a City cannot enlarge, decrease or impact of State stated rights and responsibilities however laudable your concerns might be. In the section of this proposed Ordinance, it references maintenance responsibilities. Starting with trees, there is specific contrary language in the State Code that says it does not include any responsibility to do some of the things that the City would define as being a responsibility of the community owner. Section 7006.13 of the Manufactured Housing Code very specifically references trees and that language is contrary to the language that the City is proposing. Section 7006.13L defines what a tree is and the definition is different. Section 7003.24 defines what a utility is and again it conflicts with the language contained in this proposed Ordinance. Section 66-3 of this proposed Ordinance conflicts entirely with the pre-empted language of Title 24 *Delaware Code* Chapter 44 which is the State Manufactured Installation Code. The reason he points that out is that even the inspectors for the City must be licensed and be certified by the State Installation Board. Even the standards are clearly State issued and State controlled that the City’s inspectors use to determine if an installation has been done properly. Therefore, the City cannot on their own determine what they think is acceptable or what should be added to the State Code. As he stated earlier, this has multiple difficulties. He would respectfully suggest that this body do what he was promised before by the Director before the current Director came into office, which is table it so that they can have a meaningful discussion as stakeholders on the conflicts so that you don’t spend unnecessary time proposing language and attempting to put it in place that will result inevitably in Court conflict. The final comment is regarding the licensing provision for the manufactured housing community he and his clients found in Subsection E – Provisional Order. This section

proposes that an unresolved violation issued conceivably by the City as an instant ticket could be deemed to be a nuisance without any definition of what a nuisance is. The license that you are required to have to run the community could be revoked or impacted with no meaningful explanation in the body of this Ordinance as to the need for, the requirement of or the desire to have a deprivation hearing or due process for the community owner when they have been alleged to have had a violation. The definition itself under the provision for provisional orders conflicts directly word for word with the existing State Code. There is absolutely no reason for this to be in conflict. It's contrary to the exclusive authority of the State for enforcement of this type of item and it leads to the impractical result of a community potentially having no license and not being able to operate as a community when they still have several hundred residents there.

They checked every couple of months with the City Executive asking where this stood and the City Executive kept saying "we will get back to you." When Mr. Hugg started working for the City, they checked with him every couple of months, specifically referencing the fact that they had a standstill agreement. No one ever denied that they had a standstill agreement and yet no one ever gave them an opportunity to give the feedback that they are giving tonight which would have been incredibly helpful in a drafting of an Ordinance within the confines of the concept of pre-emption.

Mr. Holden stated that Mr. Morton mentioned some Dover communities that would be impacted by this that he represents. Who are those communities? Responding to Mr. Holden, Mr. Morton stated that he represents Wild Meadows which is an RHP community. It changed ownership a couple of months ago. They are one of the five largest ownership groups in the Country. He has a tentative agreement to represent two of the other three owners, but it's not signed so he can't fully disclose who they are right now. It's certainly a concern both for those owners and for the association which represents all owners within the State of Delaware that this has to be consistent. The reason for pre-emption is so that you don't have vastly different rules and regulations in each community. As you can imagine, his view of the hourly requirements for a manager to be present is considerably different than one that was voiced earlier tonight by one of the other members because there is nothing in the State Code that requires that. He respectfully suggests that he doesn't see any other business where the City requires x number of hours for somebody who represents that business to be present and open and available for questions. Certainly, there is no such requirement for apartment complexes at the State level and they have exactly the same issue of pre-emption with residential apartments.

Mr. Holden stated that City Council held a First Reading of this Ordinance. He asked if Mr. Morton was able to be present for that? Responding to Mr. Holden, Mr. Morton stated that he wasn't even aware that it was going on because they had been told that they would be given notice before there was even a draft. The first notice that they received was received in his office on March 1, 2018 from Mr. Hugg indicating that it has already been drafted and that it has already had a First Reading. He doesn't think that it is fair or equitable to keep telling them that they are going to participate and then not let them participate in the meaningful discussion about the language.

Mr. Holden stated that they (the Planning Commission) had a fair amount of discussion over the concern over maintenance of common areas and the roadways really being the specific one. He

asked if Mr. Morton had any commentary regarding that. Responding to Mr. Holden, Mr. Morton stated that the Code (Delaware Code) has specific language in the section that he cited that extensively details what the community owner's responsibilities are including roads which means that it's been addressed by the Code. If you follow the logic of his comments, it would mean that that's what you have. You can't, and he means this in the most respectful way possible, try and impose some additional obligations. That is was pre-emption means.

Mr. Tolbert asked Mr. Morton to state the name of his organization and what his organization does in respect to this type of housing. Responding to Mr. Tolbert, Mr. Morton stated that we are the exclusive industry group for manufactured housing communities in the State of Delaware. It's called First State Manufactured Housing Association. It was founded in 1995 and has represented the communities, retailers, vendors and installers in this industry since that time. They participated in the drafting of the statewide Installation Code. It was approved by the legislature and became part of the regulations. They participated in the drafting of the Manufactured Housing Code. He drafted significant portions of that. He was also a chairperson of the committee that drafted the Residential Landlord Tenant Code. This is not a new era for him; it's an era of specialty for his firm and for him personally. His has absolutely no reservations about the accuracy of his concerns about pre-emption.

Mr. Tolbert stated that Mr. Morton mentioned Wild Meadows and his understanding is that Wild Meadows is a land lease development. The development next door to it is a mobile home development where the homes are permanent, but it's not land lease. Noble's Pond is also a land lease operation. Responding to Mr. Tolbert, Mr. Morton stated that Noble's Pond is not a manufactured housing community. The State Relocation Trust Authority has already decided that Noble's Pond is not a manufactured housing community.

Mr. Tolbert stated that Wild Meadows has asked the State to put a cap on the lease payments that they can pay and he thinks that the State refused to do that and they have had their hands full with that battle. Responding to Mr. Tolbert, Mr. Morton stated that one of the City Councilman is a long-term member of the community at Wild Meadows and has been an advocate for their issues in the legislature for many years. He would probably tell you that he was solely or significantly responsible for the imposition of rent justification in manufactured housing communities. There has been no State imposed limitation on the rent at Wild Meadows and we are half way through the required arbitration procedure for this year's rent with the homeowner's association for Wild Meadows tenants. They have had multiple ones of those and they have been quite successful in the court on those issues.

Dr. Jones stated that Mr. Morton referenced a case. Is it in the information that was provided? Responding to Dr. Jones, Mr. Morton stated that it is attached to the master copy and is specifically referenced and cited in the case. It is also a case that the City Solicitor is well aware of and has been since before this first version was passed eighteen months ago.

Ms. Maucher questioned if there are other stakeholders that should be informed of this process aside from your association such as representing particularly tenants in these types of communities? Responding to Ms. Maucher, Mr. Morton stated that he is fairly certain that Councilman Neil has notified all tenant advocacy groups of this pending Ordinance. He can tell

you that the board of the First State Manufactured Housing Association is aware and all four owners of the communities located within the City limits are aware of it. The Association itself is considering the possibility of funding any litigation if we can't have something worked out that will benefit everyone. They want to be at the table to discuss this. That is what they thought the deal was from the very beginning.

Mr. Tolbert closed the public hearing.

Mr. Holden stated that he thinks they had landed at some concerns that they aren't quite able to address without the City Solicitor's input to understand the legality of the path forward and the legality of trying to assure that their concerns will be addressed. Further, they are faced with a legal opinion shared that contravenes what the Ordinance is trying to get done. It seems like tabling the Ordinance to allow Staff and the City Solicitor time to give these comments some thought and address them. It seems like a reasonable path forward.

Ms. Maucher moved to table MI-18-03 Text Amendments: Manufactured Housing and Land Lease Communities (Dover Code of Ordinances, Chapter 66 and Zoning Ordinance, Article 3, Section 8 and Article 12) in order to meet with the interested parties and the City Solicitor to ensure that it complies with the State Law and it's not over reaching, seconded by Mr. Holt and the motion was carried 8-0 by roll call vote with Mr. Tolbert recused. Mr. Holden voting yes; due to the large number of outstanding questions. Mr. Roach voting yes. Ms. Edwards voting yes; for the reasons previously stated. Mr. Holt voting yes; to try to address all of our concerns before we tackle this problem again. Mr. Baldwin voting yes; for all of the reasons stated. Dr. Jones voting yes; for all of the reasons stated and to make sure that we are in compliance. Mrs. Welsh voting yes; due to all of the outstanding issues and in order to ensure that the issues are addressed before the application is brought back to the Planning Commission. Ms. Maucher voting yes; to ensure that there is sufficient input into the City Ordinance.

- 1) Update on Appointment of the Architectural Review Oversight Subcommittee of Planning Commission (in accordance with *Zoning Ordinance*, Article 10 §2.28)

Mrs. Melson-Williams stated that she has no new information to report on that. They are still seeking the confirmation from the two individuals that had previously served on the Subcommittee: Mrs. Kieffer and Dr. Chandler. Staff has reached out to them but they have not heard back from them as of this afternoon. They will continue to work on that.

Meeting adjourned at 8:14 PM.

Sincerely,

**Kristen Mullaney
Secretary**

MI-18-03 Text Amendments: Manufactured Housing and Land Lease Communities (Dover Code of Ordinances, Chapter 66 and Zoning Ordinance, Article 3, Section 8 and Article 12) – The Planning Commission on March 19, 2018 tabled action on the Review of Proposed Ordinance #2018-01 of Text Amendments to the *Dover Code of Ordinances*, Chapter 66 - Manufactured Homes, Mobile Homes, and Land Lease Communities; to *Zoning Ordinance*, Article 3, Section 8- Manufactured Housing (MH) Zone; and to *Zoning Ordinance*, Article 12- Definitions.

- The proposed ordinance reorganizes and clarifies a portion of the updates to the Dover Code made in August 2016 through Ordinance #2016-16. The proposed ordinance also brings the updates into compliance with provisions of the *Delaware Code* related to manufactured housing and rental housing, particularly Title 25, Chapters 53, 55, 70, and 71. The updates affected include requirements for placing and licensing manufactured homes, standards for management and maintenance of land lease communities, taxation, and code enforcement. A distinction is also made between manufactured homes and permanently placed manufactured homes in the *Zoning Ordinance*.
- A copy of the Proposed Ordinance #2018-01 is available on the City's website www.cityofdover.com under the Government Heading: Ordinances, Resolutions & Tributes. <https://www.cityofdover.com/ordinances-and-resolutions>
- The Legislative, Finance, and Administration Committee reviewed the proposed Text Amendments on February 13, 2018 and the First Reading before City Council occurred on February 26, 2018. The Public Hearing before the Planning Commission was scheduled for March 19, 2018 and Public Hearing and Final Reading before City Council was scheduled on April 9, 2018.
- The Planning Commission began review of the Proposed Ordinance #2018-01 at their March 19, 2018 meeting and conducted a Public Hearing. The Planning Commission took action to table the Application seeking additional information.
 - A Report on the Planning Commission's Public Hearing and action to table this application was forwarded to City Council for their meeting of April 9, 2018. The agenda for the City Council Meeting of April 9, 2018 notes a recommendation to Postpone the Public Hearing and Final Reading of Proposed Ordinance #2018-01.
 - Planning Staff is working on the information requested by the Planning Commission; continued review is anticipated at a future meeting.

Appointment of the Architectural Review Oversight Subcommittee of Planning Commission

As part of the Annual Meeting of the Planning Commission, one of the responsibilities of the Planning Commission is to appoint the Architectural Review Oversight Subcommittee. The following excerpt from the *Zoning Ordinance* is provided.

Appendix B: Zoning Ordinance, Article 10 Section 2. Site development plan approval.

2.28 Consideration shall be given to the physical orientation and architectural characteristics of proposed buildings, the relationship of proposed buildings to existing buildings and to other proposed buildings, and their contributions to the overall image of the immediate vicinity by considering the building and architectural design guidelines as set forth in article 5, section 19. Design characteristics of proposed buildings and building additions shall not detract or devalue existing buildings in the immediate vicinity.

- (A) If the planning commission determines that the proposed physical orientation and architectural characteristics of the proposed buildings do not meet the intent and objectives of this section, then the planning commission shall refer the proposal to the architectural review oversight subcommittee for review and comment.
- (B) The subcommittee shall meet and review the proposal with the applicant, and return its comments to the planning commission by the next regularly scheduled meeting.
- (C) The architectural review oversight subcommittee shall be appointed by the commission at its annual meeting, and membership shall consist of two planning commission members, and two design professionals with experience in construction, and the mayor or the mayor's designee. Two alternate design professionals with experience in construction shall also be appointed.

As part of the Annual Meeting of the Planning Commission shall appoint the membership of the Architectural Review Oversight Subcommittee. This is an opportunity to consider individuals to serve on this subcommittee.

At the Annual Meeting of the Planning Commission on December 18, 2017, the following individuals were appointed to the Architectural Review Oversight Subcommittee of Planning Commission.

- Kathleen Welsh, Planning Commission member
- Dean Holden, Planning Commission member
- Mayor or Mayor's designee

The Planning Commission directed Planning Staff to contact other the previous Subcommittee members to determine their willingness to continue as a member.

- Ms. Sarah Keifer, Director of Planning Services for Kent County, Design Professional
- Dr. R.G. Chandler, former Director of Architecture at DelTech Community College, Design Professional
- Alternates (Design Professionals): To Be Determined

Guidance for Incorporating Health into the City of Dover's Comprehensive Plan

Prepared by Planning4Health Solutions, November 2017

Acknowledgements

Delaware Chapter of the American Planning Association

www.delawareapa.org

Delaware Academy of Medicine/ Delaware Public Health Association

www.delamed.org

Delaware Coalition for Healthy Eating and Active Living (DE HEAL)

www.deheal.org

Planning4Health Solutions

www.planning4healthsolutions.com

CRJA-IBI Group

www.crja.com

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Appendix18

1 | Overview

Introduction - Plan4Health

In 2016 the Delaware Chapter of the American Planning Association (APA) was awarded a Plan4Health grant to combat two determinants of chronic disease—lack of physical activity and access to nutritious foods. Their project, Delaware Plan4Health, brought together the Delaware Chapter of the APA and the Delaware Public Health Association (DPHA) to work with the Delaware Coalition for Healthy Eating and Active Living (DE HEAL) on integrating health equity into future planning efforts in the City of Dover and Kent County.

Delaware Plan4Health used surveying, geospatial analysis, document review and community charrettes to understand community health issues and how they may be addressed (see Appendix). Based on their findings, the Delaware Plan4Health team developed a series of recommendations for incorporating healthy living into Dover's comprehensive plan update. The comprehensive plan update, scheduled for 2019, is an opportunity to benefit public health by codifying elements into the plan that support healthy communities.

Guidance Document Purpose

The purpose of this guidance document is to aid the City of Dover Department of Planning and Inspection in integrating health and equity concepts into the upcoming comprehensive plan update. This document contains recommendations to strengthen the plan with regard to public health. It is hoped that the Planning Department, the Planning Commission, the City Council and the public will consider these recommendations for the comprehensive plan update with the goal of impacting a healthier future.

DE Plan4Health: Tools

Resident Survey: The Dover and Kent County resident survey captures self-reported information and perceptions regarding physical activity and eating patterns

Geospatial Analyses: The equity composite, retail food environment, park density and active transportation density maps summarize data from the U.S. Census Bureau, State of Delaware, the City of Dover, and Kent County. The maps illustrate priority areas in terms of: health equity; healthy food access; park and open space access; and active transportation networks, respectively.

Scorecard - Plan Review: The Scorecard summarizes an in-depth review of the City of Dover's Comprehensive Plan and the Kent County Comprehensive Plan, providing a measure of how well written plans integrate key modern public health concepts.

Community Design Charrettes: Charrettes are public/stakeholder engagement exercises that often involve visioning project designs and community plans. Dover's charrette included community stakeholders, city planners and members of the public in reviewing maps and data, identifying community priorities, and developing actionable strategies.

See Appendix for information about these tools and their findings.

Planning and Public Health

Today there is a broad understanding that better planning for our neighborhoods and communities can positively influence many factors that affect people's health: land use patterns; air and water quality; urban design; transportation; and parks and recreational facilities to name a few. Given that comprehensive plans touch on so many aspects of a community, they offer a unique opportunity to holistically promote healthy eating and physical activity - and prevent overweight/obesity and chronic health conditions - by proposing modifications to built and social environments. Specifically, the comprehensive plan can, and should, address public health by encouraging the city to grow and develop in a way that provides residents opportunities to be physically active and have access to high quality, healthy foods in their neighborhoods.

Health Challenges¹

Like so many other communities, obesity is a major challenge in Dover and Kent County. Kent County is the most obese county in Delaware, with one third of all adults in the county having obesity². Being overweight or obese can lead to chronic diseases, including heart disease, diabetes, stroke, hypertension and some cancers. Kent County ranks last in terms of length of life, quality of life, health behaviors, and clinical care. Cancer and heart disease are the leading causes of death in those under 75 years of age³.

Physical inactivity and poor nutrition are risk factors for overweight/obesity, and chronic diseases. Physical inactivity is high (28%) and access to exercise opportunities is relatively low (69%) in Kent County². And while food security and access to healthy food levels were on par with the state average², our mapping indicates there are geographic disparities in terms of healthy food retail. Half of all Census Tracts (8 of 16) in Dover are considered food deserts by the U.S. Department of Agriculture⁴.

In terms of equity, Kent County ranks last in social and economic factors². Median household income (\$56,000) is lower than the state average (\$61,000), and a relatively high proportion of children live in poverty (21%)². Dover is more diverse than Kent County and Delaware as a whole, with over half of residents identifying as non-white, and 42% of residents identifying as black⁴. Communities that are low income and communities of color may be at elevated risk for overweight/obesity and certain chronic diseases.

Comprehensive Plans

Comprehensive plans are policy guides for a city or county's long-range development. They anticipate and respond to population change and other challenges by proposing strategies to meet transportation, utilities, land-use, housing, recreation, community facilities, and economic development goals.

¹ Limited data are available publicly for municipalities smaller than counties.

² Source: County Health Rankings, 2017

³ Source: CDC WONDER (primary), County Health Rankings, 2017 (secondary)

⁴ Various data sources accessed through Community Commons

The Seven Core Principles

1. Guided by health equity
2. Mobility for all modes of transportation
3. Recognize health value of park system
4. Community facilities to support health
5. Healthy food systems planning
6. Economic value of healthy communities
7. Compact, mixed-use, place-based land use

2 | Principles for Incorporating Health into Dover's Comprehensive Plan

Principle 1 - Health Equity | **let health equity guide the planning process**

- Use health data and mapping to evaluate community health needs and opportunities
- When drafting plan chapters, goals and policies, consider health data and maps, and policy systems and environmental change strategies

Principle 2 - Transportation | **promote all transportation modes and prioritize mobility**

- Prioritize active transportation (walking, biking and transit)
- Planning for automobiles should not come at the expense of pedestrians, cyclists and transit

Principle 3 - Parks and Recreation | **let community health needs guide parks and recreation planning**

- Evaluate the entire park system (not just individual park facilities), identifying “park deserts” and assessing adequacy of existing facilities
- Improve access to parks, particularly pedestrian and bicycle access
- Provide for programming and a range of recreational activities for all ages and abilities
- Promote passive recreation and trails in natural areas

Principle 4 - Community Facilities | **provide facilities that help keep people healthy**

- Identify public and private sector facilities that contribute to healthy communities (e.g. libraries, schools, health care facilities)
- Explore opportunities to leverage these facilities and their associated programs/activities to improve health

Principle 5 - Food Systems | **promote a vibrant agricultural industry that focuses on rural and urban agriculture**

- Strongly focus on maintaining a viable agricultural industry
- Promote urban agriculture and gardening in neighborhoods as a means to expand access to fresh, healthy food

Principle 6 - Economic Development | emphasize strategies to alleviate poverty and improve employment opportunities while expanding healthy food retail

- Evaluate opportunities to expand healthy food retail
- Build the business case for and support healthy food retailers
- Incorporate farmers markets, produce carts, mobile markets and other initiatives into an economic development strategy for healthy food retail
- Generally, emphasize strategies that alleviate poverty, and improve employment opportunities and quality of life, particularly for disadvantaged groups

Principle 7 - Land Use | create compact, walkable, mixed-use, vibrant communities

- Synergize transportation strategies with land use planning to promote walkable and bikable places
- Emphasize proximity and accessibility of parks and community facilities to neighborhoods
- Promote community gardening in neighborhoods
- Provide for a range of housing types and prices
- Encourage place-making and community cohesion, and create places people want to live, work and play

3 | Recommendations for Dover's Comprehensive Plan Update

Introduction	Recommendation 1. Integrate health and equity into goals, including transportation and land development goals
Population, Development and Employment Trends	Recommendation 2. Include relevant health and demographic data and discussion of trends
Citizen Participation	Recommendation 3. Leverage participation strategies to promote health and equity
Natural Resources	Recommendation 4. Include health benefits of accessing nature, natural areas and open space
	Recommendation 5. Promote public access to the City's natural resources
Public Utilities and Infrastructure	Recommendation 6. Include language about health implications of public utilities and infrastructure
Community Services and Facilities	Recommendation 7. Restructure the chapter to emphasize community services and facilities, and their abilities to promote health
	Recommendation 8. Leverage capital projects for health
Transportation	Recommendation 9. Emphasize bicycle, pedestrian and transit modes, focusing on mobility, equity and health
	Recommendation 10. Support the expansion and improvement of transit services
	Recommendation 11. Support the expansion of facilities that encourage walking
	Recommendation 12. Improve pedestrian and bicycle connectivity between schools, senior housing, other institutions and points of interest
	Recommendation 13. Explore opportunities to designate Safe Routes to Schools, Safe Routes for Seniors and Safe Routes to Parks
	Recommendation 14. Address connectivity gaps in the existing Pedestrian Trail System
Economic Development	Recommendation 15. Pursue economic development linked to active recreation
	Recommendation 16. Pursue economic development linked to improved healthy food access
	Recommendation 17. Promote inclusive workforce development programs, strategies and partnerships, especially for disadvantaged groups
Housing	Recommendation 18. Articulate the link between housing and health
Land Development	Recommendation 19. Promote mixed-use development near targeted residential areas
	Recommendation 20. Explore a Healthy Food Zone around schools and/or places populated by youth
	Recommendation 21. Promote shared-use, temporary-use and adaptive reuse of properties for parks and community space
Intergovernmental Coordination	Recommendation 22. Encourage coordination among agencies to foster healthier communities
Implementation	Recommendation 23. Ensure all communities are on-track to achieving community health goals

The following recommendations are organized by the chapter from the 2009 comprehensive plan for which they are most relevant. Recommendations provide example goals, actions and text (in italics) to include in the updated comprehensive plan, and other ideas for incorporating health principles.

Introduction

The current Introduction chapter orients readers to Dover and articulates goals of the plan. The chapter update should integrate health and equity concepts into the goals it espouses, particularly the transportation and land development goals.

Recommendation 1 | Integrate health and equity into goals, including transportation and land development goals

The below example language that describe determinants of health and health equity should be integrated into the Introduction chapter.

Health status is influenced by a range of personal, social, economic and environmental factors. Built environment factors influence our ability to engage in healthy behaviors, like regular physical activity and healthy eating habits, as well as safety and economic opportunities where we live, work and play. To achieve health equity, the attainment of the highest level of health for all people, we must eliminate obstacles to health, particularly for groups with socioeconomic disadvantages. Using a lens of health equity, we can take a targeted approach to improving transportation, land use and other built environment factors that influence health.

The following language can be used for new transportation equity and health-enhancing land development goals.

Transportation Equity: *Promote a complete and comprehensive transportation system that enhances safety, prioritizes mobility and accessibility for all users, emphasizes connectivity, minimizes environmental impacts and encourages community cohesion.*

Health-Enhancing Land Development: *Emphasize land development strategies that enhance community health by improving access to fresh and healthy foods, creating opportunities for physical activity, minimizing environmental impacts, and prioritizing equity and inclusion.*

Population, Development and Employment Trends

The Population, Development and Employment Trends chapter identifies trends and economic characteristics of Dover. The chapter update should include relevant health and demographic data and a discussion of trends.

Recommendation 2 | Include relevant health and demographic data and discussion of trends

The below language that explains health inequities and disparities should be integrated into the Population, Development and Employment Trends chapter.

When health outcomes differ by income, race/ethnicity and other social determinants, we observe health disparities. For example, we see health disparities in terms of race with African-Americans having a higher risk for developing Type 2 Diabetes. We also see health disparities by income with low-income families less likely to have access to healthy, affordable foods, thus increasing their risk for chronic conditions, such as obesity, diabetes, and hypertension. By identifying equity priority areas, planners and policy-makers can focus efforts in these areas to improve health outcomes.

Gather up-to-date data for Kent County and Dover, as available⁵, to describe community health characteristics. Example indicators are given at right.

Example Indicators for Kent County⁶

Healthy Food Access

- 22% - Low Food Access (Dover: 24%)
- 19% - Low Income/Low Food Access (Dover: 20%)
- 79% - Inadequate Fruit/Vegetable Consumption
- 13% - Food Insecurity (Dover: 13%)
- 13 - Food desert Census Tracts (Dover: 8)
- 55 per 100K - Fast Food Restaurants (Dover: 55 per 100K)
- 15 per 100K - Grocery Stores (Dover: 15 per 100K)

Physical Activity

- 4% - Biking or Walking to Work
- 27% - Physical Inactivity
- 9 per 100K - Recreation/Fitness Facility Access

Health Outcomes

- 33% - Obesity (+37% Overweight)
- 12% - Diabetes
- 15% - Asthma
- 15% - Poor or Fair General Health

Employment, Housing, Transportation, Etc.

- 5% - Unemployment (Dover: 5%)
- 34% - Substandard Housing
- 34% - Housing Cost Burden: 30% (Dover: 40%)
- 3% - Public Transportation Use
- 18% - Lack of Social or Emotional Support

⁵ Limited data are available publicly for municipalities smaller than counties.

⁶ Various data sources accessed through Community Commons

Citizen Participation

The Citizen Participation chapter⁷ describes the public-engaged process used to develop the comprehensive plan. With the plan update, it is recommended that public and stakeholder engagement efforts address health and equity.

Recommendation 3 | Leverage participation strategies to promote health and equity

There are many ways to solicit feedback from the public about health concerns and priorities, including interviewing key informants, conducting focus groups with residents, facilitating charrettes and workshops, and surveying the public. Health priorities identified through Delaware Plan4Health are given at right. Public engagement activities commensurate with the comprehensive plan update should be leveraged to understand community health needs and opportunities, and promote public health. See Appendix for example tools.

Natural Resources and Environmental Protection

The Natural Resources and Environmental Protection chapter includes information about Dover’s natural resources, including land and water, and recommends actions that the City should take to protect them. The chapter update should include a discussion of the health benefits of accessing natural resources, and a new goal to improve public access to Dover’s natural resources.

Recommendation 4 | Include health benefits of accessing nature, natural areas and open space

Include the following language to describe the link between nature and health.

Open space and outdoor recreation areas can improve physical and mental health by: providing opportunities for physical activity (e.g. walking, biking, sports) and community gatherings; reducing stress and depression; and improving cognition in adults and behavioral issues in children. Ensuring good access to outdoor recreation areas and their amenities will help maximize the potential public health benefit of the City’s natural resources.

Recommendation 5 | Promote public access to the City’s natural resources

The following language can be used for a new goal to improve access to nature.

Access to Nature: *Modify the City Code to eliminate/minimize barriers to public access of the City’s natural resources, and support policy amendments and programming to improve access and utilization. The following specific actions to increase public access to nature are recommended:*

- *Evaluate the City Code and other policies, identifying those that potentially limit public access to nature (e.g. parking requirements, use restrictions)*
- *Improve pedestrian, bicycle and transit networks to parks and natural areas*
- *Explore new opportunities for parks and open space*
- *Support programs that promote access to nature (e.g. environmental education programs, Scouts programs)*

Health Priorities

Residents who participated in Plan4Health suggested various strategies for improving physical activity levels and access to healthy foods. Participants were in favor of produce carts and healthy corner stores to improve access to affordable produce in residential neighborhoods, among other strategies to improve healthy food access. Participants were also in favor of improving pedestrian and bicycle facilities to support physical activity.

⁷ To be more inclusive, it is recommended that the name of this chapter be changed to Public Participation, Community Engagement, or something comparable.

Public Utilities and Infrastructure

The Public Utilities and Infrastructure chapter describes the City’s water, wastewater and electric utilities and stormwater sewer system, and promulgates recommendations and goals for these systems. The chapter update should articulate the public health benefits and implications of these systems.

Recommendation 6 | Include language about health implications of public utilities and infrastructure

The following language to describe the link between public utilities and health should be included.

Water, energy and their infrastructure play important roles in keeping the public healthy. Water quality requirements like source protection and chlorination exist to prevent contamination of our water supplies and ensure its quality for drinking and other uses. Energy powers our homes, workplaces, schools, hospitals and other critical facilities, keeping us safe and healthy. However, certain energy sources (i.e. fossil fuels, coal) also contribute significantly to air pollution and other environmental impacts that are deleterious to public health.

Community Services and Facilities

The Community Services and Facilities chapter discusses the City’s various services and facilities, including public safety, parks and recreation, as well as public education and healthcare. There are many connections between the discussed services and facilities, and health that could be better emphasized by restructuring the chapter and adding health-related content. Further, it is recommended that the City seek opportunities to expand park and community space, and leverage future capital projects for health.

Recommendation 7 | Restructure the chapter to emphasize community services and facilities, and their abilities to promote health

The Community Services and Facilities chapter should be restructured, with Parks and Recreation, and Library Services sections that describe their health benefits, and recommended actions to maximize these benefits. Sample text is provided below.

Parks and Recreation: *Parks and recreation facilities are important public health resources that confer certain physical and mental health benefits, and enhance wellbeing and quality of life. Parks provide opportunities for a spectrum of structured and unstructured physical activities for people of all ages, including trails; playground equipment; and sports facilities (e.g. fields, courts, pools). They are natural gathering places that promote community connectivity and cohesion. Greenspace helps mitigate air and water pollution, and reduce heat island effects which can impact public health. The following strategies are recommended for maximizing public health benefits of parks and recreation facilities:*

- *Complete Parks and Recreation Master Plan*
- *Improve active transportation networks to parks, open space and natural areas*
- *Explore opportunities for new parks and trails*
- *Support programming for parks and recreation facilities for all ages and abilities*

Active Transportation

Active transportation refers to walking, bicycling and transit use. Prioritizing these transportation modes enables residents to integrate physical activity into their daily lives. Increased levels of physical activity that result from active transportation help reduce/prevent overweight/obesity, Type II diabetes and other chronic diseases, and minimize healthcare costs.

Active Recreation

Active recreation refers to physical activities like walking, running, bicycling, kayaking, swimming, playing sports and other physical activities done for recreational purposes. Increased physical activity that results from active recreation supports active lifestyles which can reduce/prevent overweight/obesity, Type II diabetes and other chronic diseases, and minimize healthcare costs.

Library Services: Libraries are information and community hubs. They provide vital community services and resources with a range of public health benefits. These include: literacy and employment assistance programs that develop the workforce; daytime programs that engage youth and seniors who may be vulnerable to social isolation; and health-focused classes on diabetes management, cooking and exercise. During very hot and very cold weather, libraries can become designated cooling or warming centers for those most vulnerable to impacts of extreme weather (i.e. seniors and people experiencing homelessness) and they may function as shelters in the event of a disaster. Libraries are able to partner with schools, parks and recreation, nonprofits and others to provide programs and services that address community health issues. The following strategies are recommended for maximizing public health benefits of libraries:

- Improve active transportation networks to libraries
- Collaborate with and support library programs, including: education and workforce development programs; daytime programs for youth and seniors; health focused classes (e.g. diabetes management, healthy cooking, exercise)
- Encourage the use of libraries as cooling and warming centers, and shelters
- Support collaborative initiatives between libraries, public health agencies, schools and others to support community health

Public Safety and Community Services: A new Public Safety and Community Services chapter would address public safety functions and other vital community services not offered by the city. The chapter would include information about: police, fire and emergency management services; schools, universities and other educational organizations; and hospitals, clinics and other healthcare providers, and the public health benefits they provide. Police, fire and emergency management help keep our communities safe and secure. Schools provide educations that open doors to opportunities and build the workforce of tomorrow. Healthcare facilities are involved in preventive and primary healthcare.

Recommendation 8 | Leverage capital projects for health

Include the following new goal to maximize the potential health benefits of capital projects and investments.

Maximize Health Benefits of Capital Projects and Investments: Future investments and capital projects can be leveraged to promote health through the following:

- Prioritize projects that address gaps in community health resources, including parks and trails, and a food distribution hub
- Require or incentivize projects to incorporate design features that support public health, including pedestrian, bicycle and transit facilities, green infrastructure and community-accessible space

Transportation

The Transportation chapter describes Dover’s transportation system, travel patterns, and roadway classification, and it assesses future transportation needs. The chapter update should more strongly emphasize bicycle, pedestrian and transit modes (i.e. active transportation) which promote physical activity and health equity.

Recommendation 9 | Emphasize bicycle, pedestrian and transit modes, focusing on mobility, equity and health

The updated chapter should consider bicycle, pedestrian and transit modes as equally important to automobiles. In recent years, there have been significant efforts to improve pedestrian and bicycle networks across Delaware, improving mobility and transportation equity. The updated chapter should be expanded to reflect these improvements. See Page 12 for a Proposed Bicycle Network for Dover, developed through Delaware Plan4Health.

Local Food Hub

Food hubs link local producers with networks for distribution to local consumers. Hubs typically manage aggregation, distribution and marketing of food products. Both private and public-private partnership food hub models exist. Local food distribution hubs have the potential to source local produce for schools and other institutions, healthy corner stores, mobile markets, produce carts and local food retailers.

Proposed Bicycle Network

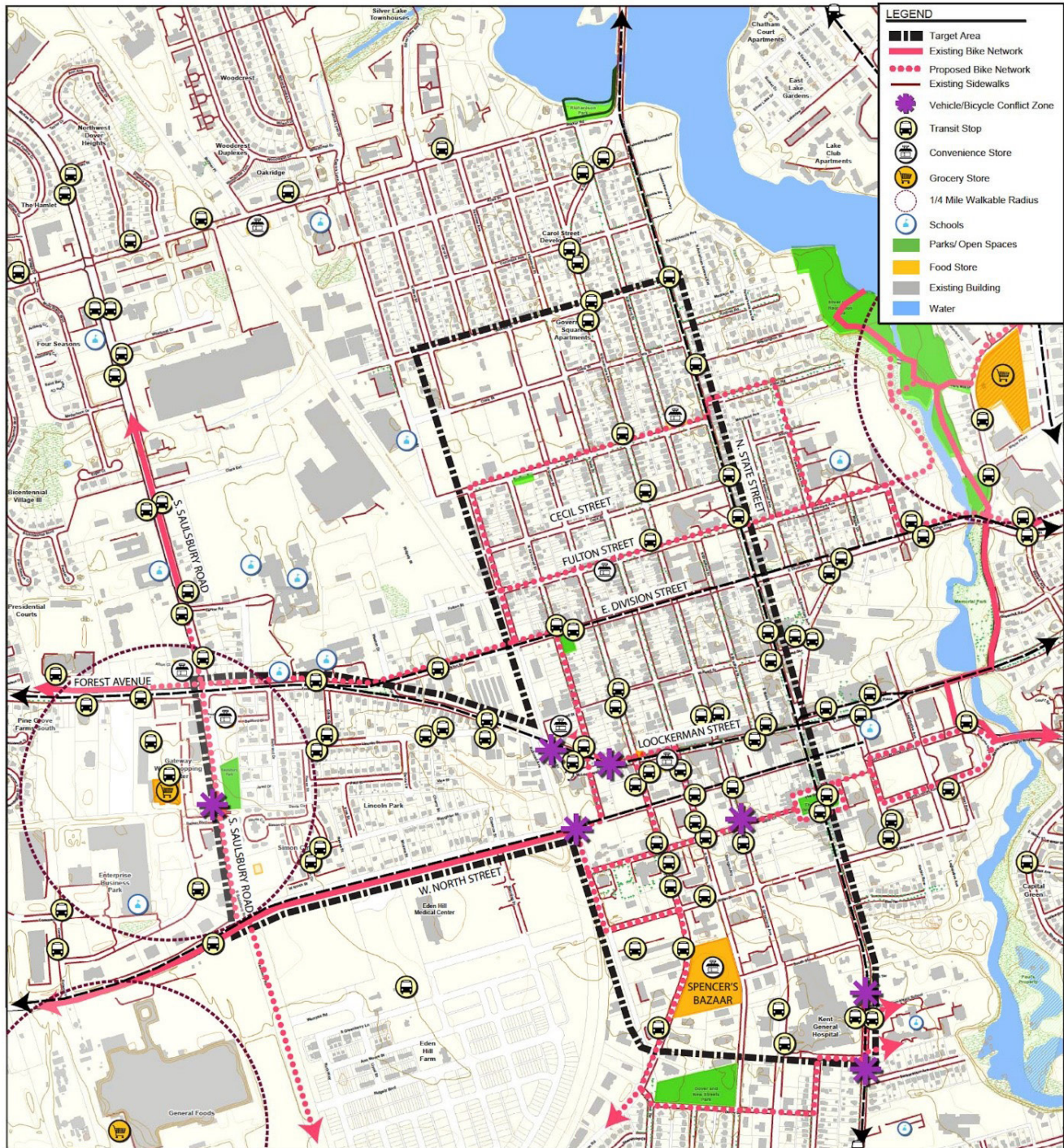
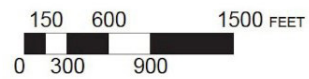


Figure 1. Proposed Bicycle Network

Dover, Delaware- Proposed Bicycle Network
 1"=300'



Recommendation 10 | Support the expansion and improvement of transit services

Include the following new goal to expand and improve transit services.

Expand and Improve Transit Service: *In collaboration with DART, enhance transit connections between neighborhoods and employment centers, institutions, commercial areas, schools and recreational facilities—particularly neighborhoods with large transit-dependent populations such as retirement, nursing and group-living facilities and economically disadvantaged areas. Enhancing transit shelters and increasing stops increases mobility, improves the transit experience and makes transit use more appealing. The following specific actions to support the expansion and improvement of transit services are recommended:*

- *Support the addition of new transit stops*
- *Enhance existing transit stops with good pedestrian and bicycle facilities*
- *Build transit shelters that protect riders from inclement weather*
- *Advocate for more frequent and reliable transit service to attract and retain ridership*
- *Support improved transit routes to the Capitol Area from North/South and East/West*

Recommendation 11 | Support the expansion of facilities that encourage walking

Include the following new goal to improve pedestrian facilities.

Improve pedestrian facilities: *Support the expansion of transportation facilities that make walking an attractive and accessible form of transportation for all, especially for children, elders and people with disabilities. The following specific actions to support the expansion of facilities that encourage walking are recommended:*

- *Install seating, benches and other street furniture*
- *Ensure adequate street lighting is provided*
- *Address gaps in sidewalk connectivity*
- *Support the maintenance of sidewalks*
- *Ensure ADA compliance for sidewalks and crosswalks*
- *Improve pedestrian crossings*

Recommendation 12 | Improve pedestrian and bicycle connectivity between schools, senior housing, other institutions and points of interest

Include the following new goal to improve pedestrian and bicycle connectivity to neighborhoods. See Page 12 for a Proposed Bicycle Network for Dover.

Improve Pedestrian and Bicycle Connectivity to Neighborhoods: *Improve pedestrian, bicycle and transit connectivity between neighborhoods and points of interest, like schools, neighborhood centers and healthcare facilities, particularly for transit-dependent groups, including seniors, youth and people with disabilities. The following specific actions are recommended:*

- *Use analyses of sidewalk and bicycle connectivity to prioritize actions*
- *Encourage the development of complete neighborhoods*
- *Improve way-finding, and designate key walking routes*

Converting Saulsbury Park

Saulsbury Park, located in the City of Dover, is an opportunity to support active transportation by improving connectivity between Simon Circle, a low-income, publicly-subsidized housing development, and a nearby commercial area with a grocery store. The Saulsbury Park site is currently maintained as an open field. During the charrette, the field was conceptually transformed into a park, connecting the adjacent neighborhood and shopping center, and providing recreation space with playgrounds, basketball courts, and a trail. See Page 14 for renderings of the proposed Saulsbury Park.

Saulsbury Park

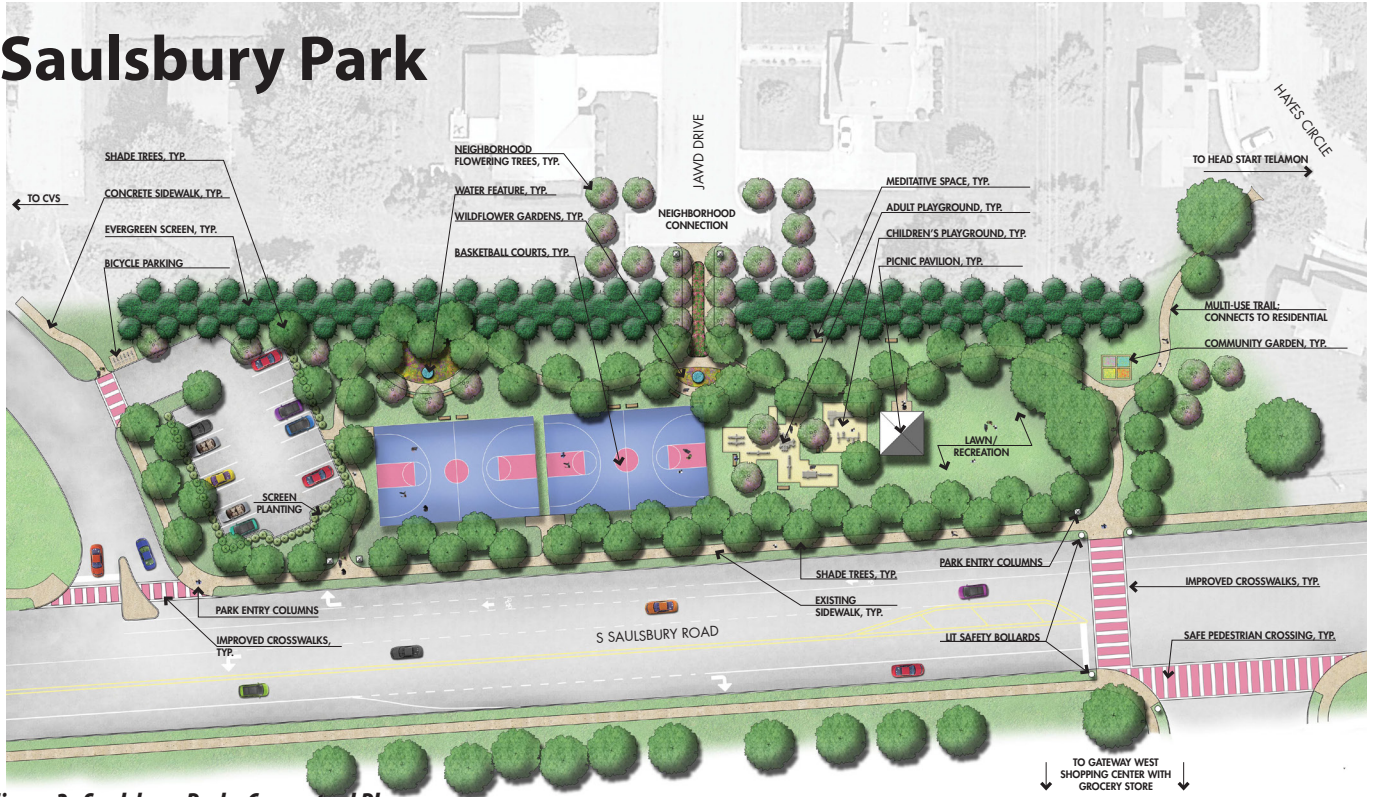


Figure 2. Saulsbury Park - Conceptual Plan

SAULSBURY PARK- Conceptual Plan
Dover, DE December 31, 2016



Delaware PLAN4Health
An American Planning Association Project

Planning 4Health Solutions
Creating Healthy Environments

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landscape architects



Figure 3. Saulsbury Park - Bird's Eye Perspective

SAULSBURY PARK- Bird's Eye Perspective
Dover, DE December 31, 2016

Delaware PLAN4Health
An American Planning Association Project

Planning 4Health Solutions
Creating Healthy Environments

CRJA | TBI
landscape architects

Recommendation 13 | Explore opportunities to designate Safe Routes to Schools, Safe Routes for Seniors and Safe Routes to Parks

The following recommendation for Safe Routes should be included.

Promote Safe Routes: *Explore opportunities to designate Safe Routes to Schools, Safe Routes for Seniors and Safe Routes to Parks, and support programming efforts to encourage their use. The following specific actions are recommended:*

- *Identify current Safe Routes programs and evaluate deficiencies*
- *Conduct a community-engaged process to designate new Safe Routes and develop their programming*
- *Promote and support Safe Routes programs*

Recommendation 14 | Address connectivity gaps in the existing Pedestrian Trail System

Include the below new goal to enhance connectivity of the existing Pedestrian Trail System.

Enhance Connectivity of the Existing Pedestrian Trail System: *Continue to maintain and address connectivity gaps in the existing Pedestrian Trail System. The following specific actions are recommended:*

- *Evaluate gaps and deficiencies*
- *Explore opportunities to develop new parks and greenspace, including temporary and pocket parks, along the existing Pedestrian Trail System*

Economic Development

The Economic Development chapter discusses Dover’s major economic drivers and key sectors. Many community amenities that benefit health, such as bicycle and pedestrian improvements, and parks and open space, also make communities attractive from an economic development perspective. The chapter update should promote economic development that is linked to active transportation/recreation, and healthy food access. The chapter update should also highlight economic development strategies that promote equity.

Recommendation 15 | Pursue economic development linked to active recreation

Include the following new goal to promote business entrepreneurship linked with active transportation/recreation.

Business Entrepreneurship and Active Recreation: *Promote business entrepreneurship linked with Dover’s trails, parks, natural areas and other active recreation resources. Entrepreneurship may take many forms, including retail, tour operators, concessions, and maintenance services. The following specific actions are recommended.*

- *Contract with local businesses to provide services, such as maintenance and concessions services, to City-owned park and recreation facilities*
- *Identify opportunities to use parks and trails as catalysts for economic development, such as mixed use development and other zoning changes near key parks*
- *Evaluate and promote economic development strategies (e.g. monetary or incentives, linked to local natural resources)*

Safe Routes to Schools

Safe Routes to School initiatives map walking and biking routes from nearby neighborhoods to schools, and address safety hazards along the designated routes. Unsafe roads and crossings, disconnected sidewalks and bike lanes, and dangerous traffic conditions are concerns for parents/guardians when deciding how their children get to and from school. Safe Routes to School initiatives create safer environments for walking or biking to school and in nearby neighborhoods, thereby removing a significant obstacle to physical activity for youth and families. Safe Routes to School initiatives often also include encouragement strategies like creating walking school buses, weekly walks, contests and other incentives to motivate youth and families. A wealth of resources exist for communities to take up Safe Routes to School initiatives, including the State of Delaware Safe Routes to School Program, Safe Routes to School National Partnership and SafeKids.

Recommendation 16 | Pursue economic development linked to improved healthy food access

Include the below new goal to encourage new ventures that expand healthy food options.

Expand Healthy Food Access: Encourage new ventures that expand healthy food options across Dover, including corner markets, produce carts, food hubs, farm stands and farmers markets. And support existing grocery stores and other food retailers in expanding healthy food availability through distribution chain development, technical assistance, marketing and incentives. The following specific actions are recommended.

- Support farmers markets programs, and seek to expand them in priority areas
- Support the development of a City or County-sponsored produce cart program
- Advocate for the development of a local food hub
- Advocate for the founding of a healthy corner store program

Recommendation 17 | Promote inclusive workforce development programs, strategies and partnerships, especially for disadvantaged groups

Include the below goal to promote inclusive workforce development initiatives.

Inclusive Workforce Development: Support the development of workforce development programs, strategies and partnerships that increase employment opportunities for low income, communities of color, young adults, people with disabilities, ex-offenders, and others that face economic injustices and barriers to employment. The following specific actions are recommended.

- Collaborate with government and civil society partners on workforce development initiatives for low income, communities of color, young adult, people with disabilities, ex-offenders and other priority groups
- Prioritize contracting with women and minority-owned businesses

Housing

The Housing and Community Development chapter describes Dover’s housing stock, housing and community initiatives, and projected housing needs. The chapter includes several recommendations that support healthy communities; however, the chapter update should go further to describe the link between housing and health.

Recommendation 18 | Articulate the link between housing and health

The below text that describes links between housing and health should be included:

Housing and Health: Factors related to housing have significant impacts on health. The links between housing and health fall into three broad categories: the physical conditions of our homes; the conditions of the neighborhoods surrounding our home; and affordability and other economic dimensions of housing. For instance, housing in disrepair can present a range of physical safety hazards, from shoddy wiring that is a fire hazard, to leaks that create damp conditions and lead to mold growth. The materials from which our homes are constructed can also present health hazards, including Asbestos and lead paint. The neighborhoods we live in determine our access to resources that support health and opportunity like grocery stores, community gardens, healthcare facilities, recreation facilities, employment centers and schools. Neighborhoods influence our safety and perception of safety. The amount we spend on housing; if we are able to access financing for home loans and rental assistance; and issues that affect renters, like cause/no cause evictions and discriminatory leasing practices determine where we live, if we experience housing insecurity or homelessness and our economic and financial wellbeing. The following specific actions are recommended to promote healthy housing for all.

Produce Carts

Produce Carts are mobile units that sell fresh fruits and vegetables. The mobile unit model allows produce carts to easily locate in neighborhoods with low access to healthy food retail. Produce carts may be outfitted to accept EBT vouchers for customers with WIC or SNAP benefits. Produce cart programs provide new opportunities for entrepreneurship and jobs. Local governments can offer financial incentives for produce cart operators through subsidized or waived permit fees and other tools.

Healthy Corner Stores

Healthy Corner Store initiatives seek to transform corner stores and small food retailers into healthy corner stores that increase access to healthy, affordable food, especially in communities not well served by grocery stores, and other healthy food retailers. Local governments can stimulate healthy corner store development by: launching recognition programs; providing financial incentives like fee waivers or tax credits to recognized participants; marketing for recognized participants; providing technical assistance, including perishable inventorying, nutrition education and business management; and sharing investments with would-be participants to upgrade store interiors and equipment.

Urban Agriculture Networks

School gardens, community gardens, urban farms and small-scale agriculture projects can provide fresh produce to local food pantries, schools and other institutions, and food distribution hubs, mobile markets, produce carts and local food retailers. Coordinated approaches to link local producers with community consumers are termed Comprehensive Garden/Urban Agriculture Networks. To expand productive lands, local governments can temporarily or permanently transition suitable vacant and underutilized lots into community gardens or urban agriculture projects.

- Collaborate with public health agencies, housing authorities, advocacy groups and others on matters concerning housing and health
- Support programs that promote good quality housing (e.g. collaborate on weatherization programs, collaborate on lead paint hazards programs)
- Advocate for the development of complete neighborhoods and mixed-use development
- Support programs to address housing inequities and injustices (e.g. collaborate with tenants alliance, promote neighborhood initiatives to address hazards)

Brownfield Redevelopment

Brownfields are former industrial or commercial sites for which expansion, redevelopment or reuse may be complicated by real or perceived contamination. Brownfields are often vacant or underutilized properties and sources of blight in neighborhoods. Brownfield redevelopment programs take actions on designated brownfields to restore sites to productive uses. Brownfield redevelopment projects can be leveraged to increase park and community space permanently or temporarily, while remediating environmental contamination in communities. The U.S. Environmental Protection Agency provides resources for communities interested in pursuing brownfield redevelopment projects.

Transitional Use Zoning

Transitional use zoning can support temporary use of vacant lots for parks, community gardens and other public spaces. Partnerships with nonprofit organizations or churches may facilitate this use of space.

Land Development

The Land Development chapter ties goals articulated throughout the plan to land development policy. The chapter update should highlight policies that encourage complete, walkable communities, promote healthy food availability and identify new opportunities for community amenities.

Recommendation 19 | Promote mixed-use development near targeted residential areas

Sample language for a new mixed-use development goal is below.

Mixed-Use Development: Explore opportunities for mixed-use development near targeted residential areas. Mixed-use development helps create complete neighborhoods and a compact, walkable urban form that encourages physical activity and cohesive, vibrant communities.

Recommendation 20 | Explore a Healthy Food Zone around schools and/or places populated by youth

Below is language for a new Healthy Food Zone goal to include.

Healthy Food Zones: Explore opportunities to establish Healthy Food Zones near schools, community centers, parks and recreation facilities and other places populated by youth. Healthy Food Zones aim to create healthier food environments for youth by: restricting new fast food restaurants and convenience stores from locating near schools; and finding solutions to expand fresh produce and healthy food availability at/near schools.

- Evaluate policy options, such as ordinances and zoning code amendments, to restrict new fast food and convenience stores near schools
- Target healthy corner store and produce cart programs near schools
- Partner with schools on CSA and farmers market programs

Recommendation 21 | Promote shared-use, temporary-use and adaptive reuse of properties for parks and community space

Include the following new goal to aimed at expanding park and community space.

New Parks, Pocket Parks, Community Space: Explore opportunities to develop new temporary or permanent parks, pocket parks and community space through shared use, redevelopment or adaptive reuse of vacant and underutilized properties. The following specific actions are recommended.

- Encourage policy development (e.g. transitional use zoning) that expands parks, community gardens
- Promote shared use of publicly-held properties (e.g. schools) with potential to provide needed community resources such as playgrounds, recreational facilities and community kitchens
- Support brownfield redevelopment programs and neighborhood cleanup programs
- Support Better Block programs⁸
- Found a Dover PARK(ing) Day⁹
- Pilot a pocket park program

⁸ Better Block programs, commonly community-based initiatives, reimagine built environments as for people first. They typically use temporary installations to calm traffic and activate spaces in order to demonstrate the potential and build support to improve public spaces and build more vibrant neighborhoods.

⁹ PARK(ing) Day is an annual global event that brings together diverse stakeholders from across a community to temporarily transform parking spaces into temporary public places with the mission to call attention to the need for more public open space.

Intergovernmental Coordination

The Intergovernmental Coordination chapter describes the interactions and coordination efforts between Dover and other governmental agencies, including municipalities, Kent County and the State of Delaware.

Recommendation 22 | Encourage coordination among agencies to foster healthier communities

Include the following goal to collaborate on public health matters.

***Collaborate for Public Health:** Encourage coordination among the various agencies involved in land use planning and public health to foster healthier communities through active transportation networks, protection of natural resources and critical infrastructure, and prudent planning practices.*

Implementation

The Implementation chapter describes how to enact policies and recommendations articulated throughout the plan. The chapter update should include performance measures to track progress toward healthy community goals.

Recommendation 23 | Ensure that all communities are on track to achieving healthy community goals

Evaluate activities to improve access to healthy foods and active transportation, among other community health measures of interest over time. Develop measurable goals for improving healthy food access and promoting physical activity, and adapt programs to meet the needs of target populations. The following text for a goal for tracking indicators of community health should be included.

***Track Community Health Indicators:** Ensure that all communities are on track toward improved access to healthy foods and active transportation facilities, while prioritizing communities of need. In collaboration with local and state agencies and community stakeholders, track progress towards improving access to healthy food and pedestrian, bicycle and transit facilities for communities throughout Dover on an ongoing basis.*

Project for Dover's 2019 Comprehensive Plan

Evaluation of 2008 Goals and Recommendations

As part of the preparation of the City of Dover's 2019 Comprehensive Plan, the Planning Office is looking to evaluate the implementation of the *2008 Comprehensive Plan*. Please complete the following task.

Using the attached Chart entitled "Evaluation of 2008 Goals and Recommendations," please evaluate each goal and provided any comments regarding each goal. These Plan Goals are found in Table 1-1 and in Chapters 5-11 of Dover's *2008 Comprehensive Plan as amended*.

Use the following scale of 1 to 5 in evaluating the importance of each goal.

- 1 = Less Important
- 2 = Somewhat Important
- 3 = Important
- 4 = More Important
- 5 = Very Important

Evaluation of 2008 Goals and Recommendations

From Table 1-1 and Chapters 5-11 of Dover's 2008 Comprehensive Plan as amended

Chapter	Goals	Goal Statement	Evaluation of Importance Rate 1-5	Comments
Natural Resources and Environmental Protection	Goal 1: Protect the Natural Environment	Protect the natural environment through the conservation of significant ecological systems that naturally work to enhance the quality of life for residents.		
	Goal 2: Improve Watershed Quality	Continue the City's partnership with DNREC, Silver Lake Commission, and other environmental groups to improve the water quality in Silver Lake and the St. Jones River watershed and Little Creek Watershed.		
	Goal 3: Encourage Green Development and Sustainable Energy Practices	Begin the process of creating both Code amendments and/or policy amendments and revisions which encourage environmentally sensitive development and allow for emerging "green" trends to flourish in the City.		
Historic Preservation	Goal 1: Preserve and Protect Historic Resources	Preserve and provide better protection for historic resources including individual properties and historic districts in order to maintain community character and the plan for integration of these places into everyday use.		
	Goal 2: Provide and Promote Incentives for Preservation Activities	Provide and promote incentives for public and private preservation activities and the protection of residential and non-residential historic properties including incentives to encourage continual use, on-going maintenance of such properties, and appropriate in-fill project design.		
	Goal 3: Increase Public Information on Historic Resources	Increase and promote dissemination of information on preservation activities, the value and significance of historic resources, and historic and cultural heritage tourism opportunities to the general public and elected/appointed officials.		

Evaluation of 2008 Goals and Recommendations

From Table 1-1 and Chapters 5-11 of Dover's 2008 Comprehensive Plan as amended

Chapter	Goals	Goal Statement	Evaluation of Importance Rate 1-5	Comments
	Goal 4: Collaborate with Diverse Groups and Governments	Partner and collaborate with special interest groups, within municipal government, and state and federal government agencies regarding preservation activities, cultural activities and heritage tourism.		
Public Utilities and Community Infrastructure	Goal 1: Proactively Maintain Existing Infrastructure and Expand Infrastructure When Beneficial	Continue to place highest priority on maintaining existing utilities and community infrastructure so that reliable service can continue to be provided to existing community.		
	Goal 2: Enhance Infrastructure to Meet Community Needs	Enhance public utilities and infrastructure where studies indicate that community services standards are not being met.		
	Goal 3: Meet or exceed the State and Federal requirements of the NPDES permit and Stormwater Management Plan	-		
Community Services and Facilities	Goal 1: Provide a System of Interconnected Open Space Areas and Recreational Opportunities	Provide a walkable open space network which links the community to facilities, schools, libraries, and travel paths.		
	Goal 2: Provide a New & Modern Public Library	The City should pursue and support the construction and operation of a newly constructed modern library facility.		
	Goal 3: Disaster Preparation	The City must be prepared to face and quickly address potential disasters both natural and man-made.		
	Goal 4: Provide and Maintain High Quality City Services	The City should provide and maintain high quality services to all residents, properties, and visitors within Dover.		

Evaluation of 2008 Goals and Recommendations

From Table 1-1 and Chapters 5-11 of Dover's 2008 Comprehensive Plan as amended

Chapter	Goals	Goal Statement	Evaluation of Importance Rate 1-5	Comments
	Goal 5: Protect and Preserve the City Owned Resources	The City should work to ensure the protection and preservation of its own resources ranging from natural, historic, and cultural resources to the physical facilities.		
Transportation	Goal 1: Preserve and Maintain the Existing Transportation System	Encroaching development and unlimited access onto the region's major roadways reduces system capacity. By guiding development, controlling access, and taking active steps to preserve transportation system investments that have already been made, the existing system can be maintained.		
	Goal 2: Increase Coordination with Agencies	Work with citizens, DeIDOT, and the MPO to ensure that Dover's long and short-range transportation needs are addressed.		
	Goal 3: Develop and Expand Alternate Modes of Transportation	Expanding facilities and services for alternate modes of transportation such as walking, bicycling, taxi, and transit services enhances mobility for residents, reduces the number of single-occupant vehicles, and reduces the need to own an automobile.		
	Goal 4: Create Recommendations and Policies for Roadways and Development	The City should cooperate with DeIDOT through the Development Advisory Committee (DAC) and the Dover/Kent County MPO on the following: <ul style="list-style-type: none"> • Support for access management along minor arterials and collector roads to protect traffic capacity and preserve the character of existing neighborhoods. • Support for pedestrian, bikeways, and public transit facilities in subdivisions and site plan applications. 		

Evaluation of 2008 Goals and Recommendations

From Table 1-1 and Chapters 5-11 of Dover's 2008 Comprehensive Plan as amended

Chapter	Goals	Goal Statement	Evaluation of Importance Rate 1-5	Comments
	Goal 5: Air Quality: The Ozone Challenge	The City of Dover is committed to working with the Dover/Kent County MPO to reduce the air quality impact of auto emissions through sound land use planning, enhancing the bicycle and pedestrian transportation network in Dover, and encouraging increased use of public transit.		
Economic Development	Goal 1: Attract and Retain High-Paying Quality Jobs by Targeting Large Firms and Businesses to Major Growth Areas in the City	-		
	Goal 2: Revitalize Downtown Dover as a Vibrant Town Center Integrating the Hospital, the Colleges & Universities, the State and City Governments with Business (Retail and Professional), Housing and Tourism	-		
	Goal 3: Ensure that Zoning Requirements Encourage the Uses Desired and Do Not Create Impediments to Desired Business Growth	-		
	Goal 4: Create an Environment for Long Term Economic Investment in Dover Focusing on Green Technology and Entrepreneurial Businesses	-		
	Goal 5: Actively Market Garrison Oak	-		

Evaluation of 2008 Goals and Recommendations

From Table 1-1 and Chapters 5-11 of Dover's 2008 Comprehensive Plan as amended

Chapter	Goals	Goal Statement	Evaluation of Importance Rate 1-5	Comments
Housing & Community Development	Goal 1: Encourage Balanced Housing Opportunities for All Income Levels and Phases in Life	Ensure that adequate, safe, and affordable housing is offered to all income levels, ages and citizens of the City.		
	Goal 2: Preserve Existing Housing Stock	Preserve the existing housing stock in the City of Dover through the continuation of the rehabilitation of existing homes.		
	Goal 3: Provide Safe Livable Neighborhoods	Continue to provide safe livable residential and commercial neighborhoods to improve the quality of life.		
	Goal 4: Provide Homeownership Opportunities for Low/Moderate Income	Provide homeownership opportunities throughout the City, especially within low and moderate-income neighborhoods.		

City of Dover, Delaware
Summary of Applications

Application Type	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017					2018		
																Q1	Q2	Q3	Q4	Total	Q1	Q2	Total
Board of Adjustment	13	9	17	18	25	38	20	15	15	13	15	17	14	15	16	9	2	4	2	17	1	1	2
Annexations	2	3	5	6	10	4	3	1	0	0	1	3	0	1	3	0	0	0	0	0	0	0	0
Conditional Use	2	8	8	9	8	7	14	8	5	7	6	11	6	4	5	1	1	2	2	6	1	0	1
Site Plans	37	37	33	39	49	66	43	29	33	23	20	21	24	16	24	10	7	8	8	33	3	0	3
Subdivisions	2	10	10	8	7	7	2	7	5	2	2	6	5	2	0	0	1	1	0	2	1	0	1
Rezoning	5	8	9	7	13	10	11	5	8	6	2	3	4	4	7	2	1	2	0	5	0	0	0
Miscellaneous	14	11	25	17	17	23	20	15	20	17	24	22	14	14	18	1	0	5	2	8	4	0	4
Unified Sign	1	2	0	1	0	1	3	1	0	2	2	3	1	2	4	0	0	0	2	2	0	0	0
Historic District Commission	6	11	7	3	9	7	4	4	11	5	7	5	6	8	6	0	2	1	1	4	0	0	0
TOTAL	82	99	114	108	138	163	120	85	97	75	79	91	74	66	83	23	14	23	17	77	10	1	11

**Summary as of 4/6/2018 including applications received for the April meetings of the Planning Commission, Board of Adjustment and Historic District Commission and including Administrative Plan Reviews.*