

CHAPTER 15

IMPLEMENTATION PLAN

For a Comprehensive Plan to be effective in guiding the growth and improving quality of life within a city, it must identify specific actions and timeframes for implementation. This Chapter identifies the actions and projects necessary for implementation of the *2019 Comprehensive Plan*, as well as the process for amending the Plan.

The City's success in meeting the upcoming challenges will in large part be determined by the actions it takes in the coming years. While each chapter of the *2019 Comprehensive Plan* includes a series of recommendations for the specific topic area, this Chapter focuses on the projects, studies, code amendments, and other activities necessary to implement the Comprehensive Plan. The actions are grouped by timeframe for accomplishment of the specific action item.

The City Manager, City Planner, and other Department Directors will be responsible for incorporating the various actions and projects into their annual work plans to ensure that projects and tasks are completed in accordance with the Comprehensive Plan. The Planning Office will report annually to City Council and to the Office of State Planning Coordination on the progress of implementation.

The following is a categorized list of the actions required to implement the *2019 Comprehensive Plan* such that its Goals and Recommendations are achieved during the ten-year planning period.

IMMEDIATE ACTIONS - 2019

The two most important and time-sensitive actions that are required by *Delaware Code* are the adoption of the Comprehensive Plan and the Comprehensive Rezoning of all parcels that will now be inconsistent with the Land Development Plan.

Adoption of the Comprehensive Plan

The first step in the implementation process of the Comprehensive Plan is the official adoption. The process for adopting a Comprehensive Plan is spelled out in State law (*Delaware Code*, Title 29, Section 9103). A proposed municipal comprehensive plan is submitted to the Office of State Planning Coordination which shall solicit the comments of state agencies and those of other potentially impacted jurisdictions. This is accomplished through the submission to Preliminary Land Use Service (PLUS). The Office shall follow the process and procedures set forth for the Preliminary Land Use Service (PLUS) and shall provide the municipality with a report:

1. Documenting the degree to which the municipality has incorporated the State's goals, policies and strategies.
2. Listing findings, recommendations and objections, including adverse fiscal impacts
3. Identifying improvements, revisions or other actions desired to address and resolve inconsistencies.
4. Setting forth a timetable and process for negotiations to achieve consistency.

The Release DRAFT 10.1.2019) of the *2019 Comprehensive Plan* was submitted for PLUS Review on October 1, 2019 and the comment review letter (Report) dated November 8, 2019 was received. The PLUS review comments and information revisions to the plan were considered by the City Staff and incorporated into the release of the Final DRAFT (12.3.2019) *2019 Comprehensive Plan*.

The City must also provide an opportunity for public review and comment and shall provide such review and the proposed Comprehensive Plan to the City Planning Commission and the City Council. The first step in the implementation process of the Comprehensive Plan is the official adoption by the Planning Commission and City Council as required under Delaware law. Both Planning Commission and City Council adopting the Plan affirms their common goal with respect to the future. This occurred on December 16, 2019 with the City of Dover Planning Commission and January 13, 2020 with the Dover City Council. See Chapter 4 – Citizen Participation for a more detailed description of the formal review and adoption process for the *2019 Comprehensive Plan*.

Upon adoption and satisfaction of the PLUS comments the Plan shall be submitted for Certification by the Governor. The final publication version of the *2019 Comprehensive Plan: Planning for a Bigger, Better Dover* as adopted on January 13, 2020 has been prepared for this submission.

Comprehensive Rezoning/Zoning Map Revisions

As a part of the Comprehensive Plan implementation process, the City's Official Zoning Map must be evaluated for consistency with the Land Development Plan. Zoning changes necessary to implement the Land Development Plan will be evaluated immediately after the Plan is adopted. The Land Development Plan (Chapter 12 and Map 12-1) is the basis for zoning within the City. Within 18 months of the Comprehensive Plan's adoption, all zoning throughout the City must be consistent with the Land Development Plan. This Comprehensive Rezoning project will involve review by the Planning Commission and City Council with opportunities for public input through public hearings before each body.

ONGOING ACTIVITIES

Many implementation tasks are not tied to a specific study, project, or code change rather they are tasks that are addressed on a routine and continuing basis throughout the planning period. They may result in one or more specific actions as appropriate. These on-going activities are listed by topic area.

Natural Resources and Environment

- Continue to support native tree planting and landscaping programs and tree/natural area maintenance through the Development Advisory Committee and the Department of Public Works.
- Share the FEMA floodplain maps and information which pertain to the City to ensure homeowners, businesses and developers have accurate information about flood risks through a variety of outreach methods i.e. workshops, website, etc.
- Continue to utilize the knowledge and expertise of the Silver Lake Commission as advocates for the Lake, advisors to the City Council on matters regarding the Lake, and as liaisons between the City, the public, and DNREC regarding Lake management issues.
- Continue public education, outreach, and participation/engagement measures for water quality and related activities identified in Dover's Municipal Separate Stormwater System (MS4) program.

Historic Preservation

- Conduct Public Outreach and Education opportunities regarding Historic District programs.
- Continue participation as a CLG (Certified Local Government).
- Utilize knowledge and expertise of Historic District Commission focused on preservation and protection of historic resources.

Utilities and Infrastructure

- Educate the public on floodplain topics through outreach to homeowners and residents focusing on helping residents understand their flood risk and what they can do to mitigate flooding in the City.
- Continue enforcement of floodplain regulations and associated construction codes.
- Implement a plan to remove sources of inflow and infiltration in the City's Wastewater Systems.
- Continue to implement Green Energy Goals to help improve the effectiveness and efficiency of our resource management systems, particularly with electricity.
- Proactively maintain and improve the City's utility infrastructure (water, sewer, stormwater, and electric).

Community Services and Operations

- Evaluate the levels of City Services as they pertain to police, fire, and emergency response times. Service levels should be maintained or exceed their current status as Dover grows in population and land size.
- Continue to build a robust online presence and implement other outreach communication efforts for the City focusing on City initiatives, education on City ordinances, and promoting Dover as a desirable place to live, work, and play.
- Ensure existing services and facilities at the Dover Public Library building are maintained and expanded to support the number of daily visitors it encounters.
- Improve the City's customer service functions so that more types of applications, payments, and inquiries can be made online through the City's website or are made

available through other communication methods for those with limited access to electronic media formats.

- Support the Police Department’s goals and strategies for improving public safety as outlined in the Police Strategic Plan.

Transportation

- Encourage augmentation of new and existing transit stops with bicycle and pedestrian facilities, as well as shelters to protect riders from inclement weather.
- In collaboration with DART, enhance transit connections between neighborhoods and employment centers, institutions, commercial areas, schools, recreational facilities, and locations with large transit-dependent populations.
- Continue to play an active role in the Dover/Kent County MPO.
- Maintain the City-owned street and alley systems.
- Continue to coordinate development activities within the City of Dover with DelDOT through the Development Advisory Committee and other interactions.
- Continue implementation of the *Bicycle Plan* and the *Pedestrian Plan*.

Economic Development

- Ensure that the City has the capability and resources to effectively market and promote itself by identifying points of contact, protocols, processes, and marketing strategies.
- Develop a package of promotional materials suitable for a variety of audiences and uses, including print media, social and web presence, and general distribution with a hierarchy of consistent messages and information.
- Routinely review commercial, industrial and related ordinance provisions to ensure that they remain contemporary and support changing concepts of work, shopping and living.
- Reassess Dover’s (and Kent County’s) economic strengths and opportunities through a comprehensive economic analysis and assessment.
- Support opportunities to expand aviation facilities as well as access to these facilities.

Housing

- Continue to conduct housing inspections on rental housing to ensure the compliance with City Codes.
- Continue to work with other housing agencies to eliminate severe housing conditions that constitute immediate health or safety hazards to the occupants.
- Work with housing providers and developers to construct affordable rental housing options throughout the City including accessible housing for persons with disabilities.
- Continue to work with housing providers to end homelessness and increase the number of permanent supportive housing options.
- Support programs to address housing inequities and injustices and promote neighborhood initiatives to address hazards.
- Update and adopt the 2020-2024 Community Development Block Grant Consolidated Plan.

Emergency Operations Planning

- Continue to comply with the National Incident Management System (NIMS) through participating in appropriate staff training and holding drills to prepare for potential disasters.
- Increase the staff training and education available to ensure all essential staff are trained in NIMS and familiar with the *Dover Emergency Operations Plan* (DEOP).

Planning and Use of Lands and Buildings

- Support the adaptive mixed reuse of existing buildings throughout the City.
- Continue to evaluate and adopt the latest versions of the Building Codes and Fire Codes.
- Increase coordination with development community and design professionals on City's regulations.

SHORT TERM IMPLEMENTATION (2019-2021)

The following is a listing of projects, studies, code revisions, and other activities that will be initiated or focused on during the two years immediately following Comprehensive Plan adoption.

Projects

Projects - Transportation

- Update the “Agreement Regarding Dover US 13/Bay Road Corridor Transportation Improvement District” to set boundaries, target horizon year, and service standards.
- Work with DelDOT and the Dover/Kent County MPO to develop a Transportation Improvement District for the Route 13/Bay Road Corridor in Dover.

Projects – Economic Development

- Implement a marketing plan for Garrison Oak Business and Technology Center including establishing a web presence, ensuring listing for economic development, improving signage, and site enhancement.

Projects – Downtown Revitalization

- Develop and implement a Downtown parking plan.
- Promote the vitality of the Downtown Development District by developing a shared vision for the Downtown strategically addressing crime, vacancy, and blight.
- Develop revised or new incentives.
- Implement a neighborhood development strategy for adjacent commercial and residential areas.

Projects - Community Services and Operations

- Develop and implement a government/civic complex plan addressing needed City government offices and facilities.

- Implement the City’s Enterprise Resource Planning (ERP) Project to support the business processes of the City through improved access and management of City data.

Studies

Studies – Natural Resources and Environment

- Evaluate the City’s requirements for providing active recreation areas for new residential developments.

Studies – Historic Preservation

- Evaluate and update the *Design Standards and Guidelines for the Historic District Zone*.

Studies – Community Services and Operations

- Evaluate the design of City-owned buildings to identify opportunities for improving their security and disaster-readiness.

Studies - Transportation

- Identify current Safe Routes programs and evaluate deficiencies.

Studies – Economic Development

- Evaluate potential access to the Garrison Oak Center from State Route 1 with an Alignment Study to determine feasibility and location of future road connection.
- Participate in development of a Joint Land Use Study with Dover Air Force Base.

Studies – Housing

- Participate in the development and adoption of the 2019 Fair Housing Plan.

Code Amendments

Code Amendments – Natural Resources and Environment

- Update and maintain the Source Water Protection Overlay Zone (SWPOZ) on the City’s Zoning Map to ensure it covers all lands identified for protection by DNREC’s Source Water Map as wells and excellent recharge areas.

Code Amendments – Transportation

- Explore current ordinances and site plan requirements to better incorporate non-motorized elements into land development plans.

Code Amendments - Housing

- Amend provisions in the *Zoning Ordinance* for the definition of “family” to remove undue restrictions for members of protected classes.
- Amend provisions in the Safe Communities Initiative that may be a violation to Fair Housing.

Other Activities

Other Activities – Natural Resources and Environment

- Implement a Stormwater Utility with the City to help fund the maintenance of stormwater infrastructure that improves water quality.
- Evaluate the process for referring development projects to the Silver Lake Commission to ensure they review all projects which may have significant impacts on Silver Lake.

Other Activities – Community Services and Operations

- Ensure that the City’s contracted Ambulance Service can meet the service demands placed on it.

Other Activities – Transportation

- Evaluate the *2008 Delaware Route 8 Concept and Operations Study* and the *2007 US Route 13 Circulation Study* to determine if updated plans are needed.
- Advocate certain projects and studies to be placed in the Dover/Kent County MPO Transportation Improvement Program (TIP) and the DelDOT Capital Transportation Program (CTP). Each year the Dover City Council develops listing of prioritized projects.

Other Activities – Housing

- Update and adopt the 2020-2024 Community Development Block Grant Consolidated Plan.

INTERMEDIATE TERM IMPLEMENTATION (2022 – 2025)

The following is a listing of projects, studies, code revisions, and other activities that will be initiated two to five years following Comprehensive Plan adoption.

Projects

Projects – Natural Resources and Environment

- Develop an Open Space, Parks & Recreation Master Plan.
- Implement the completed Master Plans for Schutte Park and Dover Park.
- Develop a Master Plan for Silver Lake Park.

Projects – Transportation

- Conduct a community-engaged process to designate new Safe Routes and develop their programming.
- Update and Implement the *Bicycle Plan* and the *Pedestrian Plan*.

- Work with DelDOT, property owners, and the Dover/Kent County MPO to implement the *Division Street/Forest Street Dover Capital Gateway Plan* and the *Delaware Route 8 Concept and Operations Study*.

Projects – Economic Development

- Facilitate the establishment of the Central Delaware Aviation Center/aviation and aeronautics employment center through completion of the DAFB Joint Use Agreement and a master plan for development of the facility.

Studies

Studies – Natural Resources and Environment

- Work with DNREC to identify potential water quality improvement projects in major City water bodies such as Silver Lake.
- Conduct a “vulnerability assessment” of the City to determine which people and places within Dover are most at-risk from climate change pressures.

Studies – Historic Preservation

- Evaluate appropriate areas for expansion of the Historic District (H) Zone.
- Evaluate areas listed or eligible to be listed on the National Register for Historic Places for inclusion within the City’s Historic District (H) Zone.

Studies – Community Services and Operations

- Assess all City buildings to determine if they are adequately able to support City staff and day-to-day operations in the City. Create plans for improving these buildings or moving to new ones if they are found to be inadequate.

Code Amendments

Code Amendments – Natural Resources and Environment

- Improve water quality and floodwater absorption capacity in the City through code amendments addressing topics such as pervious paved surfaces, stormwater management areas, and hydric soils.
- Reduce air quality impacts and climate change impacts through code amendments which aim to improve access to alternative forms of transportation.

Code Amendments – Historic Preservation

- Identify and study areas for local Historic District designation (H - Historic District Zone).
- Refine procedures for Architectural Review Certification process.

Code Amendments - Housing

- Develop code amendments considering an alternative housing options for group, transitional, and supportive housing.

Other Activities

Other Activities - Transportation

- Encourage DART to share the Dover Transit Center with private intercity buses.

LONG TERM IMPLEMENTATION (2025 AND BEYOND)

Long term projects are those tasks, that while important components of the Plan, will be undertaken later in the planning process. This may be a function of timing, resources, research and data requirements, and dependence on completion of preceding tasks. Some identified projects, studies and activities may be multi-phased initiatives or ongoing large projects.

Projects

Projects – Community Services and Operations

- Implement a plan to remove sources of inflow and infiltration in the City’s Wastewater Systems.
- Obtain Accreditation with the American Public Works Association in recognition of high standards and professionalism.

Studies

Studies – Natural Resources and Environment

- Proactively plan for the impact new technologies such as alternative fuels, online goods and services delivery, and self-driving cars will have on lifestyles and travel.

Studies – Utilities and Infrastructure

- Ensure that the City’s Utility Plans of the Department of Public Works and the Electric Department are kept up to date, noting that they need to be updated every 10-15 years.

Studies – Economic Development

- Address development opportunities for West Center City area including review and implementation of prior planning studies.

Code Amendments

- Regularly review and revise the *Zoning Ordinance*, *Land Subdivision Regulations* and *Dover Code of Ordinances* to endure that they reflect current conditions and trends, are efficient to administer, and promote sound land use and development in the City.

Other Activities

Other Activities – Natural Resources and Environment

- Improve the City’s Bicycle and Pedestrian networks in accordance with the recommendations of the *Bicycle Plan* and *Pedestrian Plan*.

Other Activities – Historic Preservation

- Complete a Self-Assessment for the Historic District Commission.
- Implement methods of on-going communication with historic property owners.

Other Activities – Transportation

- Support the return of passenger rail service.
- Identify new transportation needs and ensure the City has the infrastructure to accommodate evolving technologies.

Other Activities - Housing

- Collaborate with public health agencies, housing authorities, advocacy groups, and others on matters concerning housing and health.

COMPREHENSIVE PLAN 2029

Planning is a process. It is not a product or a report. It is not done when this Comprehensive Plan is adopted and certified. During the 2019-2029 planning period, Staff will regularly track and monitor development activities, study and identify economic and demographic trends, and assess the implementation of the Plan's objectives. Through coordination with the Office of State Planning Coordination, the Dover/Kent County MPO, the Kent Economic Partnership, the Downtown Dover Partnership and other stakeholders, regular analysis of contemporary data (including the 2020 Census); and ongoing community input, the Staff will build the basis for the next Comprehensive Plan. The process to develop the next Comprehensive Plan document for 2029 will need to begin at least in the prior year to determine the plan preparer (Staff or Consultant), the format of plan, and the types of outreach activities.

COMPREHENSIVE PLAN AMENDMENTS

The City may, from time to time, amend the Comprehensive Plan as circumstances unforeseen at this time arise that require such amendments. Any amendments to the Comprehensive Plan must be approved by City Council, by recommendation of the Planning Commission, and submitted to the Office of State Planning Commission for review before they become effective. Comprehensive Plan Amendments can fall into two categories: Minor Variations and Comprehensive Plan Amendment Requests.

Requests to amend the Comprehensive Plan may be initiated by Planning Staff, City Council, or applications from the general public. Upon receiving a request to amend the Comprehensive Plan, the City Planner will determine whether the request is considered a Minor Variation or a Comprehensive Plan Amendment Request.

Minor Variations

Any application for Rezoning or Annexation that is inconsistent with the City of Dover's Comprehensive Plan, but where the non-conformity is of a minor, relatively insignificant nature

shall be considered a **Minor Variation**. A Rezoning shall be considered a Minor Variation from the Comprehensive Plan when the following conditions are met:

- a) The rezoning is of a unique circumstance and cannot set precedent for other lands in the vicinity of the rezoning; and
- b) The relative size of the rezoning or the variation from the land use recommended by the Comprehensive Plan is so minor that it would have no impact on the goals and objectives of the Comprehensive Plan; and
- c) The proposed zoning is adjacent to or in the immediate vicinity of other similarly zoned lands and would not alter the pattern of development in the area.

When the City Planner determines that a request qualifies as a Minor Variation, he/she will submit the requested amendment to the Office of State Planning Coordination in writing including a map of the area with the Land Development Plan classifications and an explanation of how the proposal qualifies as a Minor Variation. If the Office of State Planning Coordination concurs with the City Planner, the application will be considered consistent with the Comprehensive Plan and processed according to the proper procedure for the Rezoning or Annexation request. If the Office of State Planning Coordination does not concur, then the application will be considered a Comprehensive Plan Amendment Request.

Comprehensive Plan Amendment Requests

For those requests that may not be considered a Minor Variation, the applicant must file a **Comprehensive Plan Amendment Request**. As established in the Memorandum of Understanding for PLUS, the City has agreed to submit an Application (of the Comprehensive Plan Amendment Requests) for comments to the State Office of Planning Coordination's Preliminary Land Use Services (PLUS) review process. In these cases, the City is the entity that must submit a request for PLUS review.

When the City Planner determines that a request is considered a Comprehensive Plan Amendment Request (not a Minor Variation), it will be subject to the following process. The City will submit Comprehensive Plan Amendment Requests for consideration through the PLUS Process in **January of each year**. Applications for Amendments to the Comprehensive Plan must be received by the City Planning Office by December 15th. The City will compile any requests received into one submission to the Office of State Planning Coordination, regardless of Planning Staff concurrence with the Request. Comprehensive Plan Amendment Requests will be processed annually, in accordance with the schedule in Table 15-1.

Table 15-1: Amendment Submission Schedule

Milestone	Date
Application Deadline	December 15 th
Submission to PLUS	1 st Working Day of January
PLUS Meeting	Late January
DAC Staff Meeting	Late January/February
DAC Applicant Meeting	February
Planning Commission Hearing	February
City Council Hearing & Action	March

There are specific application forms and checklists for Comprehensive Plan Amendment Requests. Prior to submitting an application for Comprehensive Plan Amendment, an applicant must hold a Pre-Application meeting with Planning Staff. Submission materials for Comprehensive Plan Amendments will require the applicant to provide the following information (prepared by a design professional): a completed Comprehensive Plan Amendment Application, other appropriate application forms based on the request type, property information (drawing), an analysis of the surrounding land uses and zoning classifications, a statement on how the request is consistent with the goals of the Comprehensive Plan, and the fee associated with the application. For Rezoning and Annexation applications, all other requirements must be met for the submission.

It is noted that Comprehensive Plan Amendment Requests that are associated with a Request for Annexation of lands located in Annexation Category 3 and in Areas of Concern may be considered at any time and not held to the once-a-year filing requirement. A Plan Amendment is required to change the Annexation Category and to identify potential Land Use Category (classification for the property). However, they will still be subject to the Preliminary Land Use Service (PLUS) review process.

CONCLUSION

The *2019 Comprehensive Plan* is the culmination of more than a year's effort, led by the Planning Office, in conjunction with other City Departments, the City Council, the Planning Commission, the Historic District Commission, and the citizens of Dover. This project has worked to define the future of Dover. Public input is at the heart of the goals, recommendations, and implementation actions of the Comprehensive Plan. The Comprehensive Plan is intended to be a living document that will guide the actions of City government as it addresses the challenges of a growing City. The public input does not end with the adoption of the Comprehensive Plan; rather, the public is encouraged to stay involved in the implementation of the Plan to ensure that Dover continues to be a place where people want to live, work and play.