

GUIDE FOR MASTER PLANNING IN DELAWARE

September 2012



OFFICE OF STATE PLANNING COORDINATION
stateplanning.delaware.gov



with assistance from the

UNIVERSITY OF DELAWARE'S INSTITUTE FOR PUBLIC ADMINISTRATION

GUIDE FOR MASTER PLANNING IN DELAWARE

September 2012



**STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION**

September 24, 2012

Dear Delaware State Agencies and Local Governments:

I am pleased to present the *Guide for Master Planning* in Delaware developed by the Delaware Office of State Planning Coordination with assistance from the Institute for Public Administration at the University of Delaware.

Our office is working to develop a framework, called Complete Communities, which will include guidelines for creating communities that can improve the quality of life for citizens and encourage more economic development opportunities while minimizing the use of natural and fiscal resources. In order to achieve these goals, we believe that Master Planning is one of the cornerstones of good government land use activities. It complements the other planning activities that are already ongoing. Local comprehensive plans formulate visions for each jurisdiction's future and articulate general guidelines for achieving desired land use patterns. Master Planning brings all stakeholders—state agencies, local governments, civic groups, and business leaders—together to actually implement certified comprehensive plans by spelling out the details of, and the responsibilities for, the provision of infrastructure services in an efficient, timely, and cost-effective manner.

We believe that the partnerships formed during Master Planning between state agencies and our local governments and their citizens will contribute to a vision for Delaware that keeps it a great place to live and work while supporting an environment that grows businesses and preserves our critical natural and fiscal resources through sensible land-use planning practices. Our planners stand ready to assist local governments and state agencies to develop and implement Master Plan projects.

Sincerely,

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

Constance C. Holland, AICP
Director

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What Is a Master Plan?

Characteristics

- Master Plans present opportunities to enhance the lives of those who either will or already live and/or work in the project areas, especially if “complete communities” guidelines are used (as defined in the *2010 Delaware Strategies for State Policies and Spending*¹).
- Master Plans supplement, support, and help stakeholders implement comprehensive plans.
- Master Plans are collaborative undertakings among jurisdictions, agencies, service providers, and infrastructure providers.
- Master Plans are more detailed than comprehensive plans because they include build-out calculations, identification of infrastructure needs and costs, and the phasing and coordination of infrastructure provision with development.
- Master Plans are meant to produce more predictable outcomes than comprehensive plans and are thus seen as beneficial for economic development as well as environmental protection and other efforts.
- Master Plans earn public acceptance via public meetings and/or workshops.

What is a Master Plan?

A land use plan focused on one or more sites within an area that identifies access, general improvements and needed infrastructure, and intended to guide growth and development over a number of years and in phases.

Source: American Planning Association, *APA Planners Dictionary*, as amended by the Delaware Office of State Planning Coordination.

Different from Local Comprehensive Plans

Master Plans differ from “local comprehensive plans” mandated by the *Delaware Code* in Title 9 for counties and in Title 22, Section 702 for municipalities. Delaware law prescribes the contents of comprehensive plans and the frequency with which they are to be reviewed or adopted. As a result, comprehensive plans represent general guidelines for growth and development. Making the road improvements, extending the water and sewer lines, or transferring the development rights to implement a comprehensive plan are undertakings that a local jurisdiction frequently cannot accomplish on its own. It requires collaboration with other governments, service providers, and the community.

¹ For additional information, see <http://stateplanning.delaware.gov/strategies/default.shtml>.

When Is a Master Plan Needed?

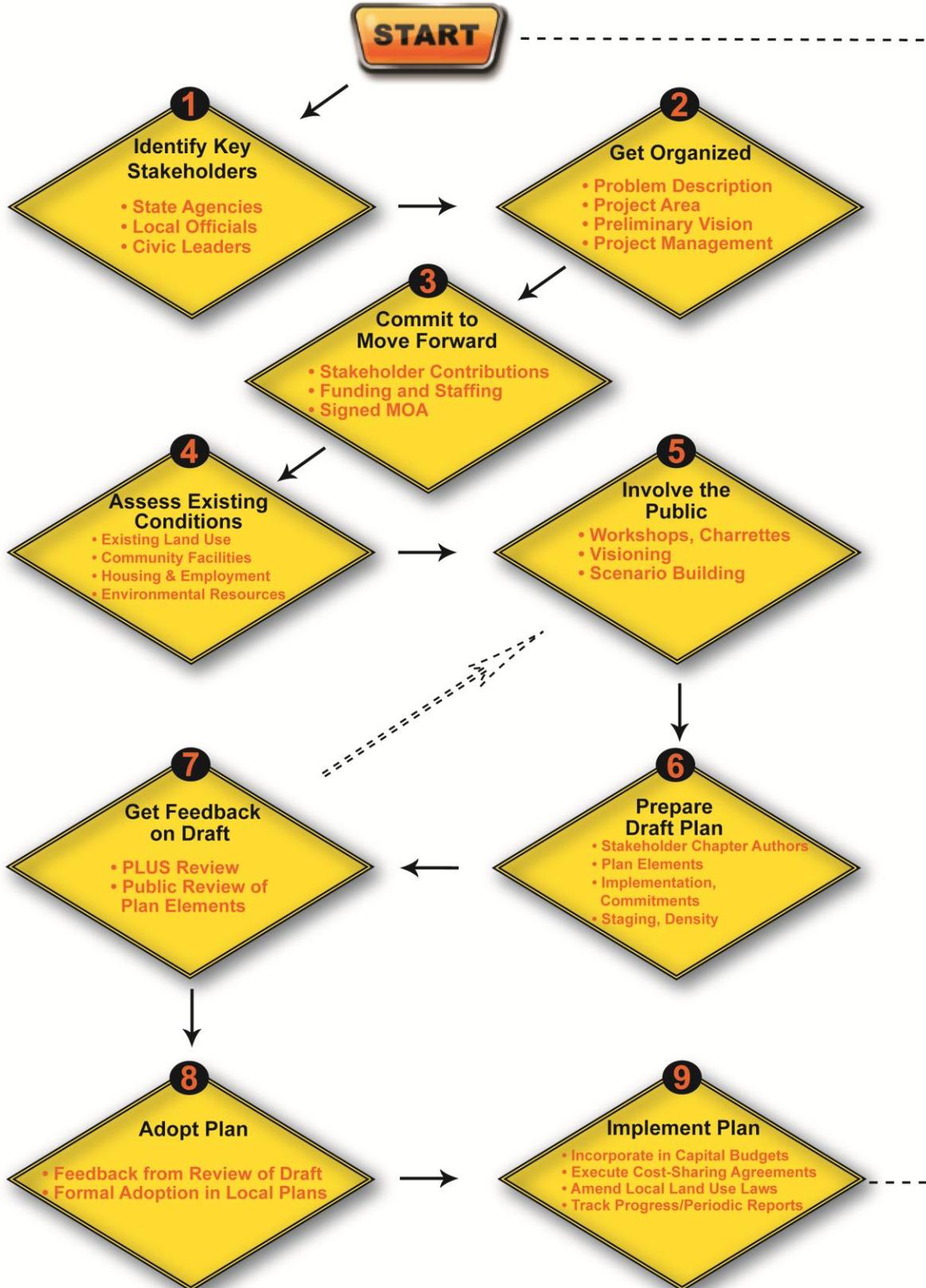
There are a variety of situations in which creating a Master Plan would be helpful. So, how do you know that you need a Master Plan? You need a Master Plan when you realize that you must do more detailed planning for infrastructure than is provided for in your comprehensive plan. You need a Master Plan when you realize that you can't go it alone (e.g., you need a master plan when the municipality next door is responsible for your sewage treatment).



What sorts of situations might trigger the need for a Master Plan? Here are some examples.

- While updating a comprehensive plan, a town planner realizes that in order to annex a property adjacent to the town, an extension to the county sewer is needed.
- A developer presents a concept for a traditional neighborhood development that includes properties in a municipality and an adjacent county.
- A proposal for infill development requires improvements to streets and roads not controlled by the town.
- Your town has annexed a 200-acre parcel adjacent to a major highway and wants to make the site shovel-ready for economic development.
- A major employer, who is also a large-water user, announces plans to triple its workforce over the next five years.

How To Do a Master Plan



Step 1. Identify Key Stakeholders

Once it is determined that a Master Plan is needed, the first step is to identify the persons, groups, or organizations that can help solve the problem—the stakeholders.

Stakeholders should include high-level, elected officials and administrators from the local jurisdictions and organizations affected by the plan as well as appropriate state departments and agencies. These representatives should be persons who are authorized to commit resources to the Master Plan effort and make decisions on behalf of the agencies they represent. Their participation provides an incentive for other stakeholders to attend and participate. Although the composition of stakeholder groups should be tailored to each Master Plan, the list below provides a starting point.

- Local Representation—Mayor, municipal manager, planning staff, council members, planning commission, business organizations, fire companies, school districts, civic groups, citizens
- State Agency Representation—Office of State Planning Coordination (OSPC); Departments of Agriculture (DDA), Education (DDOE), Natural Resources and Environmental Control (DNREC), and Transportation (DelDOT); State Housing Authority (DSHA); and Economic Development Office (DEDO)
- Community leaders from business and civic groups

Stakeholders must agree to assume responsibility for participation in the project and implementation of infrastructure and service decisions. Responsibilities should be described, and a formal agreement should be made to solidify commitment from each stakeholder. An effective way to solidify stakeholder responsibilities is through a Memorandum of Agreement (MOA).

Step 1	Identify Key Stakeholders
Step 2	Get Organized
Step 3	Commit to Move Forward
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Step 8	Adopt Plan
Step 9	Implement Plan

Step 2. Get Organized

The purpose for this step is to bring together the stakeholders identified in Step 1 in order to determine how the Master Plan effort should go forward.

- Flesh out the problem. To a certain extent, it will involve describing existing conditions in the project area.
- Delineate the extent of the Master Plan project area.
- Ascertain stakeholder commitment.
- Determine stakeholder responsibilities and contributions to the project.
- Do a first cut of a vision for the Master Plan area.
- Determine how the project will be managed. The project should be managed by a professional planner or someone with considerable knowledge of planning. A paid consultant is preferred. If this alternative is chosen, stakeholders must determine who will fund the consultant's work. Another approach is for OSPC to lead the project.

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It is expected that some of this analysis will have been done when identifying the need for a Master Plan (see page 2). It is also to be expected that the plan initiator will have developed a preliminary concept of the project area, the end-state land use pattern, etc.

Consider the following guidelines when establishing boundaries for the Master Plan area.

- Project area boundaries should not be constrained by municipal or county boundaries. Rather, the geographical extent of the planning issues should determine the area to be incorporated into the Master Plan.
- Bigger is not always better. It is often difficult to achieve detailed infrastructure planning for large areas.
- To the extent feasible, Master Plan–area boundaries should respect established analysis areas for which data are available, such as census tracts, traffic analysis zones, and watersheds.

Step 3. Commit to Move Forward

All Master Plans should have a signed Memorandum of Agreement (MOA). A signed MOA demonstrates commitment by the stakeholders to participate in the effort and assume their responsibilities in the implementation of the plan's recommendations. The following list recommends elements that an MOA document should include.

- A clear description of the situation that identified the need for a Master Plan.
- Scope of work that includes key components of the project. These may change as the project develops.
- A map of the project area. As with the scope of work, this may change as the project develops.
- A schedule with milestones.
- A strategy for “getting the work done” that outlines responsibilities, funding, and staff commitments for each stakeholder identified in Step 1.
- Designation of a project manager.

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The MOA for the Milford Southeast Neighborhood Master Plan is presented in Appendix A as an example. The “Whereas” statements on pages 42 and 43 identify the issues that prompted initiation of the Master Plan. The “Be It Resolved” statements on pages 43-45 outline the stakeholder responsibilities. Stakeholder signatures are found on page 46. The initial Master Plan project area boundaries are depicted in the appendix to the MOA on page 47.

Step 4. Assess Existing Conditions

This step is about providing further detail regarding existing conditions in the Master Plan area that was begun in Step 2. This effort should include gathering data and mapping the existing conditions of the study area. It is important to organize this information in a manner that will be easily understood when involving the public in Step 5.

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Data collection and mapping should rely as much as possible on existing data. Each stakeholder agency should provide pertinent informational data and GIS (geographic information systems) mapping data already prepared for other projects. Local government officials should contribute information and GIS mapping compiled for comprehensive plans.

Below are suggestions for organizing and putting together the study area's existing conditions.

- Data
 - Socio-economic characteristics, such as population, housing, income, age, educational attainment, occupation; important to show trends as well as present current statistics
 - A list of the key stakeholders identified in Step 1 and community groups and other interested parties not identified in Step 1
 - An inventory of service providers in the project area
 - Existing and proposed capacities of area infrastructure
- Maps
 - Residential—Housing types, existing and planned subdivisions
 - Farmland—Areas being farmed and those in farmland-preservation programs
 - Community Facilities—Parks, schools, public safety, libraries, community centers, health care, social services
 - Natural and Environmental—Rivers, streams, water bodies, floodplains, wetlands, source water protection areas, and protected natural areas such as wildlife areas, trails
 - Employment—Retail, service, manufacturing, public, agri-businesses, major employers
 - Infrastructure—Roads, water, sewer, gas, electricity, communications (telephone, broadband, fiber optics)

Step 5. Involve the Public

The public-engagement process is intended to obtain input that will guide the creation of a Master Plan. Its goal is to create an environment in which the public can:

- Voice their opinions.
- Help formulate the future of the project area.
- Be invested in the outcome.
- Support actions needed to implement the plan.

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Project leaders must emphasize that all ideas are appreciated and will be considered, but the implementation strategy is a process of consensus. Considerable time should be given to hearing what participants have to say. It may take a series of meetings and workshops to ensure that all public comment has been received.

Getting Started

The public-engagement process should begin with a meeting or workshop in which the following information is presented to the public. It is recommended that this information be outlined in a written handout and presented verbally at the beginning of an initial meeting.

- Description of the situation that initiated the Master Plan effort and a map of the Master Plan area
- An introduction of the stakeholders and their commitments to the project
- Information on existing conditions
- Overview of the remainder of the process

Visioning

One of the most difficult aspects of any planning exercise is to get participants to articulate their preferred future. Project leaders must continually encourage participants to think beyond their immediate neighborhood and focus on the entire project area. Another challenge is to get participants to envision an end-state or a scenario more than a few years into the future.

Try Something Different

Alternative public-participation processes should be considered, especially technology-driven techniques. These provide another way of getting people engaged, since it appears that there is less public interest in Master Plan meetings and workshops than in meetings or workshops for local comprehensive plans.

One framework for community engagement is the charrette. A charrette is a process that has been utilized for the design of a number of new communities. Charrettes are also used to address issues related to sustainability planning, regional planning, community planning, and transportation planning.² They are characterized by sustained and intense efforts to produce a solution to a planning problem. They often involve multiple sessions over a number of subsequent days (and sometimes nights). Participants typically include government officials, consultants, and the public. The charrette typically closes with a presentation of a document or design that includes implementation strategies.

A tool for public engagement that could be employed within the charrette framework or any other public-engagement format is CommunityViz[®]. CommunityViz[®] is an interactive GIS (geographic information systems) software application that can generate “what if” land use scenarios.³ Using CommunityViz[®], the University of Delaware’s Sustainable Coastal Communities Initiative⁴ program staff developed a land use model for Sussex County. The county was divided into 100-acre grids, or tiles, to illustrate potential development patterns. The grid configuration is used instead of parcel boundaries, natural features (such as streams), or man-made features (such as roads) to take away some of the personal aspects of the land use–planning process. Each grid represents a typical land use, such as rural, suburban, urban, mix of suburban and urban, and non-residential.



The interactive nature of CommunityViz[®] permits participants to change land uses by painting tiles with electronic crayons representing the land uses that they would like to see in the future. The re-coloring process can be done quickly, allowing participants to create any number of alternative development scenarios at a single meeting or workshop. The scenarios can be discussed, analyzed, combined, and displayed in a three-dimensional format.

Tips for Success

Regardless of what mechanisms are used, it is important to reach out to the entire community. See Appendix B on page 48 for tips to ensure a successful public-engagement experience.

² For additional information, see www.charretteinstitute.org.

³ Community Viz[®] is an ArcGIS software extension from Placeways, LLC. For additional information about using CommunityViz[®] for public participation and development of planning scenarios, see Doug Walker and Tom Daniels, *The Planners Guide to CommunityViz*, (Chicago: American Planning Association, 2011).

⁴ For additional information, see www.scc.udel.edu.

Step 6. Prepare Plan Draft

This step involves writing and assembling maps for an initial draft of the plan.

Before putting together the plan document, the stakeholders must come together to consider the public input, existing conditions, and the end-state visions developed in Step 5. They must work collaboratively to develop the desired future land use pattern and determine the infrastructure required to service it.

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Below are some general considerations regarding the organization and contents of the Master Plan document.

- Consider having the initial draft of each chapter or major section of the plan authored by the stakeholder who contributed to plan. For example, a DNREC representative might be tasked with drafting the environmental element of the plan.
- The project manager named in Steps 2 and 3 should serve as editor and assembler of the draft document.
- Use charts, tables, graphics to illustrate and organize information in plan document.

Plan Elements

Although the organization and format of each Master Plan should be tailored to the issues of the study area, the document should include text, maps, and graphics and contain at least the following:

- Description of the issues that prompted the need for a Master Plan and delineation of study area
- Description of the preferred end-state—how the project area might look if developed in accordance with the Master Plan recommendations
- Description of the public-outreach process and how the input from public outreach was incorporated into plan recommendations
- Future land use element with map and text
- Other plan elements such as housing, agricultural preservation, environmental protection, historical and cultural preservation, transportation, water and sewer, design guidelines. Each element should consist of text and maps

- An implementation element that:
 - Describes actions to carryout plan recommendations
 - Outlines stakeholder commitments
 - Include mechanisms to monitor plan implementation

Plan Details

This aspect distinguishes Master Plans from comprehensive plans. Local comprehensive plans contain goals, visions, and relatively general strategies for implementing those goals and visions. Master Plans must be more specific than comprehensive plans by filling in the details. The table below illustrates how the detailed implementation components of a Master Plan might differ from those of a typical comprehensive plan.

Comprehensive Plan	Master Plan
A sewer extension may be required for the development of the XYZ area.	Approximately 2,500 lineal feet of 12-inch sewer must be in place prior to approval of a development plan for the XYZ area. The Town of Delapolis commits to designing and constructing this sewer line and will include this project in the town CIP (Capital Improvements Program) for Fiscal Years 2013-2018.
Consider using TDRs (transfer of development rights) to increase density in undeveloped residential areas.	Development rights at 4 dwelling units per acre, calculated by Delaware Department of Agriculture (DDA), can be transferred from Parcels A, B, or C to increase the density on Parcel D from 4 dwellings per acre to a maximum of 8 dwellings per acre. The town will amend the Delapolis Land Use and Development Code to permit this density increase.

Appendix C on page 51 uses language from the Milford Southeast Neighborhood Master Plan to illustrate further the level of detail that Master Plans should incorporate.

Step 7. Get Feedback on Plan Draft

After writing the draft, share the details of the work done in Step 6 with the public, stakeholders, and relevant parties. It is important for the public to know that the plan drafters listened to them.

- Explain how the existing conditions, public input, and alternative scenarios were analyzed to formulate the recommendations in the plan document draft.
- Get feedback on the choices included in the plan document.

Although the format of public input on the plan draft may differ from the format utilized in the initial public outreach, make sure that the public has ample opportunity to review, analyze, and comment on it. It may require a number of meetings or workshops to accomplish this. It is recommended that these workshops be conducted by one of the participating local jurisdictions or a joint meeting could be hosted by several participating jurisdictions.



The draft plan should also be submitted to OSPC for PLUS (Preliminary Land Use Service) review.

If input from the public workshops, hearings, or PLUS review held in Step 6 reveal the need for substantial alterations, changes in policy direction, etc., it might be necessary to do another draft (return to Step 5) and initiate another round of public-participation efforts.

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Step 8. Adopt Plan

This step involves assessing and incorporating feedback on the plan draft into a final document and adopting the plan.

- The final plan should be amended based on feedback from the public review.
- The final plan should point out how the plan was changed as a result of feedback on the plan draft. It is recommended that this information be placed in an appendix.
- The Master Plan should be adopted in a formal manner by the local government(s) with jurisdiction. The preferred method is adoption as an amendment to applicable local comprehensive plan(s).

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Step 9. Implement Plan

No plan is meaningful unless it is implemented. Needless to say, the pace of development, changing consumer preferences, and marketing conditions will control the pace at which the plan is implemented and will no doubt prompt adjustments to even the most thorough Master Plan.

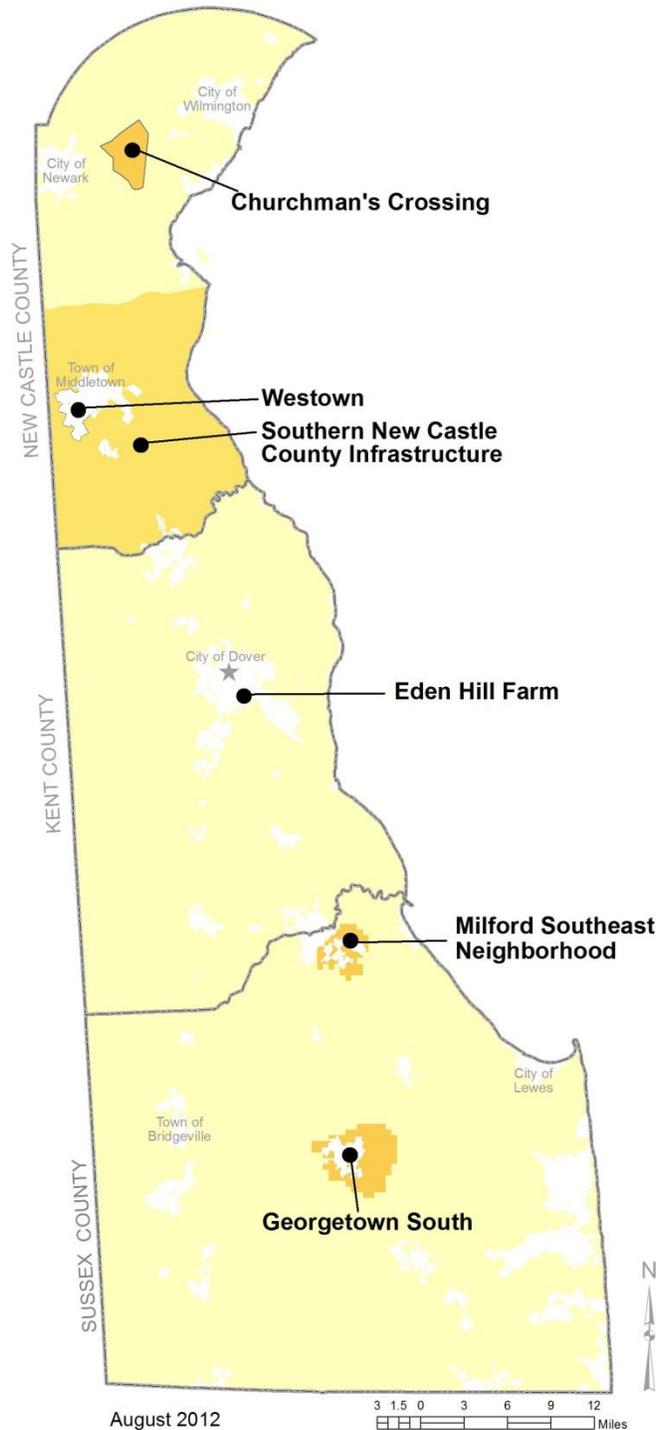
Below is what needs to happen after Master Plan adoption.

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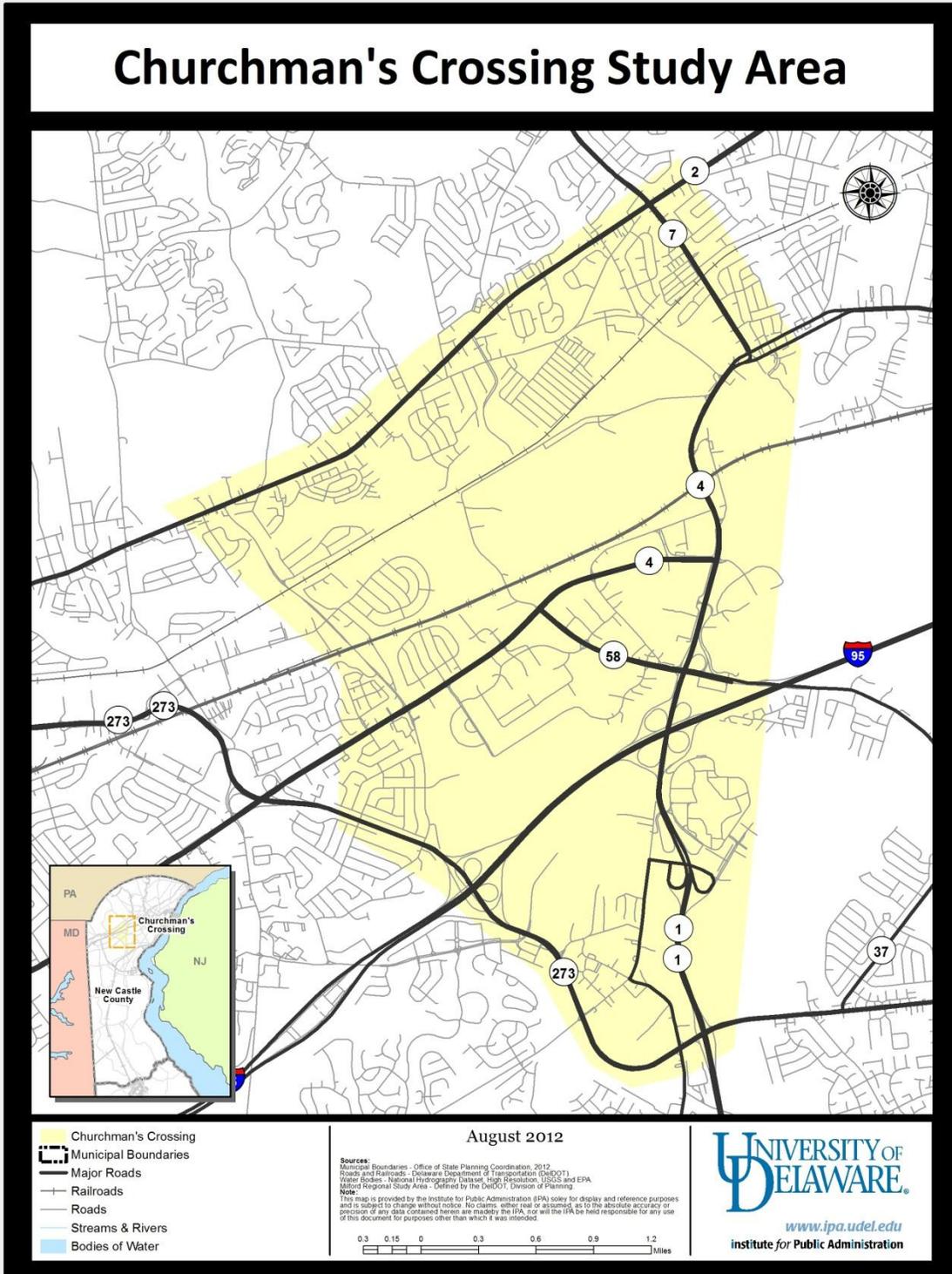
- Decisions, recommendations, and strategies contained in the Master Plan should be incorporated into appropriate county and municipal comprehensive plans. This could be combined with the Master Plan adoption process in Step 8.
- Infrastructure-improvement projects should be incorporated into state and local capital improvement programs and budgets.
- Local governments should adopt the zoning, subdivision, and other land use regulations needed to implement the plan's recommendations.
- Agreements between jurisdictions and service providers should be made to determine timing and cost-sharing aspects of delivering or extending the services called for in the Master Plan.
- Periodic reports should be made that chronicle the progress made to implement plan recommendations.
 - OSPC staff might be tasked with this responsibility.
 - The reports should be distributed to stakeholders and community leaders.
 - Consideration should be given to conducting periodic public meetings to share this information.

How Others Have Done Master Plans

Delaware Master Plan Areas

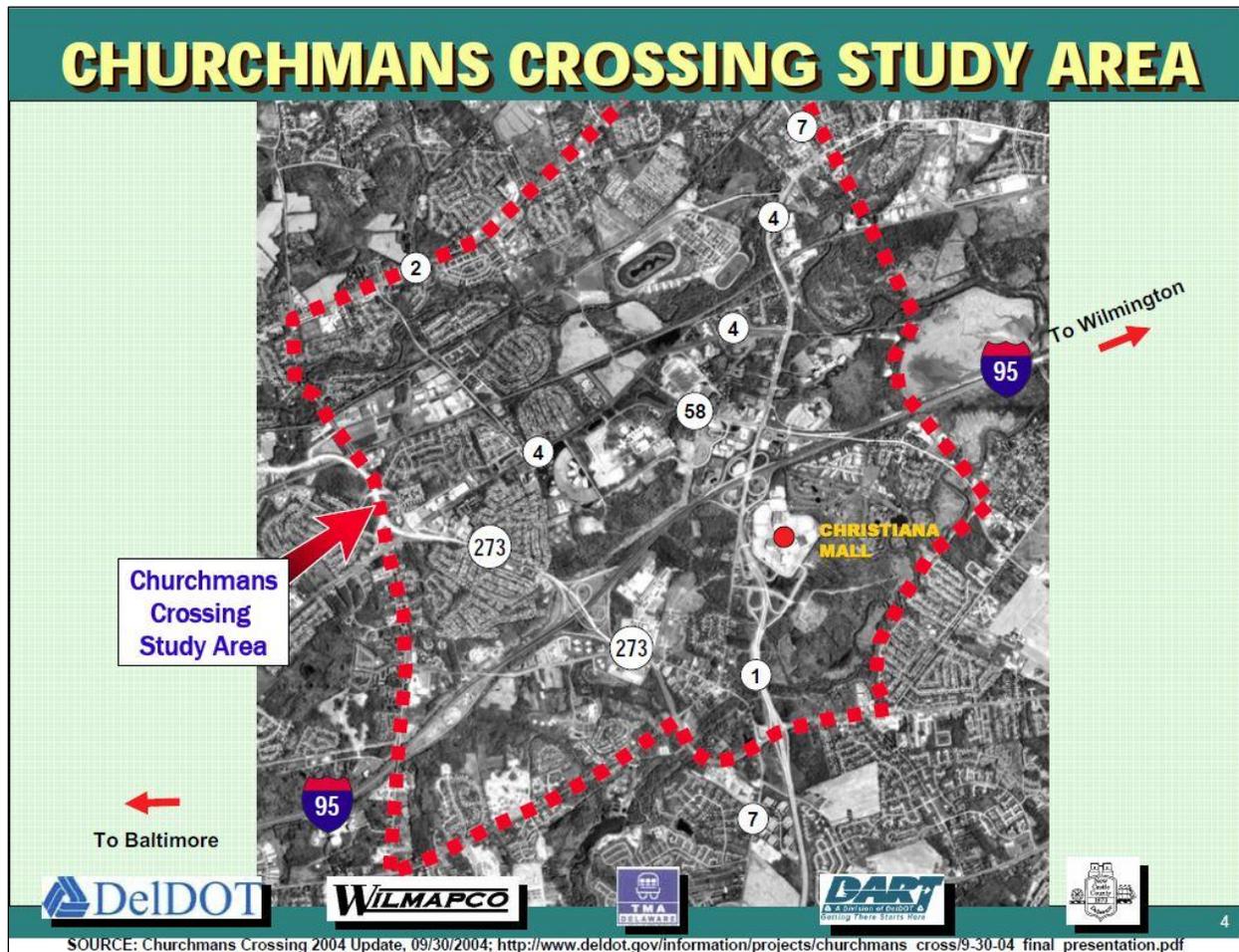


This section of the guide chronicles several Delaware Master Plan projects. As this section demonstrates, Delaware Master Plans come in a variety of shapes and sizes. As pointed out earlier, county and municipal comprehensive plans are constrained by jurisdictional boundaries, but Master Plan boundaries have been tailored to the specific issues and project boundaries of each area. Some include more than one local government, as did the Southern New Castle County Infrastructure Master Plan or the Milford Southeast Neighborhood Master Plan. Others encompass areas within a county or municipality such as Churchman's Crossing in New Castle County, Eden Hill Farm in the City of Dover, or Westtown in the Town of Middletown.



Getting Started

The Churchman's Crossing area is a suburban area consisting of between five and six square miles located at the crossroads of Interstate Route 95 and State Route (SR) 1. It is also within Amtrak's heavily traveled Northeast Corridor. The area includes a major employment center north of I-95 and a regional retail center south of I-95 at Christiana Mall. Its boundaries are entirely within New Castle County.⁵ The graphic below shows the boundaries of the study area and identifies the project's key stakeholders.



Step 1. Identify Key Stakeholders

The key stakeholders for this project were DelDOT, New Castle County, WILMAPCO, and the residents, employers and employees of the Churchman's Crossing area.

⁵ For additional information including periodic status reports on this project, see *Churchman's Crossing Area Monitoring* at www.deldot.gov/information/projects/churchmans_cross.

Step 2. Get Organized

The Churchman's Crossing area of New Castle County had been a focal point for development since the mid-1970s. Factors leading to this development pressure included impacts related to the I-95 and SR 1 interchange, Christiana Care Medical Facility, Christiana Mall, Delaware Technical Community College, and numerous other office and commercial land uses. The purpose of the study was as follows:

- Clarify the vision for Churchman's Crossing.
- Develop a transportation/land use plan that supports the vision.
- Assess whether to create a transportation-improvement district that would:
 - Meet the unique needs of the area.
 - Augment public-sector investment.
- Continue a public/private partnership.

Project area boundaries include:

- North—Kirkwood Highway (SR 2)
- East—Limestone Road (SR 7) and SR 1
- South—SR 273 and Old Baltimore Pike
- West—Salem Church Road and Red Mill Road

Step 3. Commit to Move Forward

A formal MOA was not executed for this project.

Step 4. Assess Existing Conditions

The data-collection and mapping activities for this project were a joint effort among DelDOT, New Castle County, and WILMAPCO. Information gathering was completed in the summer of 1995, strategies were established in the fall of 1995, and transportation/land use options were identified also in the fall of 1995. The stakeholders were responsible for supplying the appropriate data for conducting the analysis of transportation options.

Step 5. Involve the Public

On July 19, 1995, a public workshop was held to present background information and to solicit input for the development of a vision for Churchman's Crossing. A second public workshop was held on February 16, 1996, to discuss an analysis of transportation and land use options.

Step 6. Prepare Plan Draft

In the fall of 1996, findings and recommendations were prepared.

Step 7. Get Feedback on Plan Draft

Following publication of the findings and recommendations in the fall of 1996, a public workshop was held.

Step 8. Adopt Plan

On April 1, 1997, the *Churchman's Crossing Study Final Report* presented a package of recommendations involving transportation and land use components for the Churchman's Crossing area. The study recommendations were to be adopted by the stakeholders through their respective comprehensive plan updates, transportation-improvement programs, and capital-improvement programs.

Step 9. Implement Plan

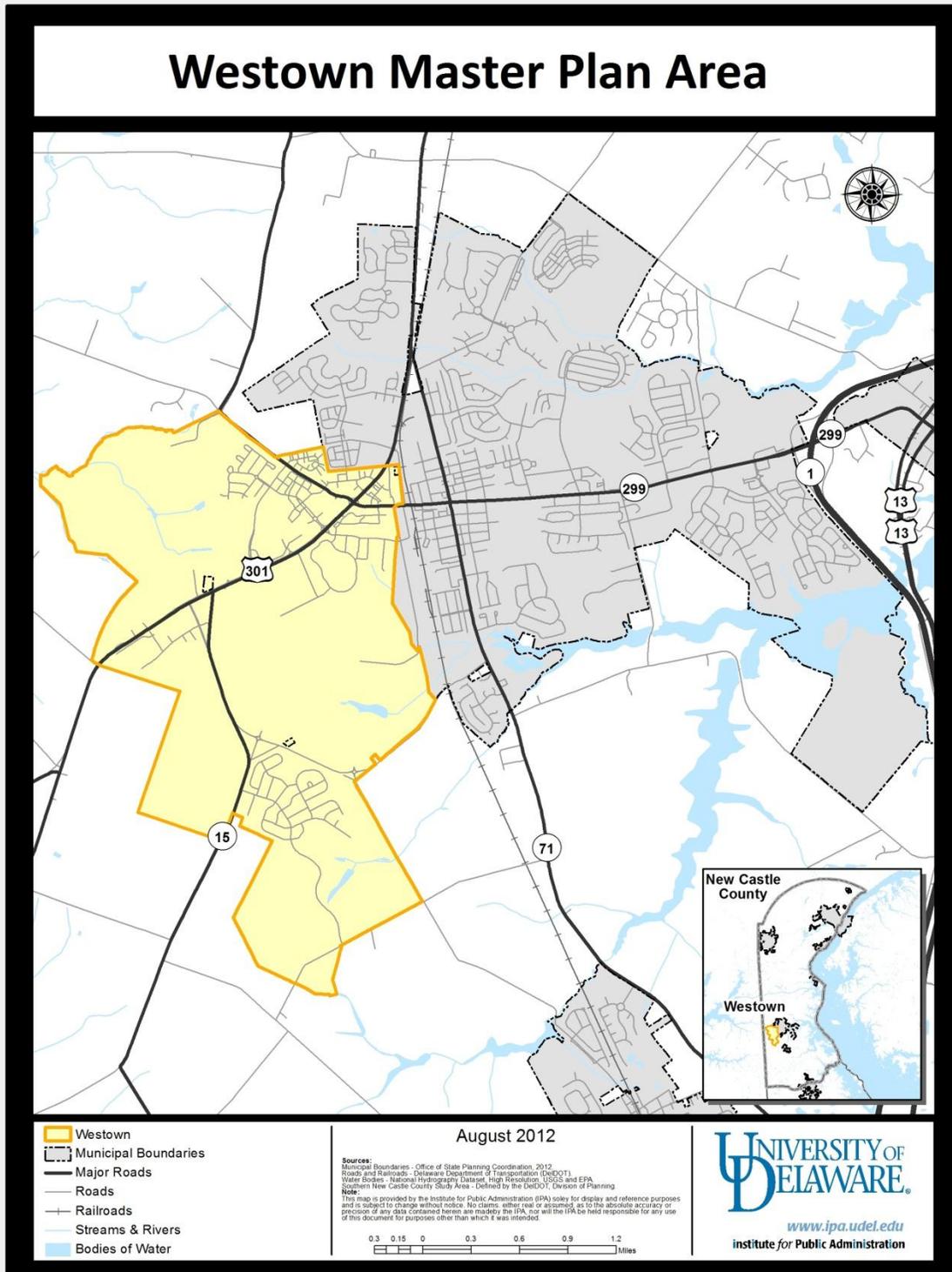
According to the 1997 study mentioned earlier, "The implementation of the package of improvements will require careful coordination between DelDOT, New Castle County, WILMAPCO, and the residents, employers and employees of Churchman's Crossing. The recommendations in this document are a starting point for that cooperative effort."

Furthermore, they were also responsible for including the implementation recommendations into their respective codes, plans, and budgets. According to the Phase 2 Report, the following commitment was indicated:

The study recommendations will be considered in the development of DelDOT's Capital Improvement Program (CIP), WILMAPCO's Transportation Improvement Program (TIP) and Metropolitan Transportation Plan (MTP) and the New Castle County Comprehensive Development Plan Update. The Study recommendations provide both a short term and long range conceptual plan for dealing with land use and transportation issues in Churchman's Crossing. The recommendations have not been assessed or tested with respect to federal, state and local environmental requirements. That analyses/evaluation will occur during the next phase of the project.

Evaluation and follow-up to the study recommendations have taken place through the periodic update of the county comprehensive plan and the yearly preparation of WILMAPCO's Transportation Improvement Program and DelDOT's Capital Improvement Program.

Since 1997, many transit, intersection, roadway, pedestrian, and bicycle projects have been planned, designed, and constructed in the Churchman's Crossing area.



Getting Started

The Westown Master Plan area is located in the southwest quadrant of Middletown, west of the Norfolk-Southern Railroad and south of SR 299 in the vicinity of U.S. Rt. 301. When the plan was first introduced to the Middletown mayor and council, most of the study area was within the corporate limits of Middletown. Since then, almost the whole study area has been annexed into the town.

Step 1. Identify Key Stakeholders

Key stakeholders included a group of landowners (described in the previous section) proposing development plans for the Westown area, the Town of Middletown, and DelDOT. Unlike many other Master Plan approaches, the Westown Master Plan was initiated by the private sector. The landowners chose this type of path because they believed that the best way to make their plans possible was to present not only land uses, but also to delineate the infrastructure improvements needed to support it.

Step 2. Get Organized

The challenge was determining how the then largely undeveloped southwestern quadrant of Middletown south of SR 299 and east of the railroad should be developed. Another factor affecting development in this area was the planned extension of U.S. Route 301 from SR 1 to the Maryland State Line. In 2003, a development concept for 1,100 acres submitted to the town. Because much of the area was undeveloped or sparsely developed in 2003, an opportunity existed for a comprehensive approach to development of the entire area, and the provisions of the services to support it, as opposed to a project-by-project review.

An interesting aspect of the Westown plan was that it is located within the boundaries of the Southern New Castle County Infrastructure Master Plan area. It is a Master Plan area within a Master Plan area.

Step 3. Commit to Move Forward

There was no formal agreement or MOA as part of the review process for this project. As will be shown later, an implementation agreement was executed.

Step 4. Assess Existing Conditions

Most of the data and mapping was done by the group of private developers.

Step 5. Involve the Public

Much discussion about development in the Westown area occurred during the public outreach held in conjunction with Middletown's 2002 Comprehensive Plan Update. The 2005 plan and the proposed 2011 updates continued discussion of the Westown plan.

Step 6. Prepare Plan Draft

Following adoption of Middletown's 2002 Plan Update, a group of landowners prepared a development application in the form of a Master Plan for properties in the Westtown area. Similar to a Master Plan, the application depicted land uses for defined areas within Westtown and showed conceptually where roads might be extended or improved to support the proposed land uses. It also identified agricultural parcels that might be considered for TDR sending areas and corresponding receiving areas. At least three receiving areas were identified as suitable for traditional neighborhood design. Open space was also shown.

Step 7. Get Feedback on Plan Draft

Public input was received via workshops led by the Town.

Step 8. Adopt Plan

For purposes of this analysis, the plan could be considered published when a tri-party agreement for coordinating private construction and infrastructure improvements was executed by the Town of Middletown, the private developers, and DelDOT. This agreement outlines how private construction will be coordinated with the provision of roads and other infrastructure. To date, a portion of the planned development and accompanying improvements have taken place.

Step 9. Implement Plan

Following up on submission of the Westtown Master Plan, the Westtown Circulation Plan was reviewed by the PLUS committee in June 2005. This plan provided detail on the types of transportation improvements needed to support the land uses proposed in the Master Plan.

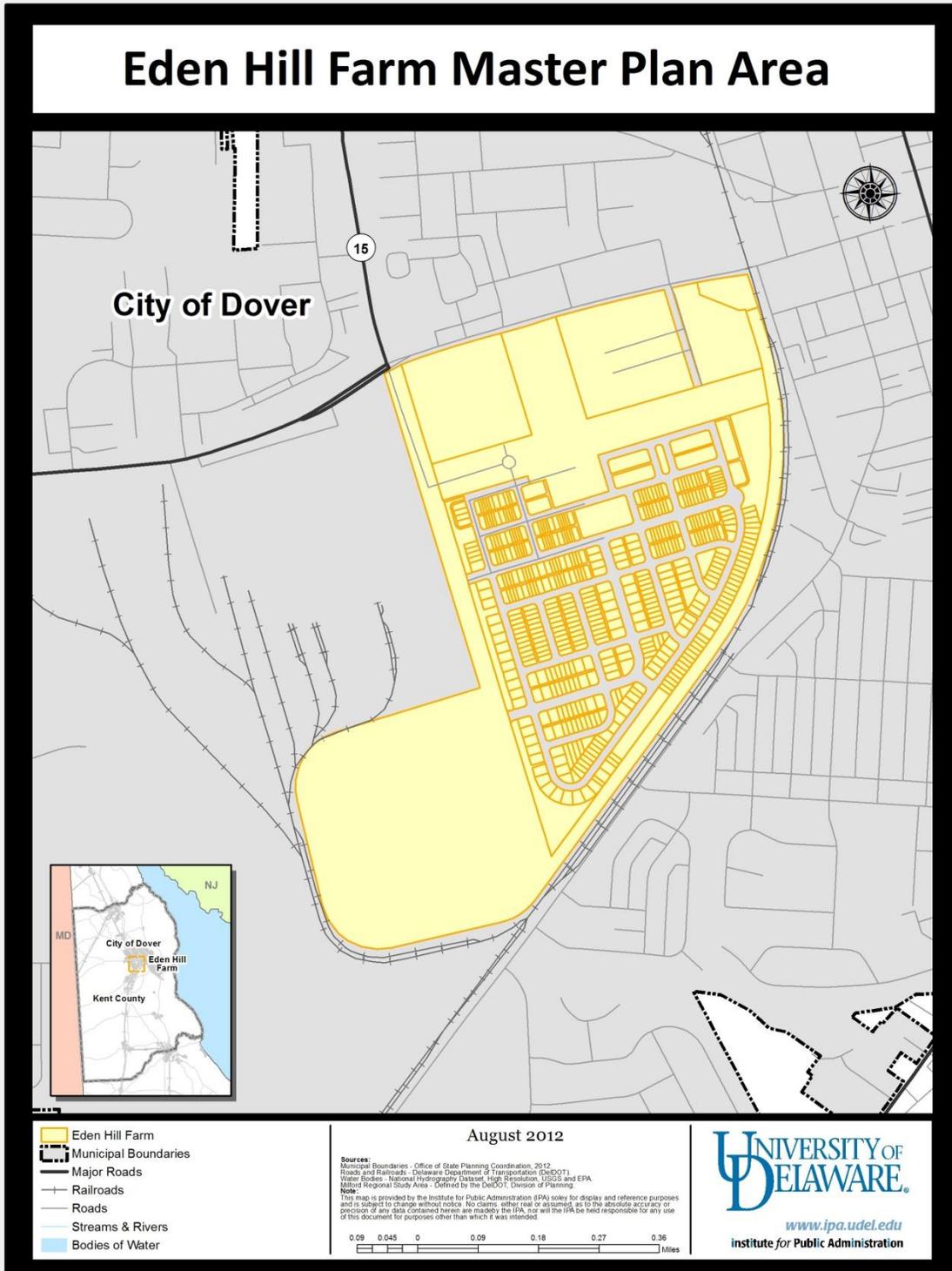
To date, a portion of the planned development and accompanying improvements have taken place in accordance with the tri-party agreement. The CTP Westtown Transportation Improvement Program (T200512801) project provides for "the coordination of private development construction and necessary infrastructure improvements, including public utilities."

The map on the following page depicts the status of selected development projects in the Westtown area as of December 2011. Evaluation and adjustments are anticipated as the area continues to develop and the market shapes the pace of development.

Status of Selected Westown Master Plan Projects



Source: Westown Ventures et al., *Westown Master Plan A Livable Delaware Initiative, Land Use Planning Act Report* to accompany rezoning, subdivision and development plan application for various properties located on the west side of the Town of Middletown, May 2003, base map edited by IPA to portray status of selected development plans included in the pending *2011 Middletown Comprehensive Plan*.



Getting Started

Eden Hill Farm is situated entirely within the City of Dover corporate limits. It is bounded on the north by West North Street, on the east and south by the Delmarva Secondary Track (a rail line operated by Norfolk-Southern), and on the west by Kraft Foods.

The farm represented one of the last possible alignments for the West Dover Connector. The concept of this roadway had been included in most of Dover's comprehensive plans since the 1960s. While the land was being farmed, an alignment for the Connector through the property was not feasible. Then, in the early 2000s, the farm's owners decided to sell the property. Knowing that a traffic study and access approvals would be needed to develop the property, the owner's real estate broker contacted DeIDOT. DeIDOT hired Wallace Roberts & Todd, a planning firm with considerable experience in Traditional Neighborhood Design (TND), to guide them and the property owners through the process of developing a site design for the property that would provide site access, accommodate regional traffic, and include the residential development that the owners desired.

Step 1. Identify Key Stakeholders

Key stakeholders included the owners of the Eden Hill Farm, DeIDOT, and the City of Dover. OSPC was also involved.

Step 2. Get Organized

Early in the process, DeIDOT, the property owners, and the consultant undertook the following:

- Vision and Concept—Developed to help the property owners feel comfortable going forward with development plans.
- Concept Plan—Identified location for the connector road and portions of the Eden Hill Farm to be preserved.
- Market Study—Included analysis of demand and estimated pace of product absorption.

At the same time, the City of Dover, aware of the owners' desire for something other than industrial uses, was updating the comprehensive plan. A survey conducted for the 2003 Dover comprehensive plan update indicated that heavy industry might not be the best use for the property, and a concept incorporating a mix of commercial, employment, and residential uses in a neo-traditional design was preferred. The extension of Saulsbury Road at least to New Burton Road was also supported.

Step 4. Assess Existing Conditions

Data collection and mapping were assembled by the following.

- The Dover planning staff collected the data and developed maps in conjunction with the 2003 Comprehensive Plan, which designated mixed use for the farm.
- Following adoption of the 2003 comprehensive plan, Becker Morgan Group, an architectural and engineering firm, prepared the site layout and pattern book of architectural standards accompanying the rezoning application to place the property in the TND Zone.
- DeIDOT provided maps and data in connection with the West Dover Connector project.

Step 5. Involve the Public

While preparing for the 2003 comprehensive plan update, the planning staff held several workshops to revisit and determine whether findings of a 1996-1997 questionnaire remained valid. One of the 2003 findings was that the community no longer supported industrial uses for the Eden Hill Farm; a mixed-use traditional neighborhood design was preferred. The public was also engaged through the process of drafting and adopting the standards for the TND zoning district, through the rezoning process from IPM (Industrial Park Manufacturing) to TND, and finally through the subdivision-review and -approval process for the Eden Hill Farm subdivision.

Step 6. Prepare Plan Draft

The recommendation for a traditional neighborhood development concept for Eden Hill was included in the 2003 update to Dover's comprehensive plan. On behalf of the developer, the Becker Morgan Group designed the subdivision plan and pattern book. The comprehensive plan was an initial step to recognize the land use change to mixed use, but the creation of the subdivision plan truly represents the "design" component of the master plan for this property. The pattern book goes one step further by addressing urban design and architectural elements for the development.

Step 7. Get Feedback on Plan Draft

The Eden Hill plan was one of many ideas presented in the hearings and workshops held in conjunction with the adoption of Dover's 2003 comprehensive plan update. Feedback from the public was also received through the process of drafting and adopting the TND zoning district, through the rezoning process from IPM to TND, and finally through the subdivision-review and -approval process for the Eden Hill Farm subdivision.

Step 8. Adopt Plan

The final plan could be considered to have been adopted when the concept for Eden Hill and the steps needed to implement it were adopted as part of the 2003 comprehensive plan

update. The city subsequently engaged in the process of creating the TND Zone with the Eden Hill area in mind. Alternatively, the plan could be considered adopted when the property was rezoned from industrial to traditional neighborhood design (TND) in 2005. The rezoning action included approval of the General Overall Master Plan for Eden Hill Farm and the adoption of a Comprehensive Design Standards Manual, a pattern book of architectural styles. The 2008 comprehensive plan⁶ update continues the city's commitment to the Eden Hill Farm Master Plan.

Step 9. Implement Plan

Implementation of the Master Plan for Eden Hill Farm is underway. Below are some milestones.

2003	Recommendation for zoning district that would permit mixes of residential and commercial uses, encourage pedestrian-friendly environments, and flexible bulk standards for lot sizes, building placement, and parking locations
2004	Adoption of new TND Zoning District
2005	Rezoning to TND, including approval of the Master Plan and pattern book
2007-2008	Infrastructure improvements
2008	Beginning of construction on first housing units and opening of Eden Hill Medical Center
2008-Present	Refinements and amendments to pattern book and Master Plan layout as construction continues

Continual evaluation is taking place as the property develops. From time to time, the City adopts amendments to the plan layout and the pattern book. For each revision or amendment, a thorough staff report is prepared that outlines details of the current application, provides background on past applications and plan amendments, and makes recommendations.

In addition, meetings on the West Dover Connector began in January 2004. This project (CTP T200411701) calls for the extension of Saulsbury Road (SR 15) along the eastern boundary of Eden Hill Farm to U.S. Route 13.

⁶ For additional information, see www.cityofdover.com/Comprehensive-Plan-4005.



Getting Started

This Master Planning project is located in southern New Castle County, extending from the Chesapeake and Delaware Canal to the Kent County border. It also includes the towns of Middletown, Odessa, and Townsend (often referred to collectively as MOT). Before the economic downturn beginning in 2008, this area was one of the fastest developing sections of New Castle County. Development pressures were evident in Middletown and, to some extent, Townsend and the unincorporated areas north and east of SR 299. The type of development was mostly residential but also included commercial, office uses, and industrial uses especially in the Middletown area. To service these areas, both New Castle County and Middletown made major infrastructure improvements both in transportation and sanitary sewer facilities. This development activity created considerable need for the construction of additional educational facilities. Between 2001 and 2008, seven new schools opened in the Appoquinimink School District alone. Three other school districts, Colonial, Smyrna, and the New Castle County Vocational School District, were also being impacted by increased development pressure.

Step 1. Identify Key Stakeholders

Then-County Executive Chris Coons and Secretary of Transportation Carolann Wicks spearheaded this Master Plan effort, and two co-chairs were appointed to govern the study committee. An independent consultant was engaged to facilitate this planning effort. Other stakeholders included OSPC; DDA; the Appoquinimink, Colonial, and Smyrna School Districts; the Towns of Middletown, Odessa, Townsend, and Smyrna; and the Wilmington Area Planning Council (WILMAPCO).

Step 2. Get Organized

As stated previously, this area of New Castle County was experiencing considerable development pressures. Specific infrastructure issues included the final alignment, design, and construction of U.S. Rt. 301 and the completion of the New Castle County southern sewer service plan. DeIDOT was also experiencing difficulty in reviewing traffic-impact statements for individual development proposals, and there was no mechanism in the New Castle County code that allowed for the analysis of “mega” traffic-impact statements. In addition, the Appoquinimink School District was faced with constructing a number of new schools to respond to increased enrollments.

The planning area consists of about 122,240 acres and includes southern New Castle County, from the Chesapeake and Delaware Canal to the Kent County border. Based on the recommendation of participants, the planning area was further divided into five subregions. The boundaries of these subregions were determined by the level of development activity, environmental constraints, and the extent to which infrastructure planning, i.e., sanitary sewers, was already underway.



Step 3. Commit to Move Forward

An MOA was deemed essential for this project. Accordingly, its signatories included the major governmental land use decision-makers. New Castle County was named as the lead agency for project management.

Step 4. Assess Existing Conditions

This study relied on mapping and data from a number of sources as shown in the table below. In addition, Erika Rush, a consultant with Urban Engineers employed to manage the plan project, assembled much of these data and generated additional data and maps as needed.

Subject	Provider	Types of Information
Environmental and Sewer Availability	New Castle County	State resource areas, agricultural-preservation areas, DNREC critical and natural areas
Transportation	<ul style="list-style-type: none"> • New Castle County • WILMAPCO • DeIDOT 	<ul style="list-style-type: none"> • Planned projects from 2009-2014 State CTP (Consolidated Transportation Program) • Southern New Castle County programs and studies such as 2008-11 TIP (Transportation Improvement Program) and Local Roads Study • WILMAPCO plans and studies • U.S. Route 301 project federal environmental-impact study (FEIS) • Eastown and Westown Transportation Plan

Step 5. Involve the Public

This plan did not have a public-participation component. However, New Castle County has made this a component of its 2012 comprehensive plan update, and thus the public is now aware of the project.

Step 6. Prepare Plan Draft

An interim report was produced in September 2009, prepared by Urban Engineers. This report included detailed recommendations for Middletown-Odessa-Townsend (MOT), the first subarea to be analyzed. While a final report has not been prepared, several of the stakeholders indicated that the framework for the continuing process of cooperation and coordination is really the final product of this effort.

Step 7. Get Feedback on Plan Draft

No public workshops were held in conjunction with this plan. However, New Castle County has made this a component of its 2012 comprehensive plan update, and thus the public is now aware of the project.

Step 8. Adopt Plan

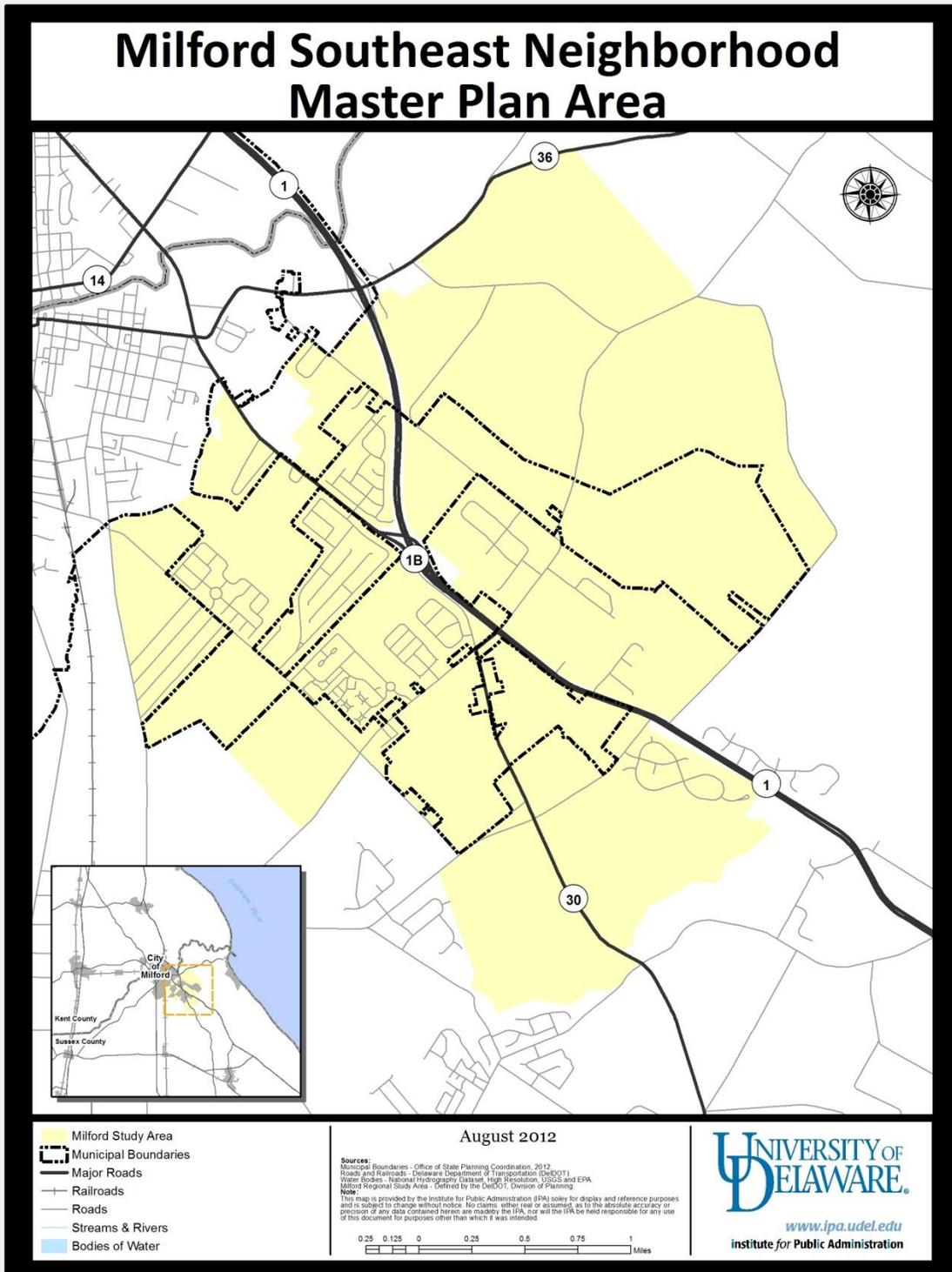
It is not likely that a final document will be published in conjunction with this plan. As pointed out in the discussion of Step 6, the framework for cooperation and coordination is really the final product of this project.

Step 9. Implement Plan

The Master Plan Interim Draft calls for the development of “implementation and monitoring measures as [the five subregions] are completed.” It also calls for the incorporation of “the infrastructure Master Plan process into the [local] Comprehensive Plan by reference.”

- Master Plan recommendations have been incorporated into the 2012 New Castle County Comprehensive Plan Update.⁷
- The 2010 Townsend Comprehensive Plan, adopted July 2010 and certified August 2010, is consistent with the Master Plan recommendations.
- The 2012 Middletown Comprehensive Plan Update draft demonstrates how it is consistent with the Infrastructure Master Plan.

⁷ For additional information, see www2.nccde.org/landuse/Planning/ComprehensivePlan, especially Chapter 11 Intergovernmental Coordination.



Getting Started

The Milford Area Master Plan area consists of approximately 4,937 acres located on both sides of SR 1 south of SR 36. It includes land within Milford's corporate limits referred to in the city's comprehensive plan as the Southeast Neighborhood as well as substantial acreage south and east of Milford's city boundary. Prior to the economic slowdown beginning in 2008, the area was experiencing substantial residential growth, especially in the southeast quadrant of the city along the SR 1 corridor. Situated just 25 miles from the beach, it would come as no surprise that the area can be expected to continue experiencing development pressures (although perhaps not as intense as prior to 2008), as retirees continue to relocate to this area.

Step 1. Identify Key Stakeholders

Government agencies and departments included the City of Milford, OSPC, DeDOT, and DDA. Although not a signatory, DNREC developed maps depicting environmental features. Other key stakeholders identified in the MOA for this plan included Sussex County, Kent County, the Town of Slaughter Beach, Milford School District, and emergency-service providers such as the Carlisle Fire Company, and Sussex EMS. Other groups or interested parties were briefed.

Step 2. Get Organized

While updating its municipal comprehensive plan toward the end of 2007 and early 2008, the City of Milford became concerned over a proposed subdivision east of SR 1 that would have as many as 780 homes. Though not adjacent to Milford, the City was concerned about it for two reasons. First, because Sussex County zoning regulations allowed this subdivision by right, the city would have no input on the review of a development that could be expected to have a significant impact on its residents. Second, the city feared that it would become the *de facto* provider of services to the new community. Accordingly, an early draft of the city's comprehensive plan proposed an annexation area that extended to the property proposed for development. To achieve contiguity, the plan also recommended annexation of a number of intervening properties.

DDA became concerned that Milford's annexation plans and the residential development proposal in Sussex County would deter farmers east of SR 1 from remaining in state agricultural-preservation programs. The result would be that prime farming areas would be taken out of production.

Similar to the Southern New Castle County area, DeDOT found itself confronted with figuring out how to provide transportation infrastructure to support the development suggested by the Milford municipal plan and the prospect of 780 single-family homes east of SR 1. Not all requested improvements could be funded. Choices had to be made.

Another factor that surfaced after the project commenced was Bayhealth's⁸ plan to purchase land in Milford's proposed annexation area. Bayhealth is a not-for-profit healthcare system serving central and southern Delaware, which includes Kent General Hospital and Milford Memorial Hospital as well as a number of walk-in and outpatient services in Middletown, Smyrna, Dover, Harrington, Milton, and Milford. Although the company decided not to go forward with the purchase, it no doubt underscored the need for a Master Plan.

Initially, the Master Plan boundary was limited to areas east of SR 1 inside of Milford's town boundaries. It was extended west of SR 1 and included land outside of the town limits in order to create a more logical area for the evaluation of transportation, water, and sewer facilities. Once configured to include land on both sides of SR 1, the planning area remained intact. It included 4,937 acres.

Step 3. Commit to Move Forward

Like the Southern New Castle County plan, an MOA was considered essential. In 2008 the City of Milford, OSPC, DelDOT, and DDA signed an MOA. As the plan progressed, DNREC, DSHA, and the State Historic Preservation Office (SHPO) became partners and contributed expertise.

Step 4. Assess Existing Conditions

DelDOT provided GIS staff resources and put together the plan maps using data layers provided by other stakeholders in addition to producing plan-specific data. Additional mapping and data were generated by staff from the University of Delaware's Sustainable Coastal Communities Initiative (SCCI) using CommunityViz[®].

Step 5. Involve the Public

The public was involved; everyone residing in the Master Plan area was invited to participate. Individual notifications were sent to 1,000 property owners, and public meetings were advertised extensively in the newspapers.

Three public workshops were held. Each workshop built on the work done at previous meetings. The task was to generate preferences about how development of the southeast area might look in the future. CommunityViz[®] was used to generate alternative "what if" land use scenarios for the area. Three development scenarios emerged: Current Trends, New Community, and Suburban. After weighing the benefits, challenges, and cost implications of each scenario, a composite development scenario was chosen by vote.⁹

⁸ For additional information, see www.bayhealth.org.

⁹ *Community Viz[®] Case Study* by University of Delaware Cooperative Extension, Delaware Office of State Planning Coordination, and City of Milford. <http://placeways.com/communityviz/gallery/casestudies/pdf/Milford.pdf>.

Step 6. Prepare Plan Draft

On November 22, 2010, the following series of maps was presented to the Milford City Council and Planning Commission.

- Existing Zoning
- Future Land Use
- Agriculture
- Environmental
- Transportation
- Water Systems
- Sewer Facilities

The data presented in these maps were based on detailed analyses of the land use and infrastructure information assembled in Step 4 and from the public input in Step 5. The elements depicted in these maps formed the basis for chapters in the Master Plan document. Each state and municipal participant drafted a chapter reflecting its expertise and input to the plan. University of Delaware staff at the Georgetown office refined the CommunityViz[®] model to reflect the preferred development scenario. In May 2011, a plan draft was presented to the Milford City Council.

The City of Milford organized meetings and coordinated presentations. Milford planner Gary Norris, AICP, and OSPC planner David Edgell, AICP, coordinated the assemblage of chapters and maps. They also were responsible for the chapters on public input, design guidelines, and implementation.

Step 7. Get Feedback on Plan Draft

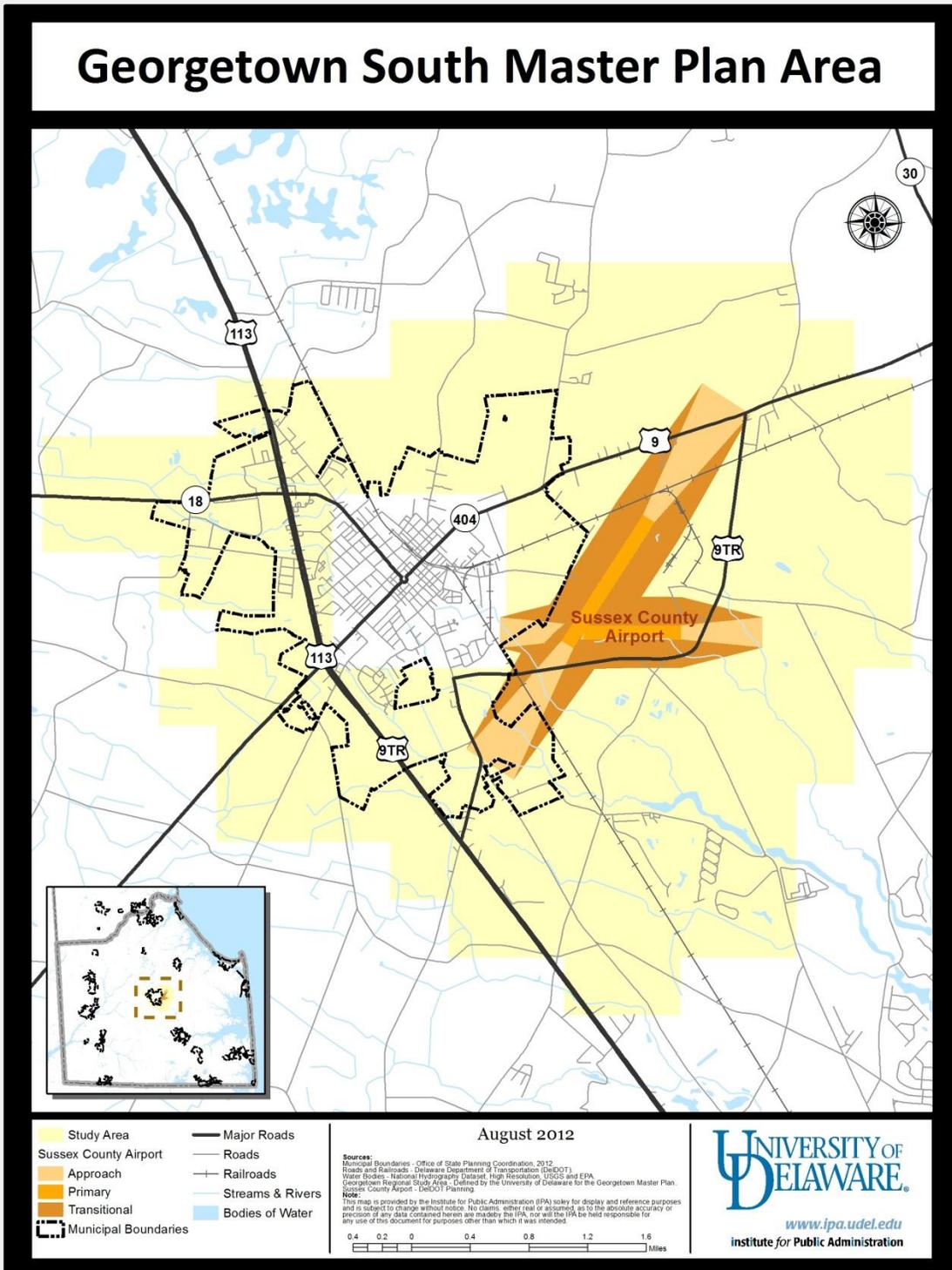
On June 22, 2011, the PLUS Committee reviewed the plan draft. On July 11, 2011, the Milford City Council held a public hearing to receive input on the draft plan.

Step 8. Adopt Plan

The Milford Southeast Neighborhood Master Plan was adopted and certified as an amendment to the city's comprehensive plan as of July 25, 2011.

Step 9. Implement Plan

As noted earlier, the Milford Southeast Neighborhood Master Plan was adopted on July 25, 2011, and its provisions were certified as an amendment to Milford's comprehensive plan. The implementation chapter contains a list of the actions that each stakeholder needs to undertake in order to carry out the plan's provisions. The first of these actions will be to work with DelDOT to create a Transportation Improvement District (TID).



Getting Started

The Georgetown South Area Master Plan area is strategically located at the intersection of two important transportation corridors (SR 404 and U.S. Rt. 113) and the Norfolk Southern Railroad which operates an important freight-rail line. It is the county seat for Sussex County and, accordingly, the center for a number of public and private job opportunities. The Sussex County Airport, a regional aviation facility owned by Sussex County, is also in this area. Adjacent to this airport is the 600-acre Sussex County Industrial Airpark,¹⁰ which has industrial sites ranging in size from 2 to 6.5 acres.

Step 1. Identify Key Stakeholders

The initial stakeholders consisted of staff from OSPC, the Town of Georgetown, Sussex County, and the University of Delaware's Extension Office, which is located in Georgetown. Additional members included staff from DeLDOT and the airport, with IPA staff attending several meetings mainly as observers. Staffs from DDA, DNREC, and Delaware Technical and Community College were kept informed of the work and attended meetings as needed.

Step 2. Get Organized

The Georgetown South Area Master Plan was initiated following state review of the 2010 Town of Georgetown Comprehensive Plan. During development and review of the town plan, comments were made both by state and county interests that a regional approach was needed to plan the future land use of the area surrounding the Sussex County Airport located adjacent to, but outside of, the town boundaries. Some of this area was identified on the town's potential annexation area map in the plan, and concerns included balancing the proposed low-density land use (about 3.5 units/acre) with land use appropriate for preserving and enhancing the future of the Sussex County Airport and Sussex County Industrial Airpark as an economic engine for Sussex County and the well-paying jobs associated with it.

Another reason for initiating this plan was to develop a process that would engage more of the residents of this area into planning for future uses, in an effort to try to align their views with the draft of the growth plans for this area. Opinions differ on the actual initiator of this plan, but it is clear that OSPC staff assumed the lead role in assembling and coordinating this work.

The study area depicted on the previous page comprises about 11,000 acres. The boundaries were selected based on the participants' knowledge of the area, with the focus being on the areas that will most likely impact state and local expenditures. Although some participants expressed concern that the area might be too large, the study area remains unchanged.

¹⁰ For additional information, see www.sussexcountyde.gov/about/airport.

Step 3. Commit to Move Forward

Considerable effort was made to develop an MOA for this work. A working draft was developed, but it was not agreed to by the group and thus was not signed. Opinions differed on the need for the MOA, with those in favor citing MOAs as beneficial for outlining expectations for the planning work and formalizing an agreement that the participants will work together until a result is realized. A key issue for the MOA was identifying the appropriate representative to sign on behalf of the agency or jurisdiction.

Step 4. Assess Existing Conditions

OSPC staff and staff from the Sustainable Coastal Communities Initiative, based at the Georgetown office of the University of Delaware, created maps and drafted written products.

Step 5. Involve the Public

Like the Milford Area Master Plan, CommunityViz[®] was utilized. The group used 100-acre grids, to initially define the study area with CommunityViz[®]. As pointed out earlier, grids were selected instead of parcel boundaries, natural features (such as streams), or man-made features (such as roads) to take away some of the personal impacts of the work. The purpose was to avoid situations in which a landowner is distracted from broad, regional, future uses by a specific land use proposed for his/her property. At this time, the tiles are being smoothed into more traditional boundary lines, such as parcel lines, roads, streams, etc.

The public participation process was refined for this project by lessons learned in, and the process developed for, the Milford Southeast Neighborhood Master Plan. One refinement was that planning concepts were explained to stakeholders at the beginning of the process. As a result, the Georgetown process worked very well. It was noted that perhaps this public process should be packaged as the format for future Master Planning projects. Another positive result from this work was that the effort forced participants to think outside the boundaries of their jurisdictions. Further, it is hoped that the relationships developed while working on this project form the basis for consensus on, collaboration on, and support for the actions needed to implement plan recommendations.

Step 6. Prepare Plan Draft

No written report has been prepared, but it is anticipated that it will be a document consisting of the written plan and a set of maps. The sections will likely be written by various authors, with OSPC coordinating the assembling of the final product.

Step 7. Get Feedback on Plan Draft

Since a plan draft is in-progress, no public workshops have been held.

Step 8. Adopt Plan

The Georgetown South Area Master Plan is on-going; a final plan has not yet been adopted.

Step 9. Implement Plan

This is not applicable since the Georgetown South Area Master Plan is on-going.

Lessons Learned

- Elected officials must be involved in Master Plans. It is very helpful, almost essential, to have a strong mayor or other local government leader to act as an advocate for the project. In the Westtown Master Plan, Middletown's mayor advocated for the plan.
- Besides elected officials, Master Plans need the support of top state and local officials. Although no plan was produced, one of the things that "went right" with the Southern New Castle County Infrastructure Master Plan process was the participation of the New Castle County Executive and DeIDOT secretary.
- It is difficult for a state agency to be the lead. As recommended, a paid consultant is the preferred alternative. Another approach is for OSPC to manage the project, as it can engage all agencies.
- All stakeholders should have a strong commitment to the project. To do this, articulate the benefits of the project to each stakeholder to get buy-in. Property owners, local government, and state agencies all benefit from knowing what type of development to expect in a plan that spells out the phasing of investments in infrastructure and services. If consultant services are to be utilized, buy-in can be enhanced with funding contributions from key stakeholders.
- A single large development project might be the catalyst for a Master Plan. Use the prospect of such a project to engage all stakeholders in the Master Plan process, as was done for the Westtown and Eden Hill plans.
- A strong consultant, one with skill in the issues being addressed, is deemed essential. Having an outside consultant for the Southern New Castle Infrastructure Master Plan was a key to managing the many stakeholders and pulling together a document covering the very large planning area. For the Eden Hill Farm plan, DeIDOT hired a consultant to guide the process.
- Don't go it alone as an agency. The Churchman's Crossing Master Plan project would have gone much better if the Governor and Secretary of Transportation had engaged the County Executive and Council from the start to explain the issue and get buy-in.
- Develop a schedule with milestones for completing the plan and stick to it. This will help stakeholders include time for the Master Plan in their own schedules. If something takes longer than scheduled, revise the schedule.
- Articulating the fiscal benefits and impacts of a Master Plan may be a way to engage stakeholders and earn their commitments.

Appendix A. Memorandum of Agreement Example

**MEMORANDUM OF AGREEMENT
BETWEEN
THE STATE OF DELAWARE
AND THE
CITY OF MILFORD, DELAWARE
FOR
THE COMPREHENSIVE MASTER PLANNING OF THE
“MILFORD EAST PLANNING AREA” AND ENVIRONS**

THIS MEMORANDUM OF AGREEMENT (“MOA”) is hereby made by and between the State of Delaware (“the State”) and the City of Milford (“the City”), a municipal corporation of the State of Delaware and states as follows:

WHEREAS, the City has completed a comprehensive plan amendment that would allow it to annex lands located East of Route 1, southwest of the current City boundary, show on the map attached as “Exhibit A” and know hereinafter as “The Planning Area;”

AND WHEREAS, the City initiated this plan amendment process due to imminent development pressure in this area proposed under Sussex County regulations which would have allowed housing to be constructed without public utilities or municipal services;

AND WHEREAS, it is the City’s position that said proposed development would have impacted the City in many ways, including but not limited to roads, police, fire service, parks and libraries;

AND WHEREAS, the City desires to integrate this area into the municipal limits in order to provide future developments with utilities and municipal services, while also capturing tax revenue to offset the City’s cost in providing those services;

AND WHEREAS, prior to annexation the land in question was located in Investment Level 4 according to the Strategies for State Policies and Spending, and the development of this territory has the potential to negatively impact the State transportation network, sensitive natural resources, and a viable agricultural area that the State has already expended nearly \$2 million to preserve;

AND WHEREAS, all parties agree that if development of this area is imminent it should be planned and implemented in a fashion that protects critical natural resources, ensures the continued viability of the agricultural economy, maximizes needed infrastructure investments, provides sufficient tax revenue to support city services, and integrates into the transportation network to ensure safe and convenient travel for all current and future residents of Milford;

AND WHEREAS, after plan certification and annexation The Planning Area is considered to be in compliance with the Strategies for State Policies and Spending and the City of Milford has the legal right and obligation to manage the development of any lands within its boundaries through zoning and other land use regulations;

NOW, THEREFORE, BE IT RESOLVED that the State and the City, intending to be legally bound, do hereby agree:

- 1) To work cooperatively through the planning process to produce a comprehensive regional master plan to include land use policies and the transportation, sewer, water, and other community facilities plans needed in order to best accommodate future growth and land preservation in the Milford East Planning Area and Environs (The Planning Area). The scope of work for this master plan is attached as “Exhibit B” and is hereby made a part of this agreement.
- 2) To actively involve other key stakeholders in the preparation of the master plan for the Planning Area. The master plan is to be coordinated with these stakeholders to the maximum extent that is possible, depending upon their interest

and ability to be actively involved in the planning process. Key stakeholders include, but are not limited to, Sussex County, Kent County, the Town of Slaughter Beach, the Milford School District, emergency service providers such as the Carlisle Fire Company and Sussex EMS, and any relevant State agencies.

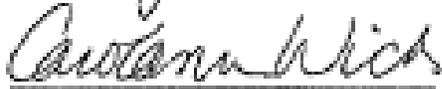
- 3) To work cooperatively and coordinate these planning efforts to ensure that property owners, residents, business owners, developers of proposed developments in the project area, other interested parties, and the general public have an opportunity to participate in the plan.
- 4) That it is the intent of the parties to ensure that sewer, water or public utility infrastructure is not extended into areas outside designated area to serve new development, unless the City, State, and County agree and such extensions are part of a future certified comprehensive plan. The parties agree to use all technical, administrative, and legal means available to ensure that this is achieved. The parties reserve the right to consider health, safety and welfare issues related to existing uses, such as remediation of failing septic systems, on a case-by-case basis.
- 5) To work collaboratively to determine the needed transportation improvements to serve the intended uses and densities in the Planning Area, and to integrate those needs in the master plan document as a detailed circulation element. The State, the City, private developers and land owners will work jointly to develop cost estimates, funding strategies, implementation plans and land use controls to ensure that new development activity is implemented in conjunction with needed transportation improvements.
- 6) That it is a goal of the parties to ensure the continuation of the agricultural economy and the many viable agricultural land uses in the environs around the Planning Area, and to include strategies and implementation mechanisms in the master plan that foster the preservation of these areas.

- 7) That it is the goal of the parties to recognize and protect the important natural resources in the Planning Area, and to include strategies and implementation mechanisms in the master plan that foster the preservation of these areas.
- 8) That in order to support the necessary public investment in infrastructure and services, the gross residential density in the Planning Area will be no less than four (4) units per acre and no more than eight (8) units per acre.
- 9) To consider and encourage a variety of appropriate and complimentary land uses in The Planning Area, including hospitals, schools, other institutional uses, small scale commercial uses intended to serve the local area, and parks.
- 10) To institutionalize a process for continual communication and monitoring of plan implementation that includes regular information sharing, developing a set of indicators for the timing of new infrastructure investment, and acting on such indicators in order to provide the infrastructure when needed.
- 11) That the City may consider the annexation of properties in the Planning Area at any time after plan certification.
- 12) That the none of the parties will give any subdivision, site plan, development approvals, or permits for new development activities prior to the completion of the master plan, and then only in compliance with the master plan.
- 13) That the City of Milford waives its legal right to further amend its Comprehensive Plan until February 25, 2008 when the City will be required to review its Comprehensive Plan under 22 Del. C. § 702.
- 14) To review the provisions outlined within this Memorandum of Agreement annually beginning one year from the date affixed by the signatures below.

Signature Page


The Honorable Joseph R. Rogers
Mayor, City of Milford

3-27-08
Date


Carolann Wicks
Secretary, Delaware Department of Transportation

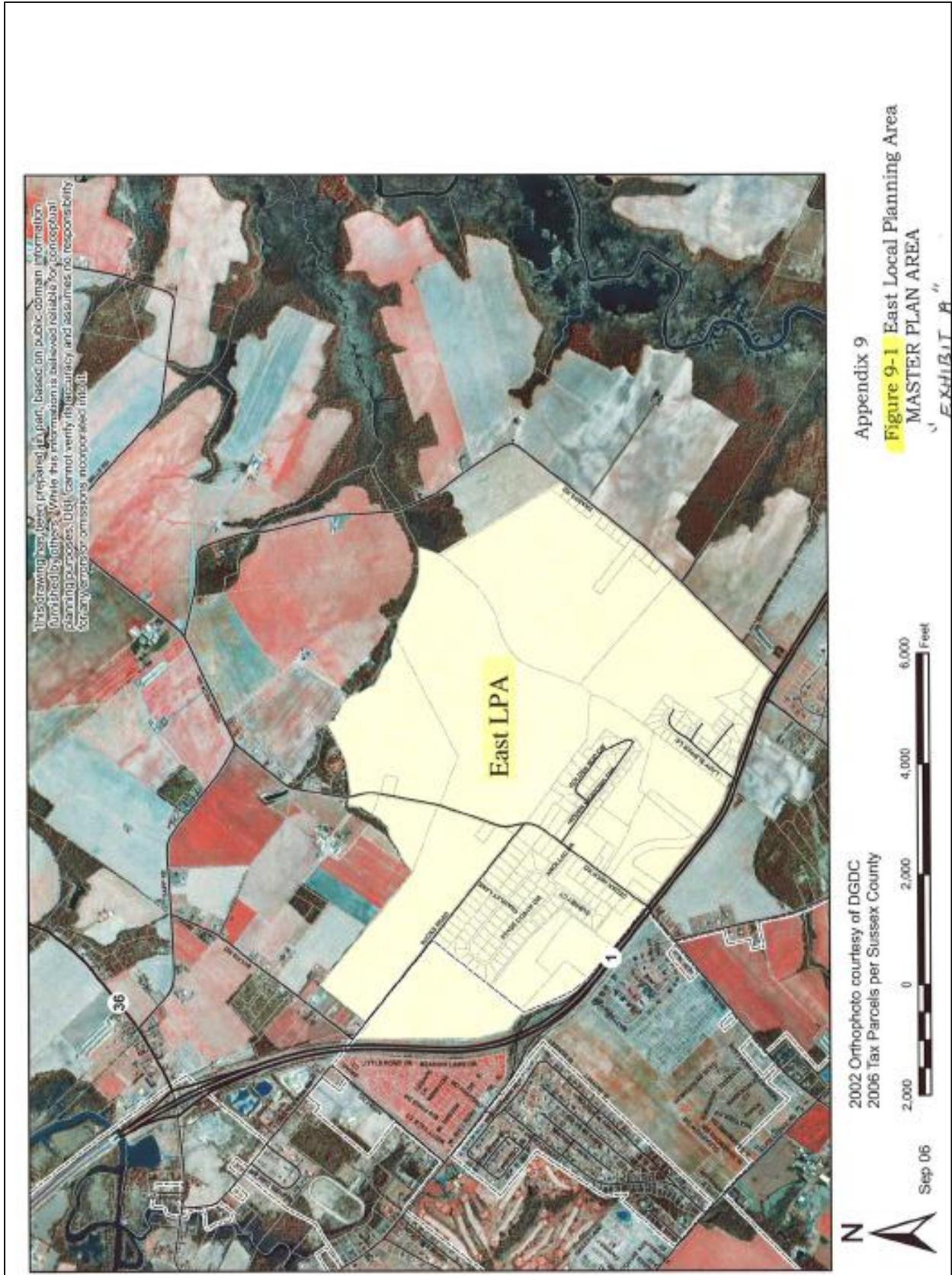
3/10/08
Date


Michael Seuse
Secretary, Delaware Department of Agriculture

Feb 27 2008
Date


Constance C. Holland
Director, Office of State Planning Coordination

Feb 26, 2008
Date



Appendix B. Public-Engagement Tips

- Give sufficient notice so that participants can fit meetings and workshops into personal and work schedules.
- Enlist stakeholder representatives in the notification process. Ask local civic and business groups to announce workshop dates. Use local listservs, municipal utility bills, and community newsletters.
- Hold workshops and public meetings at convenient locations with sufficient parking.
- Consider holding meetings when no other significant community events are scheduled.
- Consider placing notices in other than the legal notice sections of newspapers.
- Ask the local newspaper to do an article on the Master Plan as a way of generating community interest.
- Make sure that the meeting room is comfortable and large enough to accommodate expected number of participants.
- Ensure that the location for public meetings is ADA-compliant and can accommodate persons with special needs.
- Provide refreshments.
- Provide childcare.
- Use a skilled facilitator whose primary interest is to create a successful public-participation effort.
- Make sure participants know why they are there. Equally important is to tell people what will not be dealt with in the meeting. For example, inform participants that they are not attending a rezoning hearing.
- Consider using small discussion groups to work on separate topics or to analyze how various groups react to the same issue.
- Discussion groups should be diverse. Mix developers, residents, and government officials. Try not to let friends sit with friends.
- Set time limits for discussion of individual topics; try not to revisit prior issues during discussion of subsequent items.
- Provide many mechanisms for input. Some people are not comfortable speaking in a group setting and may prefer writing their thoughts on paper or talking one-on-one with a facilitator.

- Establish a website for the project where interested parties can post comments, ask questions, or request information; assign someone to monitor questions and inquiries as well as to summarize comments. This could be an in-kind contribution from one of the stakeholders identified in Step 2.
- Use social media, such as Facebook and Twitter. New Castle County used Twitter to receive comments on its 2011 Comprehensive Plan Update.
- Use visual aids, such as CommunityViz[®] to help participants picture alternative development scenarios.
- If funds and expertise permit, consider using electronic polling to tally preferences.
- Allow sufficient time for public comment following public meetings.

Appendix C. Stakeholder Commitments Example

Below are selected stakeholder commitments reproduced from Chapter 11 of the Milford Southeast Neighborhood Master Plan. These commitment statements illustrate the level of detail that Master Plans should incorporate.¹¹

The City of Milford

1. The City will develop and adopt an ordinance to enable to use of transfer-of-development rights (TDRs) credits in receiving zones. This ordinance will enable developers build at up to eight (8) units per acre by-right through the purchase of TDR credits from farms in the sending areas.
2. A stormwater utility is a legal and financial structure to allow stormwater management facilities to be constructed, managed, and maintained in common by a local government or other entity. This Master Plan area is well suited to such a utility, although there are many ways to structure such an entity. Both the City and DNREC agree to explore this option in more detail as this area develops in accordance with this Master Plan.
3. The City will construct a public water system as described in Chapter 9 to serve the Master Plan Area. This is a funded project.
4. The City will design and permit a sewer system to serve the Master Plan Area as described in Chapter 9. Private developers will be responsible for funding and constructing this system. The City will discuss various financing and construction options with any developer.

Delaware Department of Agriculture

1. The Delaware Department of Agriculture (DDA) and the Delaware Agricultural Lands Preservation Foundation (DALPF) will partner with the City to establish a Transfer of Development Rights program as described in the Agricultural Preservation chapter of this document (Chapter 4).
2. By partnering with DALPF, the City will avoid the initial financial expenditures required to preserve a parcel of land. These expenditures include paying to survey the property, paying the legal costs of a real estate settlement, and other associated administrative costs. DALPF would bear those costs.
3. The City would avoid the future obligation of monitoring the preserved farms to make sure they remain in compliance with the preservation agreement (easement). DALPF would assume that responsibility and add any properties preserved by Milford to the hundreds of permanently preserved farms it already monitors. In addition, should any

¹¹ For additional information on this plan, see www.cityofmilford.com/index.aspx?NID=82. especially pages 71-75 of the SE Master Plan.

future litigation be required to uphold the preservation easement, the City would not have to incur any legal costs.

4. DDA will assist the City in the creation and administration of a TDR bank as described in the Agricultural Preservation chapter of this document (Chapter 4). This includes assistance with appraisals to set the fair market value of TDR units.
5. In addition to any funds the City would have for agricultural preservation and the TDR bank, they would also be eligible for state matching funds from DALPF, as well as any federal matching funds from United States Department of Agriculture (USDA) Farm and Ranch Lands Protection Program (FRPP). As allowed by law, these matching funds would be awarded to the city based on availability. If the City were able to capture state and federal matching funds, it could significantly leverage its funds with additional money and preserve additional farmland.

Delaware Department of Transportation (DelDOT)

1. DelDOT will fund and construct the grade separated interchange at SR 1 and SR 30 as per the current Capital Transportation Plan (CTP). The current timeline involves construction in 2012 and 2013, with completion in late 2013. Please note that the CTP is subject to amendment annually.
2. Work with the City of Milford to adopt this Master Plan area as a Transportation Improvement District (TID) to enable equitable and timely funding for roadway improvements within the area in accordance with the recommendations in this Master Plan.
3. DelDOT will work with the City to ensure that the road improvements identified in this report are implemented by the public and/or private sector in a phased manner that is paced with the timing of development activities.

Delaware Office of State Planning Coordination

122 William Penn Street Third Floor Dover, DE 19901

phone: **302-739-3090**

fax: **302- 739-5661**

stateplanning.delaware.gov

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Institute for Public Administration School of Public Policy & Administration College of Arts & Sciences University of Delaware

180 Graham Hall University of Delaware Newark, DE 19716-7380

phone: **302-831-8971**

e-mail: **ipa@udel.edu**

fax: **302-831-3488**

www.ipa.udel.edu

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