



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION

May 22, 2018

Angelo Abbate
Town of Houston
P.O. Box 196
Houston, DE 19954

RE: PLUS review 2018-04-02; Town of Houston Comprehensive Plan

Dear Angelo,

Thank you for meeting with State agency planners on April 25, 2018 to discuss Houston's comprehensive plan. State agencies have reviewed the documents submitted and offer the following comments. 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 update consistent with the requirements of Title 22, § 702 and Title 29, § 9103 of the Del. Code.

- The plan text and map are unclear regarding annexation. The plan text indicates that the community is conflicted about annexation, but then goes on to identify a large area surrounding the town and describe the procedure. The "Potential Annexation Map" does not contain any future land uses. There is also a discussion of an "Area of Concern" although that area is not mapped. The Town of Houston must clarify whether they intend to consider annexation in this 10 year planning period, and if so create an annexation map which contains future land uses for parcels to be considered for annexation. If the Town is unsure at this time perhaps identifying an "Area of Concern" would be appropriate. Any potential annexation would then be the subject of a plan amendment in the future.
- Please provide written documentation that the plan has been shared with Kent County for review, and the response from the County. An email correspondence is acceptable.

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

Our office would like to commend the Town of Houston for completing the update of the comprehensive plan. This document is more than an update – it is a new plan that reflects the vision of the community and achievable goals for obtaining that vision. The plan format and layout is much more concise and easy to navigate than the plan it replaces. More importantly, all plan chapters and sections capture the vision of a small rural community that strives to retain its historic character and, hopefully, the rural agricultural uses that surround the town.

Our office has the following recommendations to improve the plan:

- Chapter 10, Land Use and Growth Management, does not describe the future land use categories used on the Future Land Use Map. It is recommended that text or a table be added to Section 10-3 to define each future land use category on the Future Land Use map. Since both the plan text and map have the “force of law,” such a definition of each land use category is an important opportunity for the Town to clearly articulate what is intended in each category.
- The plan includes a map titled “Houston Area Zoning.” It is recommended that a note be placed on the map to indicate that the map is a representation for planning purposes and not the official zoning map for the Town of Houston. The note may also provide information about how to gain access to the official zoning map.
- The implementation chapter is very detailed, with color coding to identify the timeframe for each goal and objective. It is recommended that the Town develop a work program based on this chapter. For example, what are the first three tasks that need to be done to implement the plan? How will the Town begin to address those tasks upon plan adoption?

Department of Transportation – Contact: Bill Brockenbrough 760-2109

- The discussion of transit on page 39 suggests that there is bus service on Delaware Route 14, which is not presently the case. The closest stops are in Milford and Harrington.
- Relative to the objectives on page 39, DeIDOT recommends that the Town contact the following individuals:
 - Transit – Ms. Catherine Smith, Planning Manager, Delaware Transit Corporation, Cathy.Smith@state.de.us or (302)576-6071.
 - Signage, speed limits and traffic safety on State-maintained roads and streets – Mr. Peter Haag, Traffic Studies Engineer, Division of Transportation Solutions, Peter.Haag@state.de.us or (302) 659-4084.

- Bicycle, pedestrian and streetscape improvements – Mr. Jeff Niezgoda, Assistant Director for Local System Improvements, Division of Planning, Jeff.Niezgoda@state.de.us or (302) 760-2178.

State Historic Preservation Office – Contact: Carlton Hall 302-736-7404

- The State Historic Preservation Office appreciates Houston's commitment to preserving the town's character and suggests that the Town may want to pursue the goal of listing in the National Register of Historic Places the proposed historic district that was identified. The Town could then establish protections such as a historic zoning ordinance. A major benefit of listing in the National Register is that it makes properties eligible for financial incentives in the form of historic preservation tax credits and occasional grants. We would also suggest that the town pursue the possibility of becoming a Certified Local Government

State Housing Authority – Contact: Karen Horton 739-4263

- DSHA supports the Town of Houston's position on housing, and supporting goals. Their approach to housing is thoughtful, based on a thorough analysis of demographic and housing data, and appropriate for the Town.
- As a resource for municipalities, 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 "Affordable Housing Resource Center" under Other Programs.

If you have any questions, please feel free to call me at (302) 739-4263 or via e-mail at karenh@destatehousing.com. Thank you.

Department of Agriculture – Contact: Scott Blaier 698-4532

- The Department of Agriculture would like to compliment the town on the most recent update of its comprehensive plan. The department offers the following comments on the plan.
- Page 10 – Environmental Protection: The Department supports the town's goal to preserve high-value agricultural parcels. The Department's Farmland preservation program has already permanently preserved a number of farms around Houston, and there are several more farms in the area that potentially will become permanently preserved.
- Page 15 – As with our previous comment regarding the goals on page 10, the department is continuing to preserve farmland in the Houston area, and would welcome any opportunity to work with the town in that regard.

- Section 9-5 Agriculture Open Space (pages 51 through 53) - As shown in Figure 3, a number of parcels around Houston are currently enrolled in the state's Farmland Preservation Program. The program's goal is to permanently preserve as many of those parcels as possible.
- Page 68 "Objectives for Farmland Preservation" – The Department does not currently have brochure regarding its farmland preservation program. However, we do maintain an up-to-date website with information about the program.
- <https://agriculture.delaware.gov/agland-preservation-planning/>

Department of Natural Resources and Environmental Control – Contact Michael Tholstrup 735-3352

Source Water Protection.

- The DNREC Source Water Protection Program determined that there is an excellent ground water recharge potential within the Town's municipal boundaries. However, no delineated wellhead protection areas were identified.
- In Section 4-4b (page 28) and 8-2 (page 45), the Town of Houston acknowledges the excellent groundwater recharge potential area within its municipal boundaries. However, the text uses the term 'excellent recharge areas.' The correct term which should be used in the plan is 'excellent groundwater recharge potential area,' in this section and on the map.
- The text also discusses the State's requirements for municipalities of greater than 2,000 persons to develop source water ordinances. However, the plan should specifically cite the source water requirements in 7 Del. C. 6082(c), and include goals and objectives related to the protection of the resource.
- As a municipality with a population of less than 2,000 persons, the Town is not required to develop source water protection ordinances per 7 Del. C. 6082(c). However, if the Town intends to adopt an ordinance, consultation with DNREC will promote the development of one that is protective of the resource. Creating a source water protection ordinance to protect the excellent ground water recharge potential area will afford protection to the Town's private water supply and their domestic wells.

Climate Change

- The subject of climate change was not specifically addressed in the plan, however the Department believes that recognizing the significant impacts that climate change will have on Delaware's economy, resources and citizens and incorporating those within the Comprehensive Development Plan is important. When discussing climate change impacts to Delaware, the Department is concerned with sea level rise, increased heavy precipitation events, and more extreme high temperatures. While the Town would not likely be impacted directly by sea level rise, stormwater management, which has been

identified as an issue in the Draft Plan, will be a greater challenge in the future as a result of increasing heavy precipitation events. Additionally, increased concerns for health & safety of the population are associated with increased temperatures, which could also be discussed in the Draft Plan, along with establishing a designated 'cooling center.'

There is an incredible volume of information available about climate change impacts. The following is a short list of the most relevant and useful information for your comprehensive development plan efforts:

1. The Creating a Flood Ready Community training site provides links to a wide variety of resources that can be used to plan for increased heavy precipitation and sea level rise:
<http://dnrec.delaware.gov/coastal/DNERR/Pages/CTP%20Pages/FloodReadyCommunityResources.aspx>
 2. Climate change impacts to human health are reviewed in the fall issue of the Delaware Journal of Public Health: https://issuu.com/dam-dpha/docs/djph_october2017
 3. DNREC has guidance for utilizing green infrastructure and nature-based strategies to address stormwater in an environmentally friendly manner:
www.de.gov/greeninfrastructure.
- In addition, the Town may wish to consider opportunities for grant funding and technical assistance. DNREC offers grant funding for sustainability and climate change planning through the Sustainable Communities Planning Grant Program and the Resilient Community Partnership (RCP). These programs provide resources for local governments to develop a long term plan for climate change and/or sustainability.
 - <https://dnrec.alpha.delaware.gov/energy-climate/sustainable-communities/sustainable-planning/>
 - <https://dnrec.alpha.delaware.gov/coastal-programs/planning-training/resilient-communities/>

DNREC staff are always available to assist and would be happy to meet with Town staff and its consultants to discuss climate change vulnerabilities and greenhouse gas reduction strategies.

Air Quality.

- DNREC was pleased to see that air quality was added as a component in Chapter 8 "Natural Resources," of the Comprehensive Plan and that "limit[ing] the growth of emissions attributable to Houston" was a goal of the Town (Page 10). We are supportive of many of your efforts and are available to provide technical guidance as you move toward implementation of these strategies.

- Additionally, we recommend the following considerations for the Town of Houston in mitigating potential air pollution issues:
 - Encourage mixed-use development where applicable,
 - Allow opportunities for the increased use of public transit,
 - Expand the current bicycle and pedestrian network,
 - Consider ordinances that would involve the planting of trees for development projects and efforts to continue the preservation of trees in the Town which help to clear the air of pollutants.

- As an added component to address air quality concerns in the area, the Town of Houston is encouraged to add electric vehicle supply equipment and charging where feasible in common areas to accommodate cleaner vehicular transportation through the area. For more information about the various electric charging options and where they are best deployed, please see our website. www.de.gov/cleantransportation

- DNREC has noted that the Town of Houston has a goal of expanding its bicycle and pedestrian network. This goal can be carried out through the application of and use of DelDOT's Transportation Alternatives Program (TAP) funds. <https://deldot.gov/Programs/tap/index.shtml>

- Lastly, the Town of Houston is encouraged to work with DelDOT to address and identify the transit needs of the municipality. The plan states that currently there is no fixed-route bus service that serves the Town of Houston (Page 39). The plan identifies a bus route (DART Route 33) of which could serve Houston (Page 39). It is recommended that the Town of Houston pursue expanding transit service to the area. Collecting resident commuting data would greatly benefit the town in supporting their efforts to gain transit services to the area.

Economic Development & Redevelopment.

- DNREC is supportive of incorporating energy efficiency into the economic development and redevelopment discussion (page 42) of your Draft Plan. The Draft Plan would be a valuable tool in identifying the benefits, both economic and environmental, of promoting high efficiency building materials, use of recycled materials, and energy efficient lighting and appliances. These strategies can be applied toward industrial/commercial, residential, and municipally owned facilities. DNREC offers funding and technical support for energy efficiency retrofits through the Energy Efficiency Investment Fund, which can be found at www.de.gov/eef.

Housing.

- DNREC supports the Town of Houston's effort to diversify its housing stock and to remediate and redevelop "blighted, deteriorated and under-utilized properties" (Page 10). The Town may wish to ensure that residents are aware of DNREC's free Weatherization Assistance Program, that helps homeowners and renters cut their energy bills by

weatherproofing and improving the energy efficiency of their homes. More information is available online: www.de.gov/wap

Approval Procedures:

- 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. Substantial changes to this draft could warrant another PLUS review.

- Our office will require a maximum of 20 working days to complete this review.
 - If our review determines that the revisions have adequately addressed all certification items (if applicable), we will forward you a letter to this effect.
 - 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.

- Once you receive our letter stating that all certification items (if applicable) 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.

- 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.

- At his discretion, the Governor will issue a certification letter to your Town.

- 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 Comprehensive Plan. If you have any questions, please contact me at 302-739-3090.

Sincerely,



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