

# Delaware

## 2020 Strategies for State Policies and Spending

*Prepared by:*  
*Delaware Office of State Planning Coordination*

*Approved by:*  
*Cabinet Committee on State Planning Issues*

*Implemented by:*  
*Governor John Carney*  
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## The staff of the Delaware Office of State Planning Coordination

**Constance Holland, AICP**

Director

**Tricia Arndt, AICP**

**Stephen Bayer**

**Temple Carter**

**David Edgell, AICP**

**Dorothy Morris, AICP**

**Miriam Pomilio**

## Cabinet Committee on State Planning Issues

**Jennifer Cohan**

Secretary, Department of Transportation – Chair

**Anas Ben Addi**

Director, Delaware State Housing Authority

**Michael Scuse**

Secretary, Delaware Department of Agriculture

**Robert Coupe**

Secretary, Delaware Department of Safety and Homeland Security

**Constance Holland**

Director, Office of State Planning Coordination

**Susan Bunting**

Secretary, Department of Education

**Shawn Garvin**

Secretary, Department of Natural Resources and Environmental Control

**Albert Shields**

Deputy Chief of Staff for Policy, Office of the Governor

**Christina Hudson**

Director of Budget, Development and Planning, Office of Management and Budget

*Legislative Hall In Dover, Delaware*

Photo credit: Temple Carter



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## A Strategy to Manage Growth in Delaware

The Cabinet Committee on State Planning Issues is responsible for recommending the most desirable general pattern of land use within the state, the major circulation patterns, and the general locations of major public and private works and facilities. In order to do so, the Committee prepares the *Strategies for State Policies and Spending* document and maps, which serve as the primary policy guide that summarizes the State’s land use goals, policies, and strategies. The *State Strategies* direct state spending into investment levels that support the most efficient use of state resources, be they physical, fiscal, or natural.<sup>1</sup>

The Cabinet Committee on State Planning Issues, through the Office of State Planning Coordination, developed the first Delaware *Strategies for State Policies and Spending* document and maps in 1999. The *State Strategies* help the Committee guide state investment decisions to promote efficient development patterns, protect agriculture and open space, discourage sprawl, and communicate with local governments on land-use matters. The *State Strategies* provide policy guidance for state activities and serve as a framework for coordinating the plans and actions of local governments. The importance of such coordination lies in the fact that land-use decisions are made at the local level, while the bulk of infrastructure (e.g., roads and schools) and services (e.g., emergency services and social services) that support land-use decisions are funded by the state. Thus, the development of this document with local governments and citizens helps to create a unified view toward growth and preservation priorities that all governments can use to allocate resources.

The *State Strategies* set spending priorities for the State’s management of regulatory programs, land protection, state lands, and buildings. The *State Strategies* establish a framework for state comments on local comprehensive-planning and land-use decisions.

State agencies will still make site-specific decisions about particular infrastructure issues and enforce regulatory processes. Such decisions will examine the unique circumstances at each site. These decisions will be based on the guidance given by the *State Strategies*.

### About this Document and Map Series

The *Strategies for State Policies and Spending* comprises this document and a map series. The document contains the State’s goals and policies for land use, infrastructure investment, and other priorities as developed by the Cabinet Committee on State Planning Issues. The map series identifies areas of the state as one of four “Investment Levels.” The State and its agencies have different policies and priorities for infrastructure investment, regulatory programs, public services, and facilities in each of the Investment Levels. These policies and priorities are fully described in the Directing Growth section of this document as well as in Appendix C: State Agency Policies by Investment Level.

### Role of the State in Land Use Planning

Delaware is growing and changing in population size, composition, and density. Though land-use decisions are made by local jurisdictions (municipal and county), the impact of local government land-use decisions, land development patterns, and each Delawarean’s decision of where to live affects us all statewide. The effect can be felt fiscally—as taxpayers—and in the health, safety, and welfare of our state.

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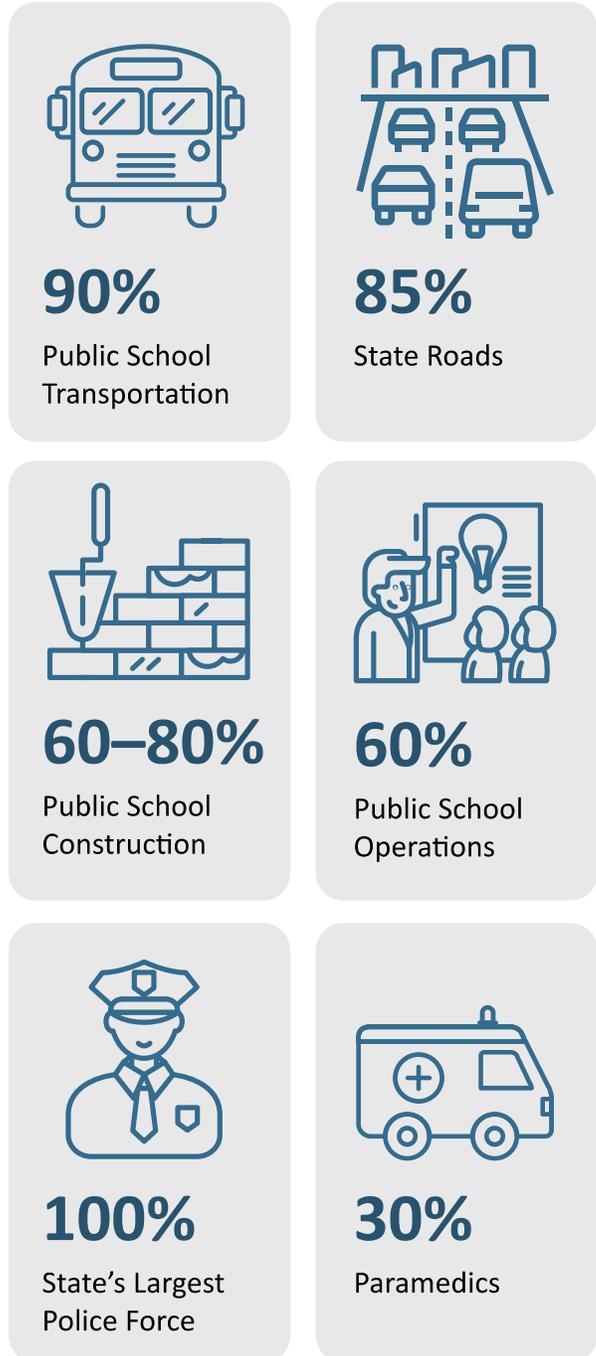
<sup>1</sup> Derived from Title 29, Section 9101 c of the Delaware Code.

Unlike most other states, Delaware’s state government provides many of the services and a great deal of infrastructure throughout the state. Some examples:

- **The State maintains approximately 85 percent of Delaware roads** as compared to a national average of 25 percent. This includes more than 13,971 lane miles; 1,722 bridges; 1,200 traffic signals; 146,484 signs; and 49 park-and-ride lots.
- **In fiscal year (FY) 2019, 945,600 paratransit trips were made by Delaware Transit Corporation (DTC)**, with 298 paratransit buses at a per-person cost to the State of approximately \$50, compared to nearly 7.2 million fixed route DART bus rides with 260 buses at approximately \$7.60 per person.
- **The State provides approximately 60 percent of school operating funding.**
- **The State provides between 60 and 80 percent of educational-facility capital-construction funding**, depending upon the local school districts’ relative property wealth.
- **The State provides 90 percent of school transportation costs.**
- **The State maintains 115,741 acres of State Parks and Recreation Areas.**
- **The State provides 30 percent of paramedic funding.**
- **The State Police are Delaware’s largest police force** and the only police force for unincorporated areas of Kent and Sussex Counties.
- **The State funds 15 state service centers** that deliver more than 160 programs and services on approximately 665,000 visits annually.
- **Through the Resource, Conservation, and Development Fund (formerly the 21st Century Fund), \$73 million has been appropriated for drainage-related construction improvements**

**since 1996.** Since 2012, the Delaware Department of Natural Resources and Environmental Control (DNREC) and the three Conservation Districts responded to over 4,700 requests for assistance with drainage problems at the homeowner or community level.

*The State Funds...*



The state government has a large stake in where and how land is developed, and as such, the cost of providing these services is greatly affected by our pattern of land use. In general, the more spread out we are, the costlier services are for taxpayers. Thus, for the state to allocate resources efficiently, we need to determine a clear path to our goal of conserving our fiscal and natural resources. If state and local governments are not working together, a great deal of waste and inefficiency can occur.

The State's role in land-use planning has been recognized by the General Assembly for many years. In the past thirty years or so, a structure has been developed to enable and ensure coordination and collaboration between the State, its agencies, and local government planning efforts. The following is a summary of this process, followed by some details about state land-use planning.

### The Cabinet Committee on State Planning Issues

The Delaware Code (Title 29, Chapter 91) creates the Cabinet Committee on State Planning Issues to advise the Governor on land-use planning, growth, and infrastructure-investment policy issues. Specifically, the role of the Cabinet Committee on State Planning Issues, is as follows:

1. Recommendations for the most desirable general pattern of land use within the State, in light of the best available information concerning topography, climate, soil and underground conditions, water courses and bodies of water and other natural or environmental factors, as well as in light of the best available information concerning the present and prospective economic bases of the State, trends of industrial, population or other developments, the habits and standards of life of the people of the State and the relation of land use within the State to land use within adjoining areas;
2. The major circulation pattern recommended for the State, including major routes and terminals of transportation and communication facilities, whether used for movement of people and goods within the State or for movement from and to adjoining areas;
3. Recommendations concerning the need for and the proposed general location of major public and private works and facilities, such as utilities, flood control works, water reservoirs and pollution control facilities, military or defense installations and other governmentally financed or owned facilities;
4. Recommendations on land-use planning actions that are subject to review and comment pursuant to Chapter 92 of Title 29;
5. Preparing the *Strategies for State Policies and Spending* document and maps, which shall serve as the primary policy guide that summarizes the State's land-use goals, policies and strategies and directs state spending into investment levels that support the most efficient use of state resources, be they physical, fiscal, or natural, except that county and municipal governments shall retain their existing autonomy with respect to the land-use designations set forth in their proposed and/or adopted comprehensive plans. The *Strategies for State Policies and Spending* shall be updated at least every 5 years, provided that the Governor may extend the deadline at his or her discretion; and
6. Performing such other duties and responsibilities with respect to Downtown Development Districts as set forth in Chapter 19 of Title 22.

These strategies will guide the investments made by state agencies and ensure that those public investments are efficient, equitable, and promote compact growth and resource conservation. State

agencies are directed to fund only those projects that comply with these strategies.

### Intergovernmental Coordination

The *State Strategies* document and map series direct state investments, but they are not a land-use plan. In Delaware, the state has delegated land-use planning and regulatory authority to the local governments. Intergovernmental coordination is extremely important for the success of our current land-use efforts. Delaware’s county and municipal governments have the responsibility and authority to plan for and manage land use and to institute zoning and other controls required to implement comprehensive plans. This tradition of local control over land use is appropriate and reflects the conviction that decisions about land use should be made by those most closely involved.



The State respects this long-standing tradition of local control over land use. Even so, the State government has a continuing involvement in the overall land-use patterns because of its responsibility to the state taxpayers. It is for these reasons that the Cabinet Committee on State Planning Issues is charged by statute with recommending the overall pattern of development for the state and the location of major public facilities.

Local governments are essential partners in developing and implementing these strategies and ensuring an efficient pattern of land use. The Delaware Code (Titles 9 and 22) requires that these jurisdictions all prepare comprehensive land-use plans. The local government’s comprehensive plan articulates the goals and vision for each community. Based on this expression of community values, the plan guides the location, density, design, and character of growth, development, and preservation activities within that local jurisdiction. The local government is required to adopt land-use regulations that implement the adopted and certified comprehensive plan. Any land-development activity must comply with comprehensive plans and meet all of the relevant codes and ordinances of local jurisdictions.

These plans are reviewed by the Office of State Planning Coordination and eventually certified by the Governor based on the *Strategies for State Policies and Spending*. The process, which has been embodied in the Delaware Code, ensures intergovernmental coordination by making certain that the state, county, and local governments are all planning together, and it provides the Governor with recommendations on resolving inconsistencies.

Although the strategies and map are not meant to limit local authorities’ control over land use, the strategies are a critical component of county and municipal comprehensive-plan development and

the revision processes required under the [Delaware Code](#).

The Delaware Code requires that local governments at least review their plans every five years and update them every ten years. All local governments are on different update cycles, and multiple plans are reviewed and updated every year. This five-year update of the *State Strategies* incorporates all of the changes to local government comprehensive plans and their growth areas that have been adopted and certified since the 2015 update.

Any plan updates that involve changes to growth and annexation areas in the next five years will be reviewed through the PLUS and certification processes. If, after evaluation, it is determined that an expansion of a growth or annexation area is warranted the plan will be certified. Any part of the certified new growth or annexation area will be considered to be “in compliance” with the *State Strategies*. The area will be incorporated in the next update of the *State Strategies* (scheduled for 2025) and assigned an updated Investment Level at that time.

### Using the Strategies for State Policies and Spending Document

This document is intended for a diverse audience and will be used by state agencies, local governments, and citizens. With these policies as a guideline, state government will make appropriate, cost-effective investments in all areas of the state in order to promote efficient development patterns, encourage sustainable<sup>2</sup> economic development, and protect agriculture and open space in order to increase Delaware’s resilience to current and future impacts of climate change and discourage sprawl.

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<sup>2</sup> Sustainable development maintains or enhances economic opportunity, the cultural environment, and community wellbeing while protecting and restoring the natural environment upon which people and economies depend. Sustainable development meets the needs of the present without compromising the ability of future generations to

Some examples of how this document will be used by state agencies include:

- The review of projects that come to the Preliminary Land Use Service (PLUS) process;
- Public-service-facility-locations;
- Agricultural and open space preservation;
- Capital budget requests;
- School site approvals;
- State input to local land-use decision-making, including for the preparation of local comprehensive plans;
- State agency capital- and operating-budget requests and expenditures and policy decision-making; and,
- Prioritization of transportation projects.

It is important to note that the maps contained within this document are not “parcel-based,” so it is still necessary to thoroughly investigate the constraints of particular land parcels, even though they may be contained in one of the growth-oriented investment levels of the Strategies for State Policies and Spending. For example, if a parcel is in Investment Level 1 but contains extensive wetlands it may not be suitable for dense development or state infrastructure investment. It is equally important to note, again, that while this document and map series directs state investments, it is not a land-use plan. In Delaware, the state has delegated land-use authority to the local governments. Any land-development activity must comply with comprehensive plans and meet all of the relevant codes and ordinances of local jurisdictions.

meet their own needs. Definition derived from the State of Minnesota and amended by OSPC. Sourced from The Planners Dictionary, an APA publication.



*Public meeting for City of Wilmington Comprehensive Plan*

Photo credit: Interface Studio, LLC

### Why an Update?

State code requires that this document be updated every five years. The rationale for this is that the *Strategies for State Policies and Spending* document is a comprehensive plan for the state; comprehensive-planning documents reflect public policies at a particular time, and they require continual review, revision, and refinement as they are documents that set forth goals, policies, and guidelines intended to direct the present and future physical, social, and economic development that occurs within its planning jurisdiction. This document updates the 2015 *Strategies for State Policies and Spending*.

### Public Outreach and Comments

The document is a result of extensive coordination with local governments, citizens, and state agencies to determine what areas are most prepared for growth and where the state can make the most cost-effective investments in roads, schools, and other public facilities and services.

During the update process the Office of State Planning Coordination consulted with state agencies, county governments, municipal planning organizations, and local governments for their comments on the document. While gathering data, the state consulted comprehensive plans that had been state-certified as well as those currently in the state-review process.

Additionally, two online public workshops were held to accept public comments on the *Strategies for State Policies and Spending* text and maps. Comments were also accepted in writing online. This document incorporates the feedback received during the intergovernmental coordination and public outreach activities.

### Citizen Involvement in Land-Use Decisions

Delaware's counties and municipalities have comprehensive plans, zoning ordinances, and other land-use regulations that dictate what land uses are appropriate in various areas of the jurisdiction and how land will be developed.

Most local jurisdictions in the state have local planning commissions and boards of adjustment that serve in either a decision-making or an advisory capacity to the local legislative body. Meetings of local town or county councils, planning commissions, and boards of adjustment are open to the public. Most of these bodies hold public hearings or workshops about land-use issues. As a citizen, this is your best opportunity to be involved with the land-use decision-making process in your area. The development of a comprehensive plan is perhaps the most important step for the town or county. This document sets the overall pattern of land use, and all land-use regulations are based upon this document. Many jurisdictions conduct extensive public-participation efforts to gauge citizen input on these important documents.

## Twenty Years of Delaware's State Strategies

### Policies and Goals

In the late 1990s, the Cabinet Committee on State Planning Issues defined two fundamental policies to guide the development of the *Strategies for State Policies and Spending*. Both policies are as relevant today as they were twenty years ago:

- State spending should promote sustainable, quality, efficient, and compact growth;
- State policies should foster order and resource protection, not degradation.

To implement these fundamental policies, the *Strategies for State Policies and Spending* were based on these eleven goals:<sup>3</sup>

- Goal 1: Direct investment and future development to existing communities, urban concentrations, and growth areas.

- Goal 2: Protect farmlands and critical natural resource areas.
- Goal 3: Improve housing quality, variety, and affordability for all income levels.
- Goal 4: Ensure objective measurement of long-term community effects of land-use policies and infrastructure investments.
- Goal 5: Streamline regulatory processes and provide flexible incentives and disincentives to encourage development in desired areas.
- Goal 6: Encourage redevelopment and improve the livability of existing communities and urban areas and guide new employment into underused commercial and industrial sites.
- Goal 7: Provide high-quality employment opportunities for citizens with various skill levels to retain and attract a diverse economic base.
- Goal 8: Protect the state's water supplies, open spaces, farmlands, and communities by encouraging revitalization of existing water and wastewater systems and the construction of new systems.
- Goal 9: Promote mobility for people and goods through a balanced system of transportation options.
- Goal 10: Improve access to educational opportunities, health care, and human services for all Delawareans.
- Goal 11: Coordinate public policy planning and decisions among the state, counties, and municipalities.

Today, the *Strategies for State Policies and Spending* continue to be guided by these same policies and goals.

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<sup>3</sup> Shaping Delaware's Future: Managing Growth in 21st Century Delaware, *Strategies for State Policies and Spending*. The Governor's Cabinet Committee on State Planning Issues, prepared by the Delaware

Office of State Planning Coordination. December 23, 1999. Pages 11–12.

### Reviewing Performance: Evaluating Growth and Change in Delaware

Given that this statewide policy plan has been in effect for twenty years now, the Committee has taken this opportunity to review the performance of the *State Strategies* as it relates to the eleven goals. This review has shed light on the tremendous progress we have made as a state, in coordination with our local government partners, in managing growth while also protecting and enhancing Delaware's quality of life. It has also brought to light some areas where more effort is needed to achieve the lofty goals that have been set. Whether this is due to changing conditions, demographics, the economy, or missed opportunities, they all represent important issues for the State and its agencies to focus on for the next twenty years of Delaware's growth.

The *Strategies* have been in effect for so long now it is hard to appreciate the planning landscape that led to their creation. After all, not many state governments get involved with land use and growth to the extent that Delaware has, preferring to leave these issues solely in the domain of local governments. If you read the beginning of this document, you will understand how Delaware is unique and why the State government is intertwined with land-use and growth management policies.

The coordination and collaboration on planning and growth issues that exists today was hard won. Delaware, like the rest of the nation, experienced a rapid economic expansion after World War II. While this economic expansion had many benefits, it also led to a chaotic development pattern, inconsistent infrastructure investments and a loss of farmland and open space—in short, “suburban sprawl.”

Delaware's leaders spent over forty years discussing solutions that would preserve Delaware's quality of life while enabling economic growth to continue. By the 1990s, the issue came to a head, and there was consensus that better coordination and more strategic State infrastructure investments were needed. After a broad-based public outreach effort, the result was the first version of the *Strategies for State Policies and Spending* in 1999. Around the same time period, there were also a variety of legislative changes that enabled and required collaborative planning between state and local governments.

For a more detailed look into the history behind the creation of the *State Strategies* and the last twenty years of implementation, please see “Delaware's *State Strategies*: Looking Back, Moving Forward” in the 2019 Report on State Planning Issues.<sup>4</sup>

In order to assist the Cabinet Committee on State Planning Issues with evaluating twenty years of progress toward implementing the *State Strategies*, the Office of State Planning Coordination (OSPC) and the University of Delaware's Institute for Public Administration reviewed more than twenty years' worth of data and information related to the goals. The full results of this review are published online at <http://www.stateplanning.delaware.gov/strategies/documents/20year-review-state-strategies.pdf>. What follows are some notable highlights.

#### Noteworthy Achievements and Progress

Looking back twenty years, before the first *State Strategies* was adopted, there was very little planning going on, and even less coordination. Not many local governments had comprehensive plans, and the State had no unifying plan or policy. In short, there was no way for the “right hand” to know what the “left hand” was doing regarding land use, growth, or infrastructure. Further, there was

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<sup>4</sup> Delaware's *State Strategies*: Looking Back, Moving Forward. The Governor's Cabinet Committee on State Planning Issues, prepared by the Office of State Planning Coordination. October 2019. Pages 16–24.

certainly no mechanism or structure in place to communicate and work together toward common goals to improve the quality of life or efficiently invest in infrastructure.

Today, twenty years later, things are much different. Comprehensive planning is the norm and is practiced by all sixty local governments. All local governments have updated plans that meet the standards set forth in the Delaware Code. In many cases, these plans have been updated more than once during the past twenty years to reflect changing conditions and emerging opportunities. As important, these plans have all been reviewed by state agencies through the Preliminary Land Use Service (PLUS) process to ensure agency policies, recommendations, and concerns have been addressed collaboratively. These plans are certified by the Governor to indicate concurrence with state growth management policies.

The growth management policies that the Governor relies upon when certifying plans are the *Strategies for State Policies for Spending*. Since 1999, the State has had this plan in place to create a unified

approach to land use, growth, and development among all state agencies. The *State Strategies* serves as a guide to the local government planning efforts, and the regular updates (such as this one) enable continuing communication and interaction with the local governments and their ever-changing growth pressures and comprehensive planning efforts.

After twenty years of local government planning and growth management, it is now clear that development is being directed into the places that are able to support it. Prior to these efforts, land development (such as residential subdivisions, shopping centers, and office buildings) was located throughout the countryside, often showing up in previously rural areas. With better planning the OSPC expected that this had changed; so, in 2008, we began collecting data about new development approvals and building permits statewide. Since that time over 80 percent of all residential development has occurred inside of designated growth areas, in Investment Levels 1, 2, and 3. Non-residential development is even more concentrated, with over 90 percent located in



*Construction of roundabouts for Route 301 Corridor in Southern New Castle County*

Photo credit: David B. Carter



Photo credit: Stacey Hofmann, Delaware Department of Agriculture

Investment Levels 1–3. This is highlighted by Census data, which indicate that approximately 85 percent of all employment in Delaware is in Investment Levels 1 and 2, including 75 percent of all new employment from 2002–2017.<sup>5</sup>

While new land developments, population growth, and business activities have been directed into the designated growth areas, the state also has invested heavily in preserving agricultural lands and open spaces. Since the year 2000, the Delaware Agricultural Lands Preservation Foundation has quadrupled the number of farms preserved, increasing preserved acreage by over 150 percent. As of 2019, there are now over 1,000 farms comprising over 133,000 acres in permanent preservation. Investment in open space and natural resources are similarly impressive. Since 1990, the state has invested over \$250 million to preserve

about 60,000 acres of open spaces, including forests, wetlands, and agricultural fields that buffer these areas and provide habitat.

Although these efforts were enthusiastically embraced by many and broadly supported by the public at the time, there were many critics of planning who feared that growth and economic expansion would be curtailed. This has proven not to be the case, and in fact an argument can be made that planning and growth management have enhanced Delaware’s economic performance over the past twenty years. As of 2019, Delaware’s per capita GDP (gross domestic product) is ninth among all states.<sup>6</sup> Our economy has become impressively diverse, meaning that many sectors contribute to the economy. Diverse economic bases are resilient, and a downturn in any one sector is less likely to affect the overall economy. A 2018 analysis of

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<sup>5</sup> University of Delaware, Institute for Public Administration GIS analysis of 2015 State Strategies Levels relative to the block-level employment data of the U.S. Census Bureau’s Longitudinal Employer-Household Dynamics (LEHD) program. LEHD data on employment for Delaware as a work area extracted November 15, 2019 from “OnTheMap,” <https://onthemap.ces.census.gov/>.

<sup>6</sup> Bureau of Economic Analysis, U.S. Department of Commerce, “Per capita real GDP by state (SAGDP10N), 1999–2018.” Last updated November 7, 2019. Accessed November 15, 2019 from [https://apps.bea.gov/iTable/index\\_regional.cfm](https://apps.bea.gov/iTable/index_regional.cfm).

economic diversity in the U.S. found that Delaware counties were more diverse than 73 to 95 percent of all counties.<sup>7</sup>

Economic productivity is also impressive in our agricultural sector. The market value of agricultural products sold by Delaware farmers increased from \$767 million in 1997 to nearly \$ 1.47 billion in 2017—a 91 percent increase in market value.<sup>8</sup> This rate of increase outpaces all our neighboring states. The value of functional natural areas must also be considered. One study of the Delaware River Basin (which includes much of Delaware) in 2011 indicated that the basin contributes \$25 billion annually in economic activity.<sup>9</sup> As it turns out, revitalizing older neighborhoods and directing new growth into areas that have planned for it allows for the protection of our important natural resources and agricultural lands, and that is good for the environment and the economy.

A fundamental shift in the way planning has been practiced in Delaware has occurred between 1990 and today. In the 1990s, our local governments were following the model of planning that was institutionalized after WWII. We'll call this *reactive* planning. Every new proposal was considered as a separate project, usually regulated by a zoning ordinance but not often guided by an overall plan. It was rare, if not impossible, to consider the cumulative impacts of development. Worse, our state agencies were not able to make their plans in coordination with the local government land use since there was no mechanism to do so.

Fast forward to today, in 2020 Delaware state agencies and local governments are practicing a new method of collaborative planning. This type of planning can be called *proactive* planning. After working together for over 20 years, the benefits are becoming obvious and the practice is becoming routine. Not only do all local governments have comprehensive plans to guide growth, many are developing master plans as well. Master plans are more detailed plans that involve multiple agencies, local governments, and utility providers to address infrastructure, phasing, and timing of growth. The goal of many master plans is to prepare areas for “shovel ready” development that conforms to the comprehensive plan and environmental standards. These plans can result in greater transparency and predictability for the developers and local community alike. Some noteworthy success stories in recent years have included numerous new economic development projects in Middletown’s Westown, including the Amazon distribution center, and the new Bayhealth hospital campus in Milford.

State agencies have been developing initiatives to build on the successes of these proactive planning efforts. The Delaware Department of Transportation (DelDOT) leads by example with the Transportation Improvement District (TID) program. Areas are identified as TIDs by DelDOT and local governments, and then a detailed plan for transportation improvements to support expected development is created. This enables planning for the cumulative impacts of growth on the transportation system. TIDs also provide clear and transparent information to developers about needed improvements, saving them the time (often

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<sup>7</sup> Council for Community and Economic Research (C2ER), “Regional Economic Data Toolkit: Diversity Index.” Accessed November 15, 2019 from [http://subscribers.c2er.org/license\\_login.asp?src=diversity](http://subscribers.c2er.org/license_login.asp?src=diversity).

<sup>8</sup> U.S. Department of Agriculture, “2017 Census of Agriculture.” Retrieved October 15, 2019 from [https://www.nass.usda.gov/Publications/AgCensus/2017/Full\\_Report/Volume\\_1,\\_Chapter\\_1\\_State\\_Level/Delaware/st10\\_1\\_0001\\_0001.pdf](https://www.nass.usda.gov/Publications/AgCensus/2017/Full_Report/Volume_1,_Chapter_1_State_Level/Delaware/st10_1_0001_0001.pdf)

<sup>9</sup> Kauffman, Gerald J., “Socioeconomic Value of the Delaware River Basin in Delaware, New Jersey, New York, and Pennsylvania.” October 11, 2011. Retrieved from <https://www.nj.gov/drbc/library/documents/SocioeconomicValueDRB-UDEL-FinalRpt.pdf>.

12–18 months) it takes to do a traffic impact study. TIDs work best when paired with a master plan, as they are in Westown and will be soon in Milford.

The Downtown Development District (DDD) program is another example of a program that leverages the local government plans, in this case to encourage downtown revitalization. Local governments have to apply to be designated as a DDD, and part of the application is a detailed plan for revitalization called a District Plan. The local governments provide a suite of economic development incentives focused on the DDD area, which is paired with a State DDD Rebate administered by the Delaware State Housing Authority (DSHA). The State DDD Rebate provides a reimbursement of up to 20 percent of the cost of capital construction for qualifying projects. There are now twelve communities with DDDs, and the program has been an amazing success story. State funds of just over \$32 million rebates have leveraged over \$598 million in private investment, and of the 167 total projects 118 have already been completed.

To increase the effectiveness of these revitalization efforts, other state programs have been aligned with the DDDs. For example, DSHA's Strong Neighborhoods Housing Fund (SNHF) has seen significant progress in addressing vacant, abandoned, or blighted properties in DDD's and similarly distressed areas. Opportunities for historic preservation are increased through the DDD application process when the proposed projects exceed the funds available. Projects that protect historic resources and adaptively reuse existing structures are given funding priority. The State Historic Preservation Tax Credit program includes incentives specifically for the rehabilitation of historic buildings within the DDD.

Another example is the federal Opportunity Zone program. The Governor was asked to identify twenty-five census tracts that would be eligible for

this federal tax credit intended to stimulate capital investment in underserved communities. He was able to select census tracts that included all or part of seven of the eight DDDs that were in place at the time.

In addition to all the efforts to encourage more proactive and effective land use planning, the OSPC has been working internally to promote better planning and coordination within state government. The OSPC is an active participant in the Governor's Government Efficiency and Accountability Review (GEAR) Board. Recent successes have been the enactment of legislation to standardize population projections, as well as the initiation of projects to create a unified state land inventory and a more coordinated statewide geospatial data system (GIS). Another project has been initiated to leverage the statewide geospatial data system to modernize the way agencies, developers, and local governments participate in the Preliminary Land Use Service process.

As you can see, statewide planning and coordination has gone from an abstract vision twenty years ago to a reality and a standard operating procedure today. The basic functions of preparing and updating plans, communicating and coordinating about those plans, and then implementing them is the practice rather than the exception. Master plans, TIDs, DDDs, and other new and proactive planning efforts are enabling local governments and agencies to achieve outcomes that could not have been envisioned twenty years ago. Building upon this solid framework for planning coordination, Delaware is poised to meet the challenges of the next twenty years.

### **Planning Challenges to be Addressed in the Next Twenty Years**

UD IPA also illuminated some areas that remain challenges for Delaware. In some cases, much work has been done, but there is still progress to be made. In others, these are new and emerging issues

that state and local governments will have to address as time goes on.

The process that led to the original *Strategies for State Policies and Spending* in 1999 largely focused on the need to coordinate the provision of hard infrastructure with the location and timing of growth. Water and wastewater infrastructure were included, since the state has a role in funding these systems through grants and loans. Originally the Cabinet Committee had a role in reviewing and approving funding, although that role has been removed from their responsibilities. The Water Infrastructure Advisory Committee (WIAC) is currently responsible for this funding. WIAC estimates a \$4 billion backlog in funding for needed upgrades for these systems. The track record of funding over the past twenty years has been inconsistent in terms of both state and federal funds.

The funding for agricultural and open space preservation has been similarly inconsistent over the past twenty years. In fact, there was reduced or

no state funding provided for these programs in some tight budget years. Both programs are very successful and critical to preserving Delaware's agricultural economy and natural resources in the face of continued growth pressures. In some instances, these programs have an added benefit of preserving historic landscapes and archaeological sites.

The reason agricultural and open space preservation funding is so important is that the state's rural areas are still threatened with development pressure, especially in Sussex County. Construction of new housing units in the rural, Investment Level 4 areas represent almost 20 percent of all permits statewide, but that percentage is higher (27 percent in the past five years) in Sussex. Even when considering that some new rural, large lot construction is expected and desirable it appears that the amount of growth could negatively impact the viability of our agricultural economy and the natural and cultural environment.



*Signing ceremony for SB 7, which codified the Delaware Population Consortium.*

Photo credit: Office of Governor John Carney

Closely related, perhaps, is the fact that the state still struggles with housing affordability. According to the U.S. Census Bureau, the share of Delaware homeowners spending over 35 percent of their income on housing costs rose from 13.8 percent in 2000 to 21.8 percent by 2017, with this figure spiking at 26.4 percent in 2010. Similarly, the share of Delaware renters with gross rent costs greater than 35 percent of household income increased from 26.7 percent in 2000 to 40.3 percent by 2017. Delaware's local governments rely, for the most part, on single family detached zoning for the majority of their housing needs. To underscore this point, Delaware has a lower percentage of multi-family units than the nation or any surrounding state. This leads to less affordable housing and lack of housing options for many important market segments, such as those with low to moderate incomes, singles or small households, and those who prefer to live in smaller, less costly housing units in convenient settings.

Delaware also experiences troubling health and economic equity trends. Employment growth has not kept pace with population growth over the past twenty years, which is perhaps due in part to Delaware's older population and reputation as a retirement destination. Even so, unemployment rates are persistently higher for some sub-sets of our population, notably blacks or African Americans, those with less than a college degree, and those in Kent County. From a health perspective, the data show that certain groups are less able to obtain health insurance, including children and those of Hispanic or Latino origin. The

health challenges are underscored by the fact that Delaware has an infant mortality rate of 6.6 per 1000 births, making us the 14th highest state in the nation for this health indicator.<sup>10</sup>

The framework for continued collaboration exists to address many of these issues. A challenge will be that many agencies and local governments do not currently have adequate resources to engage in planning projects and other initiatives, like planning for the impacts of climate change. It requires talent, skills, and funding to complete plans and then to implement them. The lack of these resources can cause plans and projects to be delayed, or not started at all, preventing the type of proactive planning that has proven so successful in some areas of the state. Addressing the planning challenges of the next twenty years will require an investment in resources so that all areas of the state can prosper.

### Meeting the Challenges

The next section of this document, Directing Growth, will detail the policies that the state and its agencies will follow to support the goals and implement the *State Strategies* in each of the four Investment Levels. The following section, Moving Forward, will detail state agency and collaborative planning projects, programs, and policy initiatives that will further implement the *State Strategies* in the coming five-year period and beyond. Finally, be sure to review Appendix C: State Agency Policies by Investment Level for a detailed description of each agency's policies that will implement these *State Strategies*.

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<sup>10</sup> Centers for Disease Control and Prevention (CDC)/National Center for Health Statistics, U.S. Department of Health & Human Services, "Infant Mortality Rates by State." Accessed November 15, 2019 from

[https://www.cdc.gov/nchs/pressroom/sosmap/infant\\_mortality\\_rates/infant\\_mortality.htm](https://www.cdc.gov/nchs/pressroom/sosmap/infant_mortality_rates/infant_mortality.htm).

## Integration with State Agency Planning Efforts

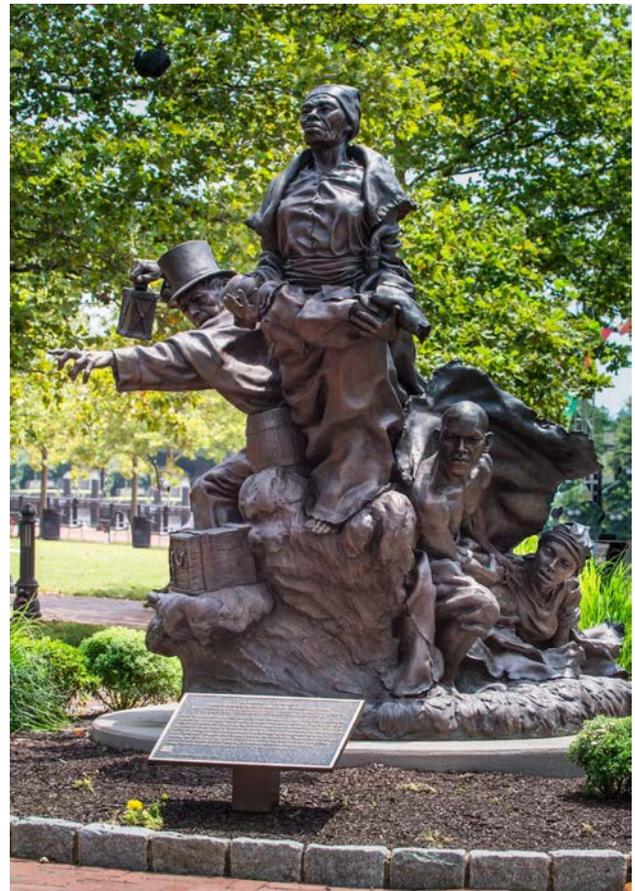
Several State agencies have prepared their own plans, which include policies that guide their activities related to land use, infrastructure, and services. Those plans form the foundation for agency input to the *State Strategies* policies and goals. This section summarizes these plans and how they relate to the overall state land-use strategy.

### Delaware Division of Historical and Cultural Affairs/State Historic Preservation Office

#### *Partners in Preservation: Planning for the Future, Delaware's Historic Preservation Plan 2018–2022*

The State Historic Preservation Plan provides a framework for guiding public and private efforts to preserve Delaware's heritage for the future and serves as the State's historic preservation policy. In 2018, the Division of Historical and Cultural Affairs' State Historic Preservation Office (SHPO) released an updated plan that outlines historic preservation strategies and specific actions under six broad goals. These goals include enhancing relationships among government programs that may affect historic properties, encouraging inclusion of historic preservation as a best practice in landscape and community planning, and making the best possible information on Delaware's historic resources widely available.

The 2018–2022 plan focuses on developing tools and information needed to help guide growth and change in ways that sustain and enhance the state's character and quality of life, of which Delaware's historic properties and cultural landscapes are an essential part. The plan complements, and by reference in this document, is integrated into *Delaware Strategies for State Policies and Spending*



*The "Unwavering Courage in the Pursuit of Freedom" sculpture by Mario Chiodo, depicts Harriet Tubman and Thomas Garrett in the Underground Railroad. The sculpture stands in Wilmington's Tubman-Garrett Riverside Park.*

Photo credit: Leslie W. Kipp

to coordinate land use decision-making, as well as other statewide and local planning efforts. The new plan also encourages collaboration to achieve common goals, looking beyond traditional partners and programs, recognizing that historic preservation goals are most effectively implemented at the grassroots, municipal, and county levels.

The SHPO updates the State Historic Preservation Plan every five years, with input from preservation professionals, non-profit organizations and the

public. The current historic preservation plan, *Partners in Preservation: Planning for the Future, Delaware's Historic Preservation Plan 2018–2022*, is available online at:

<https://history.delaware.gov/wp-content/uploads/sites/179/2019/02/2018-2022DelawareSHPOPlan.pdf>.

## Delaware Department of Transportation

### *Innovation in Motion*

#### Brief Description

Delaware's transportation network is continually evolving with changes in land use, demographics, travel patterns, preferences, and technology. All of these changes require DeIDOT to develop new and cost-effective solutions to meet the future needs of the transportation network. As a guide toward these solutions, the federally required Long Range Transportation Plan (LRTP) identifies broad goals, policies, and priorities to meet transportation needs over a twenty-year period. The goals are multi-modal and address current and future community land use, economic development, environment (natural, human, and cultural), traffic demand, public safety, health, and social needs. The current update of DeIDOT's LRTP, *Innovation in Motion*, provides a framework for the documentation of innovative policies, programs, and operations and will also explore new strategies for addressing our transportation challenges.

Innovation in Motion consists of three main parts. Part One includes background information about the state; trends in demographics, transportation, and technology; and a summary of the broader LRTP goals. Part Two is a compilation of content derived from DeIDOT's divisions that are specific to various transportation modes and other topics as they relate to the plan's goals stated in Part One. The theme of the topic-specific content focuses on the challenges facing DeIDOT and the state's transportation system over the next two decades

and the plans and innovations that are ongoing and being developed within DeIDOT to meet these challenges. Part Three highlights new innovations and evolving technologies across the transportation industry that are changing the ways the public uses and interacts with the transportation system. Among the topics addressed in this section are connected and autonomous vehicles and related technology and the increasing role of mobile applications and telecommunication in data access and sharing.



Photo credit: DeIDOT.gov

*Innovation in Motion* was approved by the Council on Transportation on December 16, 2019. The plan is available on DeIDOT's website here: <https://deldot.gov/Publications/reports/plan/index.shtml>.

## Delaware State Housing Authority

### *Delaware Housing Needs Assessment*

#### Brief Description

The Delaware Housing Needs Assessment is intended to frame the current housing conditions within the state and examine the significant trends



*Housing renovations utilizing the Downtown Development District program in Milford.*

Photo credit: Sharon Ungerer, Delaware State Housing Authority

and issues that will dictate housing policy over the next five years, from 2015–2020. It was developed from September 2013 through August 2014, using quantitative data and feedback from housing stakeholders, real estate developers, lenders, and policy makers. The housing market is showing signs of recovery after a national recession and housing crisis. Issues that were not relevant in the past study, like foreclosures, fallen property values, an oversupply of housing, and a growing percentage of renters among households of all ages, are now important issues that will influence future housing policy. Because of these significant shifts in the

housing landscape, housing policy will focus on continuing the recovery efforts and accommodating the changing needs of renters and homeowners. The information provided in this report and supporting documents will assist in developing local and state consolidated plans that clearly outline housing policy, programs, and funding over the next five years.

Because Delaware has a variety of housing markets, the intent of the study also is to illustrate housing needs within neighborhoods and market areas. This is a divergence from past studies, where housing

conditions were examined at the county and state level. This will assist policy makers to identify targeted places for programs where issues of affordability, fair housing, housing shortages, and blight are most relevant. It also will assist community groups to focus on needs within specific neighborhoods.

The 2015–2020 Delaware Housing Needs Assessment is available online here: <http://www.destatehousing.com/FormsAndInformation/needs.php>

### Delaware Department of Agriculture

#### *Delaware Forest Action Plan*

##### **Brief Description**

The Cooperative Forestry Assistance Act (CFFA) provides the authorities for a broad range of state and private forestry programs. As amended by the 2008 Farm Bill, the CFFA requires each state forestry agency to develop a “Statewide Assessment and Strategies for Forest Resources,” collectively referred to as State Forest Action Plan (SFAP), to be eligible to receive funds under the authorities of the Act. The SFAPs provide an analysis of forest conditions and trends, identify issues and priorities, and outline strategies to ensure healthy trees and forests into the future.

The Delaware Forest Service (DFS) submitted two key planning documents to the U.S. Forest Service (USFS) in 2010 that together comprised Delaware’s Forest Action Plan: *Delaware Forest Resource Assessment* and *Delaware Statewide Forest Strategy*. The assessment summarized the state of forest resources in Delaware leading up to 2010. Detailed information contained therein served as a guide in developing a strategy for the subsequent ten years with an overarching goal of protecting Delaware forests and all the natural benefits they provide.

DFS staff members concentrated their efforts on attaining 78 strategic goals contained in the 2010 plan. Nearly all were completed or partially completed (96%) with ongoing efforts to further advance the goals of forest conservation. After ten years of dedicated and targeted work, it is time to reassess the forest resources of Delaware as many changes have occurred over the last ten years. An updated forest resource assessment is essential for the development of a revised strategy complete with new and updated performance goals. By June 2020, the DFS will submit an updated resource assessment and forest strategy to the USFS.

The 2010 Forest Resource Assessment and Statewide Forest Strategy are available on the Delaware Forest Service website here: <https://agriculture.delaware.gov/forest-service/>

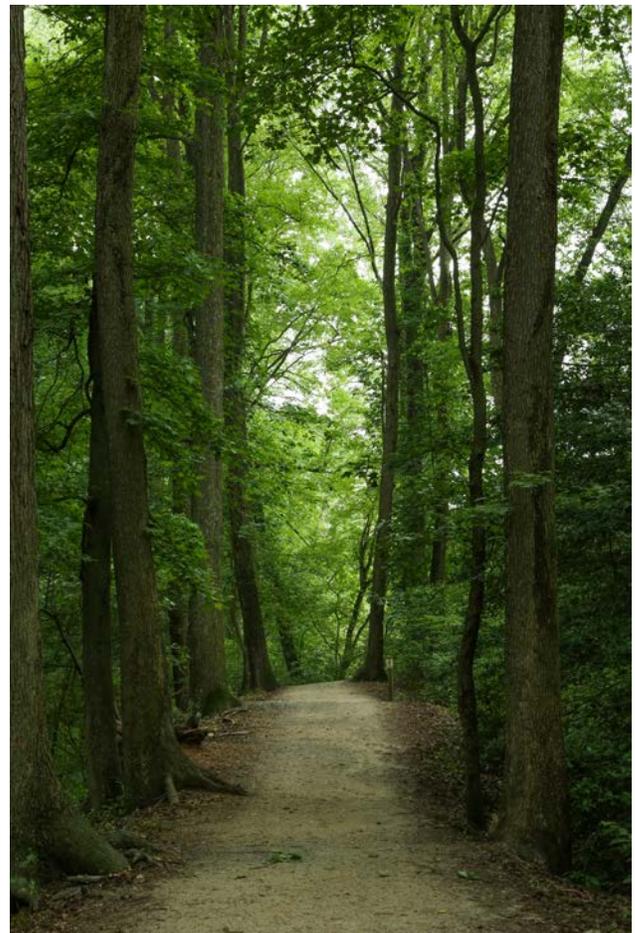


Photo credit: Delaware Department of Agriculture

## Directing Growth

### Overall Indicators of Development

Demographic analysis will play a key role in guiding decisions on how to accommodate the expected growth in Delaware. At present, Delaware's population is expected to grow by nearly twenty percent by the year 2040. It is imperative for planners to understand the composition of this incoming population in order to meet their needs in a manner that preserves Delaware's quality of life and at minimal cost to taxpayers. Delaware data for land-use policies indicate the following:

- Between 2020 and 2040, Delaware's population is projected to increase by roughly 86,000 to a total of 1,044,441. Where this projected population is located in relation to Delaware's existing population, infrastructure, and services will, no doubt, make a significant impact on the magnitude of state investments needed to support this growth. While more than half of all Delawareans are still expected to reside in New Castle County in 2040, the Delaware Population Consortium (DPC) anticipates that Sussex County will grow the fastest, with its population growing 17 percent (almost 40,000 people) by 2040.
- The Delaware State Housing Authority's 2015–2020 *Housing Needs Assessment* highlights a new emerging housing market:
  - Households are getting smaller. Adults remain single for longer and there are more couples with no or few children, leading to an increase in single-person households and small families.
  - Households are getting older as the Baby Boom generation ages into their senior years. Similarly, older families tend to be

smaller in size as children move out of their parents' homes.

- There is an increasing demand for rental housing as more households wait to purchase a home or have transitioned into the rental market due to the foreclosure crisis.
- With the growing senior population and smaller families in general, the demand for large single-family homes is waning in lieu of smaller, more affordable single-family homes and townhomes.

National and Delaware trends seem to agree. Clues on the shape and location of development to accommodate our changing population is supported in the following:

- National research indicates that demographic changes and consumer preferences will dramatically shift the demand for the style and type of housing in the next 10 years.
- "As baby boomers become empty nesters and retirees, they are drawn to compact, walkable neighborhoods. So are single adults and married couples without children."<sup>11</sup>
- The aging population tends to favor "down-sizing" and moving near community amenities.
- Younger Americans do not share their parents' preference for large-lot, single-family lifestyles. They tend to prefer a community setting and more compact units.
- Arthur C. Nelson, of the University of Arizona, projects that by 2025, the demand for attached and small-lot housing will exceed the current supply by 35 million units (71 percent), while the demand for large-lot housing will actually fall short of the current supply. "We have too much of the big stuff already."<sup>12</sup>

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<sup>11</sup> Ewing, Reid, "The Demand for Smart Growth: What Survey Research Tells Us." *Planning Magazine*, December 2007

<sup>12</sup> Ewing, Reid, "The Demand for Smart Growth: What Survey Research Tells Us." *Planning Magazine*, December 2007

- From 2020 to 2040, the percentage of Delawareans over the age of 65 is expected to increase by 40 percent, while the percentage over 85 is expected to double.
- Delaware’s population of non–U.S. born residents grew by about 40 percent between 2000 and 2010. In Sussex County, this population nearly doubled through the same time period.
- With people come vehicles. Both the total number of vehicles and the miles being driven are increasing faster than the population is growing. DelDOT reports that Average Annual Vehicle Miles Traveled (VMT) increased by 141 percent between 1980 and 2018, while Delaware’s population, according to the U.S. Census Bureau, increased approximately 62 percent during the same time period. Understanding VMT trends helps the state achieve greenhouse gas goals—which are important for improving public health and quality of life and addressing climate change.
- Climate change will significantly alter Delaware’s landscape and quality of life. DNREC reports show that sea level rise could inundate up to 17,000 homes and 500 miles of roadway by the end of the century. Many of the most at risk areas are those that have high development pressure, like Coastal Sussex County. The changes arising from climate change will continue to impact roadways, water and wastewater infrastructure, and public health.
- The trend in Delaware has been toward growth in unincorporated areas outside towns. In 1960, Delaware’s population was more evenly distributed between incorporated places (cities and towns) and unincorporated, rural areas. According to the 1960 census, more than 39 percent of Delawareans lived in towns and cities and almost 61 percent lived outside towns. By 1990, according to the U.S. Census, approximately 29 percent of Delaware’s

population lives in towns and cities. This trend has continued according to the 2010 census; the population in incorporated places has fallen to just over 28 percent of Delawareans. More than 71 percent of Delawareans now live outside town and city limits. This trend is expected to reverse itself as more growth is directed into municipalities. The Delaware Population Consortium estimates that in 2020 the percentage of population in municipalities has increased to 29 percent, and it is expected to increase to 31 percent in 2040.

### Updating the State Strategies Maps

**The accompanying strategies maps are a graphic representation of a combination of state and local land-use policies. They are intended to guide state agencies as they make investment decisions. These maps do not restrict landowners’ rights to use or develop their lands, nor do they restrict a purchaser’s option to live anywhere desired.**

This update of the *Strategies for State Policies and Spending* maps were accomplished using spatial-data analysis to balance state, county, and local policies for various kinds of residential growth, economic development, and land preservation. This analysis was designed to create a statewide map that reflects the combined policies of all levels of government and highlight areas most appropriate for various types of growth.

To conduct this analysis, factors that argue for new development and redevelopment were gathered. Factors that argue for land preservation and/or agricultural economic development were also gathered, as were data showing areas that are out-of-play for various legal reasons. These can be state or federally owned, purchased development rights, permanent easements, and the like. These factors were combined using spatial-analysis tools. The resulting data set was classified into Levels 1, 2, 3, 4, and “Out-of-Play” Areas.

Following the spatial analysis, the map data were reviewed by local government officials and members of the public, and the map was edited, where appropriate, to reflect additional information.

For this 2020 update there were no major changes to the methodology or the data analysis. However, there are a few new data layers and a variety of refinements made to reflect more detailed and accurate data. Some examples include:

- The multimodal data layer now represents a combination of bikeways, pathways, sidewalks, and trails. Previously, these had been separate, which resulted in some double counting.
- Transportation Improvement Districts have been added as a “favoring growth” data layer.
- The public sewer layer has been refined to include more accurate sewer service areas based on data from the counties.

- The Delaware Ecological Network from DNREC has been added as a “favoring preservation” layer.
- A new methodology has been used to identify high value agricultural and forest lands based on updated soils information.

Please see Appendix E: Spatial Data Analysis for more information and a complete listing of all data layers used.

It is important to note that the maps contained within this document are not “parcel-based,” so it is still necessary to thoroughly investigate the constraints of particular land parcels, even though they may be contained in one of the growth-oriented investment levels of the *Strategies for State Policies and Spending*. For example, if a parcel is in Level 1 but contains extensive wetlands it may not be suitable for dense development or state infrastructure investment.



*OSPC and OMB Budget Development staff reviewing the draft State Strategies maps.*

Photo credit: Judi Schock

## Investment Levels Overview

In this Strategy document, the map area designations will remain as they are currently referred to in the 2015 document: **Investment Levels 1, 2, 3, 4, and Out-of-Play**.

It should be noted that the Levels are not meant as ascending levels of importance, but rather as a way to distinguish the different types of State policy, service, and funding priorities within each area. Levels 1–3 are the areas wherein State policies will support growth and economic development activities, with Levels 1 and 2 being the primary focus. In these areas, the State would like to see local government land-use policies that promote higher densities and mixed-use type development in appropriate areas such that complete communities can be developed—places where people could live, play, work, and shop.

Level 4 is where state policies will support agriculture, protection of natural and cultural resources, and open-space activities including the promotion of agriculture industry support activities. In these areas, the State would like to see local government land-use policies that are rural in nature and that would support agribusiness activities where appropriate in addition to natural resource protection and restoration.

Out-of-Play Areas are lands that are not available for development or for redevelopment. These include publicly owned lands, private conservation lands, lands for which legal constraints on development are identified, and lands in some form of permanent open-space protection (such as Agriculture Preservation or open-space conservation easements).

It should also be noted that, at times, state infrastructure investments may not seem appropriate based on the investment level description, but that, circumstances may exist

where such investments would be deemed appropriate where state and local governments agree that such actions are necessary to address unforeseen circumstances involving public health, safety, or welfare.

The following sections provide more detail about each Investment Level, including a summary table of agency policies associated with the Investment Level. Please see Appendix C at the end of this document for a full description of agency policies and priorities in each Investment Level.

### Investment Level 1

#### Description

Investment Level 1 Areas are often municipalities, towns, or urban/urbanizing places in counties. Density is generally higher than in the surrounding areas. There are a variety of transportation opportunities available. Buildings may have mixed uses, such as a business on the first floor and apartments above.

#### Investment Level 1 Strategies

In Investment Level 1 Areas, state investments and policies should support and encourage a wide range of uses and densities, promote a variety of transportation options, foster efficient use of existing public and private investments, and enhance community identity and integrity. Overall, it is the State's intent to use its spending and management tools to maintain and enhance community character and promote well-designed and efficient new growth in Investment Level 1 Areas. These areas contain downtowns and distressed neighborhoods where strong public-private partnerships are needed to facilitate community redevelopment and accelerate economic revitalization. Thoughtful measures also are needed in some Level 1 Areas to expand a range of housing options in healthy, vibrant communities with schools and quality employment, but have few housing options. These areas would be a prime

location for designating “pre-permitted areas” to help steer development where the local

government and citizens are most prepared to accept it.

*Summary of Investment Level 1 Policies by Agency*

Agency	Summary of Policies*
<b>Agriculture</b>	This Investment Level is the highest priority for community and urban forestry, farmers’ markets, and marketing/promotion of agricultural products to the urban populations. DDA will foster agricultural literacy in Investment Level 1.
<b>Education</b>	Investment Level 1 is the top priority for educational facilities and co-location of services in campus settings to the extent possible (e.g., libraries). In this Investment Level, there is unqualified consideration of certificates of necessity and state participation in projects in accordance with established statutes, regulations, and procedures.
<b>Health and Social Services</b>	In Investment Level 1, DHSS will focus efforts to create healthy lifestyles by providing walkable or other recreational opportunities and/or contribute to an infrastructure to support individuals who are aging or disabled with the ability to remain in their community through accessible medical and necessary retail establishments, as well as personal support services. This Investment Level (along with Investment Level 2) is the highest priority for drinking water funding.
<b>Historic and Cultural Affairs</b>	Investment Level 1 has particularly high concentrations of historic buildings and structures of many periods and types. Successive periods of development give areas rich character, and archaeological sites may be present beneath modern layers. Efforts to identify and consider potential effects to these resources are needed early in the planning process, as is awareness of applicable federal and state laws, including incentives for preservation. It is important to coordinate projects in this Investment Level with certified local governments and focus reinvestment to revitalize neighborhoods with rehabilitation and adaptive reuse of historic buildings and appropriate infill.
<b>Housing Authority</b>	<p>Investment Level 1 is the priority for creating and sustaining the full range of housing types that is transit-oriented, accessible, well-designed, and affordable—with a focus on neighborhoods with resources and assets that help families succeed.</p> <p>DSHA will assist in the revitalization of distressed downtowns via the Downtown Development District program, which offers rebates to offset the cost of physical investment in designated downtown areas targeted for revitalization to promote new commercial and residential growth.</p> <p>Programs in this Investment Level will create new housing opportunities through new construction and redevelopment.</p>

Agency	Summary of Policies*
	<p>Projects seeking funding for new construction or rehabilitation under the Low Income Housing Tax Credit Program must be located in Investment Levels 1, 2, or 3 of the <i>State Strategies</i>. This is known as a Threshold requirement.</p> <p>Programs will sustain existing homes through rehabilitation and preservation of affordability. DSHA will assist homeowners, renters, and communities impacted by foreclosure and abandonment. Housing strategies in this Investment Level will strive to restore struggling neighborhoods through a variety of acquisition, rehabilitation, and community development activities.</p> <p>DSHA will provide technical assistance to communities in this Investment Level and continue the partnership with OSPC and UD on a range of planning, housing, and economic development initiatives.</p>
<b>Natural Resources and Environmental Control</b>	<p>Investment Level 1 (along with Investment Level 2) is the highest priority for wastewater treatment; grants for parks acquisition and development; greenways and trails grants; brownfield cleanups and recycling grants; and restoration for water quality and for wildlife.</p>
<b>Safety and Homeland Security</b>	<p>In Investment Level 1, the DSHS will provide enhanced policing through grants, bike cops, and satellite offices. This is a priority area for locating future facilities.</p>
<b>Small Business</b>	<p>Investment Level 1 (along with Investment Level 2) is the priority for job creation and retention, main street and downtown community development, brownfields redevelopment, and Opportunity Zone projects. Resources include strategic funds, workforce training funds, community outreach, business supportive services, conduit tax-exempt bond program and strategic funds, and neighborhood assistance. There will be a focus of community education strategy.</p>
<b>State Facilities and Investments</b>	<p>This Investment Level (along with Investment Level 2) is the highest priority for new facilities, especially those serving the public.</p>
<b>State Planning Coordination</b>	<p>This Investment Level (along with Level 2) is most favorable for the location of new public facilities, development, and redevelopment activities. It is also the most appropriate level for the location of Downtown Development Districts (DDD). It is also good for master planning activities.</p>
<b>Transportation</b>	<p>In Level 1 Areas the State’s first priority will be for preserving existing facilities and making safety improvements. Level 1 Areas will also be the highest priority for context-sensitive transportation system-capacity enhancements; transit-system enhancements; ADA accessibility; and closing gaps in the pedestrian system, including Safe Routes to School projects. Investment Level 1 Areas are ideal locations for Transportation Improvement Districts as well as Complete Community Enterprise Districts. Additionally, Level 1 areas are a first priority for planning projects and</p>

**Agency**

**Summary of Policies\***

studies, bicycle facilities, signal-system enhancements, and the promotion of interconnectivity of neighborhoods and public facilities. Additionally, street design and access should be compatible to the context of an area. Highest priority for transit system investments, operating, and capital.

*\* The summary presented in this table is an overview of each agency's policies related to the Investment Level. It is not intended to be a complete listing of policies. Please see Appendix C: State Agency Policies by Investment Level for a complete list of policies related to this Investment Level.*



*City of Wilmington, Delaware*

Photo credit: Joe del Tufo

## Investment Level 2

### Description

This investment level has many diverse characteristics. Level 2 areas can be composed of less developed areas within municipalities, rapidly growing areas in the counties that have or will have public water and wastewater services and utilities, areas that are generally adjacent to or near Investment Level 1 Areas, smaller towns and rural villages that should grow consistently with their historic character, and suburban areas with public water, wastewater, and utility services. These areas have been shown to be the most active portion of Delaware’s developed landscape. They serve as transition areas between Level 1 and the state’s more open, less populated areas. They generally contain a limited variety of housing types, predominantly detached single-family dwellings.

### Investment Level 2 Strategies

In Investment Level 2 Areas, like Investment Level 1 Areas, state investments and policies should support and encourage a wide range of uses and densities, promote other transportation options, foster efficient use of existing public and private investments, and enhance community identity and integrity.

Investments should encourage departure from the typical single-family-dwelling developments and promote a broader mix of housing types and commercial sites encouraging compact, mixed-use development where applicable. Overall, the State’s intent is to use its spending and management tools to promote well-designed development in these areas. Such development provides for a variety of housing types, user-friendly transportation systems, essential open spaces and recreational facilities, other public facilities, and services to promote a sense of community. Like the Level 1 Areas, Level 2 Areas would be a prime location for designating “pre-permitted areas.”



*Cannery Village, Milton*

Photo credit: David Edgell

*Summary of Investment Level 2 Policies by Agency*

Agency	Summary of Policies*
<b>Agriculture</b>	In Investment Level 2, the DDA will support community and urban forestry, farmers’ markets, and marketing/promotion of agricultural products to the urban populations. DDA will foster agricultural literacy in Investment Level 2.
<b>Education</b>	In Investment Level 2, the DOE will offer expedited approval for educational facilities and co-location of services in campus settings to the extent possible (e.g., libraries). In this Investment Level there is unqualified consideration of certificates of necessity and state participation in projects in accordance with established statutes, regulations, and procedures.
<b>Health and Social Services</b>	This Investment Level (along with Investment Level 1) is the highest priority for drinking water funding.
<b>Historic and Cultural Affairs</b>	Level 2 has a high concentration of historic buildings and structures. In Investment Level 2 efforts will be made to identify historic communities and landscapes. Consideration of the potential effects to these resources is needed early in the planning process. Incorporate resources into new development while preserving their immediate contexts. Use historic landscape patterns as a basis for new development. Identify and avoid archaeological sites where possible. Developers and local governments should have awareness of applicable federal and state laws, including incentives for preservation. It is important to coordinate projects in this Investment Level with Certified Local Governments. There is a high concern for historic farmsteads, areas with higher archaeological site potential, and historic family cemeteries and unmarked cemeteries. Preservation in place is encouraged.
<b>Housing Authority</b>	<p>In Investment Level 2 the priority is for creating and sustaining a variety of housing types that is transit-oriented, accessible, well-designed, and affordable, supplemented with infrastructure and essential neighborhood services.</p> <p>Programs in this Investment Level will create new housing opportunities through new construction and redevelopment. DSHA will emphasize development of under-utilized parcels within developed areas.</p> <p>Programs will sustain existing homes through rehabilitation and preservation of affordability. DSHA will assist homeowners, renters, and communities impacted by foreclosure and abandonment. Housing strategies in this Investment Level will strive to restore struggling neighborhoods through a variety of acquisition, rehabilitation, and community development activities.</p> <p>DSHA will provide technical assistance to communities in this Investment Level.</p>

Agency	Summary of Policies*
<b>Natural Resources and Environmental Control</b>	Projects seeking funding for new construction or rehabilitation under the Low Income Housing Tax Credit Program must be located in Investment Levels 1, 2 or 3 of the <i>State Strategies</i> . This is known as a Threshold requirement.
<b>Safety and Homeland Security</b>	This Investment Level will be a top priority for locating emergency medical services (EMS). There will be resource development or reallocation of EMS, fire departments, and law enforcement to sufficiently respond to increased calls for service as population increases.
<b>Small Business</b>	Investment Level 2 (along with Investment Level 1) is the priority for job creation and retention, main street and downtown community development, brownfields redevelopment, and Opportunity Zone projects. Resources include strategic funds, workforce training funds, community outreach, and business supportive services, as well as conduit tax-exempt bond program and strategic funds, and neighborhood assistance. There will be a focus of community education strategy.
<b>State Facilities and Investments</b>	This Investment Level (along with Investment Level 1) is the highest priority for new facilities, especially those serving the public.
<b>State Planning Coordination</b>	This level (along with Level 1) is most favorable for the location of new public facilities, development, and redevelopment activities. It also is appropriate for the location of DDDs in smaller towns that do not have Level 1 areas. It also is good for master planning activities.
<b>Transportation</b>	Level 2 Areas share similar priorities with the Level 1 Areas where the aim remains to make context-sensitive transportation system-capacity enhancements; preserve existing facilities; make safety enhancements; make transportation system-capacity improvements; create transit system enhancements; ensure ADA accessibility; and close gaps in the pedestrian system, including the Safe Routes To School projects. Investment Level 2 Areas are ideal locations for Transportation Improvement Districts and Complete Community Enterprise Districts. Other priorities for Level 2 Areas include Corridor Capacity Preservation; off-alignment multi-use paths; interconnectivity of neighborhoods and public facilities; and, signal-system enhancements. Review market demand for efficient and effective transit system investments, operational and capital.

*\*The summary presented in this table is an overview of each agency’s policies related to the Investment Level. It is not intended to be a complete listing of policies. Please see Appendix C: State Agency Policies by Investment Level for a complete list of policies related to this Investment Level.*

### Investment Level 3

#### Description

Investment Level 3 Areas generally fall into two categories. The first category covers lands that are in the long-term growth plans of counties or municipalities where development is not necessary to accommodate expected population growth during this five-year planning period (or longer). In these instances, development in Investment Level 3 may be least appropriate for new growth and development in the near term.

The second category includes lands that are adjacent to or intermingled with fast-growing areas within counties or municipalities that are otherwise categorized as Investment Levels 1 or 2. Environmentally sensitive features, agricultural-preservation issues, or other infrastructure issues most often impact these lands. In these instances, development and growth may be appropriate in the near term, but the resources on the site and in the surrounding area should be carefully considered and accommodated by state agencies and local governments with land-use authority.

Investment Level 3 is further characterized by:

- Areas with leapfrog development<sup>13</sup> that is not contiguous with existing infrastructure;
- Areas that are experiencing some development pressure;
- Areas with existing but disconnected development; and
- Possible lack of adequate infrastructure.

#### Investment Level 3 Strategies

Due to the limits of finite financial resources, state infrastructure spending on “hard” or “grey” infrastructure such as roads, sewer, water, and public facilities will generally be directed to Investment Level 1 and 2 Areas during this planning period. The State will consider investing in these types of infrastructure in Investment Level 3 Areas once the Investment Level 1 and 2 Areas are substantially built out, or when the infrastructure or facilities are logical extensions of existing systems and deemed appropriate to serve a particular area.

### Summary of Investment Level 3 Policies by Agency

Agency	Summary of Policies*
<b>Agriculture</b>	In Investment Level 3 there will be targeted agriculture preservation and community forestry, support for on-farm markets, and identification and development of agricultural support businesses. DDA will foster agricultural literacy in this Investment Level.
<b>Education</b>	It is DOE policy to guide educational facilities toward Levels 1 and 2 to the extent possible. As such, in Investment Level 3 there will be limited approval of educational facilities. There will be qualified consideration of certificates of necessity and state participation in projects in accordance with established statutes, regulations, and procedures.

<sup>13</sup> Leapfrog Development – New development separated from existing development by substantial vacant land. (A Planner’s Dictionary,

American Planning Association, Edited by Michael Davidson and Fay Dolnick.)

Agency	Summary of Policies*
<b>Health and Social Services</b>	None
<b>Historic and Cultural Affairs</b>	In Investment Level 3, historic buildings and structures are less concentrated, but there is greater concern for preservation of rural cultural landscapes that protect setting, archaeological sites, and cemeteries. Efforts to identify and document historic resources, landscape patterns, and relationship to natural resources are needed early in master planning for future development areas. Consideration of potential effects to these resources and proactive preservation measures are needed. Identify and avoid archaeological sites where possible. Developers and local governments should have an awareness of applicable federal and state laws, including incentives for preservation.
<b>Housing Authority</b>	<p>In Investment Level 3, the priority is to sustain homes through rehabilitation to ensure safe and habitable housing. DSHA will assist homeowners, renters, and neighborhoods impacted by the foreclosure and abandonment.</p> <p>Projects seeking funding for new construction or rehabilitation under the Low Income Housing Tax Credit Program must be located in Investment Levels 1, 2, or 3 of the <i>State Strategies</i>. This is known as a Threshold requirement.</p>
<b>Natural Resources and Environmental Control</b>	In Investment Level 3, DNREC will support wastewater treatment; grants for parks acquisition and development; greenways and trails grants; brownfield cleanups and recycling grants; and restoration for water quality and for wildlife.
<b>Safety and Homeland Security</b>	In Investment Level 3, there will be focused measures to reduce response time. This may involve resource development or reallocation of EMS, fire departments, and law enforcement to sufficiently respond to increased calls for service as population increases, including the possibility for new facilities.
<b>Small Business</b>	In Investment Level 3, the focus will be on agribusiness and forestry activities that complement and enhance agriculture in these areas. Visitor-industry development, such as heritage, ethnic, and agri-tourism festivals and events and similar operations, may be appropriate uses that would provide employment opportunities and produce additional income.
<b>State Facilities and Investments</b>	In Investment Level 3, there will be future considerations for longer term facility locations, tied to anticipation of growth in these areas. Consideration will be given based on actual needs.
<b>State Planning Coordination</b>	This level is favorable for longer-term planning in anticipation of future development, which makes it a good area for master planning activities.
<b>Transportation</b>	The priorities in the Level 3 Areas are for DeIDOT to focus on regional movements between towns and other population centers. DeIDOT also supports the development

**Agency**

**Summary of Policies\***

and implementation of Transportation Improvement Districts in Investment Level 3 areas. Developers and property owners will make local roadway improvements as development occurs. Lower priority is given to transportation system-capacity improvements and transit-system enhancements. In this Investment Level, DelDOT will explore feasibility of more cost-effective service delivery options, such as microtransit, vanpools, community-based services and partnerships.

*\* The summary presented in this table is an overview of each agency's policies related to the Investment Level. It is not intended to be a complete listing of policies. Please see Appendix C: State Agency Policies by Investment Level for a complete list of policies related to this Investment Level.*



*Southern New Castle County and the C&D Canal*

Photo credit: William Johns

### Investment Level 4

#### Description

Delaware's Investment Level 4 Areas are rural in nature and are where the bulk of the state's open-space/natural areas and agricultural industry is located. These areas contain agribusiness activities, farm complexes, and small settlements. They typically include historic crossroads or points of trade, often with rich cultural ties (for example, unincorporated areas like Clarksville in Sussex County and Port Penn in New Castle County).

Investment Level 4 Areas also boast undeveloped natural areas, such as forestlands, and large recreational uses, such as state and county parks and fish and wildlife preserves. Level 4 Areas may include natural habitats that are important for providing "ecosystem services" such as improving water quality and reducing flood risk. Sometimes, private recreational facilities, such as campgrounds or golf courses (often with associated residential developments), are also situated in Investment Level 4 Areas.

Some limited institutional uses may exist in such areas. Delaware's Investment Level 4 Areas are also the location of scattered residential uses, featuring almost entirely single-family detached residential structures. These are homes for those who value the quiet and isolation provided by locations away from more developed settings, albeit with an almost total reliance on private vehicles for every transportation need.

Delaware's Investment Level 4 Areas also include many unincorporated communities, typically with their own distinctive character and identity. These

places reflect the rich rural heritage of the state. Investment Level 4 Areas depend on a transportation system primarily of secondary roads linked to roadways used as regional thoroughfares for commuting and trucking.

In addition, Investment Level 4 Areas may be the location for certain uses that because of their specific requirements are not appropriate for location elsewhere. Such uses, expected to be limited in number, could involve public safety or other uses that require their location outside designated investment areas. Industrial activity would be limited, except where specific requirements of major employers may dictate an exception for a use, which, because of specific siting and potential conflicts with neighboring uses, should not be placed elsewhere.

It is the State's intent to discourage additional urban and suburban development in Investment Level 4 Areas unrelated to agriculture and to the areas' needs. This will be accomplished through consistent policy decisions and by limiting infrastructure investment, while recognizing that state infrastructure investments maybe appropriate where state and local governments agree that such actions are necessary to address unforeseen circumstances involving public health, safety, or welfare.

#### Investment Level 4 Strategies

In Investment Level 4 Areas, the State's investments and policies should retain the rural landscape, preserve open spaces and farmlands, support farmland-related industries, and establish defined edges to more concentrated development.

*Summary of Investment Level 4 Policies by Agency*

Agency	Summary of Policies*
<b>Agriculture</b>	Investment Level 4 is the highest priority for farmland preservation and support of the agricultural infrastructure. DDA will foster agricultural literacy in Investment Level 4.
<b>Education</b>	New educational facilities are strongly discouraged from locating in Investment Level 4. DOE will guide educational facilities toward Levels 1 and 2. There will be very limited, exception-based approval of educational facilities. Extremely qualified consideration of certificates of necessity and state participation in projects in accordance with established statutes, regulations, and procedures. In this Investment Level, there is the potential for withholding of certificates of necessity and/or state participation.
<b>Health and Social Services</b>	None
<b>Historic and Cultural Affairs</b>	Development is strongly discouraged in Investment Level 4, except for certain purposes with minimal effects to the existing landscape that support existing agricultural or cultural uses without significant additional infrastructure. Historic buildings and structures are less concentrated, but there is greater concern for preservation of rural cultural landscape that protects setting, archaeological sites, and cemeteries. Identify and avoid effects on these resources. Local governments and property owners should have an awareness of applicable federal and state laws, including incentives for preservation, particularly for historic agricultural properties.
<b>Housing Authority</b>	In Investment Level 4, the priority is to sustain homes and vitality of small rural communities. This includes weatherization and rehabilitation of housing. Any investment in housing infrastructure will be to address public safety and welfare concerns.
<b>Natural Resources and Environmental Control</b>	Investment Level 4 will be the highest priority for open-space preservation; restoration for water quality and for wildlife; grants for parks acquisition and development; greenways and trails grants; brownfield cleanups; and recycling grants.
<b>Safety and Homeland Security</b>	In this Investment Level, there will be long-range planning, but no near-term investment. Kent and Sussex Counties pay for additional coverage in Investment Level 4.
<b>Small Business</b>	Development in Investment Level 4 Areas should emphasize only development that is compatible with and enhances agriculture, agribusiness, appropriate visitor activities, and similar economic activities.

Agency	Summary of Policies*
<b>State Facilities and Investments</b>	Public facilities will not be located in Investment Level 4 unless tied to particular needs and agreed to by appropriate governmental entities.
<b>State Planning Coordination</b>	This level is most favorable for open-space and agricultural land preservation and the promotion of agri-business.
<b>Transportation</b>	The focus for the Level 4 Areas will be to preserve and maintain existing facilities in safe working order, corridor-capacity preservation, and the enhancement of transportation facilities to support agricultural business. The Lowest priority is given to transit system enhancements. In Investment Level 4, DeIDOT will explore the feasibility of more cost-effective service delivery options, such as microtransit, community-based services and partnerships.

*\* The summary presented in this table is an overview of each agency’s policies related to the Investment Level. It is not intended to be a complete listing of policies. Please see Appendix C: State Agency Policies by Investment Level for a complete list of policies related to this Investment Level.*



Photo credit: Delaware Department of Agriculture

## Out-of-Play

Some lands are clipped out of the analysis and will be shown on the Strategies maps in a light-gray color. These lands, which are not available for private development, include publicly owned lands, private conservation lands, lands for which serious legal and/or environmental constraints on development are identified, and lands in some form of permanent open-space protection (such as agricultural preservation easements and conservation easements).

“Out-of-Play” areas are generally not expected to be the location of private development activities, such as residential subdivisions or commercial shopping centers.

However, “Out of Play” does not mean that there will never be any changes or development on those lands. Government entities, private property owners, and conservation organizations are still expected to invest in these areas for the purposes in which they were acquired and preserved. Each agency or entity has their own policies and

procedures for the management of “Out of Play” lands.

Examples of investment or changes on “Out of Play” lands could include improvements to State park lands, water control structures in State wildlife areas, or poultry houses on preserved agricultural lands. There may also be times when private property owners could be able to build or redevelop on lands identified as “Out-of-Play” in accordance with State and local environmental and land use regulations. For example, new subdivision is not permitted in floodplains under the provisions of some local government land use ordinances. Even so, this restriction may not preclude property owners with portions of their lands in the floodplain from obtaining permits to build structures or otherwise utilize their property.

The table below lists the data sets that comprise the Out-of-Play layer, along with the agency responsible for maintaining the data. More information can be found in Appendix E: Spatial Data Analysis, at the end of this document.

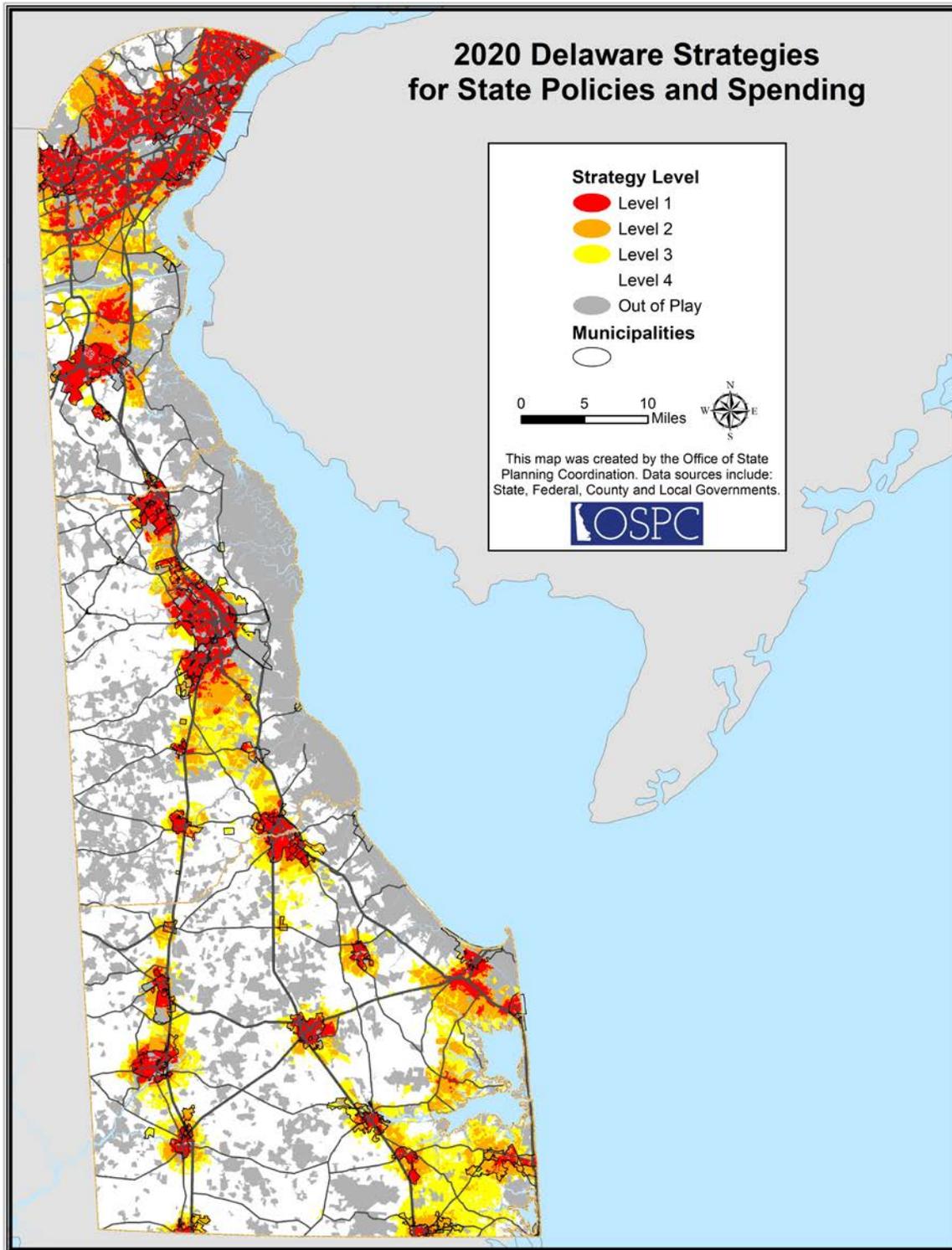


Photo credit: Delaware Department of Agriculture

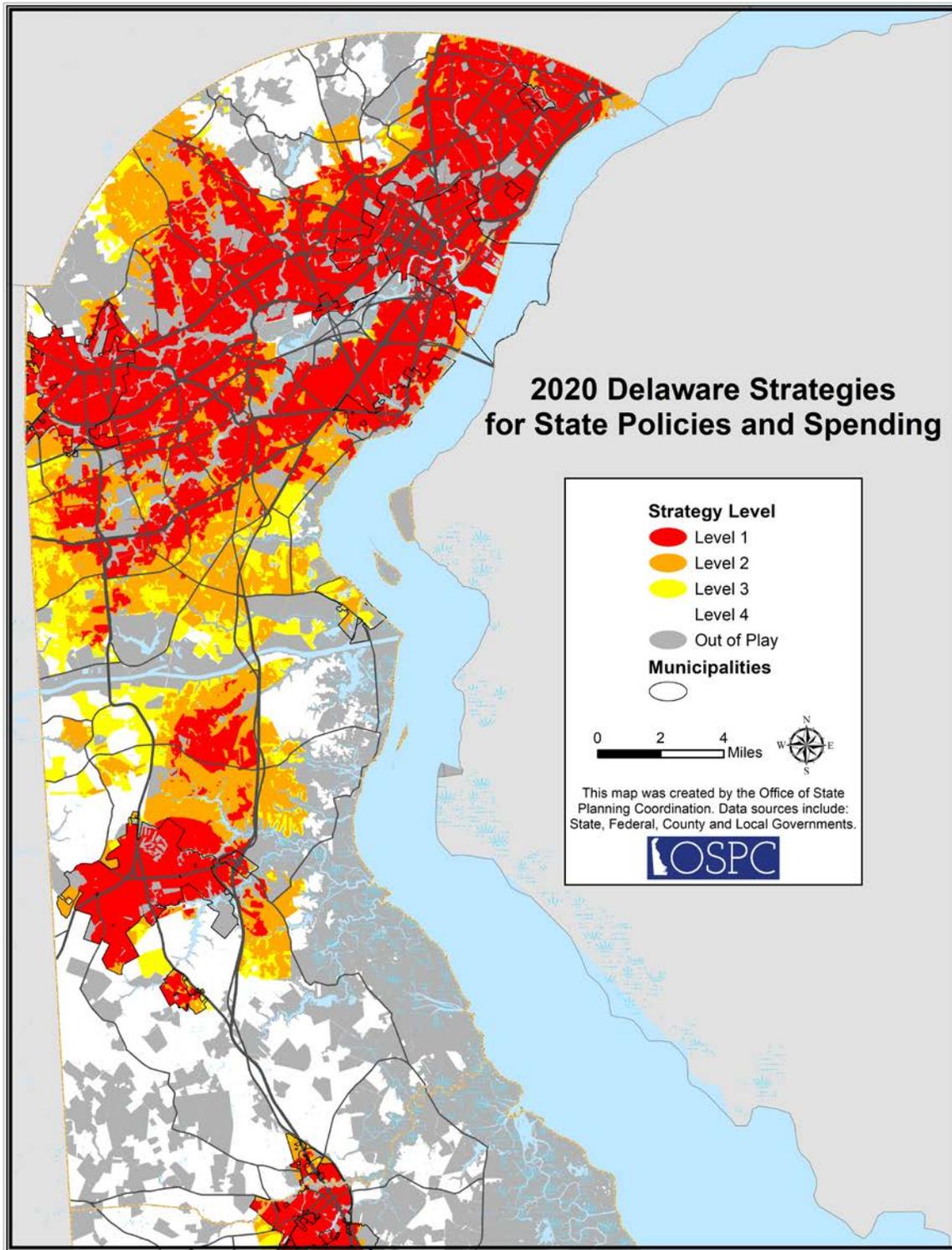
### Summary of Out-of-Play Data Sets by Agency

Agency	Out-of-Play Data Set
<b>Agriculture</b>	<ul style="list-style-type: none"> <li>• Agricultural and Forestland Preservation Easements – Purchase of Development Rights</li> <li>• State Forests</li> </ul>
<b>Transportation</b>	<ul style="list-style-type: none"> <li>• DelDOT Owned Lands (parcels of land, not rights-of-way)</li> <li>• DelDOT Purchased Development Rights Easements</li> <li>• DelDOT Preserved Lands, including wetlands mitigation and archaeology</li> <li>• Railroads</li> </ul>
<b>Natural Resources and Environmental Control</b>	<ul style="list-style-type: none"> <li>• 100-Year Floodplains, New Castle and Kent Counties only. Development is prohibited or restricted in 100-year floodplains in New Castle and Kent Counties by local ordinance.</li> <li>• Conservation Easements</li> <li>• All protected lands, includes parks, open spaces, fish and wildlife lands and other protected lands</li> <li>• Tidal Wetlands. Development is restricted or prohibited on regulatory wetlands under Delaware law.</li> </ul>
<b>Federal Government</b>	<ul style="list-style-type: none"> <li>• Dover Air Force Base</li> </ul>

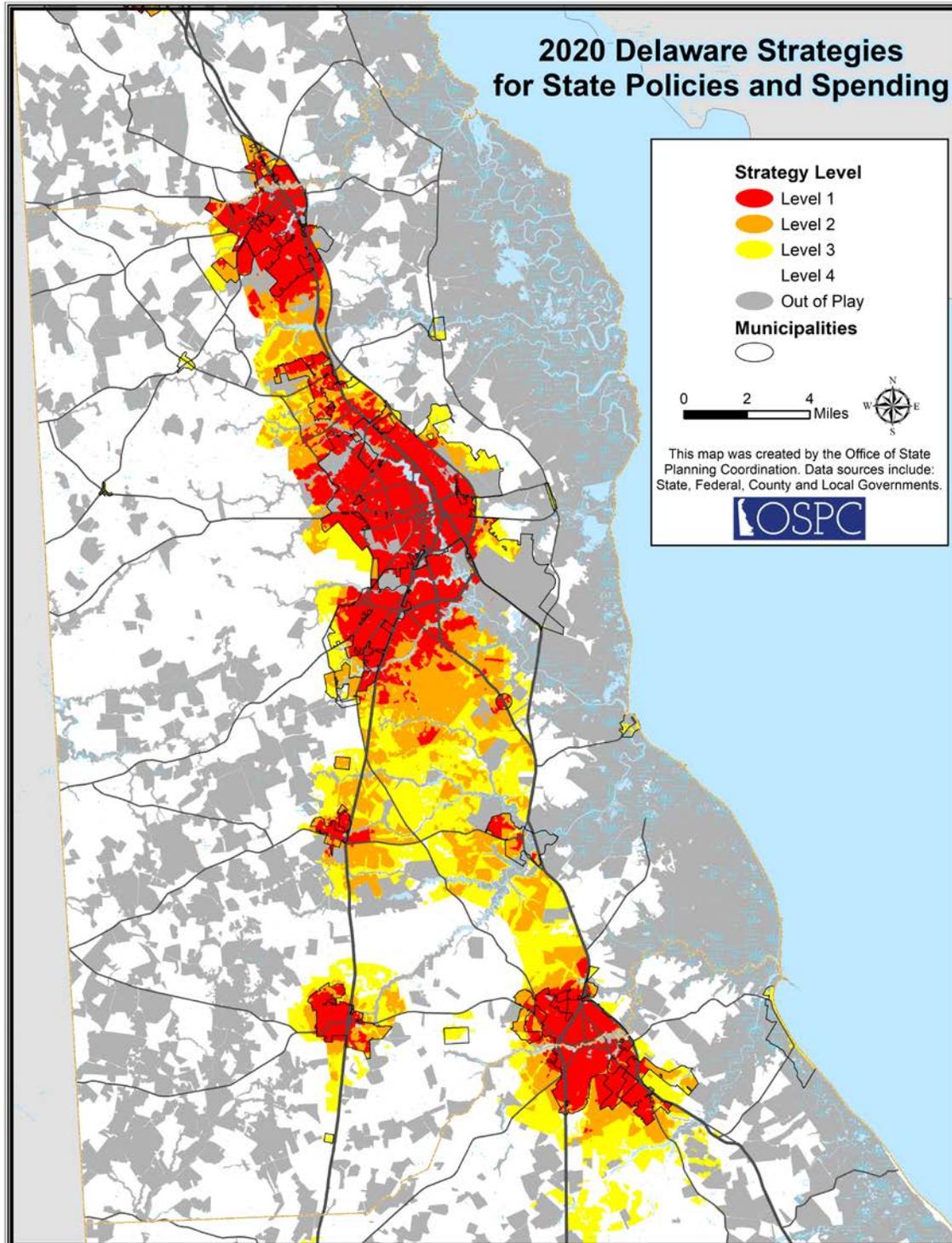
State of Delaware



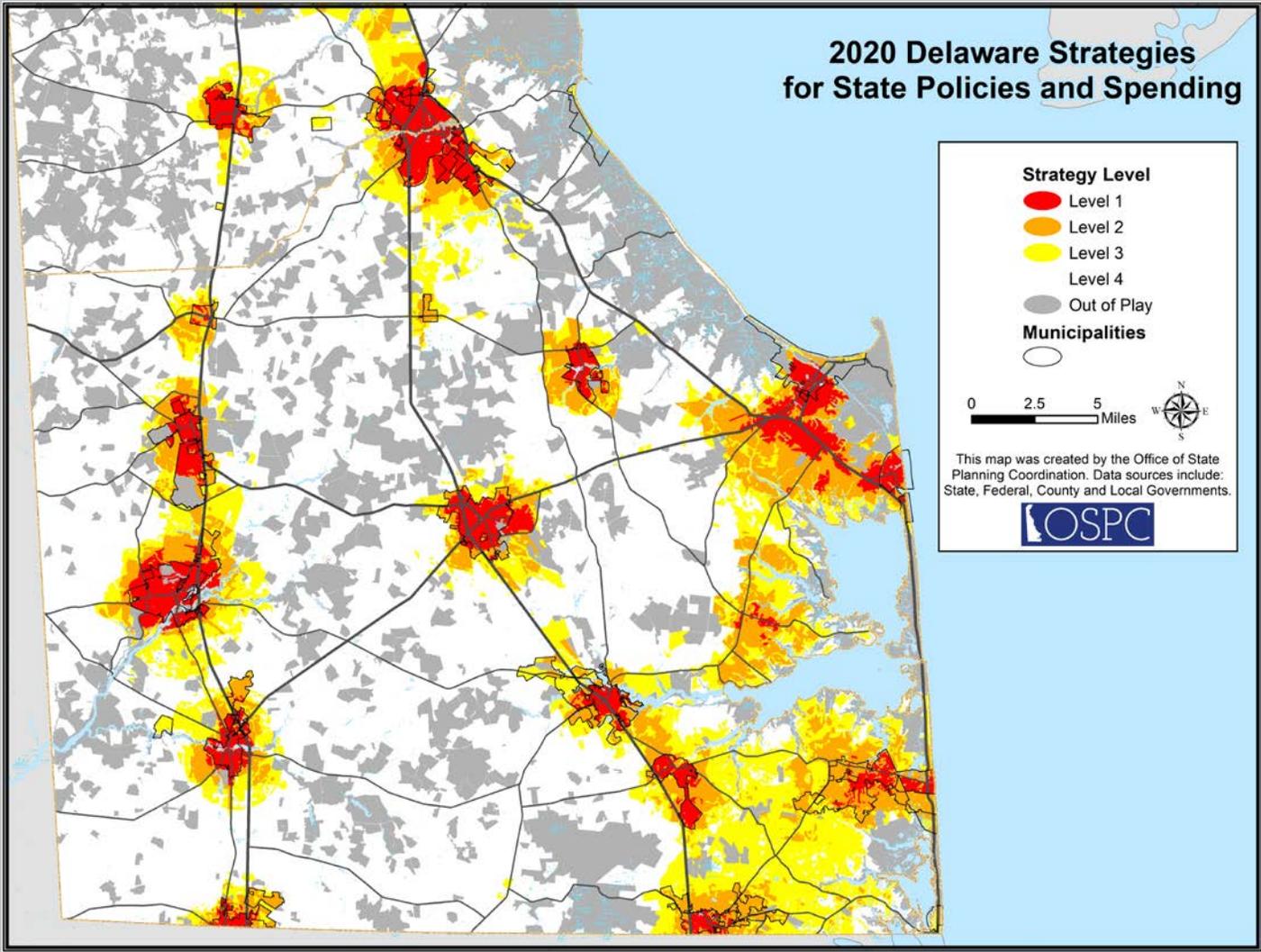
## New Castle County



## Kent County



Sussex County



## Moving Forward and Recommendations

### Proactively Addressing Delaware's Growth

In preparation for this update of the *Strategies for State Policies and Spending* we reviewed a series of performance metrics from the past twenty years to identify both successes that can be built upon, and challenges and issues to be addressed. Here is a summary of the top challenges that have emerged for Delaware's next twenty years and how the state, its agencies and our local government partners can address them. The following section will detail specific intra-governmental and intra-agency efforts that focus on proactive planning and some agency specific policies and initiatives that will implement the *State Strategies*.

The following is a discussion of the challenges that are to be addressed (see the section titled "Reviewing Performance: Evaluating Growth and Change in Delaware" starting on page 8).

#### Water and Wastewater Funding

The process that led to the original *Strategies for State Policies and Spending* in 1999 largely focused on the need to coordinate the provision of hard infrastructure with the location and timing of growth. Water and wastewater infrastructure were included since the State has a role in funding these systems through grants and loans. Originally the Cabinet Committee had a role in reviewing and approving funding, although that role has been removed from their responsibilities. The Water Infrastructure Advisory Committee (WIAC) is currently responsible for this funding. WIAC estimates a \$4 billion backlog in funding for needed upgrades for these systems. The track record of funding over the past twenty years has been inconsistent in terms of both state and federal funds.



Photo credit: Temple Carter

Clearly, the State can do a better job of planning for these investments in water and wastewater infrastructure, with an emphasis on providing infrastructure and services to underserved populations. Governor Carney and members of the General Assembly have proposed the "Clean Water for Delaware Act" as HB 200 in the 150<sup>th</sup> General Assembly to address the need for more investment in water, wastewater and stormwater systems, and as importantly a more coordinated approach to planning for these investments. These infrastructure investments should be guided by the policies in the *Strategies for State Policies and Spending*, with implementation focused in Investment Levels 1 and 2, and possibly Investment Level 3 provided the needs in Levels 1 and 2 have been addressed. Finally, more reliable, dedicated funding should be provided to enable implementation of these projects in a predictable way consistent with the needs of the communities.

#### Agricultural and Open Space Funding: Rural Growth Management

Funding for agricultural and open space preservation has been similarly inconsistent over the past twenty years. In fact, there was reduced or no state funding provided for these programs in

some tight budget years. Both programs are very successful and critical to preserving our agricultural economy and natural resources in the face of continued growth pressures.

The reason agricultural and open space preservation funding is so important is that our rural areas are still threatened with development pressure, especially in Sussex County. Construction of new housing units in the rural, Investment Level 4 areas represent almost 20 percent of all permits statewide, but that percentage is higher (27 percent in the past 5 years) in Sussex. Even when considering that some new rural, large lot construction is expected and desirable, it appears that the amount of growth could negatively impact the viability of our agricultural economy and the natural and cultural environment.

Addressing these issues will involve a two-pronged approach in the coming years. First, the State can and should work to ensure reliable and predictable funding for the Agricultural Preservation and Open

Space programs. This is, of course, contingent upon state revenues and other budget pressures, but it should remain a priority as it has been under Governor Carney's leadership. Second, and equally important, the State should continue to work with county and local governments on comprehensive plans and land-use regulations that preserve and protect the agricultural economy and natural and cultural environment, while directing large-scale new developments into areas with infrastructure to support it.

### **Housing Affordability**

Closely related, perhaps, is the fact that the state still struggles with housing affordability. According to the U.S. Census Bureau, the share of Delaware homeowners spending over 35 percent of their income on housing costs rose from 13.8 percent in 2000 to 21.8 percent by 2017. Delaware's local governments rely on single-family detached zoning for the majority of their housing needs. To underscore this point, Delaware has a lower percentage of multi-family units than the nation or any of our surrounding states. This leads to less affordable housing and housing that excludes many important market segments, such as those with low to moderate incomes, singles or small households, and those who prefer to live in smaller, less costly housing units in convenient settings.

An antidote to this mismatch between the housing stock and the housing that is needed by Delaware's population is the type of development we have been calling "Complete Communities." Local governments, through their land use authority, are able to effectively expand the type and availability of housing options to mitigate the housing struggles of Delawareans. There has been much progress made in the past 10 years to establish planning principals, tools and programs to encourage and enable the development and revitalization of



*Dedication in Dover for Habitat for Humanity home that was constructed utilizing the Downtown Development Districts program.*

Photo credit: Sharon Ungerer



*Nemours building on Sussex Health Campus, Milford*

Photo credit: Temple Carter

communities with a broad range of housing types and prices. This type of planning is so impactful that it is covered in greater detail below.

### **Health and Economic Equity**

The review of performance metrics has identified some troubling health and economic equity trends. Employment growth has not kept pace with population growth over the past twenty years, which is perhaps due in part to Delaware’s older population and reputation as a retirement destination. Even so, unemployment rates are persistently higher for some sub-sets of our population, notably blacks and African Americans, those with less than a college degree, and those in Kent County. From a health perspective, the data show that certain groups are less likely to have health insurance coverage, including children and those of Hispanic or Latino origin. The health challenges are underscored by the fact that Delaware has a very high infant mortality rate of 6.6

per 1,000 births, making Delaware the 14th highest state in the nation for this unfortunate statistic.

To address these trends, Delaware should continue to focus on collaborative planning efforts that are focused on creating healthy communities. There are many plans and mechanisms in place that are being utilized and coordinated more now than ever, including the State Health Improvement Plan, the University of Delaware Partnership for Healthy Communities, and Healthy Communities Delaware to name a few. Planning for healthy communities is discussed in more detail below.

The economic equity issues can be addressed in a number of ways. From a planning perspective, the State and local governments can continue to invest and reinvest in communities in high-need areas to “to ensure that talent has an opportunity to thrive.”<sup>14</sup> This is already occurring in many ways, as detailed in the discussion of proactive planning starting on page 12 and also highlighted below in the discussion of Complete Communities.

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<sup>14</sup> 20 Year Review – Delaware Strategies for State Policies and Spending. The University of Delaware Institute for Public Administration. March 2020. Page 36.

<http://www.stateplanning.delaware.gov/strategies/documents/20year-review-state-strategies.pdf>.

Delaware's economic development efforts can also be aligned to promote local, craft, and place-based economic development to promote entrepreneurship. It will also be important to focus on training programs to prepare employees with new skills for emerging industries and sectors.

### Government Efficiency

A fundamental purpose of the *State Strategies* has always been to align state agency planning and policy initiatives with the plans of local governments to improve government efficiency and effectiveness. As you read in the section titled "Reviewing Performance: Evaluating Growth and Change in Delaware" starting on page 8, tremendous progress has been made in the past twenty years in this regard. It will take a conscious effort to maintain this progress. State government can do so through implementing the *State Strategies* and continuing to engage in collaborative, proactive planning with local governments as described below in the Complete Communities section. In addition, we can continue to enhance our tools for monitoring performance of state infrastructure, services, and investments to ensure that they are having the desired effect of implementing the eleven goals and addressing these challenges.

### Resources for Planning and Collaboration

The framework for continued collaboration exists to address many of these issues. A challenge will be that many agencies and local governments do not yet have adequate resources to engage in planning projects and other initiatives. It requires talent, skills, and funding to complete plans and then to implement them. The lack of these resources has time and time again caused plans and projects to be delayed, or not start at all. This prevents the type of proactive planning that has proven so successful in some areas of the state.

As time goes on, we must consider the value and benefits of investing in planning and coordination

and identify resources to do so when it makes sense from an economic, environmental, and social equity perspective.

### Collaborative Planning Initiatives

These are initiatives that can be both inter and intragovernmental. These initiatives fall under a few umbrella concepts: 1) Complete Communities, 2) Climate Resiliency and Adaptation, and 3) Geospatial Coordination. Understandably, this separation is not as distinct as it may seem, as all concepts are necessarily interdependent.

### Designing and Building Complete Communities

As advocated in this document (and first discussed in the 2010 *Strategies for State Policies and Spending*), complete communities typically include an integrated pedestrian and bike network, newer streets interconnected with existing streets, intermingling of residential and commercial uses, and the inclusion of parks or open-space networks within developments. If properly designed, the positive impacts of this type of development from the public sector perspective would include a more diverse range of transportation and housing options and a more economical extension of public services and utilities. Additionally, since this type of development would use less land, there would be less pressure on using the state's agriculture and open-space lands for development.

To foster and promote this type of development the **Planning for Complete Communities in Delaware** project was undertaken by the Institute for Public Administration (IPA) at the University of Delaware in collaboration with the Delaware Department of Transportation (DelDOT) and the Delaware Office of State Planning Coordination (OPSC) in January 2012. More information can be found at: [www.completecommunitiesde.org](http://www.completecommunitiesde.org).

Complete communities can be considered an umbrella under which a number of other projects

fall, including some that are ongoing and some that will be created:

- **Master Planning** – Create a model approach to cooperative planning for large areas from recent efforts that include projects in Southern New Castle County, Milford, and Georgetown to be used statewide.
- **Transportation Improvement Districts** – A Transportation Improvement District (TID) is one tool to implement master plans. A TID is a geographic area defined for the purpose of securing required improvements to transportation facilities in the area. It is a place where land use and transportation are planned in detail in advance, such that development consistent with that planning can pay a readily determined fee and forego the Traffic Impact Study process. A Transportation Improvement District provides the transportation improvements needed to support land development in locations identified as appropriate for development in local comprehensive plans. Coordinating land use and transportation can lower infrastructure costs and foster planning for market-ready development and redevelopment opportunities.
- **Complete Community Enterprise Districts** – A Complete Community Enterprise District (CCED) is a coordination tool in state law that local and state governments can use to align their land use and transportation policies in order to catalyze the development of compact, walkable, transit accessible, and mixed-use neighborhoods. Where a CCED is designated, a local government plans for mixed uses and higher density development (necessary for transit service to be operationally efficient) and relinquishes counter-productive and burdensome parking regulations. In return, DelDOT must design streets in the District to be slow so that both walking and cycling are safe

and inviting and must also prioritize capital investments in transit, walking, and cycling improvements. CCEDs promote walkable, bikeable, transit-served, mixed-use, vibrant and entrepreneurial neighborhoods, towns, and cities. CCEDs advance multiple public policy priorities simultaneously, including promoting improved public health, enabling seniors to age in place, and reducing air pollution from the transportation sector. They are a critical economic development strategy in terms of both attracting a talented and mobile workforce that brings competitive advantage to communities and reducing household transportation expenses and increasing demand for local products and services.



- The **Delaware Byways Program Showcase** demonstrates that communities throughout the state wish to boost and showcase their natural, scenic, cultural, recreational, and historic resources. This will promote Delaware as a great place to live and visit. This can strengthen existing and future communities together. Conservation, ecotourism, sound economic development, and management strategies similar to comprehensive plans are elaborated under each byway corridor management plan. Context Sensitive Design measures are also highly recommended for all levels of transportation improvements.
- **Planning Healthy Communities** – A healthy community design incorporates a mixture of

land uses, transportation options, parks, medical services, and recreational opportunities. The OSPC has collaborated with many state agencies and other partners on ways to make Delaware a healthy place to live, work, and play. The OSPC is a participant in a leadership role on the Secretary of Agriculture's Council on Farm and Food Policy. This Council is charged with facilitating access to resources that will allow all Delawareans to circumvent challenges associated with securing nutritious and local food options, minimizing deficiency within communities, and achieving healthy lifestyles. Another similar collaboration is Healthy Communities Delaware, a consortium of public, nonprofit, and private organizations committed to making a collective impact by aligning efforts and investments surrounding social determinants of health for communities in the state. The Delaware Department of Health and Social Services provides data to inform these efforts through their "My Healthy Community Data Portal," which delivers neighborhood-focused population health, environmental, and social determinant of health data to the public.

- **Downtown Development Districts (DDD)** – The resources of the DDD program are made available as funding is approved by the Legislature each fiscal year. The DDD program was created by legislation [proposed by the Governor and passed unanimously by the General Assembly](#) in fiscal year 2015. Under the program, designated districts will be entitled to receive significant development incentives and other benefits to spur investment and community development.

The Downtown Development Districts Act of 2014 (the Act) was enacted by the General Assembly in order to:

- Spur private capital investment in commercial business districts and other neighborhoods;
- Stimulate job growth and improve the commercial vitality of such districts and neighborhoods;
- Help build a stable community of long-term residents by improving housing opportunities; and
- Assist municipalities in strengthening neighborhoods while harnessing the attraction that vibrant downtowns hold for talented people, innovative small businesses, and residents from all walks of life.

A variety of economic and other incentives were envisioned to achieve the purposes of the Act. The primary state-level incentive is the DDD rebate program. These rebates are to be made available to offset up to 20 percent of the hard costs associated with construction or redevelopment activities in DDDs.

The OSPC works closely with the Office of the Governor and the Delaware State Housing Authority (DSHA) to implement the program. The OSPC's role is to manage the application and review process for district designations, monitor compliance with the program requirements, review and process boundary and incentive revisions in conjunction with the CCSPI, and provide technical assistance to districts as needed. DSHA administers the DDD rebates. The OSPC relies heavily on input from partner agencies during the designation process and thereafter. In addition to DSHA, subject matter expertise was provided by the Division of Historical and Cultural Affairs' State Historic Preservation Office, the Department of Natural Resources and Environmental Control, and the Department of Transportation.

There are twelve designated DDDs: Wilmington, Dover, and Seaford (designated in January 2015); Smyrna, Harrington, Milford, Laurel, and Georgetown (designated in August 2016); and Delaware City, Clayton, Middletown, and the City of New Castle (designated in August 2019). All of these municipalities offer a local incentive package that works in concert with the DDD rebate to encourage investment in each district. All of the districts work in concert with DSHA staff to actively market the DDD rebates and other incentives to developers and property owners in their communities. The majority of the DDDs are within or overlap historic districts, and four (Wilmington, Dover, Delaware City and the City of New Castle) are Certified Local Governments with their own historic preservation programs. The State Historic Preservation Tax Credit program includes incentives specifically for the rehabilitation of historic buildings within DDD districts.

The DDD Rebate continues to be extremely successful. The total pool of active projects completed and reserved represent \$31.7 million in state DDD funds leveraging \$598 million in private investment.

- **Transfer-of-Development-Rights Program (TDR)** – TDR is a market-based technique for guiding development away from places where a community would like to see less development (“sending areas”) and toward places where more development is desirable (“receiving areas”). The State will continue to promote this as a way to preserve agriculture land and open space.
- **Preliminary Land Use Service (PLUS)** – This process enables state agencies to meet monthly and review and comment on development projects and comprehensive plans during the preliminary stages of development. The OSPC will continue to adjust and refine as needed to

ensure that this process is as efficient and useful as possible.

- **Plan Certification** – Continue to work with local governments in keeping their plans up to date.
- **State Facilities** – The State will promote locations for public facilities that will enhance community integrity, encourage the use of more than one transportation option, and avoid direct impacts of sea level rise. State investments in public facilities, such as schools, libraries, courts, and healthcare and public-safety buildings, should be strategically located to foster community identity and vitality, complement the historic character where appropriate, and reduce future climate risks.
- **Inter and Intragovernmental Coordination** – Encourage and increase coordination among and between agencies, local governments, and affiliated groups to promote governmental efficiency and effectiveness in implementing these strategies.
- **State Statutes Related to Planning** – Regularly review, and modify when necessary, state code for consistency and for suitability to achieving land-use goals.
- **Government Efficiency and Accountability Review (GEAR) Board.** GEAR was established to [develop recommendations](#) for increasing efficiency and effectiveness across state government, including by improving the strategic planning process, improving the use of metrics in resource allocation decisions, and developing continuous improvement practices. The OSPC is an active participant in this effort. The OSPC’s projects include the codification of the Delaware Population Consortium, the development of a statewide land inventory process, and the enhanced management and coordination of Delaware’s geospatial data.



*Broadkill River and marsh, near Lewes*

Photo credit: Bob Bowden

### Climate Resiliency/Adaptation

As a low-lying coastal state with a significant population living along 381 miles of shoreline, Delaware is vulnerable to coastal erosion, storm surge, saltwater intrusion, and tidal wetland losses—all of which will be exacerbated by sea level rise. Intense rainfall and sea level rise also contribute to flood risks across the state that threaten public safety and incur costly damage to homes and businesses. Rising temperatures and heavy rainfall pose serious challenges for our agriculture and tourism economies and lead to increasing costs for maintaining and repairing critical infrastructure.

Incorporating climate change vulnerability and adaptation practices into programs and policies is key to making informed decisions about state investments. The *Delaware Strategies for State Policies and Spending* can help support choices to make our state more resilient to the climate

changes we are already experiencing and to prepare for future climate impacts.

- **Adaptation to Sea Level Rise** – A 24-member advisory committee approved a set of *Recommendations for Adapting to Sea Level Rise in Delaware* in 2013.<sup>15</sup> These recommendations sought to highlight actions that could be taken by state agencies, municipal governments, businesses, and citizens to increase the state’s capacity to prepare and respond to sea level rise—one of the three primary threats to the state from climate change. The DNREC Delaware Coastal Programs Section, whose staff is currently working to implement many of the recommendations in cooperation with numerous partners, spearheads the initiative. Significant progress has been made to date, including the incorporation of sea level rise considerations into 19 municipal and county comprehensive plans and numerous infrastructure projects. In

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<sup>15</sup> Love, S., Arndt, T., & Ellwood, M. (2013). *Preparing for Tomorrow’s High Tide: Recommendations for Adapting to Sea Level Rise in Delaware*. Final Report of the Delaware Sea Level Rise Advisory Committee. Delaware Department of Natural Resources and Environmental Control Delaware Coastal Programs.

<http://www.dnrec.delaware.gov/coastal/Documents/SeaLevelRise/FinalAdaptationPlanPublished.pdf>



*Governor Carney speaks about the Delaware Transit Corporation's new electric bus fleet*

Photo credit: Office of Governor John Carney

In addition, sea level rise has been incorporated into state and regional plans including the statewide Hazard Mitigation Plan, the state Coastal and Estuarine Land Conservation Program and the Delaware Wildlife Action Plan. Significant research is also underway to determine the impact of sea level rise on ground water, wetlands, and contaminated soils.

DNREC and the OSPC will continue to provide technical assistance to local governments and state agencies to incorporate sea level rise into their plans and decision-making and will improve the data and tools necessary for informing decision-making.

- **Preparing for Emerging Climate Impacts** – On September 12, 2013, Delaware Governor Markell signed Executive Order 41: *Preparing Delaware for Emerging Climate Impacts and Seizing Economic Opportunities from Reducing Emissions*. Executive Order (EO) 41 directs the state to address both the causes and consequences of climate change.

To begin implementation of EO 41, three workgroups were formed to develop

recommendations for the key issues identified in the Executive Order. The Climate Framework for Delaware summarizes the recommendations from the three workgroups formed under EO 41. The *Climate Action in Delaware: 2016 Progress Report* provided an update on the actions and goals outlined in the Climate Framework. The report highlights the actions and accomplishments made by Delaware's state government to curb greenhouse gas emissions and adapt to the impacts of climate change. It also provides an overview of local government actions and sets out a vision for the future.

- **Minimizing Flood Damage to State Assets** – State agencies were directed by Executive Order 41 to incorporate measures for adapting to increased flood heights and sea level rise in the siting and design of projects for structures and infrastructure. Specifically, state agencies were directed to avoid siting structures and infrastructure in areas at risk to current and future flood events; if avoidance is not possible, structures should be elevated to 18" above the base flood elevation, plus additional elevation to accommodate future sea level rise. In order

to assist state agencies to comply with this directive a new map was developed. This map, called the Flood Risk Adaptation Map, models the increased extent of a 1-percent-chance annual flood event (commonly called the “100-year flood” event) if the state were to experience a 3-foot rise in sea levels.

A guidance document was released in the spring of 2016 to guide state agencies in using the map to help them make infrastructure siting and design decisions that are consistent with the directive to minimize the risk of flooding to state assets.

- **Reducing Greenhouse Gas Emissions and Transitioning to Clean Energy** – Governor Carney announced on June 5, 2017, that Delaware joined the U.S. Climate Alliance, a coalition of states committed to upholding the Paris Agreement to combat climate change. Delaware has committed to reducing the state’s greenhouse gas emissions 26 to 28 percent from 2005 levels by 2025. DNREC has initiated development of the state’s first comprehensive Climate Action Plan to serve as a roadmap toward achieving that goal, outlining specific actions to meet the 2025 commitment, and identifying strategies to further reduce emissions in the years beyond. The plan will also examine what’s being done in Delaware to reduce the impacts of climate change that the

state already is experiencing, such as sea level rise and increased flooding, and will identify strategies to help mitigate those impacts on Delaware communities.

- **The Delaware Resilient and Sustainable Communities League (RASCL)** – Formed in 2015 as a collaborative network of state, nonprofit, and academic partners, RASCL is working to create a more resilient, sustainable Delaware. RASCL partners work together to accelerate the capacity of local governments to take steps to become sustainable and resilient through information sharing, networking, and by highlighting the most relevant climate science and available resources for local leaders.

### Geospatial Data Consolidation

- **FirstMap (Centralized Geospatial Data Consolidation)** – FirstMap launched in September 2014 and is the repository into which all public geospatial data will be housed for the state. The data are accessible to all state, county, and local agencies and the public. The system provides the single, authoritative data source for all state agencies and the public. Data available in the system are updated on a regular basis (agency and data specific) to assure the most current data are always being used for mapping and applications throughout the state.



Photo credit: NATS-UK

In addition, FirstMap has an ArcGIS Online presence to provide agencies with the ability to create quick and easy maps to share with their constituents. Other applications, which require customized enhancements, will continue to be available to the agencies with capability to develop them.

### Agency Specific Initiatives

These are the agency specific policies and programs that support better land-use decision-making, coordination, and collaboration. These policies will be guided by this strategy document to ensure a healthy, efficient, attractive, and prosperous Delaware.

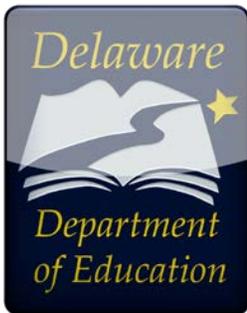


DELAWARE DEPARTMENT OF  
**AGRICULTURE**

### Agriculture

- Create formalized partnerships between the state agriculture and economic development offices and local governments to attract and retain agricultural processors, grower cooperatives, and agribusiness-support operations. Foster and support farmers' and on-farm markets by creating and nurturing business-friendly land-use policies and providing financial incentives.
- Continue to support the state's successful poultry industry.
- Support research and implementation efforts to establish alternative energy sources to serve the significant energy needs of the agricultural industry.
- Continue state financial support of existing farmland- and forestland-preservation programs.
- Continue to assess the viability of, and promote when appropriate, the creation and implementation of transfer-of-development-rights efforts.
- Continue to support the Young Farmer Loan Program. As of February 29, 2020, 36 loans totaling over \$8 million have been made to Delaware young farmers to purchase 2,800 acres.
- Continue to seek and gain federal funding for preservation through fee-simple purchase and easements mechanisms.
- Provide estate and preservation-planning workshops to rural landowners through a partnership among state agencies, the private sector, and the Cooperative Extension.
- Expand urban-forestry program to underserved jurisdictions and large developments in the suburban setting.
- Promote and greatly expand elementary and middle school agricultural-literacy efforts.
- Promote nutrient-management education activities as appropriate in Investment Levels 1 through 4.
- Continue successful partnership among the Delaware Nutrient Management Commission, Delaware Department of Agriculture (DDA), and DNREC to promote nutrient-management practices in all investment levels and further nutrient-management education in support of achieving state and federal water-quality goals.
- Continue to support the Delaware Rural Irrigation Program (DRIP), a cost share program for new agricultural irrigation systems administered cooperatively by the DDA and the Delaware Division of Small Business.

- Partner with DNREC and others to develop a comprehensive water allocation strategy to ensure future availability of potable water for all uses.
- Work with the DDA and universities to develop approaches to reduce the impacts of climate change on local farmers, crops, and production facilities and to expand the use of agricultural technology in Delaware.



### Education

- Continue to participate in the PLUS process and direct proposed educational facilities to the PLUS process for project review.
- Continue to use up-to-date population and enrollment projections to inform capital planning and decision-making.
- Continue to promote the integration of school sites into adjacent communities through facility usage, as governed by local-school-district board policies and site design that promotes pedestrian-friendly access.
- Continue to direct education infrastructure to Investment Levels 1 or 2 and authorize educational facilities to be located in Level 3 only:
  - If adequate public and civil infrastructure is in place or will be in place when the educational facility requires said infrastructure.
- When no other reasonable and viable educational-facility sites, which are in reasonable proximity to the communities being served, are available within Investment Levels 1 or 2.
- Continue to direct education infrastructure away from Investment Level 4 and Out-of-Play Areas.
- Continue to liaise with districts, state agencies, local jurisdictions, and developers to help achieve the optimal resolution to educational facility locations.
- Continue to encourage and enable the use of school campuses that co-locate multiple educational facilities on a single site, thus sharing common facilities and reducing infrastructure costs.



### Historical and Cultural Affairs

- In 2020, the Division of Historical and Cultural Affairs (DHCA) will engage staff and stakeholders to begin the process of updating its Strategic Plan.<sup>16</sup>
- DHCA will build on existing initiatives to develop and implement master plans for its cultural assets including the Cooch's Bridge property, John Dickinson Plantation, and Ft. Christina Park/7th St. Peninsula.
- Continue to promote the Historic Preservation Tax Credit program and its use in conjunction with other initiatives (e.g., Downtown Development Districts, Low Income Housing Tax Credit).

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<sup>16</sup> Current plan available at <https://history.delaware.gov/wp-content/uploads/sites/179/2019/01/strategicPlanFY15.pdf>

- Explore development of new programs to help property owners preserve historic buildings and continue to investigate the development of a Threatened Historic Resource Program to address threats such as sea level rise and climate change.
- DHCA's State Historic Preservation Office (SHPO) will continue to work with partners and the public to implement the goals and strategies in the current statewide historic preservation plan,<sup>17</sup> including efforts to:
  - Strengthen, expand, and increase awareness of historic preservation programs.
  - Enhance or establish relationships among government programs that impact historic preservation, raising awareness of common goals that support preservation and appropriate treatment of natural and cultural resources.
  - Encourage inclusion of historic preservation values as a best practice in landscape and community planning and increase public awareness of proposed land use changes that may affect historic properties.
  - Support grassroots historic preservation initiatives in communities throughout the state.
  - Strive to make the best possible information on Delaware's historic resources widely available, including updating and improving data served through the Cultural and Historical Resources Information System (CHRIS)
  - Broadly communicate the value of Delaware's historic resources and the means through which they can be

preserved and enhanced, including promoting outreach to younger audiences.



### Housing Authority

- Delaware State Housing Authority (DSHA) continues to integrate the investment-level areas by tailoring programs based on the levels. For example, the Low-Income Housing Tax Credit program requires that proposals for newly constructing or rehabilitating affordable rental communities be located in Investment Levels 1, 2, or 3. The Housing Development Fund's homeownership loans and grants are also targeted to Levels 1,2, and 3.
- Assist in the revitalization of distressed neighborhoods and community development via the Downtown Development District program, which offers rebates to offset the cost of physical investment in designated downtown areas, targeted for revitalization to promote new commercial and residential growth.
- Continue to support broader community interventions through the Strong Neighborhoods Housing Fund (SNHF) to boost the impact of the DDD program and continued market recovery by redeveloping vacant and blighted lots that can have a negative impact on the entire neighborhood.
- Provide outreach to local communities of fair housing issues and importance of promoting diverse and inclusive communities.

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<sup>17</sup> Available at <https://history.delaware.gov/wp-content/uploads/sites/179/2019/02/2018-2022DelawareSHPOPlan.pdf>

- Emphasize the importance of planning for housing for all income levels through marketing and trainings, such as the successful partnership among DSHA, the University of Delaware's Institute for Public Administration (IPA), and the OSPC to conduct an annual course on housing as part IPA's Delaware Planning Education Program.
- Provide technical assistance and support to local communities on a wide range of housing and community-development initiatives.
- Provide public support to developments containing long-term affordable housing where appropriate.
- Preserve affordability of existing affordable housing to prevent displacement and protect public investment.
- Assist in the revitalization of distressed neighborhoods by encouraging businesses, firms, and individuals paying Delaware income tax—either personal or corporate—to invest in programs serving impoverished neighborhoods by offering tax credits to offset their Delaware tax liability.



### Natural Resources and Environmental Control

- Integrate public health and environmental outcomes into land-use decision-making by renewing commitment to air quality, water quality, and remediation of contaminated sites.
- Mitigate damaging and costly flooding by promoting smart stormwater practices and enhancing wetlands to increase their water retention and ecological value. As coastal storms and flooding become more severe due to more intense weather events and sea level rise, assist state agencies and local governments with data and technical assistance to plan for and prevent disasters and avoidable taxpayer expense.

- Work to improve water quality by supporting large municipal wastewater systems and discourage the use of community wastewater systems (particularly outside of identified growth areas) and strengthen regulations for individual on-site wastewater systems.
- Prevent damaging and costly inland flooding while recognizing the important role and maintaining the free ecological services of freshwater wetlands.
- Support sustainable and resilient communities that address climate change vulnerability, reduce greenhouse gas emissions, and identify sustainability practices through planning.
- Encourage green-building practices. This will maximize comfort, energy-efficiency, design, and sustainable construction.
- Evaluate need for revisions to technical standards and specifications for stormwater management.
- Work with school districts, DOE, OSPC, and Office of Management and Budget to ensure that schools and other state facilities are not built in flood prone areas or on sites subject to sea level rise impacts.



### Small Business

- Develop and adopt a comprehensive economic-development strategy that reflects investment-levels' priorities and strategies.

- As a segment of the comprehensive strategy, develop specific approaches to the sustainable reuse of underutilized industrial facilities.
- Continue and expand, where feasible, formal downtown and small business/entrepreneur development programs (e.g., Delaware on Main program support).
- Work with the business community, appropriate governmental agencies and nonprofit organizations to assist businesses in implementing energy-conserving technologies while providing opportunities to grow “green-based” businesses in Delaware.
- Review and, if necessary, realign business-development incentives to assure that they support the investment-level strategies. Enhance coordination/collaboration with county and municipal economic development operations to assure compliance with the investment-level priorities and strategies.
- Where feasible, target growth and expansion of clean/light industry statewide to areas most resilient to the impacts of climate change.



### State Facilities and Investments

- The state will promote locations for public facilities that will enhance community integrity and encourage the use of more than one transportation option. State investments in public facilities, such as schools, libraries, courts, and healthcare and public safety buildings, should be strategically located to foster community identity and vitality, and complement the historic character where appropriate. The focus of such locations will be in the Level 1 and 2 Areas.
- The location of public facilities in Level 3 and 4 Areas will be based on specific needs and conditions as warranted. Additionally, investments in Levels 3 and 4 will focus on parkland expansions, open-space purchase, green energy, and agricultural preservation where appropriate.



### Transportation

- DeIDOT will promote the use of the investment-level areas by targeting specific improvements in the various levels. For example: Shared-Use Path (SUP) and/or Sidewalk (SW) construction or related contributions, by a project requesting an Entrance Plan Approval (EPA), will consider the investment-level area and context of the project, such as traffic volume and/or whether the project abuts an existing SUP/SW facility, in accordance with the *Development Coordination Manual* (DCM). The requirements, which vary by investment-level area, are further defined in Chapter 3 of the DCM: *Section 3.5.4.2 Shared-Use Paths and Sidewalks*.
- Maintain the state’s current system in good repair.
- Continue to focus on improving the operational efficiency of the traffic-signal system.
- Prioritize financial resources to improve system performance that complements the *State Strategies*.

- Continue to focus on improving the ability of the transportation system to help protect the users from injury and death.
- Engage in more master planning with local governments. This can include the creation of Transportation Improvement Districts (TIDs) as a tool to implement master plans. Absent a master plan, TIDs can also be developed to prioritize and fund necessary transportation improvements to keep pace with growth.
- Prioritize resource commitments with local governments in order to implement adopted master plans.
- Enhance efforts to meet the changing needs of senior travelers (e.g., larger text size on street signs, longer pedestrian crossing signal times, paratransit).
- Specifically focus on creating an inventory of pedestrian facilities (sidewalks) and then filling in any gaps.
- Collaborate to link cities and towns by a network of off-alignment multi-use paths that can be used by commuters in addition to recreational pedestrians and bicyclists.
- Reduce the rate of growth of vehicle miles traveled (VMT) as a result of all these efforts plus the efforts of businesses to reduce business-related travel.
- Focus on meeting the needs of travelers that have impediments.
- Collaborate in efforts to manage stormwater more effectively.
- Continue to support the State's six designated byways programs under their Corridor Management Program, including further consideration to nominate the Delaware Bayshore Byway as an All-American Road or National Scenic Byway for heightened exposure that Delaware hosts "one of a kind" intrinsic resources.
- DeIDOT is required by Delaware Code Title 29, Chapter 84 (Section 8419) to use a "criteria-based" prioritization process to assist development of its Capital Transportation Program (CTP). Originally established in 1998, DeIDOT's project prioritization process has been updated several times, most recently in December 2013. In early 2019, DeIDOT decided to consider revising the prioritization process due to 1) the opportunity to include additional "data driven" elements, and 2) the ability to include more comprehensive data sources for some of the factors.  
  
DeIDOT Planning staff has been working with the members of the Delaware Council on Transportation (COT; <https://deldot.gov/Programs/cot/index.shtml>) on this process of updating and revising the CTP Project Prioritization Process. Several refinements to the current project prioritization process are being considered, in an attempt to highlight improved "data driven criteria and elements" as well as taking advantage of newer, more recent sources of data. Some of the updates being considered include safety criteria, existing congestion levels, economic impact, and social and health related elements. The proposed DeIDOT CTP Enhanced Prioritization Process is currently being considered for approval by the Delaware Council on Transportation in 2020. The plan is available on DeIDOT's website here: <https://deldot.gov/Publications/reports/CTP/index.shtml>
- Work with sister agencies to better understand how to be prepared for possible climate changes and related effects.
- Continue collaborative efforts with local governments and related industries to create more sustainable communities.

## Appendices

- A. Executive Order 42, July 23, 2020
- B. Land Use Planning Milestones
- C. State Agency Policies by Investment Level
- D. The Fine Print
- E. Spatial Data Analysis
- F. Absorption Analysis
- G. Sea Level Rise Map
- H. Flood Risk Adaptation Map (FRAM)
- I. Strategies Maps 1999, 2004, 2010, and 2015
- J. Websites and Links of Interest

## Appendix A: Executive Order 42, July 23, 2020



**EXECUTIVE ORDER  
NUMBER FORTY-TWO**

**TO: HEADS OF ALL STATE DEPARTMENTS AND AGENCIES**  
**RE: DELAWARE STRATEGIES FOR STATE POLICIES AND SPENDING**

**WHEREAS**, land use policy plays a critical role in building strong local communities, supporting diverse economic opportunities and providing a high quality of life for residents and businesses today and those considering whether to locate in Delaware in the future; and

**WHEREAS**, the State has a responsibility to the taxpayers of the State of Delaware to ensure that each tax dollar is appropriately utilized; and

**WHEREAS**, private businesses base their long-term investment decisions on transparent, predictable, sustainable growth strategies in areas with high quality communities and adequate infrastructure; and

**WHEREAS**, all Delaware counties and incorporated municipalities must prepare comprehensive plans to encourage appropriate uses of physical and fiscal resources and to coordinate growth, development, and infrastructure investment actions with those of other local governments and the State; and

**WHEREAS**, State government plays a critical role in supporting the implementation of these comprehensive plans through its capital investment program, funding of schools, allocation of grants and loans, purchase of open space and development rights, and distribution of state resources; and

**WHEREAS**, the Delaware Strategies for State Policies and Spending are found in the adopted and certified comprehensive plans of local governments in Delaware and are intended to provide coordination of expenditures of tax dollars in support of the implementation of these comprehensive plans; and

**WHEREAS**, the investment of State taxpayer dollars should be strategically and purposefully directed to areas that maintain or enhance economic opportunity and community well-being while protecting and restoring the natural environment upon which citizens and economies depend; and

**WHEREAS**, Delaware’s cities and towns have significant capacity for growth and opportunities for the redevelopment of brownfields, greyfields, and other sites near existing infrastructure; and

**WHEREAS**, Delaware is continuously working to create greater economic opportunities in our communities, while protecting the health of our residents, maintaining clean air and water, and preserving quality open space; and

**WHEREAS**, agriculture is a vital part of Delaware’s economy and should be supported to remain viable and profitable; and

**WHEREAS**, there is a need to expand the array of housing and transportation, provide infrastructure more cost-effectively, and enable older citizens to live independently; and

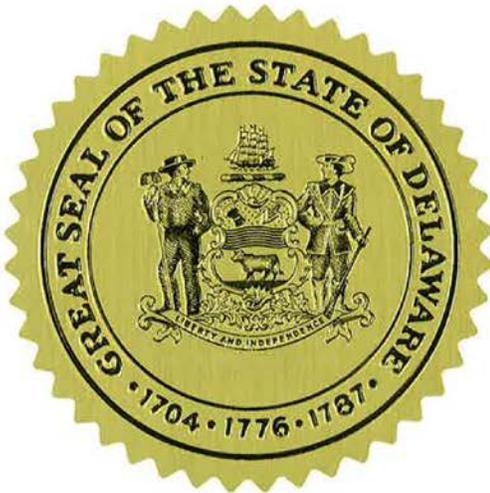
**WHEREAS** the Cabinet Committee on State Planning Issues released draft 2020 Strategies for State Policies and Spending and accompanying maps for public review and comment on April 1, 2020 on the Office of State Planning Coordination’s website and held two online public workshops attended by representatives from local governments and the public; and

**WHEREAS**, on June 1, 2020, the Cabinet Committee on State Planning Issues approved the updated Strategies for State Policies and Spending to ensure efficient, rational and cost-effective investment in necessary infrastructure.

**NOW, THEREFORE, I, JOHN C. CARNEY**, by virtue of the authority vested in me as Governor of the State of Delaware, do hereby **DECLARE** and **ORDER** the following:

1. The Office of State Planning Coordination shall publish online, the updated Strategies for State Policies and Spending document (the “Strategies document”) and maps, including geospatial data (with full metadata) representing the various Investment Level areas recommended in the Strategies document.
2. All state departments and agencies shall use the Strategies document and maps as a guide for making relevant decisions on policy, infrastructure and other investments, and resource management.
3. The Office of Management and Budget shall use the Strategies document and maps as a guide in developing and reviewing state department and agency spending plans.
4. The Strategies document and maps shall be made available to all county and municipal government agencies for use in their planning-related endeavors, including, but not limited to, comprehensive plan development and strategic planning.
5. The Strategies document and maps shall be used in the Preliminary Land Use Service (PLUS) process as a tool for helping developers, landowners, and local governments create efficient, rational and complete communities or smart-growth development options in those areas most ready to receive and serve new development.

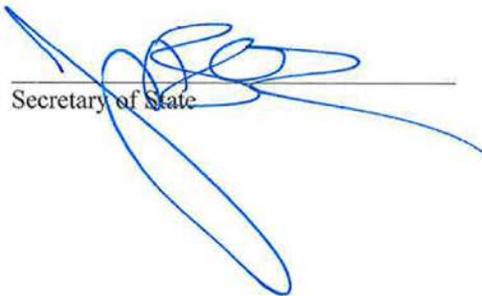
6. The Office of State Planning Coordination shall, in conjunction with the Cabinet Committee on State Planning Issues, plan for and complete an update of the Strategies document and maps no later than five years from the effective date of this order.
7. Executive Order No. Fifty-Nine signed by Governor Markell on April 14, 2016 is hereby rescinded.



APPROVED this 23<sup>rd</sup> day of July 2020.

  
\_\_\_\_\_  
John C. Carney  
Governor

ATTEST:

  
\_\_\_\_\_  
Secretary of State

## Appendix B: Land-Use Planning Milestones

- 1959** Delaware establishes the State Planning Council, which is charged with developing the Preliminary Comprehensive Development Plan, detailing the most desirable pattern of land use, and defining a transportation plan, an open-space plan, and a public facility plan for the state.
- 1968** The Delaware State Planning Office submits its 1967 *Preliminary State Comprehensive Development Plan*, which contains a generalized land-use map for the entire state.
- 1971** Governor Russell Peterson signs the landmark Delaware Coastal Zone Act into law. The act protects Delaware’s coastal areas from the destructive impacts of heavy industrialization and offshore bulk product transfer facilities.
- 1976** The Delaware Tomorrow Commission issues its report. Among the commission’s goals are to discourage sprawl in new community development, to preserve prime farmland, and to encourage the use of existing, unused industrial sites and buildings. The commission concluded that the time had come to supplement the original Coastal Zone Act with a comprehensive statewide land use planning act.
- 1987** The legislature passes the Unmarked Human Remains Act, providing protections for human remains that are discovered due to land development or other activities.
- 1988** The legislature passes the Quality of Life Act, which stems from Shaping Tomorrow’s Environment Today. The act requires regular revision of county comprehensive plans.
- 1994** Governor Thomas R. Carper establishes the Cabinet Committee on State Planning Issues.
- 1994–95** Shaping Delaware’s Future statewide planning effort and report began an extensive public outreach effort to create a vision for Delaware in the 21st Century.
- 1995** Governor Carper establishes the Office of State Planning Coordination (OSPC), which was disbanded under a previous governor. This restructuring allows the OSPC to provide timely and effective land-use planning comments to county and municipal planning departments so they, in turn, can weigh the State’s opinion before making decisions. The OSPC staffs the Cabinet Committee on State Planning Issues.
- 1995** Governor Carper and the 138th General Assembly approved House Bill 700 to begin funding the Delaware Agricultural Lands Preservation program that was created under Governor Mike Castle in 1991. As of April 14, 2015, the program has spent over \$208 million to permanently preserve over 116,223 acres of crop and forestland.
- 1996** The General Assembly amends the Land Use Planning Act to strengthen the State’s commenting process on major development proposals.

- 1998** House Bill 396 contains a new provision that differentiates planning guidelines for small (fewer than 2,000 residents) and large (more than 2,000 residents) municipalities, provides for plans to serve as the basis for development of zoning regulations, gives plans the force of law, sets timelines for reviews and updates, and for the first time includes protection for historic and cultural resources.
- 1999** The Cabinet Committee on State Planning Issues approves the first *Strategies for State Policies and Spending*. The document was developed collaboratively with local governments based on their comprehensive plans and state development policies. It was also the first time that maps were produced using Geographic Information Systems (GIS) to map out how the State could support certain types of development based on location.
- 2001** House Bill 255 gives comprehensive plans legal status and requires that zoning must be consistent with future land-use recommendations within eighteen months of a plan's adoption. Plans must be updated every five years (this has since been changed to every ten years). Annexation must be consistent with certified plans. The State must certify plans to ensure that local plans are consistent with the *Strategies for State Policies and Spending*.
- 2001** The legislature passes the Historic Preservation Tax Credit program, providing incentives for the preservation of qualified historic resources. The program has been reauthorized through 2025.
- 2004** Senate Bill 65 replaced the Land Use Planning Act (LUPA) by creating the Preliminary Land Use Service (PLUS) process. This process enables state agencies to meet monthly and review and comment on development projects and comprehensive plans during the preliminary stages of development.
- 2004** The update to the 1999 *Strategies for State Policies and Spending* was published.
- 2004** Senate Bill 305 ties the location of schools to the Delaware *Strategies for State Policies and Spending* by establishing a school-site review process. The intent is to make sure that schools are located near existing or planned-for infrastructure. The approval of school-site locations is now required from the Director of the Office of Management and Budget, the Secretary of Education, and the Director of the Office of State Planning Coordination.
- 2005** Governor Minner established the State's Forestland Preservation program. The program received \$1.45 million of funding in 2007 to preserve 1,365 acres of forestland but has not received funding since.
- 2010** The update to the 2004 *Strategies for State Policies and Spending* was published.
- 2011** Senate Bill 126 inserted specific references to the use and update of *Strategies for State Policies and Spending* as the main policy guide to the State's land-use goals, policies, and strategies.

- 2011** Governor Markell created the state’s Young Farmer Loan Program. This program was the first of its kind in the nation. As of April 14, 2015, 25 loans totaling \$6 million have been made to Delaware young farmers to purchase 2,121 acres.
- 2013** Executive Order 41 was signed by Governor Markell and created a Governor’s Cabinet Committee on Climate and Resiliency (CCoCaR). The charge of this committee is to develop agency-specific actionable recommendations for improving Delaware’s preparedness and resiliency to climate impacts. It also directed state agencies to avoid and minimize flood risks in its siting of structures and infrastructures. Additionally, as a result of the work undertaken in Executive Order 41, the OSPC and the Delaware Department of Natural Resources and Environmental Control (DNREC) are working together to include sea level rise as a specific planning component of municipal comprehensive plans.
- 2014** The General Assembly passed Senate Bill 191, the Downtown Development Districts Act of 2014 (the Act), which was subsequently signed by Governor Markell. The Downtown Development Districts (DDD) program aims to revitalize the downtown “Central Business District”<sup>18</sup> in selected city, town, and county areas through the use of economic and other incentives. Under the Act, investors (both nonprofit and for-profit) who make qualified real estate improvements in a District would be entitled to receive DDD grants of up to 20 percent of their “hard costs” such as exterior, interior, and structural improvements. The bill also amended the Historic Preservation Tax Credit program, setting aside credits for projects within DDDs.
- 2015** The Resilient and Sustainable Communities League (RASCL) is created. RASCL is a partnership of state agencies, nonprofit organizations, and academia formed to coordinate and make sure that resiliency building services offered by league members align with and meet the needs of Delaware’s local governments. This is a critical concern, since there is a growing urgency for more resilient communities in the face of natural hazards and climate impacts, but also because state resources are limited, and they must be used to the maximum effect.
- 2017** Governor Carney announced that Delaware joined the U.S. Climate Alliance, a coalition of states committed to upholding the Paris Agreement to combat climate change. The Paris Agreement calls for the U.S. to achieve a 26-28 percent reduction of emissions, from 2005 levels, by 2025. Delaware will continue its commitment to reduce greenhouse gas emissions and transition to clean energy, which will provide economic opportunity for Delawareans and offer significant public health and environmental benefits. As part of the agreement, Delaware will track and report progress, and accelerate new and existing policies to reduce carbon pollution and promote clean energy deployment at the state and federal level.

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<sup>18</sup> Central Business District: An area around the downtown portion of the city or town allowing for higher intensity residential uses as well as commercial, office, personal services, governmental, and similar uses intended to serve the community and surrounding.

### 2019

The Delaware Population Consortium (DPC) is codified. The population projections produced by the Delaware Population Consortium are indispensable to many planning and forecasting processes throughout the state. However, the DPC was not formalized or adopted by the State as the authority for population, housing, and employment projections until this year. Senate Bill 7, an Act to Amend Title 29 of the Delaware Code Related to the Delaware Population Consortium, was signed into law on May 14, 2019, and became effective in November 2019. This new legislation formalizes the DPC, identifies its membership and work products, and requires that all counties, municipalities, school districts, and state agencies use the DPC projections for planning and policy purposes.

## Appendix C: State Agency Policies by Investment Level

### Level 1 Investment Decisions

Agency decisions about investments in Level 1 Areas are based on the following:

- **Agriculture** – Expand the availability of locally grown, fresh fruits and vegetables through the development and management of the Delaware Grown brand, the Delaware Council on Farm and Food Policy, farmers’ markets, and the US Department of Agriculture Senior Farmers’ Market Nutrition Program. Increase the planting and conservation of trees within cities, towns, and communities through the urban and community forestry program. Promote the use of nutrient best management practices (BMP) in turf and landscape management to improve water quality. Work with partners to promote agricultural literacy in schools and urban areas.
- **Education** – It is the goal of the Department of Education (DOE) to direct new school construction to areas that will integrate school facilities into the communities and neighborhoods they serve. DOE recognizes the integral role of educational facilities within communities. As such, DOE seeks to ensure that residential growth that generates additional demand on educational facilities is managed and planned with adequate educational infrastructure in mind.
  - Where possible, retrofit and renovate older schools that still serve the community in the general proximity.
  - Ensure adequate civil infrastructure availability to accommodate current and future educational facilities.
  - Ensure transportation-system connections and availability to support multimodal access within the community, to include, but not limited to, walking paths, bike paths, and safe pedestrian grade crossings.
  - Ensure transportation system adequacy to accommodate bus and delivery-vehicle traffic to current, planned, or potential educational facilities.
  - Provide recreation and athletic facilities and opportunities to the communities served.
- **Historic and Cultural Affairs** – Historic resources are found in all areas of the state and are non-renewable. Level 1 has particularly high concentrations of historic buildings and structures of different periods and types, many of which are in National Register-listed historic districts. Successive periods of development give these areas rich character. Focus reinvestment to revitalize neighborhoods with rehabilitation and adaptive reuse of historic buildings and appropriate infill.

Efforts to identify and consideration of potential effects to these resources is strongly recommended early in the planning process. Federal law requires such planning and consideration when federal funding, permitting, or other approvals are involved in a project. State and federal preservation tax credits are available to assist in rehabilitation and adaptive reuse of qualified historic buildings and can be used in conjunction with other kinds of incentives, such as low-income housing credits and the Downtown Development District program. Most of the state’s seven Certified Local Governments (CLGs) are predominantly composed of areas designated Level 1, including New Castle County, the City of New Castle, Wilmington, Dover, Milton, and Lewes. CLGs may provide additional incentives and protections for historic resources in their jurisdictions.

- **Housing Authority** – Support the development of a broad mix of housing options to meet the needs of people of all abilities, income levels, and housing types. Coordinate the provision of housing with the location of jobs, transit, services, and infrastructure. This can be realized by incorporating design elements such as widened sidewalks, open space, access to transit, interesting building facades, and a mix of uses. Form-based codes, which focus on physical form and less on building type, can also achieve higher-quality design outcomes—High quality design is particularly important for compact and multi-family housing to ensure compatibility with a community’s existing character and improved quality of life. To buffer market forces that can result in displacement and to protect public investment, use incentives and programs to ensure long-term affordability in new construction and preserve affordability in existing housing.  
  
Emphasize infill and redevelopment of vacant and under-utilized parcels within developed areas. Successful infill can provide additional density in a manner that fits the existing context and maximizes the use of existing public infrastructure. Promote rehabilitation of aging housing stock to improve existing communities.  
  
Level 1 Areas have many long-term vacancies and abandoned homes, particularly in downtown areas. Emphasize infill and redevelopment of vacant and under-utilized parcels within downtowns and distressed neighborhoods. Successful infill can provide additional density in a manner that fits the existing context and maximizes the use of existing public infrastructure. Promote rehabilitation of aging housing stock to improve existing communities.  
  
Utilize collaborative measures to restore and revitalize these distressed areas through a variety of acquisition, strategic code-enforcement, rehabilitation, and community-development measures.
- **Natural Resources and Environmental Control** – Focus on existing water and wastewater systems for improved efficiency, enhanced water-quality management, and additional capacity for redevelopment and infill. Encourage “green building” practices. Support development and maintenance of recreational and open-space facilities, including urban parks and recreational areas, waterfronts, and interconnectivity through greenways, bikeways, and so forth. Provide grants and funding for water and wastewater, parks acquisition and development, greenways and trails, recycling, brownfields, and “green building” incentives. Support remediation of contaminated sites including brownfields to protect public health, safety, and the environment. Encourage the remediation and reuse of brownfields, ranging from redevelopment for businesses or residential space to utilization as green spaces such as parks or community gardens. Prioritize the use of nature-based solutions or green infrastructure and avoid developing in flood prone areas or where sea level rise impacts are anticipated, as the preferred means to improve resiliency to climate change. Provide grants and funding to plant new trees within community open spaces, control invasive species, maintain existing resources, promote connectivity of open areas, promote recycling, and support cleanup and redevelopment of contaminated sites such as brownfields to protect health, safety, and the environment. Supports job creation and community education on environmental issues.
- **Safety and Homeland Security** – Enhanced policing through grants, bike cops, and satellite offices. Investment Level 1 is a priority area for locating future facilities.
- **Small Business** – Focus new and expansion projects on facilities or sites located in Level 1 and Level 2 Areas. Also, promote the retention and expansion of existing businesses. Consider providing enhanced incentives to those projects that select locations in Level 1 or Level 2 Areas.

Work with communities, property owners, federal and state agencies, and developers to identify and promote the redevelopment and reuse of underused, abandoned, or “brownfield” sites, in a manner consistent with the Investment Level 1 and Level 2 Areas’ character and needs. Aggressively seek alternative funding for development/redevelopment projects in Level 1 and 2 Areas.

Promote capital investment in census tracts that have been designated as Opportunity Zones, which are largely located in Investment Levels 1 and 2.

- **State Facilities and Investments** – Investment Level 1 Areas are priority locations for new public uses and expanded existing uses. State investments in public facilities, such as libraries, courts, and healthcare and public-safety buildings, should be strategically located to foster community identity and vitality, and complement the historic character. Additionally, they should encourage green building and recycling practices.
- **State Planning Coordination** – The Office of State Planning Coordination (OSPC) works to improve the coordination and effectiveness of land-use decisions made by state, county, and municipal governments. One of the OSPC’s primary tools for achieving this is through the Preliminary Land Use Services (PLUS) review process. This a monthly technical review process for state agency planners to give input on local land-use issues including subdivisions and comprehensive plan reviews. State agencies view development proposals and the location of public facilities in Investment Levels 1 and 2 most favorably in PLUS reviews. OSPC also encourages what is considered appropriate development in these areas with efforts that have centered around the concept of “complete communities” described in the Moving Forward and Recommendations section of the *Strategies for State Policies and Spending* document, which encompasses a whole host of projects such as master planning, healthy communities, climate resiliency, and Downtown Development Districts.
- **Transportation** – In Level 1 Areas the State’s highest priorities will be preserving existing facilities and making safety improvements. Other priorities in Level 1 Areas will include context-sensitive transportation system-capacity enhancements; transit system enhancements; ADA accessibility; and closing gaps in the pedestrian system, including the Safe Routes to School projects. Level 1 Areas are prioritized to effectively benefit from planning projects and studies, bicycle facilities, signal-system enhancements, the promotion of interconnectivity of neighborhoods, and public facilities. Investment Level 1 areas are ideal locations for Transportation Improvement Districts and Complete Community Enterprise Districts. Additionally, street design and site access in Level 1 Areas should be compatible with the context of an area. It should also be noted that the Delaware Department of Transportation (DelDOT) requires that all projects requesting an Entrance Plan Approval (EPA) within Investment Level 1 Areas provide for Shared-Use Path (SUP) and/or Sidewalk (SW) construction, or related contributions, which shall be tailored to take into account the context of the project in accordance with the *Development Coordination Manual* (DCM) Chapter 3: *Section 3.5.4.2 Shared-Use Paths and Sidewalks*. Level 1 is the highest priority for transit system enhancements for operational and capital investments.

### Level 2 Investment Decisions

Agency decisions about investments in Level 2 Areas are based on the following:

- **Agriculture** – Expand the availability of locally grown, fresh fruits and vegetables through the development and management of the Delaware Grown brand, the Delaware Council on Farm and Food Policy, farmers’

markets and the USDA Senior Farmers' Market Nutrition Program. Increase the planting and conservation of trees within cities, towns, and communities through the urban and community forestry program. Promote the use of nutrient best management practices (BMP) in turf and landscape management to improve water quality. Work with partners to promote agricultural literacy in schools and urban areas.

- **Education** – It is the goal of DOE to direct new school construction to areas that will integrate school facilities into the communities and neighborhoods they serve. DOE recognizes the integral role of educational facilities within communities. As such, DOE seeks to ensure that residential growth that generates additional demand on educational facilities is managed and planned with adequate educational infrastructure in mind.
  - Where possible, retrofit and renovate older schools that still serve the community in the general proximity.
  - Ensure adequate civil infrastructure availability to accommodate current and future educational facilities.
  - Ensure transportation-system connections and availability to support multimodal access within the community, to include, but not limited to, walking paths, bike paths, and safe pedestrian grade crossings.
  - Ensure transportation system adequacy to accommodate bus and delivery-vehicle traffic to current, planned, or potential educational facilities.
  - Provide recreation and athletic facilities and opportunities to the communities served.
- **Historic and Cultural Affairs** – Historic resources are found in all areas of the state and are non-renewable. Level 2 is similar to Level 1, with a number of smaller towns having National Register-listed historic districts and individually listed resources, particularly historic buildings and structures. Efforts to identify historic resources and consideration of a project's potential effects are strongly recommended early in the planning process. Federal law requires such planning and consideration when federal funding, permitting, or other approvals are involved in a project. State and federal preservation tax credits are available to assist in rehabilitation and adaptive reuse of qualified historic buildings and can be used in conjunction with other kinds of incentives, such as housing credits and the Downtown Development District program. Delaware City, another of the state's Certified Local Governments (CLG), is composed of areas designated Level 2 and 3, and provides additional protections for historic resources in its jurisdiction.

Because rapid growth in some Level 2 areas is expanding into historically rural areas, historic farmsteads and areas with higher archaeological site potential can be adversely affected. Historic family cemeteries and unmarked cemeteries are often associated with farmsteads and are of particular concern; state law provides some protections. Preservation in place is encouraged, using large lots to retain historic building concentrations, such as farmsteads. Incorporate resources into new development while preserving their immediate contexts. Use historic landscape patterns as a basis for new development. Identify and avoid archaeological sites and cemeteries, using designated open-space areas to protect these resources.
- **Housing Authority** – Support residential growth supplemented with infrastructure and essential neighborhood services. Continue to encourage a broad mix of housing options, such as small single-family detached, duplexes, and townhomes, to meet the diverse needs of all income ranges and household types. In some areas, Level 2 may be appropriate for more compact development, once areas are built out and utilities are available. Also, rehabilitation efforts are needed to ensure safe and habitable housing.

Some areas of Level 2 also are experiencing the lingering effects of the foreclosure crisis through loss of homeownership and increased and longer-term vacancies and abandoned homes. Measures will be needed here to restore homeownership.

- **Natural Resources and Environmental Control** – Focus on water and wastewater systems where logical, or where they would prevent future environmental or health risks. Protect critical waterways, promote establishment of greenways, and minimize fragmentation by promoting green corridors between more intensely developed areas. Promote green building practices. Provide grants and funding to plant new trees within community open spaces, control invasive species, maintain existing resources, promote connectivity of open areas, promote recycling, and support cleanup and redevelopment of contaminated sites such as brownfields that could be repurposed and utilized as open green space/parks, urban farms, gardens, or community composting sites. Brownfield sites also could be considered for cleanup and redevelopment with solar array installation for energy production (supports State’s alternative energy goals). Prioritize the use of nature-based solutions or green infrastructure and avoid developing in flood-prone areas or where sea level rise impacts are anticipated as the preferred means to improve resiliency to climate change. DNREC supports job creation and community education on environmental issues.
- **Safety and Homeland Security** – Top priority for locating emergency medical services (EMS). Resource development or reallocation of emergency medical, fire, and law-enforcement services to sufficiently respond to increased calls for service as population increases.
- **Small Business** – Focus on locating large, high-quality employers in Investment Level 2 Areas where the availability of sites close to infrastructure, services, and existing residences makes such locations viable. Also, promote the retention and expansion of existing businesses. Consider providing enhanced incentives to those projects that select locations in Level 2 Areas.

Work with communities, property owners, federal and state agencies, and developers to identify and promote the development of select greenfield locations for business and manufacturing parks that can take advantage of existing infrastructure with minimal expansion. Seek to reuse underused, abandoned, or “brownfield” sites, in a manner consistent with the Investment Level 2 Areas’ character and needs. Aggressively seek alternative funding for development/redevelopment projects in Level 2 Areas consistent with the desire to utilize existing infrastructure to the greatest extent possible.

Promote capital investment in census tracts that have been designated as Opportunity Zones, which are largely located in Investment Levels 1 and 2.

- **State Facilities and Investments** – Investment Level 2 Areas also are priority locations for new public uses and expanded existing uses. State investments in public facilities, such as libraries, courts, and healthcare and public-safety buildings, should be strategically located to foster community identity and vitality. Additionally, they should encourage green building and recycling practices.
- **State Planning Coordination** – The OSPC works to improve the coordination and effectiveness of land-use decisions made by state, county, and municipal governments. One of the OSPC’s primary tools for achieving this is through the PLUS review process. This a monthly technical review process for state agency planners to give input on local land-use issues including subdivisions and comprehensive plan reviews. State agencies view development proposals and the location of public facilities in Investment Levels 1 and 2 most favorably in PLUS reviews. OSPC also encourages what is considered appropriate development in these areas with efforts that have centered on the concept of “complete communities” described in the Moving Forward and

Recommendations section, which encompasses a whole host of projects such as master planning, healthy communities, climate resiliency, and Downtown Development Districts.

- **Transportation** – Level 2 Areas share similar priorities as with the Level 1 Areas where the aim remains to: make context-sensitive transportation system-capacity enhancements; preserve existing facilities; make safety enhancements; make transportation system-capacity improvements; create transit system enhancements; ensure ADA accessibility; and, close gaps in the pedestrian system, including the Safe Routes to School projects. Investment Level 2 areas are ideal locations for Transportation Improvement Districts as well as Complete Community Enterprise Districts. Other priorities for Level 2 Areas include Corridor Capacity Preservation; off-alignment multi-use paths; interconnectivity of neighborhoods and public facilities; and signal-system enhancements. In Level 2, review market demand for efficient and effective transit system enhancements, both operational and capital.

### Level 3 Investment Decisions

Agency decisions about investments in Level 3 Areas are based on the following:

- **Agriculture** – Foster and support the long-term needs of traditional production agriculture and forestry activities, as well as the needs of niche and small-scale production agriculture. This support will include such efforts as:
  - Expanding the availability of locally grown, fresh fruits and vegetables through the development and management of the Delaware Grown brand, the Delaware Council on Farm and Food Policy, on-farm markets, and the USDA Senior Farmers' Market Nutrition Program.
  - Helping ensure a safe food supply through farm visits and educational programs.
  - Identifying and pursue agricultural development opportunities such as retention and expansion of processing companies, forest industries, institutional and retail food operations, and agricultural cooperatives.
  - Maintaining and improve the health of forests and related resources through the forest stewardship program and expanding forest industry.
  - Continuing to improve water quality by working with farmers to implement additional agricultural best management practices (BMPs) including conservation tillage and increased cover crop plantings.
  - Supporting the continued success of existing farmland and forest land-preservation activities including the Young Farmer Loan Program, to help ensure the generational succession of farms and farming operations.
- **Education** – DOE recognizes the integral role of educational facilities within communities. As such, DOE seeks to assure that residential growth, which generates additional demand on educational facilities, is managed with adequate educational infrastructure in mind as a part of growth plans. Proposals to develop Investment Level 3 should be carefully evaluated to determine their impact on educational-infrastructure phasing and land-use patterns in the area.
  - It is the goal of DOE to direct new school construction to areas that will integrate school facilities into the communities and neighborhoods they serve. Educational facilities proposed to be constructed in Investment Level 3 will be redirected into Investment Level 1 and 2 Areas to the extent possible. Educational facilities will be considered for construction in Investment Level 3 Areas, provided that:

- They have reasonable access to adequate civil infrastructure (water, sewer, etc.) as well as public support services (police, fire, and emergency medical services).
- They have reasonable access to transportation-system connections in order to support reasonable multimodal access to the facility, to include, but not limited to, walking paths, bike paths, and safe pedestrian-grade crossings.
- They have reasonable access to a transportation system that is adequate to accommodate bus and delivery-vehicle traffic.
- They provide reasonable recreation facilities and opportunities to the communities served.
- **Historic and Cultural Affairs** – Historic resources are found in all areas of the state, including areas considered part of a natural setting, and are non-renewable. Historic buildings and structures are less concentrated in Level 3 areas, but there is greater concern for preservation of rural cultural landscapes that protect setting, archaeological sites, and cemeteries. Level 3 areas contain National Register-listed rural historic districts and individually listed resources. Efforts to identify historic resources, landscape patterns, and relationship to natural resources is needed early in the process of developing master plans for future development areas. Consideration of a project’s potential effects to these resources and proactive preservation measures are strongly recommended. Federal law requires such planning and consideration when federal funding, permitting, or other approvals are involved in a project. State and federal preservation tax credits are available to assist in rehabilitation and adaptive reuse of qualified historic buildings, including farm outbuildings.

Historic farmsteads, historic rural cultural landscapes, and areas with higher archaeological site potential can be adversely affected by development. Historic family cemeteries and unmarked cemeteries are often associated with farmsteads and are of particular concern; state law provides some protections. Preservation of larger landscapes and rural settings is encouraged with the retention of historic features, such as tree lines, hedge rows, circulation patterns, and outbuildings. Where preservation of landscape elements and overall setting is not possible, as much of the core of the farmstead as possible should be preserved in place and landscape buffers installed to protect it from visual and noise intrusions. Preservation in place of archaeological sites and historic cemeteries within designated open space is recommended.

- **Housing Authority** – Level 3 Areas are characterized by low density and rural homes, which may or may not be served by public utilities. New housing development in the short term would, in most cases, represent leapfrog development, which would be undesirable. In the longer term, these areas may be desirable for a variety of housing types, styles, and densities in conjunction with local government comprehensive plans. In some areas, Level 3 may be appropriate for compact development once Level 2 Areas are built out and utilities are available. In other areas, Level 3 may be more appropriate as low-density housing that serves as a transition from more urban/suburban areas to the rural areas in Level 4. It is important to ensure that housing is constructed in conjunction with needed infrastructure and services. State resources would be used only to support the rehabilitation of existing homes.

Level 3 Areas are likely to contain some abandoned or partially completed subdivisions as lingering effects of the foreclosure crisis. Current market demand, demographic trends, and changing consumer preferences indicate there will be less demand for large-lot homes—particularly in partially built subdivisions that are now considered to be a risk for potential buyers. Various strategies, depending on the viability of the

subdivision, will include sunsetting<sup>19</sup> unbuilt subdivisions, converting some of the partially built subdivisions back to agriculture uses, or if they contain infrastructure, replatting<sup>20</sup> for a smaller, but viable, market segment.

- **Natural Resources and Environmental Control** – Extend existing or create new water and wastewater systems where logical, or where they would prevent future environmental or health risks. Protect critical waterways, promote establishment of greenways, and minimize fragmentation by promoting green corridors between more intensely developed areas. Emphasize the protection of critical natural habitat and wildlife with forest and wetland buffers, aquifer recharge, and stormwater management/drainage areas. Prioritize the use of nature-based solutions or green infrastructure and avoid developing in flood-prone areas or where sea level rise impacts are anticipated as the preferred means to improve resiliency to climate change. Encourage the remediation of contaminated sites including brownfields to protect public health, safety, and the environment. Brownfield sites also could be considered for cleanup and redevelopment with solar array installation for energy production (supports State’s alternative energy goals). These contaminated and underutilized properties could be repurposed and utilized as open green space/parks, urban farms, gardens or community composting sites. Supports job creation and community education on environmental issues. Promote “green building” practices. Provide grants to promote recycling. Include planning and infrastructure considerations for future waste processing or recycling facilities. Construction and demolishing debris (C&D) processors and C&D reuse facilities would support “green building” initiatives. Financial assistance to correct local government’s public health and existing environmental problems, for water and wastewater facilities in Investment Level 3, will be considered on a case-by-case basis. Otherwise, financial assistance will be prioritized in Investment Level 1 and 2 Areas before considering Investment Level 3.
- **Safety and Homeland Security** – Focused measures to reduce response time. Resource development or reallocation of emergency medical, fire, and law-enforcement services to sufficiently respond to increased calls for service as population increases including the possibility for new facilities.
- **Small Business** – Focus on agribusiness and forestry activities that complement and enhance agriculture in these areas. Visitor-industry development, such as heritage, ethnic, and agri-tourism festivals, events, and similar operations, may be appropriate uses that would provide employment opportunities and produce additional income.

Some rural census tracts that have been designated as Opportunity Zones are quite large and contain some areas that are in Investment Levels 3 and 4. Encourage development and redevelopment in the portions of those tracts that are located in Investment Levels 1 and 2, except for investment in agricultural industries that are appropriate in Investment Level 4.

- **State Facilities and Investments** – Depending on needs and conditions, investments in these areas will focus on parkland expansions, open-space purchase, green energy, and facility maintenance. Other types of investments will depend on long-term plans.

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<sup>19</sup> **Sunset Law** – A provision shutting off a program on a specific date, requiring reexamination and a fresh authorization prior to that date to continue. (A Planner’s Dictionary)

<sup>20</sup> **Plat** – To increase or decrease the number of lots in a subdivision. (A Planner’s Dictionary)

- **State Planning Coordination** – The OSPC works to improve the coordination and effectiveness of land-use decisions made by state, county, and municipal governments. Though state policies can support growth in these areas, the state views these areas more on a long-term basis. Investment Levels 1 and 2 are the primary focus due to the limited basis of resources, and Level 3 is where the state prefers to see intergovernmental planning for growth so that future resources can be anticipated. It is here that the State will encourage the likes of master planning for the purpose of anticipating growth. Level 3 may also indicate the presence of environmental features that should be taken into consideration as properties are developed.
- **Transportation** – The priorities in the Level 3 Areas are for DeIDOT to focus on regional movements between towns and other population centers. DeIDOT also supports the development and implementation of Transportation Improvement Districts in Investment Level 3 areas. Developers and property owners will make local roadway improvements as development occurs. Lower priority is given to transportation system-capacity improvements and transit-system enhancements. It should also be noted that DeIDOT requires that all projects requesting an Entrance Plan Approval (EPA) within Investment Level 3 Areas be evaluated on the basis of the context of the project and surrounding conditions, such as traffic volumes and whether the project abuts an existing Shared-Use Path (SUP) and/or Sidewalk (SW) facility. DeIDOT will require projects to provide for SUP/SW construction, where deemed applicable, in accordance with the *Development Coordination Manual* (DCM) Chapter 3: *Section 3.5.4.2 Shared-Use Paths and Sidewalks*. In Level 3, a lower priority is given to transit system enhancements for traditional fixed route services; research market demand and resource support for non-traditional service delivery options, such as community partnerships, microtransit options, vanpools, etc.

### Level 4 Investment Decisions

Agency decisions about investments in Level 4 Areas are based on the following:

- **Agriculture** – Maintaining agriculture in Level 4 Areas is a top priority. The Department will continue to foster and support the long-term needs of traditional production agriculture and forestry activities, as well as the needs of niche and small-scale production agriculture. This support will include such efforts as:
  - Expanding the availability of locally grown, fresh fruits and vegetables through the development and management of the Delaware Grown brand, the Delaware Council on Farm and Food Policy, on-farm markets, and the USDA Senior Farmers' Market Nutrition Program.
  - Helping ensure a safe food supply through farm visits and educational programs.
  - Identifying and pursue agricultural development opportunities such as retention and expansion of processing companies, forest industries, institutional and retail food operations, and agricultural cooperatives.
  - Maintaining and improve the health of forests and related resources through the forest stewardship program and expanding forest industry.
  - Continuing to improve water quality by working with farmers to implement additional agricultural best management practices (BMPs) including conservation tillage and increased cover crop plantings.

- Supporting the continued success of existing farmland and forest land-preservation activities including the Young Farmer Loan Program, to help ensure the generational succession of farms and farming operations.

- **Education** – DOE does not recommend or support the construction of new educational facilities in Investment Level 4 Areas. Educational facilities proposed for Investment Level 4 Areas may be redirected into Investment Level Areas 1 through 3.

The construction of athletic facilities that do not require the creation of impervious surfaces in Investment Level 4 Areas may be considered on a case-by-case basis, with due consideration given to such factors as increased traffic and the need for additional support services.

- **Historic and Cultural Affairs** – Historic resources are found in all areas of the state, including areas considered part of a natural setting, and are non-renewable. Level 4 Areas contain, though in lower concentration, historic buildings and structures, including National Register-listed rural historic districts and individually listed resources. Greater concern for preservation of the rural cultural landscape that protects the setting of such resources, as well as archaeological sites and cemeteries. By policy and precedent, the Division of Historical and Cultural Affairs/State Historic Preservation Office does not support development in a Level 4 Area, except for certain purposes with minimal effects to the existing landscape that support existing agricultural or cultural uses and that do not involve significant infrastructure improvements.

Preservation of historic farmsteads and the rural cultural landscape is strongly encouraged, including archaeological sites and historic cemeteries where present. State and federal historic preservation tax credits are available and can help with the maintenance of qualified historic buildings, including barns and other outbuildings, on historic farmsteads. Agricultural land preservation programs and open-space acquisition can work in concert with historic preservation goals when appropriate planning is included to encourage adaptive reuse and rehabilitation of historic buildings and structures and protection of archaeological sites.

- **Housing Authority** – Construction of new homes is discouraged in Level 4 Areas. Housing programs will focus on existing housing in regard to maintenance, health, and safety. Level 4 Areas include several unincorporated, low-income communities with their own distinctive character and needs. Programs will continue to promote revitalization of these areas through housing rehabilitation. State investment in these communities would be done in a manner so as not to spur additional development.

Level 4 Areas are also likely to contain some abandoned or partially completed subdivisions as a result of the housing boom. Strategies similar to those mentioned in Level 3 for these subdivisions will be needed to prevent blight and vandalism and ensure safety.

- **Natural Resources and Environmental Control** – Emphasize the protection of critical natural habitat and wildlife, aquifer recharge, and stormwater-management/drainage areas. Provide for recreational activities, including parks and fishing/hunting facilities, while helping to define growth areas.

Additional state investments in water and wastewater systems will be limited to existing or imminent public health, safety, or environmental risks only, with little provision for additional capacity to accommodate further development.

Maximize opportunities for ecological restoration and conservation cost-share practices. Prioritize the protection of natural resources and wildlife habitats. Emphasize large landscape conservation actions, including significant open-space corridor connections with forest and wetland buffers. Encourage low-

impact eco-tourism opportunities. Prioritize the use of nature-based solutions or green infrastructure and avoid developing in flood-prone areas or where sea level rise impacts are anticipated as the preferred means to improve resiliency to climate change. Support remediation of contaminated sites including brownfields to protect public health, safety, and the environment. Brownfield sites also could be considered for cleanup and siting for open space, parks, and/or small-scale commercial composting facilities. This form of economic development would support agribusiness and jobs. Encourage “green building” practices. Provide grants to promote recycling. Include planning and infrastructure considerations for future waste processing or recycling facilities.

- **Safety and Homeland Security** – Long-range planning, but no near-term investment. Kent and Sussex Counties pay for additional coverage.
- **Small Business** – Development in Investment Level 4 Areas should emphasize only development that is compatible with and enhances agriculture, agribusiness, appropriate visitor activities, and similar economic activities.

Some rural census tracts that have been designated as Opportunity Zones are quite large and contain some areas that are in Investment Levels 3 and 4. Encourage development and redevelopment in the portions of those tracts that are located in Investment Levels 1 and 2, except for investment in agricultural industries that are appropriate in Investment Level 4.

- **State Facilities and Investments** – Investments in these areas will focus on parkland expansions and ag-land and open-space preservation. Other facility investments in these areas will be discouraged unless it relates to a specific need.
- **State Planning Coordination** – The OSPC works to improve the coordination and effectiveness of land-use decisions made by state, county, and municipal governments. OSPC views Level 4 areas as favorable for open-space and agricultural land preservation and for the promotion of agri-business.
- **Transportation** – The focus for the Level 4 Areas will be to preserve and maintain existing facilities in safe working order, corridor-capacity preservation, and the enhancement of transportation facilities to support agricultural business. It should also be noted that DeIDOT requires that all projects requesting an Entrance Plan Approval (EPA) within Investment Level 4 Areas be evaluated on the basis of the context of the project and surrounding conditions, such as traffic volumes and/or whether the project abuts an existing Shared-Use Path (SUP) and/or Sidewalk (SW) facility. DeIDOT will require projects to provide for SUP/SW construction, where deemed applicable, in accordance with the *Development Coordination Manual* (DCM) Chapter 3: *Section 3.5.4.2 Shared-Use Paths and Sidewalks*. Lowest priority given to transit system enhancements; explore feasibility of more cost-effective service delivery options, such as microtransit, community-based services, and partnerships.

*Matrix of Summary of Strategies for State Policies and Spending in Investment Levels*

State Agency	Level 1 Investment Areas	Level 2 Investment Areas	Level 3 Investment Areas	Level 4 Investment Areas
<b>Agriculture</b>	This Investment Level is the highest priority for community and urban forestry, farmers’ markets, and marketing/promotion of agricultural products to the urban populations. DDA will foster agricultural literacy in Investment Level 1.	In Investment Level 2, the DDA will support community and urban forestry, farmers’ markets, and marketing/promotion of agricultural products to the urban populations. DDA will foster agricultural literacy in Investment Level 2.	In Investment Level 3 there will be targeted agriculture preservation and community forestry, support for on-farm markets, and identification and development of agricultural support businesses. DDA will foster agricultural literacy in this Investment Level.	Investment Level 4 is the highest priority for farmland preservation and support of the agricultural infrastructure. DDA will foster agricultural literacy in Investment Level 4.
<b>Education</b>	Investment Level 1 is the top priority for educational facilities and co-location of services in campus settings to the extent possible (e.g., libraries). In this Investment Level, there is unqualified consideration of certificates of necessity and state participation in projects in accordance with established statutes, regulations, and procedures.	In Investment Level 2, the DOE will offer expedited approval for educational facilities and co-location of services in campus settings to the extent possible (e.g., libraries). In this Investment Level there is unqualified consideration of certificates of necessity and state participation in projects in accordance with established statutes, regulations, and procedures.	It is DOE policy to guide educational facilities toward Levels 1 and 2 to the extent possible. As such, in Investment Level 3 there will be limited approval of educational facilities. There will be qualified consideration of certificates of necessity and state participation in projects in accordance with established statutes, regulations, and procedures.	New educational facilities are strongly discouraged from locating in Investment Level 4. DOE will guide educational facilities toward Levels 1 and 2. There will be very limited, exception-based approval of educational facilities. Extremely qualified consideration of certificates of necessity and state participation in projects in accordance with established statutes, regulations, and procedures. In this Investment Level, there is the potential for withholding of certificates of necessity and/or state participation.

2020 Delaware Strategies for State Policies and Spending

State Agency	Level 1 Investment Areas	Level 2 Investment Areas	Level 3 Investment Areas	Level 4 Investment Areas
<b>Health and Social Services</b>	<p>In Investment Level 1, DHSS will focus efforts to create healthy lifestyles by providing walkable or other recreational opportunities and/or contribute to an infrastructure to support individuals who are aging or disabled with the ability to remain in their community through accessible medical and necessary retail establishments, as well as personal support services. This Investment Level (along with Investment Level 2) is the highest priority for drinking water funding.</p>	<p>This Investment Level (along with Investment Level 1) is the highest priority for drinking water funding.</p>	<p>None</p>	<p>None</p>

2020 Delaware Strategies for State Policies and Spending

State Agency	Level 1 Investment Areas	Level 2 Investment Areas	Level 3 Investment Areas	Level 4 Investment Areas
<b>Historic and Cultural Affairs</b>	<p>Investment Level 1 has particularly high concentrations of historic buildings and structures of many periods and types. Successive periods of development give areas rich character, and archaeological sites may be present beneath modern layers. Efforts to identify and consider potential effects to these resources are needed early in the planning process, as is awareness of applicable federal and state laws, including incentives for preservation. It is important to coordinate projects in this Investment Level with certified local governments and focus reinvestment to revitalize neighborhoods with rehabilitation and adaptive reuse of historic buildings and appropriate infill.</p>	<p>Level 2 has a high concentration of historic buildings and structures. In Investment Level 2 efforts will be made to identify historic communities and landscapes. Consideration of the potential effects to these resources is needed early in the planning process. Incorporate resources into new development while preserving their immediate contexts. Use historic landscape patterns as a basis for new development. Identify and avoid archaeological sites where possible. Developers and local governments should have awareness of applicable federal and state laws, including incentives for preservation. It is important to coordinate projects in this Investment Level with Certified Local Governments. There is a high concern for historic farmsteads, areas with higher archaeological site potential, and historic family cemeteries and unmarked cemeteries. Preservation in place is encouraged.</p>	<p>In Investment Level 3, historic buildings and structures are less concentrated, but there is greater concern for preservation of rural cultural landscapes that protect setting, archaeological sites, and cemeteries. Efforts to identify and document historic resources, landscape patterns, and relationship to natural resources are needed early in master planning for future development areas. Consideration of potential effects to these resources and proactive preservation measures are needed. Identify and avoid archaeological sites where possible. Developers and local governments should have an awareness of applicable federal and state laws, including incentives for preservation.</p>	<p>Development is strongly discouraged in Investment Level 4, except for certain purposes with minimal effects to the existing landscape that support existing agricultural or cultural uses without significant additional infrastructure. Historic buildings and structures are less concentrated, but there is greater concern for preservation of rural cultural landscape that protects setting, archaeological sites, and cemeteries. Identify and avoid effects on these resources. Local governments and property owners should have an awareness of applicable federal and state laws, including incentives for preservation, particularly for historic agricultural properties.</p>

## 2020 Delaware Strategies for State Policies and Spending

<p><b>Housing Authority</b></p>	<p>Investment Level 1 is the priority for creating and sustaining the full range of housing types that is transit-oriented, accessible, well-designed, and affordable—with a focus on neighborhoods with resources and assets that help families succeed.</p> <p>DSHA will assist in the revitalization of distressed downtowns via the Downtown Development District program, which offers rebates to offset the cost of physical investment in designated downtown areas targeted for revitalization to promote new commercial and residential growth.</p> <p>Programs in this Investment Level will create new housing opportunities through new construction and redevelopment.</p> <p>Projects seeking funding for new construction or rehabilitation under the Low Income Housing Tax Credit Program must be located in Investment Levels 1, 2, or 3 of the <i>State Strategies</i>. This is known as a Threshold requirement.</p> <p>Programs will sustain existing homes through rehabilitation and preservation of affordability. DSHA will assist homeowners, renters, and communities impacted by foreclosure and abandonment. Housing strategies in this Investment Level will strive to restore struggling neighborhoods through a variety of acquisition, rehabilitation, and community development activities.</p>	<p>In Investment Level 2 the priority is for creating and sustaining a variety of housing types that is transit-oriented, accessible, well-designed, and affordable, supplemented with infrastructure and essential neighborhood services.</p> <p>Programs in this Investment Level will create new housing opportunities through new construction and redevelopment. DSHA will emphasize development of under-utilized parcels within developed areas.</p> <p>Programs will sustain existing homes through rehabilitation and preservation of affordability. DSHA will assist homeowners, renters, and communities impacted by foreclosure and abandonment. Housing strategies in this Investment Level will strive to restore struggling neighborhoods through a variety of acquisition, rehabilitation, and community development activities.</p> <p>DSHA will provide technical assistance to communities in this Investment Level.</p> <p>Projects seeking funding for new construction or rehabilitation under the Low Income Housing Tax Credit Program must be located in Investment Levels 1, 2 or 3 of the <i>State Strategies</i>. This is known as a Threshold requirement.</p>	<p>In Investment Level 3, the priority is to sustain homes through rehabilitation to ensure safe and habitable housing. DSHA will assist homeowners, renters, and neighborhoods impacted by the foreclosure and abandonment.</p> <p>Projects seeking funding for new construction or rehabilitation under the Low Income Housing Tax Credit Program must be located in Investment Levels 1, 2, or 3 of the <i>State Strategies</i>. This is known as a Threshold requirement.</p>	<p>In Investment Level 4, the priority is to sustain homes and vitality of small rural communities. This includes weatherization and rehabilitation of housing. Any investment in housing infrastructure will be to address public safety and welfare concerns.</p>
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2020 Delaware Strategies for State Policies and Spending

State Agency	Level 1 Investment Areas	Level 2 Investment Areas	Level 3 Investment Areas	Level 4 Investment Areas
	<p>DSHA will provide technical assistance to communities in this Investment Level and continue the partnership with OSPC and UD on a range of planning, housing, and economic development initiatives.</p>			
<p><b>Natural Resources and Environmental Control</b></p>	<p>Investment Level 1 (along with Investment Level 2) is the highest priority for wastewater treatment; grants for parks acquisition and development; greenways and trails grants; brownfield cleanups and recycling grants; and restoration for water quality and for wildlife.</p>	<p>Investment Level 2 (along with Investment Level 1) is the highest priority for wastewater treatment; grants for parks acquisition and development; greenways and trails grants; brownfield cleanups and recycling grants; and restoration for water quality and for wildlife.</p>	<p>In Investment Level 3, DNREC will support wastewater treatment; grants for parks acquisition and development; greenways and trails grants; brownfield cleanups and recycling grants; and restoration for water quality and for wildlife.</p>	<p>Investment Level 4 will be the highest priority for open-space preservation; restoration for water quality and for wildlife; grants for parks acquisition and development; greenways and trails grants; brownfield cleanups; and recycling grants.</p>
<p><b>Safety and Homeland Security</b></p>	<p>In Investment Level 1, the DSHS will provide enhanced policing through grants, bike cops, and satellite offices. This is a priority area for locating future facilities.</p>	<p>This Investment Level will be a top priority for locating emergency medical services (EMS). There will be resource development or reallocation of EMS, fire departments, and law enforcement to sufficiently respond to increased calls for service as population increases.</p>	<p>In Investment Level 3, there will be focused measures to reduce response time. This may involve resource development or reallocation of EMS, fire departments, and law enforcement to sufficiently respond to increased calls for service as population increases, including the possibility for new facilities.</p>	<p>In this Investment Level, there will be long-range planning, but no near-term investment. Kent and Sussex Counties pay for additional coverage in Investment Level 4.</p>

## 2020 Delaware Strategies for State Policies and Spending

State Agency	Level 1 Investment Areas	Level 2 Investment Areas	Level 3 Investment Areas	Level 4 Investment Areas
<b>Small Business</b>	Investment Level 1 (along with Investment Level 2) is the priority for job creation and retention, main street and downtown community development, brownfields redevelopment, and Opportunity Zone projects. Resources include strategic funds, workforce training funds, community outreach, business supportive services, conduit tax-exempt bond program and strategic funds, and neighborhood assistance. There will be a focus of community education strategy.	Investment Level 2 (along with Investment Level 1) is the priority for job creation and retention, main street and downtown community development, brownfields redevelopment, and Opportunity Zone projects. Resources include strategic funds, workforce training funds, community outreach, and business supportive services, as well as conduit tax-exempt bond program and strategic funds, and neighborhood assistance. There will be a focus of community education strategy.	In Investment Level 3, the focus will be on agribusiness and forestry activities that complement and enhance agriculture in these areas. Visitor-industry development, such as heritage, ethnic, and agri-tourism festivals and events and similar operations, may be appropriate uses that would provide employment opportunities and produce additional income.	Development in Investment Level 4 Areas should emphasize only development that is compatible with and enhances agriculture, agribusiness, appropriate visitor activities, and similar economic activities.
<b>State Facilities and Investments</b>	This Investment Level (along with Investment Level 2) is the highest priority for new facilities, especially those serving the public.	This Investment Level (along with Investment Level 1) is the highest priority for new facilities, especially those serving the public.	In Investment Level 3, there will be future considerations for longer term facility locations, tied to anticipation of growth in these areas. Consideration will be given based on actual needs.	Public facilities will not be located in Investment Level 4 unless tied to particular needs and agreed to by appropriate governmental entities.
<b>State Planning Coordination</b>	This Investment Level (along with Level 2) is most favorable for the location of new public facilities, development, and redevelopment activities. It is also the most appropriate level for the location of Downtown Development Districts (DDD). It is also good for master planning activities.	This level (along with Level 1) is most favorable for the location of new public facilities, development, and redevelopment activities. It also is appropriate for the location of DDDs in smaller towns that do not have Level 1 areas. It also is good for master planning activities.	This level is favorable for longer-term planning in anticipation of future development, which makes it a good area for master planning activities.	This level is most favorable for open-space and agricultural land preservation and the promotion of agri-business.

## 2020 Delaware Strategies for State Policies and Spending

State Agency	Level 1 Investment Areas	Level 2 Investment Areas	Level 3 Investment Areas	Level 4 Investment Areas
<b>Transportation</b>	<p>In Level 1 Areas the State’s first priority will be for preserving existing facilities and making safety improvements. Level 1 Areas will also be the highest priority for context-sensitive transportation system-capacity enhancements; transit-system enhancements; ADA accessibility; and closing gaps in the pedestrian system, including Safe Routes to School projects. Investment Level 1 Areas are ideal locations for Transportation Improvement Districts as well as Complete Community Enterprise Districts. Additionally, Level 1 areas are a first priority for planning projects and studies, bicycle facilities, signal-system enhancements, and the promotion of interconnectivity of neighborhoods and public facilities. Additionally, street design and access should be compatible to the context of an area. Highest priority for transit system investments, operating, and capital.</p>	<p>Level 2 Areas share similar priorities with the Level 1 Areas where the aim remains to make context-sensitive transportation system-capacity enhancements; preserve existing facilities; make safety enhancements; make transportation system-capacity improvements; create transit system enhancements; ensure ADA accessibility; and close gaps in the pedestrian system, including the Safe Routes To School projects. Investment Level 2 Areas are ideal locations for Transportation Improvement Districts and Complete Community Enterprise Districts. Other priorities for Level 2 Areas include Corridor Capacity Preservation; off-alignment multi-use paths; interconnectivity of neighborhoods and public facilities; and, signal-system enhancements. Review market demand for efficient and effective transit system investments, operational and capital.</p>	<p>The priorities in the Level 3 Areas are for DeIDOT to focus on regional movements between towns and other population centers. DeIDOT also supports the development and implementation of Transportation Improvement Districts in Investment Level 3 areas. Developers and property owners will make local roadway improvements as development occurs. Lower priority is given to transportation system-capacity improvements and transit-system enhancements. In this Investment Level, DeIDOT will explore feasibility of more cost-effective service delivery options, such as microtransit, vanpools, community-based services and partnerships.</p>	<p>The focus for the Level 4 Areas will be to preserve and maintain existing facilities in safe working order, corridor-capacity preservation, and the enhancement of transportation facilities to support agricultural business. The Lowest priority is given to transit system enhancements. In Investment Level 4, DeIDOT will explore the feasibility of more cost-effective service delivery options, such as microtransit, community-based services and partnerships.</p>

## Appendix D: The Fine Print

### Severability

Should a court decide that any section or provision of this *Strategies for State Policies and Spending* document is unconstitutional or invalid, such decision shall not affect the validity of this *Strategies for State Policies and Spending* document as a whole or any part other than the part judged unconstitutional or invalid.

### About the State Strategies Maps

It is important to note that the maps contained within this document are not “parcel-based,” so it is still necessary to thoroughly investigate the constraints of particular land parcels, even though they may be contained in one of the growth-oriented investment levels of the *Strategies for State Policies and Spending*. For example, if a parcel is in Level 1 but contains extensive wetlands it may not be suitable for dense development or state infrastructure investment.

### Circumstances Involving Health, Safety and Welfare

It should also be noted that, at times, state infrastructure investments may not seem appropriate based on the investment level description, but that, circumstances may exist where such investments would be deemed appropriate where state and local governments agree that such actions are necessary to address unforeseen circumstances involving public health, safety, or welfare.

### State Strategies and Local Government Comprehensive Plans and Land-Use Regulations

This document and map series direct state investments; it is not a land-use plan. In Delaware, the state has delegated land-use authority to the local governments. Any land-development activity must comply with comprehensive plans and meet all of the relevant codes and ordinances of local jurisdictions.

The Delaware Code requires that local governments at least review their plans every five years and update them every ten years. All local governments are on different update cycles, and multiple plans are reviewed and updated every year. This five-year update of the *State Strategies* incorporates all of the changes to local government comprehensive plans and their growth areas that have been adopted and certified since the 2015 update.

Any plan updates that involve changes to growth and annexation areas in the next five years will be reviewed through the PLUS and certification processes. If, after evaluation, it is determined that an expansion of a growth or annexation area is warranted the plan will be certified. Any part of the certified new growth or annexation area will be considered to be “in compliance” with the *State Strategies*. The area will be incorporated in the next update of the *State Strategies* (scheduled for 2025) and assigned an updated Investment Level at that time.

### Citizen Involvement in Land-Use Decisions

Land-use planning has been delegated to local jurisdictions in Delaware. Delaware’s counties and municipalities have comprehensive plans, zoning ordinances, and other land-use regulations that dictate what land uses are appropriate in various areas of the jurisdiction and how land will be developed.

Most local jurisdictions in the state have local planning commissions and boards of adjustment that serve in either a decision-making or an advisory capacity to the local legislative body. Meetings of local town or county councils, planning commissions, and boards of adjustment are open to the public. Most of these bodies hold public hearings or workshops about land-use issues. As a citizen, this is your best opportunity to be involved with the land-use decision-making process in your area. The development of a comprehensive plan is perhaps the most important step for the municipality or county. This document sets the overall pattern of land use, and all land-use regulations are based upon this document. Many jurisdictions conduct extensive public-participation efforts to gauge citizen input on these important documents.

### State Strategies Data Analysis and Maps – Comments and Edits Policy

The creation of the *State Strategies* maps and the designation of the four Investment Levels is a data driven process. This process is fully described in Appendix E: Spatial Data Analysis. In short, spatial data layers favoring growth and favoring preservation are analyzed using Geographic Information System (GIS) software, and the output of that data analysis results in the four Investment Levels. Great care has been taken through this update process to ensure that the data inputs are the most accurate, current, and authoritative inputs available.

After the initial data analysis, the draft maps were reviewed with the state agencies and three county planning agencies for their feedback and comments. The draft maps were reviewed by the Cabinet Committee on State Planning Issues and made available to all local governments and the public for review and comment. All comments received were taken into consideration, and changes to the data inputs and maps were made provided that the following conditions were met:

- The comment was made in writing, on official letterhead if from an agency or local government, and;
- The comment provides updated or more accurate data sets than were used in the draft maps, or;
- The comment corrected an error in the data sets that were used in the draft maps, or;
- The comment involved map corrections that bring the Investment Levels on the draft map into compliance with an adopted and certified local government plan.

All changes to the data inputs and/or the maps that are the result of comments that meet the above criteria will be documented in Appendix E. Any comments received that do not meet the above criteria will be acknowledged, but no changes to the data or maps will be made.

## Appendix E: Spatial Data Analysis

The 2020 *State Strategies* map was created using a spatial data analysis that balances state, county, and local policies that favor growth for different areas of the state with policies that favor land preservation, agriculture and agricultural industry development, and natural resource management. The analysis creates a statewide spatial data set that reflects the combined policies of all levels of government to highlight what areas are most appropriate for different forms of growth.

Geospatial data sets that show land-use policies were collected from state agencies and county and municipal governments. Each data set was processed into a standard, statewide, 30-meter grid format in which each grid cell was given a positive or a negative value<sup>21</sup> reflecting its suitability for development or redevelopment.

The data sets were combined using Esri's Spatial Analyst software<sup>22</sup> to create a single, statewide, 30-meter grid data set in which each grid-cell has a value of between -13 and 18. These values were classified into logical groups to form a set of the four levels called for in the *Strategies for State Policies and Spending*. These were smoothed and saved as a polygon GIS data set.

Data sets showing lands that cannot be developed, due to their protected status, were overlaid on the final grid and are considered Out-Of-Play areas in the strategies data set.

OSPC met with state agency planners, county government officials, and municipal government leaders to ensure that the final *Strategies* map accurately reflects certified county and municipal comprehensive plans.

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<sup>21</sup> All data sets were given a value of either +1 (favoring growth) or -1 (favoring preservation). No additional weights were used in this analysis.

<sup>22</sup> <http://www.esri.com/software/arcgis/extensions/spatialanalyst/index.html>

## Data Sets Included in Analysis for State Strategies Map

Data Sets Favoring Growth	Data Sets Favoring Preservation	Data Sets for Out-of-play
<b>Planned Growth</b> <ul style="list-style-type: none"> <li>County Growth Areas</li> <li>Municipalities</li> <li>Municipal Annexation Areas</li> <li>Transfer-of-Development-Rights (TDR) Receiving Areas</li> <li>Urban Areas from the 2010 Census</li> <li>Built Areas from the 2012 Land Use Land Cover dataset</li> <li>DelDOT Transportation Improvement Districts</li> </ul>	<b>Natural Resources</b> <ul style="list-style-type: none"> <li>Coastal Zone</li> <li>100-Year Floodplain</li> <li>Excellent Groundwater Recharge</li> <li>Non-Tidal Wetlands</li> <li>Tidal Wetlands</li> <li>Wellhead Protection Areas</li> <li>Delaware Ecological Network</li> </ul>	<ul style="list-style-type: none"> <li>Permanent Agricultural and Forestry Preservation and Conservation Easements</li> <li>DelDOT Purchased Development Rights</li> <li>DelDOT Preservation lands</li> <li>100-Year Floodplains (New Castle and Kent County only)</li> <li>Protected Lands (federal, state, county, municipal, and dedicated public open space)</li> <li>Tidal Wetlands</li> <li>Dover Air Force Base</li> </ul>
<b>Services</b> <ul style="list-style-type: none"> <li>Bus Stops</li> <li>Bike/Pathways/Trails</li> <li>Public Libraries</li> <li>Public Schools</li> <li>State Service Centers</li> </ul>	<b>Resiliency</b> <ul style="list-style-type: none"> <li>Coastal Inundation – 3-foot scenario</li> <li>Flood Risk Adaptation Map</li> </ul>	
<b>Safety</b> <ul style="list-style-type: none"> <li>Fire Stations</li> <li>EMS Free Standing Locations</li> <li>Hospitals and Emergency Centers</li> <li>Local Police</li> </ul>	<b>Agriculture/Forest</b> <ul style="list-style-type: none"> <li>Agricultural Land of Importance</li> <li>Agricultural Preservation</li> <li>Forested Land of Importance</li> </ul>	
<b>Utilities</b> <ul style="list-style-type: none"> <li>County Sewer</li> <li>Wastewater Certificates of Public Necessity (inside all growth areas)</li> <li>Public Water Supply (inside all growth areas)</li> </ul>	<b>Limits on Growth</b> <ul style="list-style-type: none"> <li>DelDOT Corridor Capacity</li> <li>Areas East of Route 1 in Kent County</li> <li>TDR Sending Areas</li> <li>Areas outside of designated Growth areas</li> </ul>	
	<b>Miscellaneous Protection</b> <ul style="list-style-type: none"> <li>Corrections Facilities</li> <li>Dover Air Force Base Noise Zones (AICUZ)</li> <li>Dover Air Force Base – Accident Potential Zones</li> </ul>	

### State Strategies Data Analysis and Maps – Comments and Edits Policy

The creation of the State Strategies maps and the designation of the four Investment Levels is a data driven process. This process is fully described in this appendix. Great care has been taken through this update process to ensure that the data inputs are the most accurate, current, and authoritative inputs available.

After the initial data analysis, the draft maps were reviewed with the state agencies and three county planning agencies for their feedback and comments. The draft maps were reviewed by the Cabinet Committee on State Planning Issues, and also made available to all local governments and the public for review and comment. All comments received were taken into consideration, and changes to the data inputs and maps were made provided that the following conditions were met:

- The comment was made in writing, on official letterhead if from an agency or local government, and;
- The comment provides updated or more accurate data sets than were used in the draft maps, or;
- The comment corrected an error in the data sets that were used in the draft maps, or;
- The comment involved map corrections that bring the Investment Levels on the draft map into compliance with an adopted and certified local government plan.

## 2020 Delaware Strategies for State Policies and Spending

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All changes to the data inputs and/or the maps that are the result of comments that meet the above criteria are documented below. Any comments received that do not meet the above criteria will be acknowledged, but no changes to the data or maps will be made.

### Map Changes

Date	Comment Received From	Comment	Action
3/30/2020	Kent County	Clip Investment Levels to the Kent County Growth Zone	Investment Levels clipped to Kent County Growth Zone
3/30/2020	New Castle County	Clip Investment Levels to the New Castle County growth land use categories	Investment Levels clipped to New Castle County growth land use categories
3/30/2020	OSPC	Four small bayshore towns have no Investment Level 3: Leipsic, Little Creek, Bowers, Slaughter Beach. Level 3 is the minimum Investment Level to indicate some municipal services and growth potential as per certified municipal comprehensive plans.	Leipsic, Little Creek, Bowers and Slaughter Beach have been manually identified as Level 3. Note: It is important to consider environmental constraints when developing in these towns.
6/1/2020	Sheldon Hudson, Town of Millsboro	Please change parcel 133-11.00-5.01 to reflect recent comprehensive plan amendment and annexation	Plan amendment occurred after draft maps prepared. Parcel has been changed to Investment Level 2 to comply with adopted comprehensive plan.
6/1/2020	Janelle Cornwell, City of Lewes	Parcels 335-5.17-12.00; 19.00 and 22.00 are municipally owned but are surplus and currently offered for sale as residential lots.	The Out of Play designation has been removed from these parcels. They are now classified as the underlying Investment Level
6/1/2020	Janelle Cornwell, City of Lewes	Parcel 335-8.00-33.00 is owned by the City of Lewes and is the site of the wellfield.	This parcel has been added to the Out of Play layer.

## Appendix F: Absorption Analysis

*Of the DRAFT 2020 update of the Strategies for State Policies and Spending maps using the 2012 land-use/land-cover data and the Delaware Population Consortium Annual Population Projections, Version 2019.0*

### Overview

The *Strategies for State Policies and Spending* update allows more than enough room to accommodate expected population and household growth in all three counties through 2040, according to an Absorption Analysis of the areas preferred for growth in the *State Strategies* update. The Absorption Analysis uses data on existing land uses in 2012 and the *2019 Population Projections Series Version 2019.0* from the Delaware Population Consortium.

This analysis was undertaken as a “reality check,” matching the *State Strategies* against recent land-use and land-cover data to ensure that they do not overly restrict the potential for the development needed to meet the projected household growth for the next several decades. The analysis measures the amount of undeveloped but buildable land within the areas preferred for growth in the *State Strategies* and takes into consideration the need for commercial, recreational, transportation, and utility development to support new residential development.

In Kent County, according to this analysis, there would be twelve times as much land available in the areas preferred for growth in the *State Strategies* as would be needed to meet projected household growth through the year 2040 at an average density of three housing-units-per-acre. In New Castle County, there would be sixty-five times as much land as needed at three units-per-acre. In Sussex County, there would be nine times as much land as needed to meet projected household growth at three units per acre.

### Available versus Needed Acreage, Investment Levels 1, 2, and 3, 2020–2040

	Buildable Acres, 2012			Projected Household Growth	Ratio of Available to Needed Land		
	Total	Percent Residential*	Available for HUs		At 3 HU per Acre	At 5 HU per Acre	At 7 HU per Acre
Kent	35,322	74.29%	26,241	6,725	11.71	19.51	27.31
New Castle	35,352	66.91%	23,654	1,093	64.92	108.21	151.49
Sussex	68,811	79.92%	54,994	17,746	9.30	15.49	21.69
<b>State of Delaware</b>	<b>139,484</b>	<b>73.09%</b>	<b>101,949</b>	<b>25,564</b>	<b>12.31</b>	<b>20.51</b>	<b>28.72</b>

\*Percent of total expected to be developed as residential, based on existing land use patterns. See Summary of Methods section below for discussion.

Note: This table was updated in July 2020 to correct a mathematical error.

Three units per acre is a relatively low density typical of a medium-to-large-lot residential subdivisions with lot sizes of approximately 11,600<sup>23</sup> square-feet. In the areas preferred for growth in the *State Strategies*, average densities are traditionally higher.

At the still moderate density of five units-per-acre, characterized by a mix of higher, medium, or lower density residential development with average lot sizes of approximately 6,970 square-feet, the analysis shows that there would be more than nineteen times as much available, buildable land as is needed to meet projected household growth in Kent County. In New Castle County, there would be more than one-hundred-and-eight times enough land, and in Sussex County there would be more than fifteen times as much available, buildable land as would be needed.

At the somewhat higher density of seven housing-units-per-acre—more likely in some of these areas, which tend to be closer to the urban core of the state—the ratios of available land to needed land would be even higher. Seven units-per-acre would likely include some duplexes, town houses, condominiums, and apartments, along with single-family lots of an average of approximately 5,000–6,000 square feet. These gross densities should be viewed as averages since apartments, townhouses, and condominiums require substantially less land per dwelling unit than single-family homes. At this density, Kent County would have twenty seven times as much land as needed, New Castle County would have one hundred and fifty one times as much land as needed, and Sussex would have twenty two times as much land as needed to accommodate projected household growth.

This analysis does not take into consideration the likelihood that not all of the new housing units developed to meet projected growth will be built within the areas shown as Investment Levels 1, 2, or 3 in the *State Strategies*. The *State Strategies* anticipate that there will be some residential growth outside of these areas in rural and agricultural areas. There is also the possibility of redevelopment, in which some areas not considered as buildable, but not currently residential—such as old commercial areas—may be redeveloped as residential land and therefore provide additional capacity.

Another limitation of this analysis is that it uses 2012 Land Use / Land Cover data. This is the most recent data available. This data does not accurately represent any lands that have been developed between 2012 and 2020, a period of eight years. For this reason, the amount of buildable acres used in these calculations is overstated, since there has been development and building activity in the past eight years that has converted some lands that were identified as vacant in 2012.

The ratio of available land to accommodate projected household growth in the growth-oriented investment levels is considerably higher in this 2020 State Strategies analysis as compared to the 2015 edition. The demographic trends that are embedded in the Delaware Population Consortium projections are the reason. The Delaware Population Consortium projects that over the next twenty-year period there will be an increasing number of deaths of those in the “baby boomer” generation, which is one of the state’s largest demographic groups. This is reasonably expected to result in a large number of vacant housing units throughout the state. These housing units are expected to be occupied by new households with larger household sizes. For example, a vacant home previously occupied by a single elderly homeowner could be occupied by a young family with a

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<sup>23</sup> Typical lot size was calculated by dividing one acre (43,560 square feet) by 3 (= 14,520 square feet), then subtracting 20% (2,900 square feet) for roads and other infrastructure required in a typical land development. The same method was used for typical lot size calculations in the other scenarios.

total of four persons. As such, the projections anticipate the existing housing stock will absorb a large amount of the projected new population. Toward the middle to the end of the 2020s the number of deaths of those in single person households is expected to be greater than the number of new households formed, exacerbating these trends. This dynamic is most pronounced in New Castle County but will affect all three counties. In accordance with the DPC projections, the amount of land necessary for new construction to accommodate projected population growth is much less than was projected in 2015.

This analysis has been prepared as a reality check to test whether the *State Strategies* would be too restrictive. As we see from this analysis, there is more land available than is needed to meet our growth projections, thus allowing the real estate market to function freely while also achieving the goals of the *State Strategies* to concentrate development activity near infrastructure and services.

### Summary of Methods

This Absorption Analysis consists of a demographic model, a land-use/land-cover change model, and a comparison between the land-use/land-cover data and the investment levels of the *Strategies for State Policies and Spending*.

#### GIS Analysis—Land Uses

Using Geographic Information System (GIS) tools, the amount of land that is buildable, but not currently built-upon was calculated for the areas preferred for growth (Levels 1, 2, and 3) in the *State Strategies* using land-use/land-cover data derived from 2012 statewide aerial photography.<sup>24</sup> “Buildable” land includes agricultural lands, forested areas, and vacant lands.

To determine the percentage of buildable lands that should be considered in calculating new residential acreage, 2012 land-use/land-cover data were used to calculate the amount of land that was already built in each county and the percentage of different land uses within those built areas. Percentages were calculated for residential/urban, commercial, transportation/utility, institutional/governmental, and recreational uses. It is important to note that these percentages were calculated based on land use in the entire county, not just in Investment Levels 1, 2, and 3.

In 2012, 74.3 percent of the built lands in Kent County were in residential development. In New Castle County, 66.9 percent were residential. In Sussex County, 79.9 percent were in residential uses.

These percentages of residential development were used as a guide to estimate future development patterns. The land availability model uses the assumption that future land development will follow similar patterns as past development and that the ratio of residential to other urban land uses would remain constant as new land is developed. These percentages were applied to calculate likely available lands needed for residential growth in the analysis.

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<sup>24</sup> See <http://opendata.firstmap.delaware.gov>

**Land Use Distributions within Built Areas 2012 Land Use/Land Cover Data**

	Kent		New Castle		Sussex		State of Delaware	
	Acres	Percent	Acres	Percent	Acres	Percent	Acres	Percent
Residential/Other Urban	43,335	74.29%	77,006	66.91%	75,141	79.92%	<b>195,482</b>	<b>73.09%</b>
Commercial	4,573	7.84%	14,725	12.79%	6,913	7.35%	<b>26,212</b>	<b>9.80%</b>
Transportation/Utility	5,220	8.95%	9,335	8.11%	4,626	4.92%	<b>19,180</b>	<b>7.17%</b>
Institutional	2,594	4.45%	6,162	5.35%	2,639	2.81%	<b>11,396</b>	<b>4.26%</b>
Recreation	2,606	4.47%	7,862	6.83%	4,706	5.01%	<b>15,174</b>	<b>5.67%</b>
<b>Total Built</b>	<b>58,328</b>	<b>100%</b>	<b>115,090</b>	<b>100%</b>	<b>94,026</b>	<b>100%</b>	<b>267,444</b>	<b>100%</b>

Source: 2012 Delaware Land-use/Land-cover Data

**Demographic Data Analysis**

Data from the Delaware Population Consortium’s 2019 Population Projections Series<sup>25</sup> were used to estimate the number of new households that will be needed to meet projected population growth between 2020 and 2040. The Delaware Population Consortium’s Population Projections, Version 2019.0 projects the growth in both population and households (housing units) for Delaware and each county in Delaware from 2010 through 2040. The Delaware Population Consortium includes analysts from the state, the counties, local governments, the University of Delaware, and the private sector working together, using objective data sources, to produce independent population projections for the state.

The difference between estimated households in 2020 and projected total households in 2040 was used to determine the number of households needed to accommodate projected population growth between 2015 and 2040. Each “household,” in population terms, can be considered a “housing unit” in land use terms. For example, in Kent County there are expected to be 6,725 more households (housing units) in 2040 as compared to 2020.

**Land Capacity Calculation**

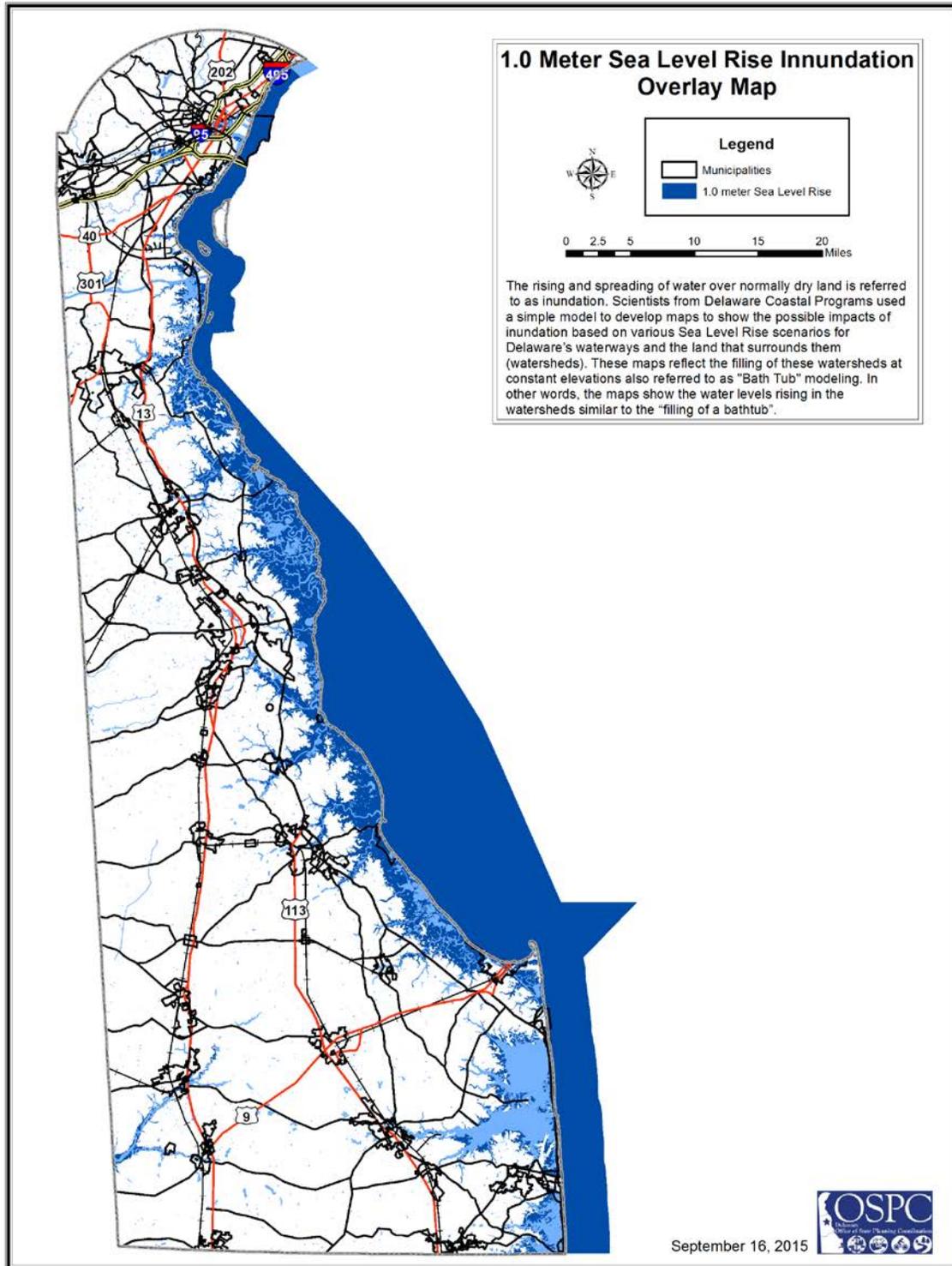
A ratio of available land to needed land was calculated to demonstrate the remaining development capacity in Investment Levels 1, 2, and 3. First, the amount of land available for residential development was calculated by multiplying the total buildable acres in each county by the percent of that land that is expected to be developed as residential land use based on the GIS analysis of the land-use/land-cover data. For example, in Kent there are 35,322 acres of “vacant, buildable” land of which 74.29 percent is expected to be developed as residential land use. Calculating 74.29 percent of 35,322 acres (35,322 \* .7429) indicates that 26,241 acres are expected to be residential.

For each density scenario—3 dwelling units (du) per acre, 5 du per acre, and 7 du per acre—calculations were made for how many units could be built on the lands expected to be developed with residential land use. Continuing with the Kent County example, at 3 du per acre the 26,241 residential acres in Kent can accommodate 78,722 dwelling units (26,241\*3). As a final step, the total number of dwelling units is divided by

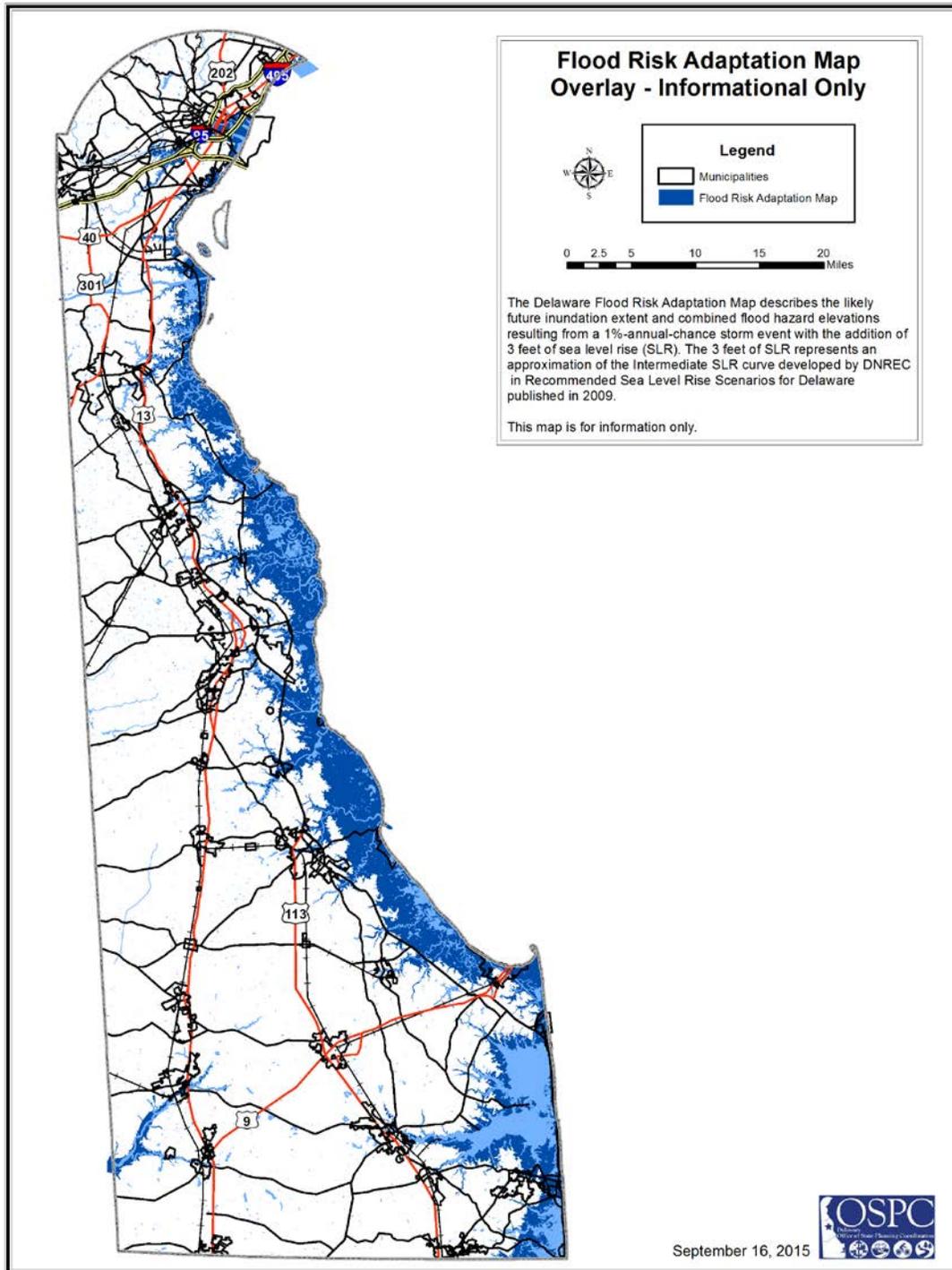
<sup>25</sup> See <http://www.stateplanning.delaware.gov/demography/dpc-projection-info.shtml>

the expected household growth in that county to develop a ratio of the available capacity in the land ( $78,722 \text{ du} / 6,725 \text{ hh} = 11.71$ ). What this ratio indicates is that in Kent County there is 11.71 times as much land in Investment Levels 1, 2, and 3 as expected to be needed to accommodate the 6,725 new residential units to be built between 2020 and 2040.

## Appendix G: Sea Level Rise Map

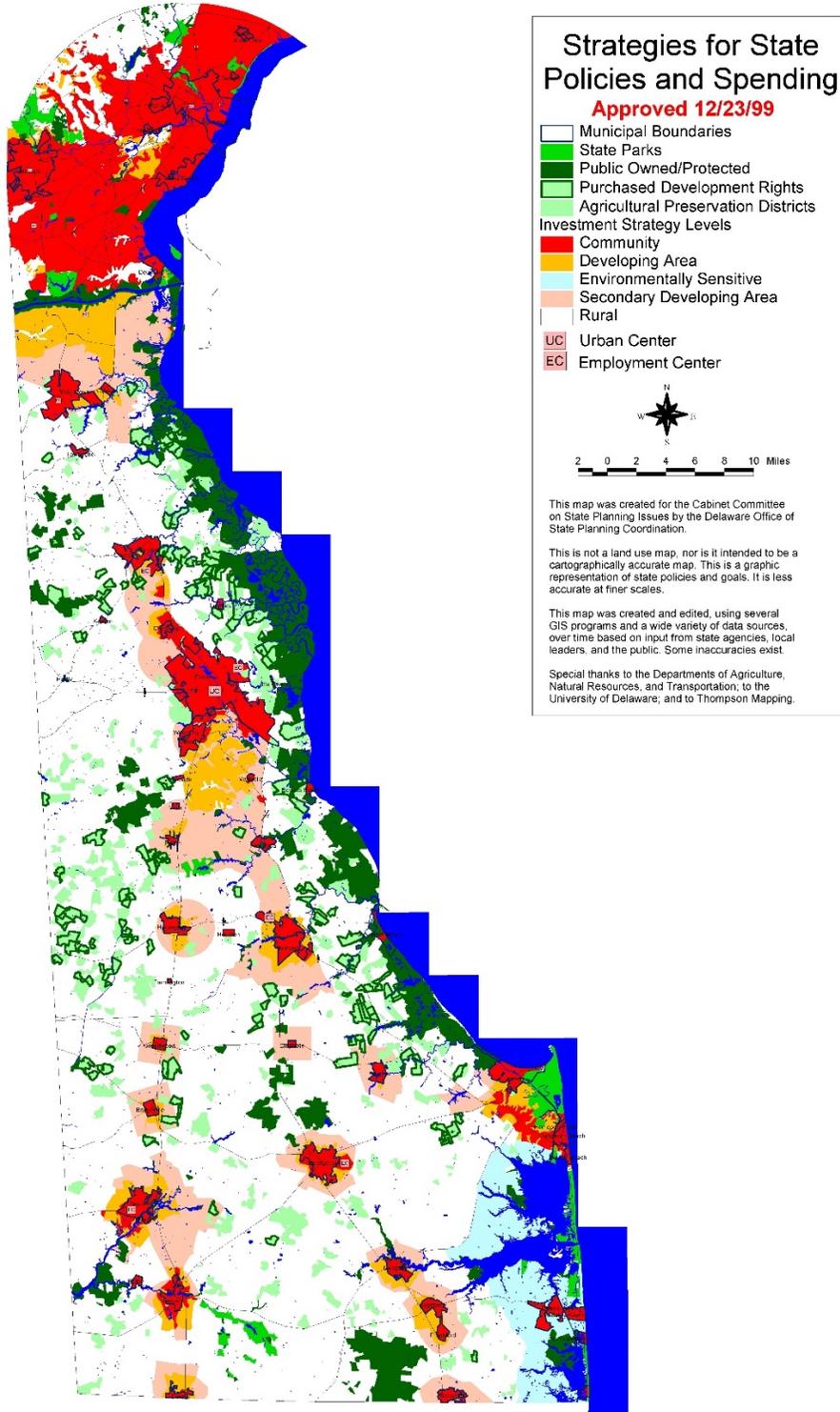


## Appendix H: FRAM Map

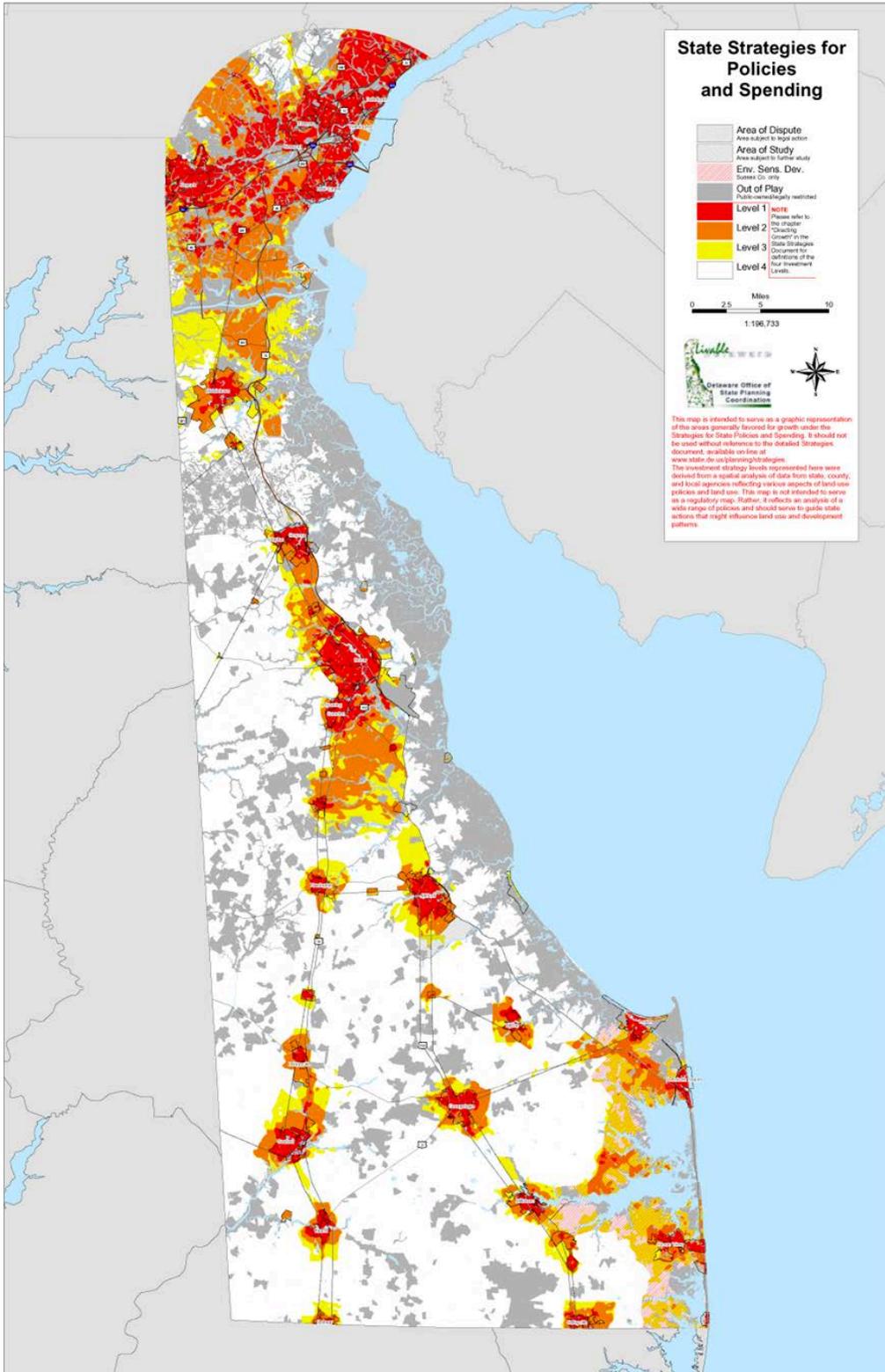


Appendix I: Strategy Maps – 1999, 2004, 2010, and 2015

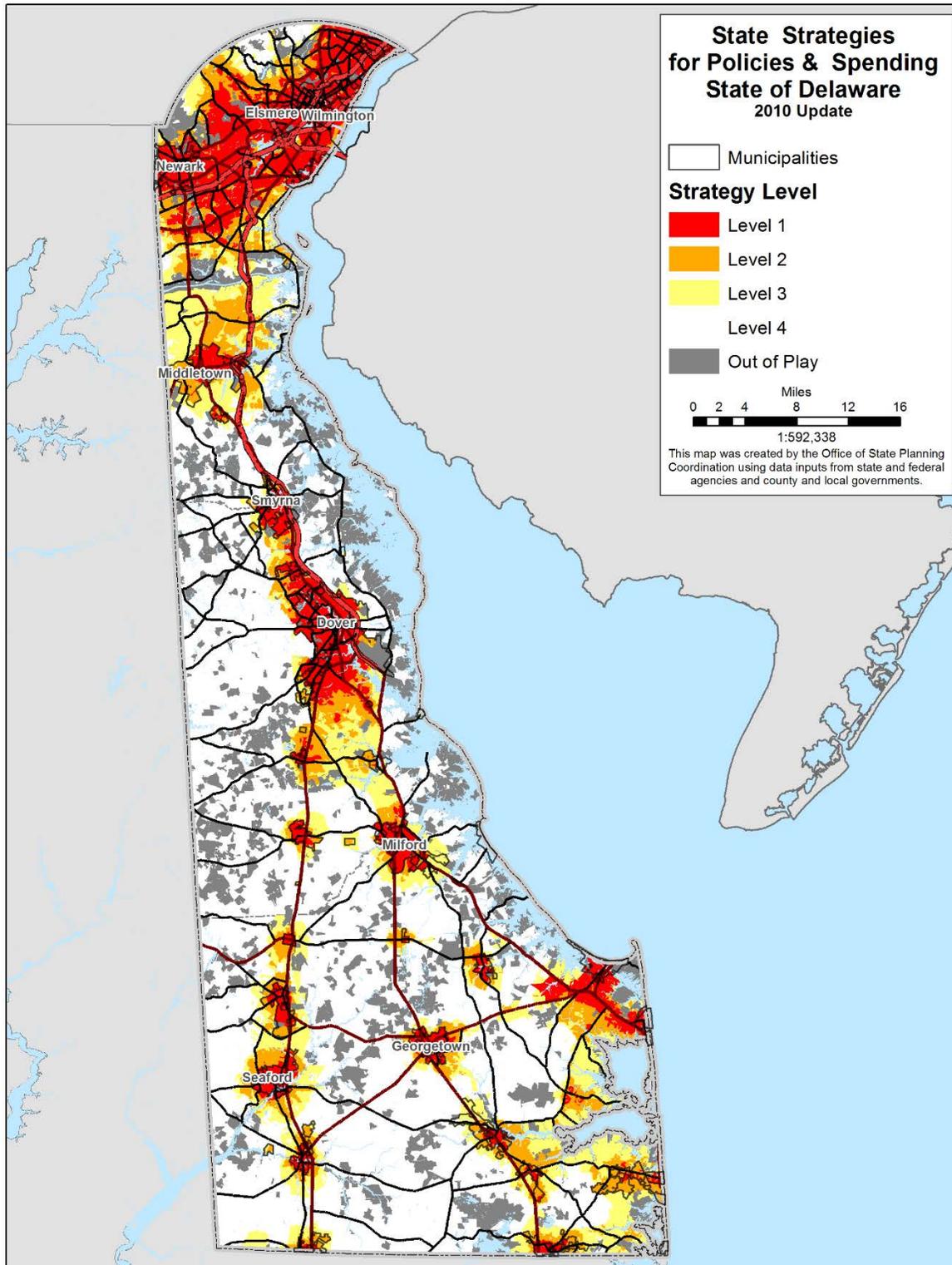
1999



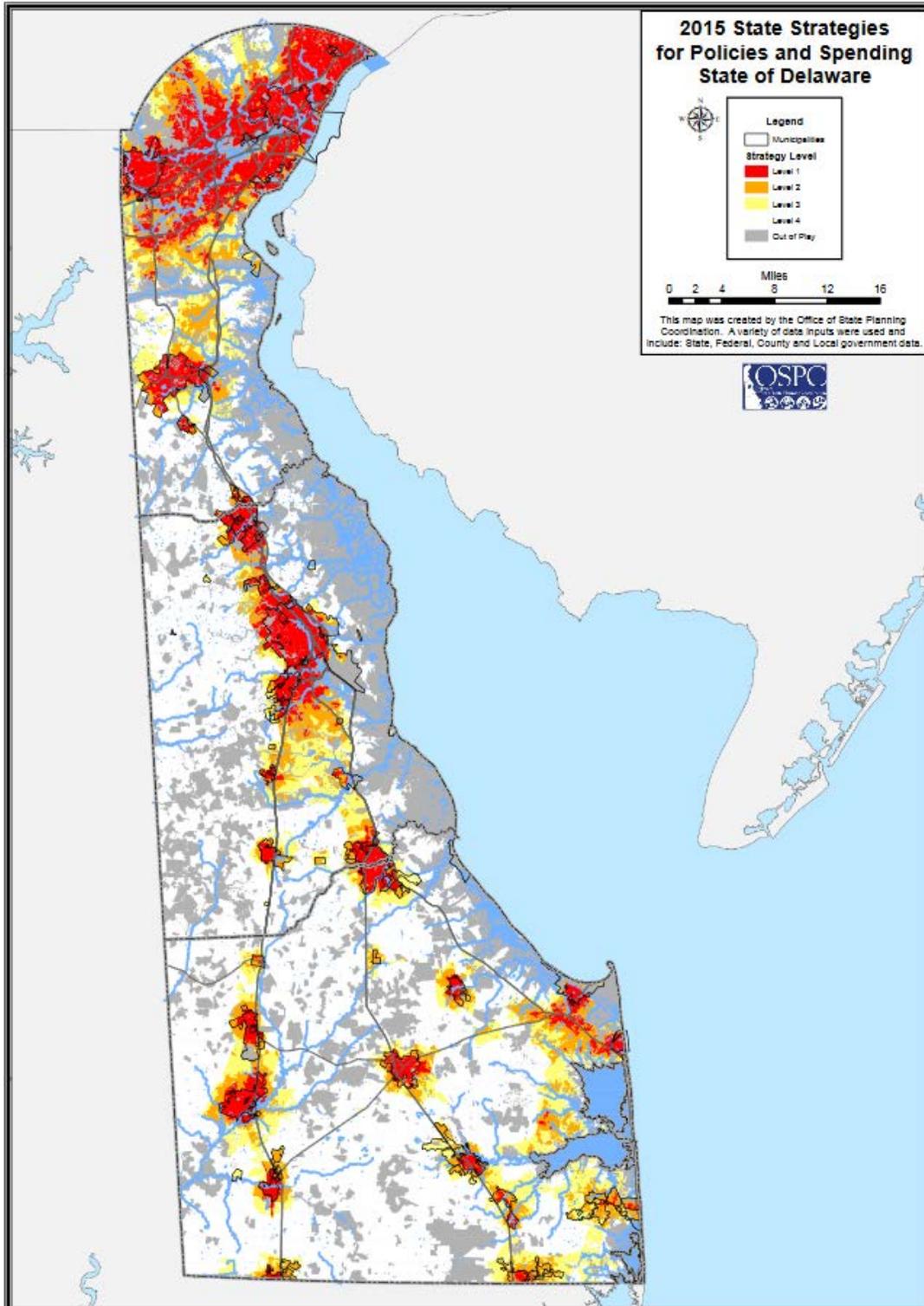
2004



2010



2015



## Appendix J: Web Sites and Links of Interest

### The Office of the Governor

[governor.delaware.gov](http://governor.delaware.gov)

### The Office of State Planning Coordination

[stateplanning.delaware.gov](http://stateplanning.delaware.gov)

#### PLUS

[stateplanning.delaware.gov/plus](http://stateplanning.delaware.gov/plus)

#### DDD

[stateplanning.delaware.gov/ddd](http://stateplanning.delaware.gov/ddd)

#### FirstMap

[firstmap.gis.delaware.gov](http://firstmap.gis.delaware.gov)

### University of Delaware's

#### Institute of Public Administration (IPA)

##### Planning Training

[www.ipa.udel.edu/localgovt/training/planning-ed.html](http://www.ipa.udel.edu/localgovt/training/planning-ed.html)

##### Healthy Communities

[www.ipa.udel.edu/healthpolicy/healthycommunities/index.html](http://www.ipa.udel.edu/healthpolicy/healthycommunities/index.html)

##### Complete Communities

[www.completecommunititesde.org](http://www.completecommunititesde.org)

### WILMAPCO

[wilmapco.org](http://wilmapco.org)

### Dover/Kent MPO

[doverkentmpo.delaware.gov](http://doverkentmpo.delaware.gov)

### Department of Agriculture

[agriculture.delaware.gov](http://agriculture.delaware.gov)

### Department of Education

[doe.k12.state.de.us](http://doe.k12.state.de.us)

### Department of Health and Social Services

[dhss.delaware.gov/dhss](http://dhss.delaware.gov/dhss)

### Department of Finance

[finance.delaware.gov](http://finance.delaware.gov)

### Delaware Prosperity Partnership

[choosedelaware.com/](http://choosedelaware.com/)

### Department of Safety and Homeland Security

[dshs.delaware.gov](http://dshs.delaware.gov)

### State Historic Preservation Office

[history.delaware.gov/preservation](http://history.delaware.gov/preservation)

### Division of Small Business

[business.delaware.gov/](http://business.delaware.gov/)

### Delaware State Housing Authority

[destatehousing.com](http://destatehousing.com)

### Affordable Housing Resource Center

[destatehousing.com/AffordableHousingResourceCenter/ot\\_toolbox.html](http://destatehousing.com/AffordableHousingResourceCenter/ot_toolbox.html)

### Department of Natural Resources and Environmental Control

[dnrec.delaware.gov](http://dnrec.delaware.gov)

### Office of Management and Budget

[omb.delaware.gov](http://omb.delaware.gov)

### Department of Transportation

[deldot.gov](http://deldot.gov)

