



STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
OFFICE OF STATE PLANNING COORDINATION

October 24, 2017

William DeCoursey  
Institute for Public Administration  
185 Graham Hall, Academy Street  
Newark, DE 19716

RE: PLUS review 2017-09-01; Town of Houston Comprehensive Plan Pre-Update

Dear William:

Thank you for meeting with State agency planners on September 27, 2017 to discuss the Pre-PLUS review of the Town Of Houston's Comprehensive plan. State agencies have reviewed the documents submitted and offer the following comments. We hope that these comments and recommendations assist the Town as the Plan Update is being prepared. 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 update consistent with the requirements of Title 22, § 702 and Title 29, § 9103 of the Del. Code.

- The Office of State Planning Coordination has developed a Comprehensive Plan Checklist based on the requirements found in Title 22, § 702 of Delaware Code. The checklist can be downloaded from our website here: <http://stateplanning.delaware.gov/docs/comprehensive-plan-checklist-guide.pdf>.
- The Town of Houston has a population of less than 2,000 persons. As such, the following requirements must be included in the updated comprehensive plan to be considered for certification: clearly articulated positions on population growth, housing growth, expansion of boundaries, development of adjacent areas, redevelopment potential, community character, general use of land, critical community development infrastructure and key infrastructure issues. Demonstration of coordination with State, County and other municipalities is also required for certification.

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

**Office of State Planning Coordination – Contact: David Edgell 739-3090**

- Based on the discussion at the PLUS meeting, our understanding is that the Town intends to replace the existing comprehensive plan with a new document. It is recommended that Houston look to the examples of other small town plans throughout Delaware regarding the format and content that is appropriate for a town the size of Houston. It is suggested that the document could be streamlined into a more concise and user friendly document.
- In addition to addressing all of the Certification requirements, it is recommended that the updated comprehensive plan address any additional planning issues that are important to the town. For example, stormwater management and flooding was briefly discussed as an issue at the PLUS meeting. Keep in mind that most small town comprehensive plans address some, if not all, of the other planning areas that are required of larger towns.
- Please be aware that Kent County is currently updating the County’s comprehensive plan. It is recommended that the Town provide input through the County’s plan update process in regards to future land use, growth and infrastructure issues surrounding the Town. The Town’s vision for the “development of adjacent areas” and “expansion of boundaries” should be discussed with the County as they develop their plan. Please contact the Kent County Department of Planning Services directly for information regarding their plan update schedule and opportunities for the Town to provide input.

**State Historic Preservation Office – Contact: Terrence Burns 302-736-7404**

- The State Historic Preservation Office suggests that the Town may want to pursue the goal of listing in the National Register of Historic Places the proposed historic district that this office identified some years ago. If the Town accomplishes this goal, it will be equipped to establish protections such as a historic zoning ordinance for the district and incentives to help protect the historic area. A major benefit of listing is that it makes properties eligible for financial incentives in the form of federal, state, and county historic preservation tax credits and occasional grants. Such financial incentives can help in the maintenance of the aging housing stock, which is one of the Plan’s concerns and recommendations.
- The town could then build on their preservation efforts through the Certified Local Government (CLG) Program. . This program strengthens preservation efforts by providing technical and financial assistance, while encouraging preservation programs and practices. (As part of the nationwide CLG Program, Delaware's CLG Program is administered by the Delaware State Historic Preservation Office, in partnership with the National Park Service.)

- One of the main goals in the current statewide historic preservation plan, Preserving Our Past for a Better Future is to encourage active participation in historic preservation by all local governments. The State Historic Preservation Office is currently updating the statewide historic preservation plan and welcome the City's comments and suggestions for inclusion in the new statewide plan. The State historic Preservation Office will also be happy to provide technical assistance for the town's upcoming revisions. The Delaware's Historic Preservation Plan is available online at:  
<http://history.delaware.gov/pdfs/Preservation%20Plan%202013-2017.pdf>.

**State Housing Authority – Contact: Karen Horton 739-4263**

DSHA offers the following information as the Town prepares its Comprehensive Plan Update:

- The 2015-2020 Housing Needs Assessment (HNA) is a great resource and can be found at the below link. There is the full document, executive summaries, handouts, and an interactive map. <http://www.destatehousing.com/FormsAndInformation/needs.php>
- In addition to the *2015-2020 Statewide Housing Needs Assessment*, the following housing information is available on DSHA's 'Research and Plans' website  
<http://www.destatehousing.com/FormsAndInformation/datastats.php>. DSHA updates this data regularly and produces the following reports:
  - Kent County Housing Fact Sheet –  
[http://www.destatehousing.com/FormsAndInformation/datastatmedia/ds\\_kent\\_fs.pdf](http://www.destatehousing.com/FormsAndInformation/datastatmedia/ds_kent_fs.pdf)
  - Median Home Price and Affordability Gap data for each year for the most recent quarter and the past 10 years -  
<http://www.destatehousing.com/FormsAndInformation/affordgap.php>
  - Sheriff Sale data from 2008 to 2017 by Zip Code –  
[http://www.delawarehomeownerrelief.com/media/sheriffsale\\_2008\\_kent.pdf](http://www.delawarehomeownerrelief.com/media/sheriffsale_2008_kent.pdf)
- DSHA encourages municipalities receiving federal funds for housing to be aware of their Civil Rights obligations at the U.S. Department of Housing and Urban Development (HUD). Specifically, federal fund recipients are obligated to Affirmatively Further Fair Housing (AFFH) by taking proactive steps to promote racially, ethnically, and socioeconomically diverse communities. To assist with this obligation, in July 2011, DSHA collaborated with the Cities of Wilmington and Dover, and New Castle County to conduct the *Statewide Analysis of Impediments to Fair Housing Choice*. (<http://www.destatehousing.com/FormsAndInformation/fairhousing.php>). The Analysis contains several recommendations for local jurisdictions. These include the following:
  - Review how 'family' is defined and remove undue restrictions on group homes.
  - Area localities should encourage members of appointed boards and commissions, elected officials, real estate agents, and municipal and county staff that deal with housing, community development, zoning, and code enforcement issues to attend an annual fair housing training.
- DSHA offers technical assistance to the Town in reviewing tools and strategies to increase affordable housing opportunities within the Town.

- DSHA has developed a website, **Affordable Housing Resource Center**, to learn about resources and tools to help create housing for households earning 100% of median income or below. Our website can be found at: [www.destatehousing.com](http://www.destatehousing.com) "Affordable Housing Resource Center" under Other Programs.

If you have questions or would like more information on the above recommendations, please feel free to call me at (302) 739-4263 ext. 251 or via e-mail at [karenh@destatehousing.com](mailto:karenh@destatehousing.com).

### **Department of Agriculture – Contact: Scott Blaier 698-4532**

- The Department reiterates and continues to support the comments it made on the town's 2007 comprehensive plan, and which are included as Appendix D of the plan.
- Page 28 of the plan mentions LESA scoring of parcels within and surrounding Houston (Map I). Although the Department still uses LESA scoring to qualify individual parcels for inclusion into the State's Agricultural Lands Preservation Program, it no longer generates large scale LESA maps for farm parcels in Delaware. It is likely that LESA scores have changed since the 2007 plan, and the Department of Agriculture would advise against using the existing LESA map.

However, the Department does recommend the town update its map with the latest information regarding which parcels are in the Agricultural Lands Preservation Program (Map A and Map D). There have been some additions and subtractions to the program in the Houston area since the 2007 plan.

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

#### **Water Supply/Source Water Protection.**

- In this section, DNREC would expect to see a discussion of the Town's current source of water supply, what protections the Town has in place to protect that water supply, and what the Town's plans are for future water supply (e.g., a central/community/public water system).

#### **Wastewater.**

- In this section, DNREC would expect to see a discussion of the Town's current source of wastewater treatment and what the Town's plans are for future wastewater treatment (e.g., a central/community/public treatment system).

#### **Total Maximum Daily Loads.**

- DNREC recommends that the Plan specify the required TMDL load reductions for nutrients and bacteria in the watershed. The Town of Houston lies within the watershed of the Mispillion River, which ultimately drains to the Delaware Bay and Estuary. The Mispillion TMDL requires a 57% reduction in nitrogen and phosphorus from baseline conditions and an 87% reduction in bacteria from baseline conditions.

### **Recreation and Open Space.**

- In August of 2011, the Delaware Division of Parks and Recreation conducted a telephone survey of Delaware residents to gather information and trends on outdoor recreation patterns and preferences as well as other information on their landscape perception. These findings are the foundation of the 2013-2018 Statewide Comprehensive Outdoor Recreation Plan (SCORP) providing guidance for investments in needed outdoor recreation facilities and needs within county and municipal comprehensive plans. For the purpose of refining data and research findings, Delaware was divided into five planning regions. The Town of Houston is located within SCORP Planning Region 3.

When looking at the findings from the 2011 telephone survey, it is apparent that Delawareans place a high importance on outdoor recreation. Statewide, 93% of Delaware residents indicated that outdoor recreation had some importance in their lives, while 67% said it was very important to them personally. These findings are very close to the results of the same question asked in the 2008 public opinion telephone survey, indicating a continued demand for outdoor recreation opportunities throughout the State.

Placing high importance on outdoor recreation resonates throughout the five SCORP regions. In Region 3 (Kent County), 63% said it was very important to them personally.

### Outdoor Recreation Needs/Priorities

Based on the public opinion survey, the most needed outdoor recreation facilities in Houston include:

High facility needs:

- Walking and Jogging Paths
- Public Swimming Pool
- Bicycle Paths
- Fishing Areas
- Playgrounds
- Community Gardens
- Picnic Areas
- Off-Leash Dog Areas

Moderate facility needs:

- Hiking Trails
- Camping Areas
- Ball Fields
- Basketball Courts
- Football Fields
- Public Golf Courses

- Soccer fields
- Boat Access
- Canoe/Kayak Launches
- Tennis Courts

#### **Natural/Environmental Features.**

- In this section, DNREC would expect to see a discussion of the conservation, use and protection of the Town's natural/environmental features. This could include, but is not limited to soils, hydrology, topography, floodplains, wetlands, wood uplands, habitat areas, and aquifer recharge areas.

#### **Stormwater Management.**

- The Department recommends that the Town of Houston incorporate a requirement for a stormwater review into the Town's preliminary approval requirements for new development requests. The *Delaware Sediment and Stormwater Regulations* have been revised and became effective January 1, 2014. A three-step plan review process is now prescribed in the regulations:
  1. Submit a Stormwater Assessment Study for the project limits of disturbance and hold a project application meeting with the reviewing delegated agency,
  2. Submit stormwater calculations, and
  3. Submit construction drawings

Following the project application meeting, a Stormwater Assessment Report will be completed by the reviewing agency and the developer and forwarded to the Town. This Stormwater Assessment Report will rate the anticipated engineering effort necessary to overcome certain stormwater assessment items such as soils, drainage outlets, and impervious cover. The Sediment and Stormwater Program recommends that the Town consider the ratings from the Stormwater Assessment Report in making a decision to issue preliminary approval for any development request. Further, the Sediment and Stormwater Program recommends that the Town incorporate the Stormwater Assessment Report as a required element when a plan is submitted to the Town's preliminary plan approval process.

The revised *Delaware Sediment and Stormwater Regulations*, effective January 1, 2014, have a goal of reducing stormwater runoff for the rainfall events up to the equivalent one-year storm, 2.7 inches of rainfall in 24 hours. Runoff reduction encourages runoff to infiltrate back into the soil as in the natural pre-development system and results in pollutant removal and stream protection. Best management practices (BMPs) that encourage infiltration or reuse of runoff, such as porous pavements, rain gardens, rain barrels and cisterns, green roofs, open vegetated swales, and infiltration systems should be allowed for new development sites within the Town. Furthermore, limiting land disturbance on new development projects and limiting impervious surfaces by allowing narrower street widths, reducing parking requirements, and allowing pervious sidewalk materials will be necessary to help achieve the runoff reduction goals in the revised regulations.

### **Floodplains.**

- The Town's floodplain boundaries were revised by FEMA on July 7, 2014. FEMA delineates the boundary of 1% annual chance flood events on their Flood Insurance Rate Maps. These floodplain boundaries are used for flood insurance and floodplain management purposes. The purpose of the maps is to depict areas at risk of flooding and to aide in developing mitigation strategies to keep development and people out of harm's way. This new data needs to be reflected in an updated map.

### **Preparing for a Changing Climate.**

- Sea level rise is one of several climate change impacts that can affect communities, the others being variable precipitation and increasing temperatures. Together, precipitation and accelerated sea level rise contribute to increased flooding. The Climate Framework for Delaware recommends that DNREC, through the Division of Energy and Climate, provide technical support to local governments, in coordination with the Office of State Planning Coordination (OSPC), to enhance focus on climate impacts (including the reduction of greenhouse gas emissions) and long-term sustainability (through adaptation and mitigation) in the comprehensive plan and in implementing ordinances. With that in mind, DNREC requests the opportunity to work with the Town and their consultants to develop language for the comprehensive plan that addresses climate change impacts, as well as adaptation and mitigation strategies for the Town to pursue through implementing ordinances.

### **Recycling.**

- The Universal Recycling Law (*7 Del. C. §6053*) requires all waste service providers (including a municipality that uses contractors for service) to provide recycling collection to their residential customers (including multi-family settings). Municipalities that provide trash and recycling services can demonstrate some of the lowest prices in Delaware. Municipalities should plan for outreach/educational strategies for constituents, as well as continued implementation.

Delaware Law (*7 Del. C. §6053*) and Regulations (*7 Del. Admin. C. §1305*) specify that the 'commercial sector' shall participate in a comprehensive recycling program. As such, all those involved with the planning of the commercial sector should give consideration to space for collection of recyclables that would be typically generated. For example, space for a recycling dumpster should be provided adjacent to each trash dumpster. The commercial sector includes all for-profit, not-for-profit, institutional, charitable, educational, health care, and government organizations.

For more information or assistance related to recycling requirements, benefits, tools, and assistance, please call 302-739-9403.

### **Air Quality.**

- According to the comprehensive plan document, the 2010 Census concluded that the two largest demographics in the Town of Houston are those aged 18 or under at a whopping 39.7% of the population, with those 65 and older making up 12.6% of the population.

Both children under 18 years of age and the elderly as well as those with pre-existing cardiopulmonary conditions such as those with asthma or emphysema are at an increased risk of experiencing negative health effects due to air pollution. It is recommended that air quality and air quality-related goals be added into the town's environmental goals and objectives.

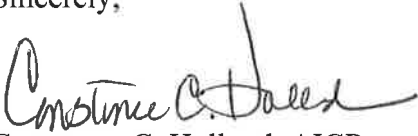
- The Town of Houston is encouraged to continuing its pursuit of multi-modal transportation options in the area including expanding its bicycle and pedestrian network. Another crucial component to driving the push from vehicle-centric travel to other modes is the availability of transit. The Town of Houston is urged to coordinate with DART and the Delaware Transit Corporation to ensure adequate opportunities for transit are made available. DNREC is in full support of innovative technologies that allow real time tracking of transit including DelDOT's "Where is My Bus?" tool. Technologies such as these ensure the efficiency of transit customer service and promote transit as a viable option for travel.
- According to the Delaware Forest Service, in 2014 the Town of Houston had an urban tree canopy of 14.6%. DNREC supports efforts of the Town of Houston to expand its existing urban tree canopy coverage including the definition of a greenway and associated streetscape elements (Page 13). Greenways create pathways that can link together important community amenities and help inspire people to partake in an active lifestyle. Planting trees, particularly in parking areas, helps to reduce heat island effects while also trapping harmful particulate matter (also known as PM), which has the ability to be inhaled and embedded in the human lung and has the potential to cause negative health effects. Trees also encourage biodiversity among species, reduce fragmentation of sensitive habitat, reduce heating and cooling costs and heat island effects, promote healthy communities and generate economic value to the area in which they are planted. The American Planning Association (APA) found in a study that people shopped longer and businesses made 12% more money in areas with attractive, tree-lined streets.
- Up to 60% of Houston is marked as residential use. The Town of Houston is urged to continue incorporating mixed-use development when and where possible including the use of compact (cluster) development which has the effect of preserving open space, reducing sprawl and minimizing the scope of environmental effects. Mixed use developments also help to support non-automotive forms of travel and would add to the existing and expanding bicycle and pedestrian networks.
- DNREC also supports the proposal of an ordinance that emphasizes the importance of agricultural preservation and of open space in designated areas to accommodate the wishes of town residents.

Should the Town have any more questions or concerns, the Division of Air Quality (DAQ) point of contact is Lauren DeVore, and she may be reached at (302) 739-9437 or [lauren.devore@state.de.us](mailto:lauren.devore@state.de.us).



Since this was a Pre-update meeting for your plan update, we will need to see the completed document at a regular PLUS meeting once your Planning Commission has approved the draft plan for public review. Thank you for the opportunity to review this update. If you have any questions, please contact me at 302-739-3090.

Sincerely,

A handwritten signature in black ink, appearing to read "Constance C. Holland". The signature is fluid and cursive, with a prominent initial "C" and a long, sweeping underline.

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