CITY OF DOVER PLANNING COMMISSION
QUARTERLY WORKSHOP
AGENDA
Wednesday, August 23, 2017 – 12:00 noon
City Hall Conference Room
15 Loockerman Plaza, Dover, Delaware

QUARTERLY WORKSHOP
Items for Discussion:

1. Planning Commissioner Comments and Concerns

2. Department of Planning & Inspections Updates
    a. Summary of 2017 Applications

    b. Current Studies and Projects
        i. Regional Bicycle Plan
        ii. Downtown Parking Study

    c. Grant Project Activities
        i. Parks & Recreation Grant Activities
        ii. FFY2017 Certified Local Government (CLG) Grant Project

    d. Updates on Program and Plan Activities
        i. Downtown Development District Program
        ii. Restoring Central Dover Community Plan

3. DRAFT Preliminary Land Use Services (PLUS) Memorandum of Understanding

4. Research Project Update on Potential *Zoning Ordinance* Amendments

5. Education and Training Opportunities

6. Open Discussion

ADJOURN

THE AGENDA ITEMS MAY NOT BE CONSIDERED IN SEQUENCE. THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSION.

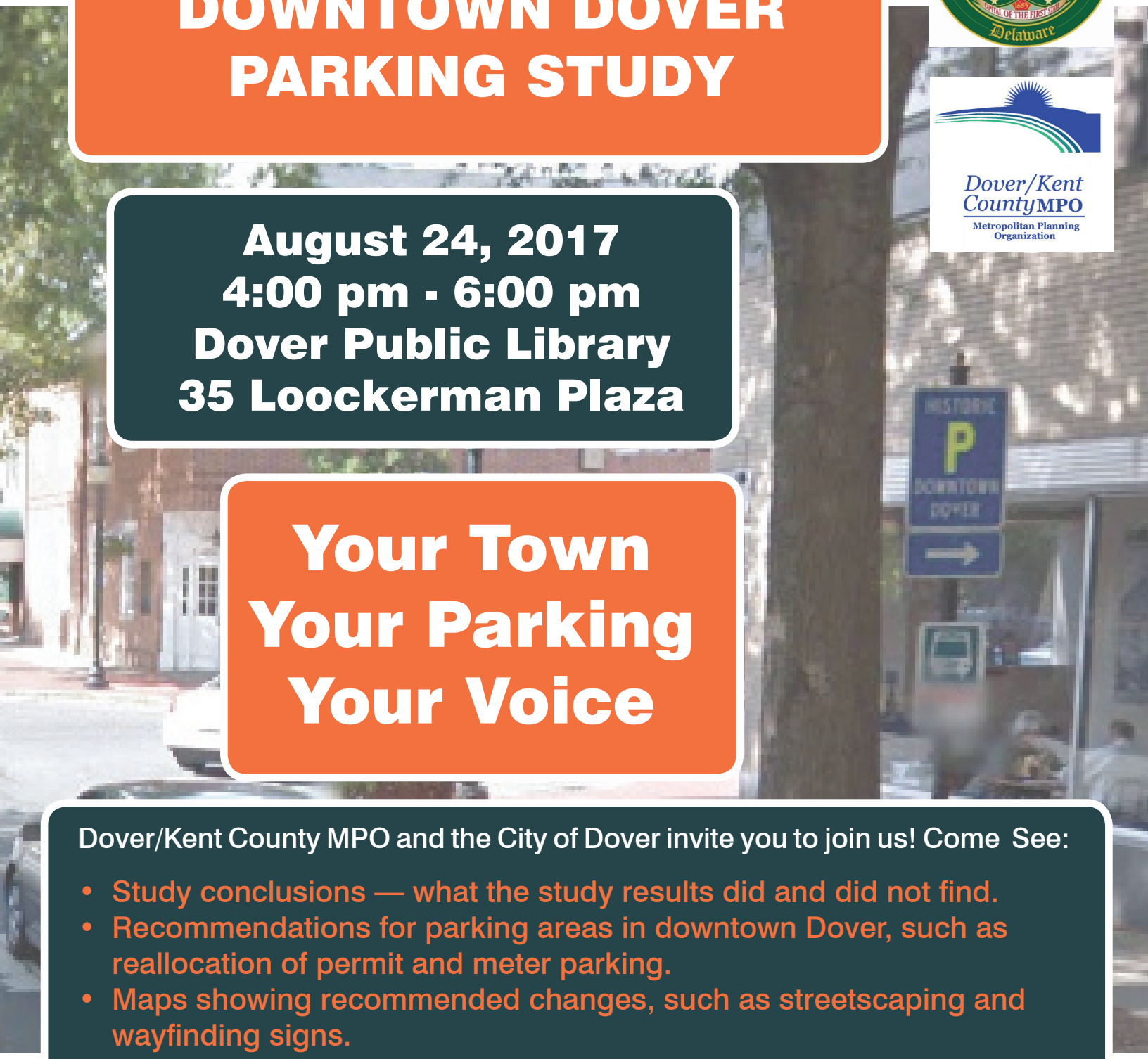
Agenda: Posted August 11, 2017

City of Dover, Delaware
Summary of Applications

Application Type	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016					2017			
															Q1	Q2	Q3	Q4	Total	Q1	Q2	Q3	Total
Board of Adjustment	13	9	17	18	25	38	20	15	15	13	15	17	14	15	2	4	6	4	16	9	2	3	14
Annexations	2	3	5	6	10	4	3	1	0	0	1	3	0	1	1	2	0	0	3	0	0	0	0
Conditional Use	2	8	8	9	8	7	14	8	5	7	6	11	6	4	3	0	1	1	5	1	1	1	3
Site Plans	37	37	33	39	49	66	43	29	33	23	20	21	24	16	9	4	8	3	24	10	8	5	23
Subdivisions	2	10	10	8	7	7	2	7	5	2	2	6	5	2	0	0	0	0	0	0	1	1	2
Rezoning	5	8	9	7	13	10	11	5	8	6	2	3	4	4	3	1	0	3	7	2	1	2	5
Miscellaneous	14	11	25	17	17	23	20	15	20	17	24	22	14	14	3	7	4	4	18	1	0	2	3
Unified Sign	1	2	0	1	0	1	3	1	0	2	2	3	1	2	2	0	1	1	4	0	0	0	0
Historic District Commission	6	11	7	3	9	7	4	4	11	5	7	5	6	8	1	3	1	1	6	0	2	0	2
TOTAL	**82**	**99**	**114**	**108**	**138**	**163**	**120**	**85**	**97**	**75**	**79**	**91**	**74**	**66**	**24**	**21**	**21**	**17**	**83**	**23**	**15**	**14**	**52**

**Summary as of 8/7/2017 including applications received for the August meetings of the Planning Commission, Board of Adjustment and Historic District Commission and including Administrative Plan Reviews.*

PUBLIC MEETING #3
DOWNTOWN DOVER PARKING STUDY



August 24, 2017
4:00 pm - 6:00 pm
Dover Public Library
35 Loockerman Plaza

Your Town
Your Parking
Your Voice

Dover/Kent County MPO and the City of Dover invite you to join us! Come See:

- Study conclusions — what the study results did and did not find.
- Recommendations for parking areas in downtown Dover, such as reallocation of permit and meter parking.
- Maps showing recommended changes, such as streetscaping and wayfinding signs.
- A timeline for the remainder of the project.

Join Us! We Want YOUR INPUT!

Questions: Please call 302-387-6030 or email doverkentmpo@gmail.com.

Project Narrative FFY2017
Addendum to *Design Standards & Guidelines for the City of Dover Historic District Zone*: Modern Materials & Technologies

The City of Dover is proposing a preservation planning project to evaluate and update portions the *Design Standards & Guidelines for the City of Dover Historic District Zone* document. The result of the project will be a Draft Addendum document focusing on modern and technological advancements in materials and construction activities of items discussed in the *Design Standards & Guidelines*.

The current *Design Standards & Guidelines for the City of Dover Historic District Zone* document was created[1] and adopted in 1992-1993 with the formal establishment of the City's Historic District Commission (HDC) by ordinance adopted July 26, 1993. The ordinances of the City of Dover allow for the designation and protection of historic properties. The purpose of Historic District regulations is:

> "to preserve and enhance that unique character and value of the old portion of Dover as an area of special charm and interest. It is particularly intended that the regulations prevent, in the historic district, any change of conditions that would be deemed to be a disfigurement or degradation of the present unique visual and architectural qualities of the district." (*Zoning Ordinance,* Article 3, Section 21*)*

The geographic boundaries of the Historic District (H) zone are established as a zoning classification. The original boundaries of the Historic District established in 1961 were generally described as extending from just north of Division Street south to South Street inclusive of the properties fronting on South State Street and The Green then east to the St. Jones River. In 1997, the boundaries of the Historic District Zone were expanded to include properties fronting on West Loockerman Street from Bradford Street to the railroad corridor and areas in the vicinity of South Governors Avenue, South Bradford Street, North Street, and Bank Lane. The areas of expansion included many commercial and residential properties listed in the National Register of Historic Places as part of the Victorian Dover Historic District. See attached *Map of City of Dover Historic District* showing the current boundaries (shaded in orange).

As a preservation and redevelopment tool, the *Design Standards and Guidelines* provide guidance for property owners, design professionals, staff and the Historic District Commission (and Planning Commission). The "historic district design guidelines and standards" are defined by the *Zoning Ordinance* as follows:

> "*Historic district design guidelines and standards:* The document adopted by the City of Dover Planning Commission as being the source reference document for construction and maintenance of buildings, structures, and additions with the Dover Historic District and which is the guiding document for the historic district commission and city planner in their review of applications for architectural review certification."

Therefore, it is utilized as a guiding document in the decision making process of reviewing of construction activities in the Historic District zone for issuance of Architectural Review Certification (*Zoning Ordinance*, Article 10 Section 3). Applications for Architectural Review Certification are reviewed by the City Planner (Staff), the Historic District Commission, and Planning Commission. See the following code excerpt regarding the architectural review standards.

[1] The current document *Design Standards and Guidelines for the City of Dover Historic District Zone* was prepared in 1992 by John Milner Associates Inc. with funding by a grant from the National Park Service, U.S. Department of the Interior and administered by the State Historic Preservation Office. City Planning Staff, the State Historic Preservation Office, the Friends of Old Dover, Main Street Dover, and other interested parties participated in the development of the document.

Zoning Ordinance, Article 10 Section 3.25 Architectural review standards.

(A) An architectural review certificate may be issued if it is found that the architectural style, general design, height, bulk and setbacks, arrangement, location and materials and structures affecting the exterior appearance are generally in harmony with neighboring structures and complementary to the traditional architectural standards of the historic district as set forth in the historic district design guidelines and standards adopted by the planning commission and as set forth in the United States Secretary of the Interior's Standards for Rehabilitation.

(B) The city planner, historic district commission or planning commission shall not consider normal maintenance and repair (see definitions, article 12), interior arrangement, or building features not subject to public view.

The *Zoning Ordinance* references the *Design Standards & Guidelines* when establishing the Architectural Review Certification process for the City of Dover's Historic District zone (H). An Architectural Review Certificate is required for a demolition, erection, reconstruction, alternation, restoration or exterior repairs on properties within the Historic District. Most projects within the Historic District are eligible for administrative review of the Architectural Review Certificate as part of the Building Permit process for such projects as signs, roof and door or window replacement, and exterior finish/siding/trim work renovations. Project activities only involving interior renovations are not subject to the Architectural Review Certification process. For example, in calendar year 2016, a total of forty-nine (49) applications (permit activity in the Historic District) were reviewed under this process with 32 Permits requiring Architectural Review Certification and 17 Permits not requiring Architectural Review Certification. [2]

Historic Preservation Planning is part of a comprehensive approach to land use planning in the City of Dover. In Dover's current plan, the *2008 Comprehensive Plan (as amended)* this information is presented in Chapter 6 - Historic Preservation and associated Map 6-1. The *2008 Comprehensive Plan* includes sets forth goals and a series of recommendations for each goal. The Historic Preservation Goals are as follows:

Historic Preservation	**Goal 1:** Preserve and Protect Historic Resources **Goal 2:** Provide and Promote Incentives for Preservation Activities **Goal 3:** Increase Public Information on Historic Resources **Goal 4:** Collaborate with Diverse Groups and Governments

2008 Comprehensive Plan, excerpt from Table 1-1: Plan Chapter Goals

To achieve Goal 1, one of the adopted Recommendations was the Evaluation of Design Standards and Guidelines since the original document was adopted in the early 90s. The recommendation also suggested consideration of the standards and guidelines for the levels of protection for The Green and the Loockerman Street areas.

For this project for an Addendum to the *Design Standards & Guidelines*, the City of Dover will seek to hire a consultant through a Request for Professional Services process to assist the Historic District Commission and Planning Staff with the project. The consultant will be required to have a Principal Investigator (PI) who meets the professional qualification standards in 36 CFR 61. Also involved in the project, the Historic District Commission consists of five (5) appointed members and the Planning Commission[3] consists of nine (9) appointed members. The Planning Staff serves as staff support to the Historic District Commission and will manage the activities of this project.

[2] The volume of Permit Activity in the Historic District over the past five years has averaged 63 applications a year with a majority of them eligible for Architectural Review Certification review by Staff.

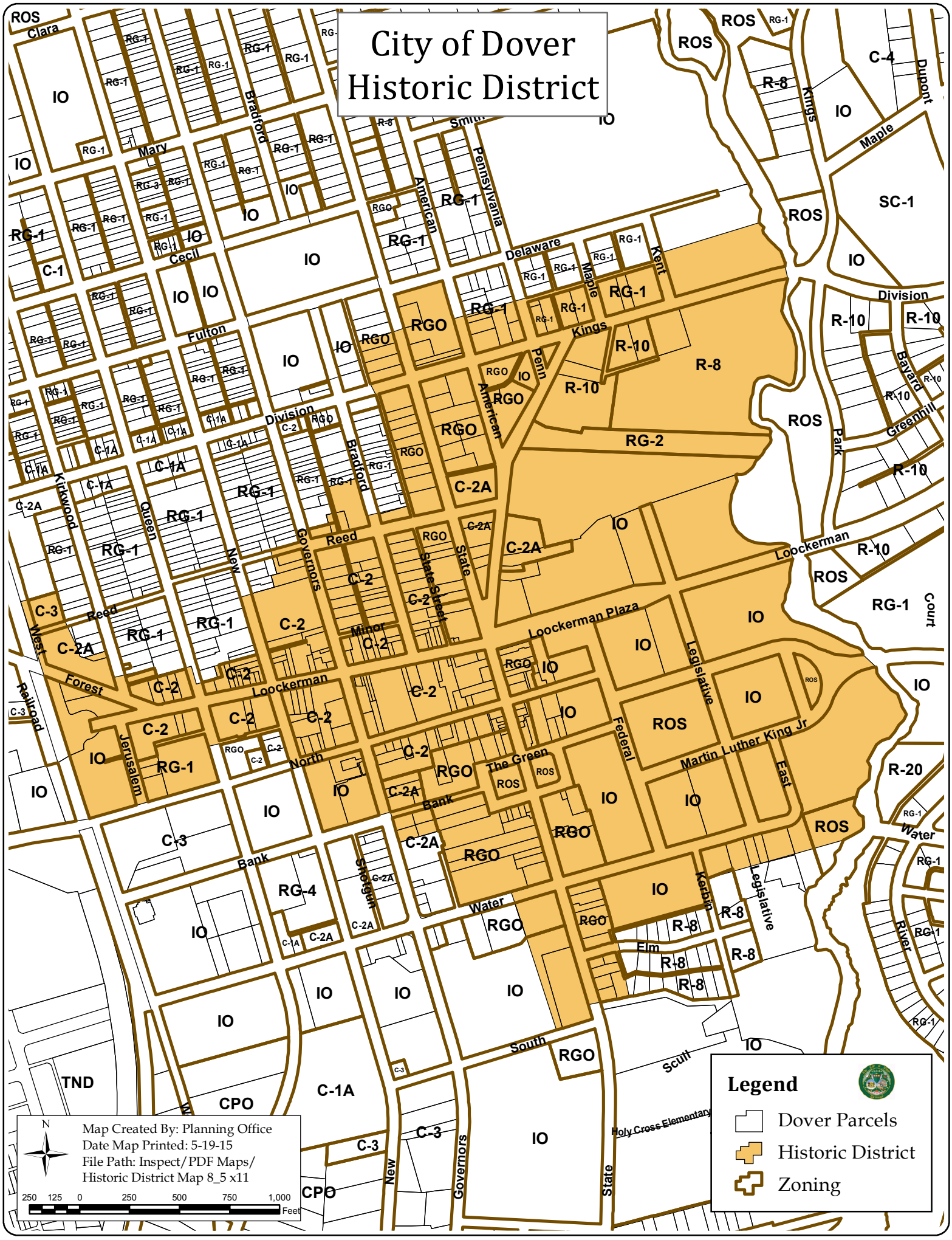
[3] The Planning Commission, per the *Zoning Ordinance*, Article 10 Section 3.25(A), is involved in the formal adoption process for the Historic District guidelines.

With the project, we hope to create an Addendum to the *Design Standards & Guidelines* that focuses on the modern and technological advancements in materials and construction activities. In recent years, the use and role of alternative and composite materials in construction has increased with options for wood composites, PVC/vinyl products, and others. In addition, features like solar panels and other conservation related measures have become more common place. This Addendum will focus on these types of materials and items as associated with the practices for maintenance, preservation and construction activities within the Historic District. Components of the Addendum document will continue to provide guidelines for treatment of historic properties and features focusing on maintenance, repair, alternations, and preservation or restoration of existing buildings; guidelines for new construction activities (additions and new buildings), guidelines for demolition activities; guidelines for landscaping and site elements, and guidelines for signage. The document is to be consistent with the *Secretary of Interior Standards for Treatment of Historic Properties (Rehabilitation Standards and Guidelines).*

The project will consist of a series of phases: Planning, Public Outreach, Guidelines Revision and Refinement, and Preparation of Draft Addendum Document. The following chart outlines the anticipated activities of the project.

Timeframe	**Project Phase**	**Activities and Products**
September – October 2017	Planning	Meetings with Consultant, Staff and HDC to outline general project approach, goals and format for Addendum guidelines, determine public input strategy.
November 2017	Public Outreach	Analysis of guidelines. Conduct focus groups/stakeholder meetings and a Public Workshop.
December 2017 – March 2018	Guidelines Revision & Refinement	Prepare example page format (text and photographs). Meetings with Staff and HDC to present drafts. Review of multiple Drafts by Staff, HDC.
March – April 2018	Preparation of Draft Addendum Document	Conduct Public Workshop on Draft. Review of Draft by State Historic Preservation Office.

The specific scope of work, tasks, and deliverables by the consultant will be further refined with Planning Staff. Electronic copies of documents are anticipated for use at meetings and posting on the City's website for review. Subject to the selection of the consultant, the Project's work timeframe is expected to be September 2017 through April 2018 with the formal review process to adopt the Draft Addendum Document to follow in Summer 2018 with the Historic District Commission and Planning Commission.


City of Dover
Historic District
Legend
Dover Parcels
Historic District
Zoning
Map Created By: Planning Office
Date Map Printed: 5-19-15
File Path: Inspect/PDF Maps/
Historic District Map 8_5 x11
250 125 0 250 500 750 1,000
Feet
N
Loockerman
Loockerman Plaza
Bank
Water
Reed
Division
Fulton
Mary
Cecil
Clara
Forest
Minor
North
South
Delaware
Maple
Kings
Penn
Pennsylvania
American
Bradford
Queen
Kirkwood
New
Governors
State
State Street
Jerusalem
Railroad
West
Shotgun
Kent
Dupont
Bayard
Greenhill
Park
Court
Legislative
Federal
Martin Luther King Jr
East
The Green
Elm
Kerbin
Scull
River
Holy Cross Elementary
IO
RGO
RG-1
RG-2
RG-3
RG-4
R-8
R-10
R-20
C-1
C-1A
C-2
C-2A
C-3
SC-1
CPO
TND
ROS

Memorandum of Understanding
between
The City of Dover, Delaware
and the
Delaware Office of State Planning Coordination

WHEREAS, the State of Delaware has determined that certain local land use decisions have far reaching and complex effects on the region, resulting in development which often requires the commitment of finite resources by the various levels of government as well as private investors; and

WHEREAS, coordinated review of certain development activities would result in a more efficient, effective and timely use of resources and would also achieve consistency and coordination between the various levels of government and other interested parties; and

WHEREAS, under Title 29, Chapter 92 of the Delaware Code, local land use planning actions by local governments are subject to pre-application review processes by the Office of State Planning Coordination (OSPC); and

WHEREAS, under Title 29, Section 9205 (c) of the Delaware Code, the OSPC shall, through a Memorandum of Understanding, exempt a local jurisdiction from the provisions of the Land Use Planning Act or modify the pre-application process when the local jurisdiction has a Certified Comprehensive Plan and imposes a more stringent review of projects;

NOW, THEREFORE, IT IS HEREBY AGREED AND UNDERSTOOD by and between The City of Dover, Delaware and the Office of State Planning Coordination as follows:

A. Nothing in this agreement shall be construed to deny The City of Dover its final decision-making authority over proposed land use planning actions in the corporate limits of The City of Dover. Additionally, any comments received from state agencies, pursuant to Title 29, Chapter 92 of the Delaware Code, shall not exempt applicants from the responsibility of meeting all requirements set forth in The City of Dover's adopted land use regulations.

B. The Development Advisory Committee (DAC) of The City of Dover will continue to review development proposals on a monthly basis, and will continue to include representation from various state agencies as is currently the practice.

C. The following land use planning actions are and shall remain subject to State review under Title 29, Chapter 92, Delaware Code:

    1. All residential projects containing 125 or more dwelling units**.**

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2. Any non-residential subdivision or site plan involving new construction of structures or buildings with a total floor area equal to or exceeding 75,000 square feet.

3. Any application for rezoning or annexation that is inconsistent with The City of Dover's Comprehensive Plan Update certified February 9, 2009, or as amended, except where the non-conformity is of a minor, relatively insignificant nature. 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 can not set a precedence for other lands in the vicinity of the rezoning.
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.
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.

Upon notification of a rezoning in the City of Dover that meets these criteria, the State will concur in writing to the City thereby waiving the PLUS review process in that instance.

4. Any project of any size proposed to the east of Delaware Route 1 and north of South Little Creek Road, except that projects within the Garrison Oak Technical Park do not require PLUS review unless they involve new construction of structures or buildings with a total floor area equal to or exceeding 75,000 square feet .

5. Any local land use regulation, ordinance or requirement referred to the Office of State Planning Coordination by The City of Dover for the purpose of providing the City with advisory comments. These include the modifications to the City's zoning and subdivision ordinances that implement the Comprehensive Plan.

6. Any development projects voluntarily submitted by the developer to the Office of State Planning Coordination for review.

7. Any other project which is required to be referred to the State for pre-application review by City of Dover regulations.

8. Any amendment, modification or update to The City of Dover's

Comprehensive Plan, as required by Title 22 of the Delaware Code.

9. All projects in the Downtown Dover Redevelopment Target Area, defined by The City of Dover Code shall be exempt from State review unless voluntarily submitted by the developer or The City of Dover.

D. The City of Dover shall, at the time of the required pre-application meeting, identify those projects meeting the criteria defined in this agreement for State review, direct applicants whose projects meet State review criteria to submit necessary documents to the Office of State Planning Coordination (OSPC) in order to initiate the PLUS review process, and not accept applications for those projects requiring PLUS review until such time as the OSPC has issued comments, as defined in Title 29, Section 9204 (c) of the Delaware code, to the applicant and The City of Dover.

E. In special circumstances, the Office of State Planning Coordination may waive the pre-application requirements of Title 29, Chapter 92 of the Delaware Code. Where such waiver is granted, the Office of State Planning Coordination shall provide a written explanation of the causes for the waiver to the relevant local jurisdiction and the applicant. These circumstances may include, but are not limited to, a local government's imposition of a more stringent review of projects enumerated in §9203(a) than required by Title 29, Chapter 92 of the Delaware Code, and/or projects expected to provide an extraordinary benefit to the State and the local jurisdiction through economic development, job creation, educational opportunities, public services or facilities, agricultural preservation, or protection and enhancement of the natural environment.

F. This Memorandum of Understanding may be revised from time to time as circumstances warrant, only with the concurrence of both The City of Dover and the Office of State Planning Coordination.

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DRAFT FOR DISCUSSION
Last Revised May 22, 2017

Signature Page

_____ _____
The Honorable Robin Christiansen Date
Mayor, City of Dover
Dover, Delaware

_____ _____
The Honorable Timothy Slavin Date
President, Dover City Council
Dover, Delaware

_____ _____
Mr. Fred Tolbert Date
Chair, Dover Planning Commission
Dover, Delaware

_____ _____
Mr. David Hugg Date
Acting Director
City of Dover Department of Planning

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

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