

**Cabinet Committee on State Planning Issues
Haslett Armory, Room 219
March 3, 2016**

Meeting Summary

Committee Members Present:

Meredith Tweedie, Chair, Office of the Governor
Connie Holland, Director, Office of State Planning
Anas Ben Addi, Director, Delaware State Housing Authority
Valarie Watson, for Director Tom Cook, Department of Finance
Nicole Majeski for Secretary Jennifer Cohan, Delaware Department of Transportation
David Small, Secretary, Department of Natural Resources and Environmental Control
Bernice Whaley, Director, Delaware Economic Development
Terry Pepper for Secretary Jim Mosley, Department of Safety and Homeland Security
Brian Maxwell for Director Ann Visalli, Office of Management and Budget
Deb Gottschalk for Secretary Rita Landgraf, Department of Health & Social Services
Karen Field Rogers for Secretary Steven Godowsky, Department of Education
Holly Porter for Secretary Ed Kee, Delaware Department of Agriculture

Also Present:

| | |
|----------------------|-------------------------------------|
| David Edgell, OSPC | Leonard Sophrin, City of Wilmington |
| Dorothy Morris, OSPC | Andrew Donnelly, Governor's Office |
| Miriam Pomilio, OSPC | Karen Horton, DSHA |
| Stephen Bayer, OSPC | Jeff Stone |
| Marc Cote, DelDOT | |

Chairperson Tweedie opened the meeting at approximately 1:05 pm with welcome and introductions. No members of the public indicated that they wished to speak during the public comment portion of the meeting.

Approval of Minutes

A motion was made by Secretary David Small to approve the minutes from the November 19, 2015 meeting. The motion was seconded by Terry Pepper. With no further discussion the motion was unanimously approved.

Chairperson Tweedie announced that because the City of Wilmington was running late, the agenda would be changed so that item #4 could be heard first.

Strategies for State Policies and Spending Update

Chairperson Tweedie stated that this document was first submitted to this committee in Draft form at the November 2015 meeting. Chairperson Tweedie turned it over to Connie Holland to explain the Strategies update process.

Connie Holland discussed that the purpose of the Strategies for State Policies and Spending document is a land use decision making document for use by State agencies. It is used for the certification of comprehensive plan and for the PLUS review. Ms. Holland further discussed that it is not a parcel based map but more of an overview that looks at levels 1, 2, 3, & 4. This document is used by State agencies to determine where and how agencies will spend their money. Ms. Holland noted that regardless of the level a property is in, it still must be reviewed by State agencies and the local jurisdiction before development can be started because even a parcel in Level 1 could have wetlands

or other issues on the property that would deter a person from building on the land. In addition, a person developing land would need to go to the local jurisdiction to look at their plan and gain approval for the development.

After a brief presentation regarding the strategies (presentation can be found at <http://stateplanning.delaware.gov/strategies/>), chairperson Tweedie acknowledged Connie and her team put a lot of work into this document and she thanked Connie for their hard work. Meredith then asked if any committee members had questions regarding the Strategies or the update process.

Brian Maxwell asked for a breakdown of the comments. He asked if there was a specific topic that got the most comments. Ms. Holland stated that there were 319 comments received and 296 comment were received for one area of the state while the other 23 comments were general questions or comments. Connie noted that all comments, with State responses are on the website.

Deb Gottshalk asked about the topic that received the bulk of the comments. Connie Holland stated that the topic was regarding a single parcel of land. Since this isn't a parcel based map the issue is actually with Sussex County and the parcel being in a Level 4 area.

Chairperson Tweedie asked for a brief explanation of the issue. Connie Holland explained that this parcel was in Level 3 in 2010. In the current draft it went to a Level 4 because the data changed. Most of the comments were from citizens who wanted to keep it a Level 4. Chairperson Tweedie asked if there were comments related to doing something other than a level 4 for this area. Ms. Holland stated that she received letter from an attorney and an applicant change it back to a Level 3.

Brian Maxwell asked how the County viewed this particular area of land. Ms. Holland stated that our office met with the County and they had no objections to the Strategies as presented. According to the County plan the area is within their Environmentally Sensitive Developing area but that it is agricultural and that is 2 units per acre.

For clarification chairperson Tweedie asked how heavily does a local jurisdiction rely on what is in this document vs other considerations when making a decision regarding a particular parcel or project. Ms. Holland stated that they look at their own certified comp plan. That is how they are going to make their zoning decision. The developer and the local jurisdiction will get the comments related to the Strategies levels they come through the PLUS process. But there is a huge difference between State Strategies and where we are going to spend our money and the Counties ability to zone something. When the Counties do their comprehensive plans they are evaluated by the State Strategies and they coordinate well with the State. The Counties have the ability to change their comprehensive plan but the important point today is that this is not zoning, this is not parcel based. That responsibility lies with the County.

Chairperson Tweedie asked about when a parcel goes through the PLUS process. Does the OSPC look at the level as of when the PLUS application is submitted or when it goes before the local jurisdiction? Ms. Holland stated that the level is determined at the time the PLUS application is submitted.

Secretary Small offered congratulations to the Office of State Planning and all the agencies who had input in this document. He stated that the product is great; readability is very good and it covers a diverse and complex set of policy matters in a very good way. He also complimented the maps. In the future, he would like to include tourism as an economic driver. It should be called out separately because tourism is so important to the State. That includes parks and wildlife areas. This is considered Conservation Economy.

Director Ben Addi asked how many areas or parcels have shifted from one level to another, especially downgraded during this update. Miriam Pomilio stated that there were not major shifts. Because we now have the new flood plain maps and the FRAM maps, some areas along the bay did go from a level 3 to a level 4 but overall there were not significant shifts. Some areas along the bay did shift from a Level 3 to a 4 and there was a large area in New Castle County that shifted after talking to New Castle County and determining that they would not be putting sewer in the area.

Director Whaley asked if there would be a place to see more detail in the maps. Connie Holland stated that if a business is looking for land in a particular area, the Office of State Planning is always available to help locate land that could be developed. Miriam Pomilio stated that they maps would also be available on FirstMap once the document is approved.

Chairperson Tweedie asked that the presentation given today be posted on the website and with the minutes of the meeting.

Chairperson Tweedie called for any public comment. No public comment were given.

A motion was made by Director Anas Ben Addi to approve the document and forward the document as written to the Governor for approval. The motion was seconded by Terry Pepper. With no further discussion the motion was unanimously approved.

City of Wilmington DDD Expansion

The City of Wilmington is requesting an expansion of their existing Downtown Development District to include an additional 6.33 acres. Mr. Sophrin explained that when they originally set up the district they included all the exterior street rights-of-way which they were not required to do. They have taken those areas out of the district which gave them additional acreage available. The areas they are asking to be approved today include the area east of North Church Street and an area bounded by West 10th street, West 12th Street, North Market Street, and North Orange Street and includes the DuPont Hotel/Office building which is targeted for rehabilitation.

Chairperson Tweedie asked if the committee members had questions.

Director Ben Addi asked Mr. Sophrin to confirm that the orange area to be added included the DuPont bldg. Mr. Sophrin stated that bottom orange triangle on the map includes the Hotel and the top orange triangle includes the First Presbyterian Church, the Wilmington Club and the INK building. It also includes the parking lots associated with the Hotel DuPont.

Mr. Sophrin stated that the City intends to include all of Market Street corridor as a Star district.

Director Whaley asked what is next to the end of the district on the east side. Mr. Sophrin stated that there are larger industrial buildings which they would like to include but that would take them over the allowable limits. It was noted that if this extension is approved, the City would have approximately 3 acres available to add to the district.

Brian Maxwell asked how the expedited process reform was progressing. Mr. Sophrin stated that it continues to be a well-funded, very serious effort and that they continue to move forward.

Director Ben Addi asked if there was a possibility for the State and the City to negotiate some of the incentives while they are still working on the permitting. The purpose of the DDD program was not to have the DDD grant be the only incentive but for the local jurisdiction to bring something to the table as well. Mr. Sophrin stated that, as a result of the letter from State Planning, there has been a meeting set up to discuss all incentives. At the meeting, Mr. Sophrin thinks that the city can demonstrate that many, if not all of the incentives, except for the expedited permitting, are already active and successfully. Director Ben Addi stated that the Housing Authority needs a clear menu of the incentives so they can help sell the grant to potential applicants. Ms. Holland stated that the City should be advertising all the available incentives much like Dover has done so that developers who want to go in to a certain area know exactly what is available.

Chairperson Tweedie asked if there were any other questions or if there was any public comments. No members of the public had comments.

A motion was made by Brian Maxwell that the expansion to the Wilmington DDD boundaries be approved as presented. The motion was seconded by Deb Gottschalk. With no further discussion the motion was carried by a unanimous vote.

Director Ben Addi noted that the new round of grant applications was now open so the City should coordinate with the Office of State Planning so that the maps are updated and those areas can be included in this round of grant funding.

With no additional business before the committee, a motion was made by Director Whaley to adjourn the meeting. The motion was seconded by Brian Maxwell and with no further discussion, the motion was unanimously carried. The meeting was adjourned at 1:55 PM.

Draft Minutes posted to calendar: 3/10/2016

Minutes approved: 8/2/2016 Final minutes posted to public: 8/3/2016