



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

June 21, 2010

The Honorable Sam Cooper, Mayor
229 Rehoboth Avenue
P.O. Box 1163
Rehoboth Beach, DE 19971

RE: 2010-05-01; City of Rehoboth Comprehensive Plan

Dear Mayor Cooper:

Thank you for meeting with State agency planners on May 26, 2010 to discuss the proposed City of Rehoboth Beach draft comprehensive plan update.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. Additionally, these comments reflect only issues that are the responsibility of the agencies represented at the meeting.

Certification Comments: These comments must be addressed in order for our office to consider the plan amendment consistent with the terms of your certification and the requirements of Title 22, § 702 of the Del. Code.

As written, there are no certification issues noted in this plan.

Recommendations: Our office strongly recommends that the Town consider these recommendations from the various State agencies as you review your plan for final approval.

This office has received the following comments from State agencies:

Office of State Planning Coordination – Contact: 739-3090

This office would like to commend the City of Rehoboth Beach for their efforts to develop this comprehensive land use plan update. It is the hope of this office that you will review these additional comments from various State agencies and use them as a guide to assist you with the further implementation of this comprehensive land use plan update. If you have any questions, please call.

State Historic Preservation Office (SHPO) – Contact: Terrence Burns 739-5685

- The Rehoboth Beach 2009 Comprehensive Plan includes a city history and consideration of historic preservation issues, including a mention of the existing historic building survey of the City and a summary of previous attempts at instituting design review. SHPO recognizes that the City has a difficult balancing act in preserving community character while accommodating individuals' desires to maximize their economic investment in resort properties. Reviving the Architectural Review Task Force is an important step, as it provides a forum to discuss these issues. Site plan review and appropriate zoning requirements for each neighborhood's community character are two essential pieces to achieve the City's vision of its future as a pedestrian-friendly, architecturally attractive resort with its own unique character developed through its own unique history.
- The SHPO supports the planning for a canal park that allows interpretation of this historic structure. Moving the Hazzard House from its original setting is not something that we normally recommend, however. The plan mentions that there are many moved buildings within the City. While this normally would remove them from consideration for National Register-listing, it is possible that as a historic trend within a neighborhood, they could still contribute to that neighborhood's eligibility. There are several potential historic districts already defined as eligible for listing in Rehoboth Beach. They would be happy to discuss these issues further. If the City or if a neighborhood group wanted to pursue listing of any of these, we would be happy to provide technical assistance and guidance in this endeavor.
- As the City knows, there are many ways that historic preservation can contribute to the City's vision of its future. There can be different levels of protection, based on the desires of the community. The SHPO would be happy to provide technical assistance to the City in reaching the balance of historic preservation techniques and protections best suited to its needs and citizen desires. If you have any questions or concerns, please contact Alice Guerrant at 302-736-7412.

Department of Transportation – Contact: Bill Brockenbrough 760-2109

- The maps could be improved by better labeling. Specifically, it would be helpful to title them.
- DelDOT recommends adding text to explain that the October 2009 date applies to the Plan in which they are located. This is less of an issue for Maps 4, 7 and 8 (pages 58, 77 and 104) but the other maps are drawn on aerial photographs and these photographs are clearly older than October 2009. One approach would be to add the date of the aerial photographs on the maps where the photography is used. An obvious clue as to the age of the photographs is the construction on the Canal Point development, which in 2009 was more developed than it was when the photographs were taken.

- Consideration should be given to not using the aerial photographs as a background on so many of the maps. On several maps, especially Map 5 (page 59), the symbols are somewhat difficult to distinguish from the background. A white background with parcel lines, such as in Map 4, might be better.
- Because the Plan makes numerous references to various neighborhoods within the city, it would be helpful to label the neighborhoods on at least one map. This could be done on one of the maps already in the Plan. A new map for this purpose seems unnecessary.
- The photographs include in the Plan are helpful in communicating a sense of how the city looks, but their value would be enhanced by descriptive or explanatory captions.
- DelDOT recommends updating Section 6.2 with regard to the plan for the Canal Park. As written, it says on page 52 that “construction for Phase Two [is] anticipated in 2009.”
- A recurrent theme in Section 7.1 is the need for a traffic management plan. In one paragraph on page 61, “a strong unilateral traffic management plan is recommended.” The next paragraph cites intentional statements in the 2004 Plan regarding the City’s working with DelDOT to develop a plan and concludes that “The observations and analysis that could have led to a traffic management plan did not occur.” We do not know why a plan was not developed, but we would recommend that the City work with our Traffic Section in this regard rather than acting unilaterally. The signal at Church Street is outside the City limits, while several arterial streets in the City are State-maintained. Thus DelDOT and the City must work together to develop an effective traffic management plan. An initial contact for the Department would be our Traffic Studies Manager, Mr. Thomas Meyer. Mr. Meyer can be reached at (302) 659-4090.
- Section 7.1, includes a discussion of ways that transit connections to downtown Rehoboth might be improved. While we are willing to work with the City on improvements in this regard, we do not find the proposed bus-only connection between the service road (described in the plan as southbound Rehoboth Avenue Extended) and northbound Rehoboth Avenue Extended (See pages 63 and 64.) to be especially practical. It would necessarily stop traffic exiting Rehoboth just as it is preparing to enter Route 1, and there is already a route (Hebron Road to Central Avenue to Church Street) that could be used in its place.
- Regarding the use of the drop-off space at the end of Rehoboth Avenue by private carriers, discussed on page 64 in Section 7.1, we understand the need to control this activity, but suggest that efforts to simply shut it down may not be effective. A better approach would be to provide one or more alternatives by creating drop-off zones for smaller vehicles either adjacent to the public transit drop-off zone, farther west on Rehoboth Avenue, or at the east end of Baltimore and Wilmington Avenues. Use of these areas could be regulated by permit.

- Later on page 64 in Section 7.1, there is a statement that “the State and County must be required to perform traffic impact analyses on any project that affects the flow of vehicles in and out of Rehoboth.” DelDOT has warrants for traffic impact studies that we find are sufficiently stringent to provide analyses when necessary.
- One traffic management strategy not mentioned in Section 7.1 would be to change the day that some weekly rental units turnover, This could be done either through voluntary cooperation among real estate agencies or by regulation, but the idea is that most rental units are now leased Saturday through Saturday. By changing some to Sunday to Sunday, this element of weekend traffic congestion can be reduced. While it would need to be done for the entire resort area for maximum effectiveness, making this change in Rehoboth could have a noticeable benefit within the City limits. We understand that as some property owners have begun handling rentals directly, rather than using real estate agents, this strategy has become more difficult to use effectively, but we believe it may still have merit.
- On page 69, Section 7.3 relates the City’s intention to follow Delaware’s Complete Streets policies. We would like to express our support for their efforts in this regard.
- On page 72, Section 7.32 discusses the creation of a Canal Walk Park. We agree that such a park could be an important transportation hub within the city. If an agreement can be reached with the Corps of Engineers, we would recommend that the City consider applying for Transportation Enhancement funds to aid in the development of the park. An initial contact in that regard would be Mr. Jeff Niezgoda, who manages our transportation Enhancement Program. Mr. Niezgoda can be reached at (302) 760-2178.
- On page 73, Section 7.4 shows some creative thinking with regard to emergency transportation. We suggest, however, that transportation by high-speed boat or off-road vehicle might do a severely injured person more harm than good. If helicopter transport is not considered sufficiently reliable, we recommend that the City consider opening discussions with Beebe Hospital about locating a limited emergency room facility in Rehoboth.
- Also on page 73 in Section 7.4, while the Plan may be correct that the athletic fields are the only open lands in Rehoboth that helicopters currently use for emergency purposes, there would appear to be room to develop suitable landing sites nearby. Possible locations include Deauville Beach, the parking lot for the Gordon’s Pond Wildlife Area, and the Canal Point development. Rather than insist that the athletic fields must be kept open for this purpose, we suggest that the Plan provide for the development of alternative sites in case that one is lost.
- On page 102, Section 9.4, Annexation identifies “three exceptions to the general annexation policy.” We recommend that these exceptions be illustrated on Map 8, Area for Annexation Consideration (page 104). In that regard, the third exception, Rehoboth

Avenue Extended from the existing City boundary to SR 1, warrants comment. We understand from the discussion at the PLUS meeting that the City intended to identify Rehoboth Avenue Extended and the properties that front along it, rather than just the street itself. This intent should be clarified in the text. As the City may know, a municipality cannot annex a right-of-way as “the string on a balloon,” using it to establish contiguity between the municipal boundary and a parcel not otherwise contiguous thereto.

- Further regarding Map 8 (page 104), the Area for Annexation Consideration appears to follow physical boundaries or the edges of large parcels with two exceptions that are excluded: a pennant-shaped parcel southeast of Holland Glade Road, and a finger-shaped assemblage south of SR 1 and east of the Canal. Why were these lands excluded?

**The Department of Natural Resources and Environmental Control – Contact: Kevin Coyle
739-9071**

Fish and Wildlife

The following comments regarding rare species and key wildlife habitat pertain to Map #8, Area for Annexation Consideration:

- **Rare Species.** Areas being considered for annexation (primarily forest and wetland areas northwest of current City boundaries) support numerous state-rare species. The following species were observed in this area in the past; however, recent development approved in this area has or will result in tree clearing and inadequate wetland buffers that may eliminate habitat that supports these species:

A review of our database indicates that the following state rare, federally listed or Species of Greatest Conservation Need (SGCN¹) occur within the area being considered for future annexation:

¹Species of greatest conservation need (SGCN) are indicative of the overall diversity and health of the State’s wildlife resources. Some may be rare or declining, others may be vital components of certain habitats, and still others may have a significant portion of their population in Delaware. SGCN are identified in the Delaware Wildlife Action Plan (DEWAP) which is a comprehensive strategy for conserving the full array of native wildlife and habitats-common and uncommon- as vital components of the state’s natural resources. This document can be viewed via our program website at <http://www.dnrec.state.de.us/nhp>. This document also contains a list of Species of Greatest Conservation Need, Key Wildlife Habitat, and species-habitat associations.

Scientific Name	Common Name	Taxon	State Rank	State Status	SG CN Tier	Global Status
<i>Ammodramus caudacutus</i>	saltmarsh sharp-tailed sparrow	Bird	S1N/S3B		Tier 1	G4
<i>Pandion haliaetus</i>	osprey	Bird	S3B*		Tier 1	G5
<i>Nycticorax nycticorax</i>	black-crowned night heron	Bird	S1B	E	Tier 1	G5
<i>Callophrys irus</i>	frosted elfin	Butterfly	S1	E	Tier 1	G3
<i>Haploa colona</i>	a moth	Moth	SH		Tier 2	G4
<i>Lapara coniferarum</i>	Southern pine sphinx	Moth	S2S4		-	G5
<i>Libytheana carinenta</i>	American snout	Butterfly	SH		Tier 2	G5
<i>Desmodium obtusum</i>	stiff tick-trefoil	Plant	S1		n/a	G4G5
<i>Liatris graminifolia</i>	grassleaf gayfeather	Plant	S1		n/a	G5

**Osprey* included in this list because they are considered a species of concern and an important indicator species. Individuals are protected via federal Migratory Bird Treaty Act. Nests are federally protected when containing eggs and young.

State Rank: S1- extremely rare within the state (typically 5 or fewer occurrences); S2- very rare within the state (6 to 20 occurrences); S3-rare to uncommon in Delaware, B – Breeding; N – Nonbreeding; SX-Extirpated or presumed extirpated from the state. All historical locations and/or potential habitat have been surveyed; SH- Historically known, but not verified for an extended period (usually 15+ years); there are expectations that the species may be rediscovered; SE-Non-native in the state (introduced through human influence); not a part of the native flora or fauna., SNR-not yet ranked in Delaware, SNA-occurrences in DE of limited conservation value

State Status: E – endangered, i.e. designated by the Delaware Division of Fish and Wildlife as seriously threatened with extinction in the state;

Global Rank: G1 – imperiled globally because of extreme rarity (5 or fewer occurrences worldwide); G2 – imperiled globally because of great rarity (6 to 20 occurrences); G3 – either very rare and local throughout its range (21 to 100 occurrences) or found only locally in a restricted range; G4 – apparently secure globally but uncommon in parts of its range; G5 – secure on a global basis but may be uncommon locally; T_ - variety or subspecies rank; Q – questionable taxonomy;

SGCN Tiers: **Tier 1** Species of Greatest Conservation Need (SGCN) are those that are most in need of conservation action in order to sustain or restore their populations. They are the focus of the Delaware Wildlife Action Plan (DEWAP), which is based on analyzing threats to their populations and their habitats, and on developing conservation actions to eliminate, minimize or compensate for these threats. **Tier 2** SGCN are also in need of conservation action, although not with the urgency of Tier 1 species. Their distribution across the landscape will help determine where DEWAP conservation actions will be implemented on the ground. n/a-not applicable. Plant species of concern are not addressed in the DEWAP.

- **Key Wildlife Habitat.** The forest and wetland areas described above are mapped as Key Wildlife Habitat (KWH) in the Delaware Wildlife Action Plan (DEWAP¹) because they are known to support Species of Greatest Conservation Need (SGCN¹). KWH can support the full array of species across the landscape and the maps in DEWAP show areas of the state where conservation efforts can be focused. Although designation as KWH is non-regulatory these maps are intended to help guide site-specific conservation planning efforts.
 - *Recommendation:* Because many species of concern (and wildlife in general) are associated with forest and wetland areas, these types of habitat should be a priority for preservation in areas being considered for annexation.
 - *Recommendation:* The City should considering requiring applicants of development projects to contact the Natural Heritage and Endangered Species Program to determine if their project activities will impact a state-rare or federally listed species. In some cases a site visit may be requested in order to provide the necessary information. The City should then carefully consider implementation of those recommendations prior to final approval of site plans:
- **Community Forest Plan.** Efforts to restore natural habitat which incorporate plant species native to Delaware could also establish basic elements to support wildlife in general (food, cover, water, and places to raise young). The attached Excel spreadsheet includes a list of Delaware native plant species and a description of the wildlife value the

plant provides. Questions regarding this list or about habitat restoration utilizing Delaware native plants can be directed to Bill McAvoy, our program botanist, at (302) 735-8668 or William.McAvoy@state.de.us.

Potential Brownfield sites

- DNREC's Site Investigation and Restoration Branch (SIRB) encourages the development of Brownfields and can provide assistance when investigating and remediating Brownfield sites. Although SIRB has no specific comments regarding the proposed comprehensive plan at this time, if any future development occurs on sites with previous manufacturing, industrial, or agricultural use, SIRB recommends that a Phase I Environmental Site Assessment be conducted prior to development, due to the potential for a release of hazardous substances. If a release or imminent threat of a release of hazardous substances is discovered during the course of future development (e.g., contaminated water or soil); construction activities should be discontinued immediately, and DNREC should be notified at the 24-hour emergency number (800-662-8802). In addition, SIRB should be contacted as soon as possible at 302-395-2600 for further instructions.

Water Resources comments

- Page 36 & 37, Inland Bays, Canal, and Waterways: DNREC recommends the creation of a separate “stand-alone” subsection, entitled “Total Maximum Daily Loads (TMDLs),” under the existing Inland Bays, Canal, and Waterways section (Section 5.2). We further suggest omission of the existing narrative about TMDLs and Federal Clean Water Act (paragraph 3 of the Sewer section), and replace it with the following narrative under the “stand-alone” TMDL subsection:

Under Section 303(d) of the 1972 Federal Clean Water Act (CWA), states are required to identify all impaired waters and establish total maximum daily loads to restore their beneficial uses (e.g., swimming, fishing, drinking water, and shellfish harvesting). A TMDL defines the amount a given pollutant (i.e., or the pollutant loading rate reduction for a given pollutant) that may be discharged to a water body from all point, nonpoint, and natural background sources; thus enabling that water body to meet or attain all applicable narrative and numerical water quality criterion (e.g., nutrient/bacteria concentrations, dissolved oxygen, and temperature) in the State of Delaware’s Water Quality Standards. A TMDL may also include a reasonable margin of safety (MOS) to account for uncertainties regarding the relationship between mass loading and resulting water quality.

In simplistic terms, a TMDL matches the strength, location and timing of pollution sources within a watershed with the inherent ability of the receiving water to assimilate that pollutant without adverse impact. The realization of these TMDL pollutant load

reductions will be through a pollution control strategy (PCS). A Pollution Control Strategy (PCS) is the regulatory directive that identifies what specific actions (e.g., best management practices) are necessary for reducing pollutants in a given water body (or watershed); thus realizing the water quality criterion or standards set forth in the State of Delaware’s Water Quality Standards, ultimately leading to the restoration of a given water body’s (or watershed’s) designated beneficial use(s). The PCS will also include some voluntary or non-regulatory components as well.

The City of Rehoboth Beach is located within the greater Inland Bays/Atlantic Ocean Drainage, specifically within the low reduction area of the Rehoboth Bay watershed. The Rehoboth Bay watershed has assigned (nitrogen and phosphorus) and bacterial TMDL load reduction requirements (See Table 1). The PCS, as stated previously, is an implementation strategy that identifies the actions necessary to systematically reduce the pollutant loading in a given water body, thus meeting the TMDL reduction requirements specified for that water body. The Inland Bays PCS was published in the Delaware Register of Regulation on November 11, 2008 and is not an enforceable regulatory directive. These regulations can be reviewed at <http://regulations.delaware.gov/documents/November2008c.pdf> and background information, guidance documents, and mapping tools can be retrieved from http://www.dnrec.state.de.us/water2000/Sections/Watershed/ws/ib_pcs.htm.

Inland Bays/Atlantic Ocean Drainage	N	P	Bacteria
Rehoboth Bay & Lewes-Rehoboth Canal watersheds	40%	40%	40% fresh, 17% marine

Table 1: TMDL reduction requirements for the watersheds within the Inland

Bays/Atlantic Ocean Drainage

- Source Water Protection Areas.** In Section 5.22, page 40, paragraph 4, the City acknowledges the need to protect their well fields and excellent groundwater recharge potential areas. The City also acknowledges that ongoing consultation with the State and County will be required to protect the integrity of its wells and water supply.

The City has identified potential annexation areas that are within areas of excellent groundwater recharge potential and wellhead protection now under the jurisdiction of Sussex County. We recommend that the City develop and adopt regulations to protect areas of excellent groundwater recharge potential and wellhead protection (once the population of Rehoboth Beach reaches 2000 persons, the adoption of source water protection ordinances will be required under 7 Del. Code, Chapter 60, Subchapter VI, § 6082). As lands are annexed, excellent recharge potential and wellhead protection areas would be protected when the annexation process was finalized. The Department will provide updated maps and is available to assist the City in developing these regulations.

- **Water Allocation.** The current capacity of the City's wells is limited by the allocation permit to 5.8 million gallons per day (MGD). The 2002 capacity of 6.4 MGD reported on page 39 of the plan is inaccurate. The additional 1.9 MGD reported on the same page has not been permitted. The 2008 maximum day pumpage was over 3.5 MGD (although the maximum day has not been reported and it could be much higher). The current water supply is adequate for some growth, but the adequacy for the current plan cannot be evaluated without population projections.

The City has not taken steps to protect the aquifer from saltwater intrusion. Increased withdrawals from the aquifer should not be permitted without a thorough investigation of the potential for saltwater intrusion.

Stormwater/Drainage comments

- The Drainage and Stormwater Section commends the City for considering pro-active stormwater ordinances and the possible development of a comprehensive stormwater management plan in addition to the possible development of a city-wide nutrient management plan. Please contact Jamie Rutherford, Program Manager of the Sediment and Stormwater Program, at (302) 739-9921 for information concerning technical assistance in the development of the stormwater management plan and stormwater ordinances.

The Drainage and Stormwater Section offers the following recommendations for the City's consideration.

5.23 Stormwater Management

- The Delaware Sediment and Stormwater Regulations are undergoing revisions. It is unclear at this time when the new regulations will be promulgated.
- Explore the feasibility of stormwater utility to fund upgrades to existing stormwater infrastructure. Upgrades to the stormwater system may reduce pollutant loads and help reach the established total maximum daily load for nitrogen, phosphorus, and bacteria.
- Reach out to the Sussex Conservation District, Sussex County and the Delaware Clean Water Advisory Council as partners in funding stormwater retrofits.
- The City should pursue drainage easements along waterways and storm drains where currently there is none.

Plan Implementation

- The Plan should offer more specific “actionable” environmental protection strategies than currently offered. DNREC recommends that the following ordinance or ordinances (unless current Town ordinances address these concerns) which would:
 - a. Require all applicants to submit to the Town a copy of the development site plan showing the extent of State-regulated wetlands (as depicted by the State Wetland Regulatory Maps), and a United States Army Corps of Engineers (USACE) approved wetlands delineation as conditional approval for any new commercial and/or residential development. Additionally, the site plan should depict all streams and ditches which are jurisdictional pursuant to the Subaqueous Act (7 Del. C., Chapter 72) as determined by DNREC.
 - b. Help protect freshwater wetlands where regulatory gaps exist between federal and State jurisdictions (i.e., isolated wetlands and headwater wetlands).
 - c. Require a 100-foot upland buffer width from all wetlands or water bodies (including ditches).
 - d. Based on a review of existing buffer research by Castelle et al. (1994), an adequately-sized buffer that effectively protects wetlands and streams, in most circumstances, is about 100 feet in width. In recognition of this research and the need to protect water quality, the Watershed Assessment Section recommends that the applicant maintain/establish a minimum 100-foot upland buffer (planted in native vegetation) from the landward edge of all wetlands and water bodies (including all ditches).
 - e. Require an impervious surface mitigation plan for all residential and commercial developments exceeding 20% imperviousness. In commercial developments, it is strongly recommended that pervious paving materials be required on at least 50% of the total paved surface area(s).
 - f. Require the calculation for surface imperviousness (for both commercial and residential development) take in to account all constructed forms of surface imperviousness, including all paved surfaces (roads, parking lots, and sidewalks), rooftops, and open-water stormwater management structures.
 - g. Require the assessment of a project’s TMDL nutrient loading rate through use of the Department’s nutrient budget protocol. The applicant should be further required to use any combination of approved Best Management Practices (BMPs) to meet the required TMDLs for the affected watershed(s) in question.

- h. Exclude structural Best Management Practices (BMPs) such as community wastewater treatment areas, open-water stormwater treatment structures and natural areas containing regulated wetlands from consideration as open space.
- i. Prohibit development on hydric soil mapping units. Proof or evidence of hydric soil mapping units should be provided through the submission of the most recent NRCS soil survey mapping of the parcel, or through the submission of a field soil survey of the parcel by a licensed soil scientist.
- j. Require the applicant to use “green-technology” stormwater management in lieu of “open-water” stormwater management ponds whenever practicable.
- k. All open space land uses should be designed and managed in a manner that mitigates or reduces nutrient pollutant loading and its’ damaging impacts to water quality. Since changes in land use often increase runoff of nutrient pollutants into nearby waterways (including wetlands) draining to a common watershed, these nutrient pollutant loading impacts should be assessed at the preliminary project design phase. To this end, the Watershed Assessment Section has developed a methodology known as the “Nutrient Load Assessment Protocol” to assess such impacts. The protocol is a tool used to assess changes in nutrient loading that result from the conversion of individual or combined land parcels to a different land use(s), and serves as a “benchmark indicator” of that project’s likely impacts to water quality. It is the intention of this protocol to inform those relevant governmental entities (i.e., State, county, and municipal) how a given project will affect water quality in their jurisdictions, while informing/encouraging developers of the need to incorporate better conservation practices (i.e., BMPs) in their project designs to help improve water quality. Therefore, we strongly recommend that City require completion of a Nutrient Budget protocol before granting preliminary approval for any proposed projects/developments.

State Fire Marshal’s Office – Contact: Duane Fox 856-5298

- The Delaware State Fire Marshal’s Office has the responsibility to review all commercial and residential subdivisions for compliance with the Delaware State Fire Prevention Regulations. This Agency asks that a MOU be established and be maintained between the Delaware State Fire Marshal’s Office and the Town of Rehoboth. The State Fire Marshal’s Office would be issuing approvals much like DeIDOT and DNREC. This Agency’s approvals are based on the Delaware State Fire Prevention Regulations only. At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans in accordance with the Delaware State Fire Prevention Regulation.

Department of Agriculture - Contact: Scott Blaier 739-4811

- The Department encourages the city to continue to work with our Urban Forestry Section to meet the city's tree canopy goals.
- The Department also encourages the city to work with the Department's marketing section on Farm Markets and supporting the state's agricultural industry.

Delaware Division of Public Health- Health Promotion Bureau- Contact: Michelle Eichinger (302) 744-1011

To help facilitate active living and healthy eating for chronic disease prevention, environmental and policy changes in a community are necessary. The Division of Public Health recommends the following:

- **Amenities to support active transportation**
 - The City of Rehoboth is to be commended for their plan to promote walkability and bikability in the community.
 - Consider and explore public transit opportunities. Individuals who utilize public transportation are likely to walk or bike to transportation stops.
- **Amenities to support active recreation**
 - The City of Rehoboth is to be commended for their thorough active recreation plan.
- **Editorial comments**
 - In the section of Community Services, please include health and social services available for City of Rehoboth residents. This includes the La Red Health Center in Georgetown and the Georgetown State Service Center, which provides public benefits (e.g. WIC, Medicaid, Supplemental Nutrition Assistance Program, etc.). Although many health and social services facilities are located outside the City, there are concerns with regards to healthcare access. By including existing resources, the City may be able to explore other healthcare needs to address access to services.

Delaware State Housing Authority – Contact Vicki Powers 739-4263

The agency may provide commentary and/or suggestions to the applicant that is related to the agency's area of expertise. Commentary and recommendations must be proactive, constructive, and specific to the application that is the subject of the PLUS review. If an agency comment or recommendation is not based on Delaware Code or an adopted policy or regulation, then it must be reported in this section.

- There is a tremendous gap between housing prices and the incomes of people who work in the Town of Rehoboth's numerous retail and service sector jobs. As a result, we encourage the Town to take a more aggressive approach to planning for all of its residents - regardless of income.
- DSHA strongly recommends that the Town of Rehoboth change Section 8.231 (a) of their plan to reflect their desire to assure workforce housing within the Town as opposed to outside town limits as currently stated. Promoting actions outside of town limits is unenforceable for the Town. In addition, the wording is exclusionary in tone.
- DSHA offers technical assistance to the Town in reviewing tools and strategies to increase affordable housing opportunities within the Town.
- Additionally, DSHA has developed a website, **Affordable Housing Resource Center**, to learn about resources and tools to help create affordable housing opportunities. Our website can be found at: www.destatehousing.com "Affordable Housing Resource Center" under our new initiatives.

Approval Procedures:

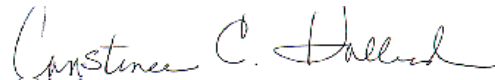
1. Once all edits, changes and corrections have been made to the plan, please submit the completed document (text and maps) to our office for review. **Your PLUS response letter should accompany this submission.** Also include documentation about the public review process. In addition, please include documentation that the plan has been sent to other jurisdictions for review and comment, and include any comments received and your response to them.
2. Our office will require a maximum of 20 working days to complete this review.
 - a. If our review determines that the revisions have adequately addressed all certification items, we will forward you a letter to this effect.
 - b. If there are outstanding items we will document them in a letter, and ask the town to resubmit the plan once the items are addressed. Once all items are addressed, we will send you the letter as described above.
3. Once you receive our letter stating that all certification items have been addressed, the Planning Commission and Council should adopt the plan pending State certification. We strongly recommend that your Council adopt the plan by ordinance. The ordinance

should be written so that the plan will go into effect upon receipt of the certification letter from the Governor.

4. Send our office a copy of the adopted plan along with the ordinance (or other documentation) that formally adopts your plan. We will forward these materials to the Governor for his consideration.
5. At his discretion, the Governor will issue a certification letter to your City.
6. Once you receive your certification letter, please forward two (2) bound paper copies and one electronic copy of your plan to our office for our records.

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,

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

Constance C. Holland, AICP
Office of State Planning Coordination Director