



**REPORT TO
THE GOVERNOR
AND THE 144TH
GENERAL ASSEMBLY**



**CABINET COMMITTEE ON
STATE PLANNING ISSUES**



JANUARY 2008



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Executive Summary

As required by 29 Del. C., c. 91, the Cabinet Committee on State Planning Issues is to provide a report to the Governor and General Assembly on its recent activities as well as to propose legislative and/or administrative changes to improve the general pattern of land use within Delaware. This report highlights the outcomes of the Committee's support, through their representative agencies, of implementing Governor Ruth Ann Minner's Livable Delaware initiative, including a brief analysis on development and demographic trends that support the recommendations for future action contained herein.

Livable Delaware is a positive, proactive strategy that seeks to curb sprawl and direct development to areas within the State that are most prepared to accept growth given that the State funds a large portion of the infrastructure that supports growth and development. Since 2001, the Minner Administration, in partnership with the General Assembly, accomplished many initiatives that have sought to slow sprawl and preserve Delaware's quality of life by:

- Guiding growth to areas that are most prepared to accept it;
- Preserving farmland and open space;
- Promoting infill and redevelopment; and
- Facilitating attractive, affordable housing.

Recent development trends have indicated that Delaware's local governments are planning and growing in areas of the State that are most prepared to accept such growth. Consider the following:

- 53 of Delaware's 54 municipalities have completed or are in the process of completing certified comprehensive

plans to better coordinate local government land use policies with state investment strategy;

- Since 2000, Delaware's municipalities have grown by 15,094 residents;
- Since 2004, the total acreage annexed by municipalities increased by 9,735 acres; and
- From 2001 to 2007, 75 percent of the estimated residential lots recorded in Delaware's unincorporated areas have been located in growth areas designated by State Strategies for Policies and Spending.

Further, the State of Delaware has balanced this growth and development with a focus on preserving farmland and open space. To this end, Delaware now provides:

- \$10 million a year in dedicated revenue to provide a permanent source of funding for farmland preservation. Since Fiscal Year 2002, \$43.4 million has been provided to protect 66,666 acres of farmland;
- \$10 million a year in dedicated revenue to provide a permanent source of funding for open space acquisition. Since Fiscal Year 2002, \$62.0 million has been provided to preserve 10,924 acres of open space; and
- The Forestland Preservation Program was created in which \$1.0 million was appropriated in the Fiscal Year 2008 Bond and Capital Improvements Act to continue to increase the acreage of farmland preserved in Delaware.

However, recent demographic trends have indicated that Delaware is changing. For example, Delaware's population growth will not be evenly distributed. Between 2000 and 2030,



Delaware's population is projected to increase by approximately 260,000 persons to a total of 1,044,015 persons. Much of this growth will occur in Kent and Sussex counties. Delaware's population is aging and growing more diverse. By 2030, residents age 65 or older are projected to encompass 23% of the state's population as compared to 13% in 2000. The minority population in Delaware increased to 24% in the 2000 Census, up from 19% in the 1990 Census. Finally, while slowing, a greater share of Delaware's residents reside in unincorporated areas than incorporated areas of the state. In 1960, 39% of residents resided in incorporated areas compared to 27% in 2006.

In light of development and demographic trends in Delaware, a number of investments in the areas of public education, transportation, water/wastewater and public safety have occurred since Fiscal Year 2002 in order to maintain core government services for Delawareans. For example,

- Public school transportation costs have increased by approximately 52 percent, increasing from approximately \$54.5 million in Fiscal Year 2002 to \$82.9 million in Fiscal Year 2008;
 - For seven of the last eight fiscal years, the State has appropriated over \$100 million annually on capital expenses for public schools;
 - Since Fiscal Year 2002, over \$2.0 billion has been expended on the State's transportation system's capital needs;
 - A comprehensive revenue package for the Transportation Trust Fund was enacted in Fiscal Year 2008 to increase revenue by over \$160 million for the State's transportation capital program over the next two fiscal years;
 - \$43.4 million has been expended on water and wastewater improvement projects throughout the State;
 - The State has provided approximately \$58.5 million from Fiscal Year 2002 to Fiscal Year 2008 for paramedic services; and
 - The Delaware State Police's budget has increased 46% since Fiscal Year 2002 while the authorized complement of state troopers has increased from 598 to 665 troopers.
- Livable Delaware has provided a framework to accomplish many important initiatives to balance the growing demands being placed on state resources. The following are summary recommendations to continue to support and institutionalize Livable Delaware policies among state and local governments and other stakeholders.
- Adopt Transfer of Development Rights (TDR) legislation to establish a market-driven growth management strategy to allow for a transfer of development rights from more rural areas that will be well preserved to more urbanized areas where those rights can be used as credit to develop in a more intense fashion.
 - Adopt Mobility Friendly Design legislation that focuses planning at the sub-regional level.
 - Reexamine planning enabling statutes to ensure that jurisdictions and municipalities are afforded proper planning tools to effectively manage their futures.
 - Develop a comprehensive set of livability indicators that focus on development trends, including development approval and construction



activity, demographic changes and housing affordability.

- Inventory state discretionary funding provided to local governments to enhance understanding of the amount of state resources allocated at the local level.
- Establish a process whereby a fiscal note is attached to the certification of comprehensive plans to help identify future state investments needed to support planned and proposed development within local governments.
- Develop policies to withhold permits when development is inconsistent with certified comprehensive plans.
- Institute Livable Delaware training for mid-level state agency managers to help align state decision-making with Livable Delaware principles.
- Devote resources to master planning to help ensure that development is phased concurrently with the provision of needed infrastructure improvements.



Purpose of Report and Membership of the Cabinet Committee on State Planning Issues

Cabinet Committee on State Planning Issues Purpose

As required by 29 Del. C., c. 91, the Cabinet Committee on State Planning Issues is to provide a report to the Governor and General Assembly on its recent activities as well as to propose legislative and/or administrative changes to improve the general pattern of land use within Delaware. This report highlights the outcomes of the Committee's support, through their representative agencies, of implementing Governor Ruth Ann Minner's Livable Delaware initiative, including a brief analysis on development and demographic trends that support the recommendations for future action contained herein.

The Cabinet Committee on State Planning Issues was established in 1994 by Governor Thomas R. Carper as an advisory body to promote the orderly growth and development of the State, including recommending desirable patterns of land use, and the location of necessary major public facilities. In essence, the mission of the Cabinet Committee is to advise the Governor and General Assembly on coordinating the State's provision of infrastructure and services with the land use decision-making process that is controlled by local governments.

The Cabinet Committee on State Planning Issues is comprised of the following members:

1. The Secretary of the Department of Natural Resources and Environmental Control.
2. The Secretary of the Department of Transportation.
3. The Secretary of the Department of Agriculture.
4. The Director of the Delaware Economic Development Office.

5. Others members designated by the Governor include:
 - The Director of the Office of Management and Budget;
 - The Secretary of Education;
 - The Secretary of Finance;
 - The Secretary of Health and Social Services;
 - The Secretary of Safety and Homeland Security;
 - The Director of the Office of State Planning Coordination;
 - The Director of the Delaware State Housing Authority; and
 - The Governor's Chief of Staff who currently serves as the Chairperson.

The Director of the Office of State Planning Coordination serves as secretary to the Committee in which staff support is coordinated by the Office of State Planning Coordination working with member agency planning staff.



Image Source: ESRI and DGS



Livable Delaware: Background and Accomplishments

What is Livable Delaware?

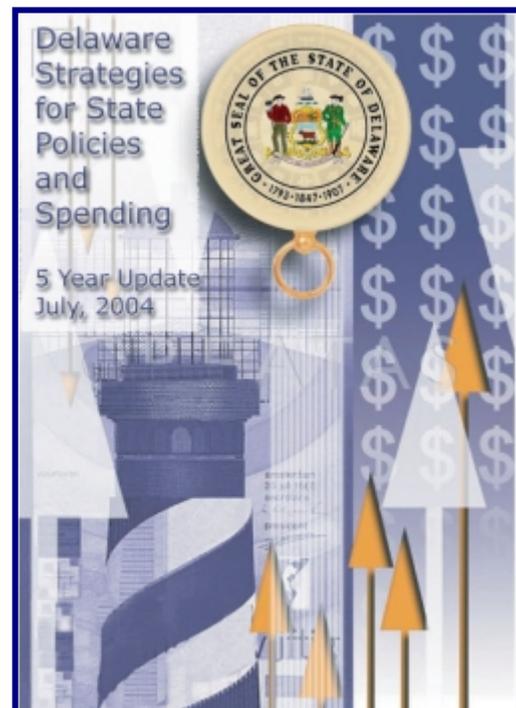
Livable Delaware is a positive, proactive strategy that seeks to curb sprawl and direct development to areas within the State that are most prepared to accept growth. Since Delaware's counties and municipalities are granted the authority to craft comprehensive development plans and adopt regulatory measures to implement those plans, Livable Delaware seeks to increase state engagement in the land use process because the State funds a large portion of the infrastructure that supports growth and development. For example, the State of Delaware provides support for:

- Maintaining nearly 90 percent of all roads in the State as compared to a national average of 20 percent;
- The largest police force in Delaware through the Delaware State Police;
- 70 percent of public school operation costs, which comprises approximately one-third of the State's \$3.3 billion operating budget;
- A range of 60 – 80 percent of funding for public school construction; and
- 40 percent of funding for paramedic services throughout the State.

One of the main tools guiding state investment strategy is the Strategies for State Policies and Spending, which was updated and adopted by the Cabinet Committee on State Planning Issues in 2004. This document highlights where the State is willing to make investments and is used as the basis for state government to coordinate the land use process with county and municipal governments.

Therefore, the accomplishments outlined below are measured against State Strategies and are organized in a manner that is consistent with the guiding principles that support the Livable Delaware strategy.

- Guide growth to areas that are most prepared to accept it.
- Preserve farmland and open space.
- Promote infill and redevelopment.
- Facilitate attractive, affordable housing.
- Protect our quality of life while slowing sprawl.



State Strategies Publication Cover



Guide Growth to Areas that are Most Prepared to Accept It

Since 2001, the Minner Administration, in partnership with the General Assembly, has enacted legislation to strengthen the State's partnership with Delaware's local governments to guide compact development in and around municipalities and in county growth areas where infrastructure and services can be cost effectively provided. These accomplishments include:

- **Comprehensive Local Government Planning:** Currently, 53 of Delaware's 54 municipalities¹ have completed or are in the process of completing certified comprehensive plans to better coordinate local government land use policies with state investment strategies.
- **Annexation Reform:** Local governments are now required to demonstrate their ability to provide services to growth areas and adopt an updated comprehensive plan showing future growth areas before they can annex.
- **Preliminary Land Use Service (PLUS) Process:** Since 2003, 547 development projects were reviewed through PLUS, affording the opportunity for state agencies to review and comment on projects during the preliminary stages of development.
- **Public School Facility Location:** Public school districts, such as Smyrna, Capital, and Milford, are now coordinating with the Office of Management and Budget and the Department of Education to locate new schools in areas consistent with state investment strategy.
- **Advanced Planning Fund:** The State has restructured the Advanced Planning and Real Property Acquisition Fund to assist state agencies and school districts in their capital planning efforts or to use the funds as earnest funds for real property acquisition of sites located within the state

¹ There are a total of 57 municipalities in Delaware, but 3 (Arden, Ardencroft and Ardentown) are under the jurisdiction of New Castle County's comprehensive plan.

growth areas. To date, nine school districts have used this revolving fund for a total of \$2.5 million.

- **Low Income Housing Tax Credit Program:** This program provides a direct federal income tax credit to qualified owners and investors to build, acquire, or rehabilitate rental housing units for rent to low income Delawareans and mandates that all participating, proposed development be located according to the State Strategies for Policies and Spending to improve the availability of public transportation and the provision of state social services for those in need.

Preserve Farmland and Open Space

Livable Delaware focuses on preserving Delaware's \$859.1 million agriculture industry and protecting open space and forestland that serve as habitat for rare and endangered species and contributes \$127 million a year to our economy through outdoor recreation. To this end, Delaware now provides:

- **Farmland Preservation:** \$10 million a year in dedicated revenue to provide a permanent source of funding for farmland preservation. Since Fiscal Year 2002, through a combination of direct appropriation and dedicated revenue, \$43.4 million has been provided to protect 66,666 acres of farmland (which includes both agricultural easements and preservation districts).



Photo Source: Delaware Department of Agriculture



- **Open Space Acquisition:** \$10 million a year in dedicated revenue to provide a permanent source of funding for open space purchases, including the creation of a stewardship fund to maintain acquired lands and greenways grants. Since Fiscal Year 2002, through a combination of direct appropriation and dedicated revenue, \$62.0 million has been provided for 10,924 acres of open space acquisitions.

- **Forestland Preservation Program:** Created the Forestland Preservation Program in which funding of \$1.0 million was appropriated in the Fiscal Year 2008 Bond and Capital Improvements Act, to be matched with \$500,000 from the Delaware Nature Conservancy. This program seeks to increase the acres of state forestland beyond the 3,886 acres that have been added since Fiscal Year 2002.



The Wilmington Riverfront Project is an example of Brownfield Redevelopment. Photo Source: Riverfront Development Corporation of Delaware.

A few on-the-ground success stories related to the preservation of farmland, open space and forestland preservation include:

- **Purchase of Development Rights (PDR):** Completed 320 easements to permanently preserve 44,558 acres of farmland through the Purchase of Development Rights program.
- **Blendt Farm:** This 200-acre farm near Smyrna was preserved through a collaboration of developers, the Town of Smyrna and state agencies. The farm is currently used as an agriculture research facility by Delaware State University, preventing the construction of 460 homes outside the growth area.

- **Glatfelter Purchase:** This purchase and preservation of 2,000 acres of prime Sussex County woodlands included a collaboration of the Conservation Fund, the U.S. Forest Service, and the Nature Conservancy.

Promote Infill and Redevelopment

Livable Delaware encourages the use and reuse of Delaware's existing investments in infrastructure in areas such as towns, cities, and older suburbs that

may have excess land capacity due to population shifts and/or abandonment or underutilization of properties. Under the leadership of the Governor, working jointly with the General Assembly, several legislative initiatives have been enacted to encourage the redevelopment of existing infrastructure to discourage development in rural, undeveloped areas. These initiatives include:

- **Brownfield Redevelopment Program:**

Created a \$1 million a year brownfield matching grants program to defray

the cost of environmental assessment and remediation of sites to encourage the reuse and renewal of existing sites. To date, when combined with Hazardous Substance Clean-Up Act funds, \$7.0 million has been disbursed for brownfields to assist with projects such as Cannery Village, Christina Landing Town homes and Apartments, Bank One Data Center, and Justison Landing.

- **Brownfield Liability Protection:** The redevelopment of brownfields is encouraged by mirroring state and federal liability law to create uniformity and protection for contiguous landowners.



- **Uniform Environmental Covenants Act:** Provides transparency and confidence in the sustainability of brownfield clean ups through the establishment of durable, environmental covenants that are linked to the land regardless of changes in ownership.

Facilitate Attractive, Affordable Housing

Livable Delaware strives for better-designed mixed-use and compact communities that are able to accommodate a wider range of housing choices in terms of lifestyle and affordability.

- **Housing Development Fund (HDF):** Since Fiscal Year 2006, an additional \$8.5 million has been appropriated to the HDF, including funding for the preservation of 252 units of site-based affordable housing at three existing sites located throughout the State.
- **Live Near Your Work Program:** The Delaware State Housing Authority (DSHA) program has engaged local governments and employers, encouraging them to provide up to \$5,000 in down payment and closing cost-assistance to employees purchasing a home near their place of employment. To date, there are 13 participating employers, 5 participating jurisdictions, and 11 employees who have closed on houses through this program. An additional 24 employees are in various stages of the program and are waiting to select a home or sign a sales contract.
- **Bell Point:** The DSHA is working to develop an 88-acre parcel adjacent to DSHA's 20-acre parcel near Five Points in Lewes to provide a total of 526 units on 108 acres. Twenty percent of the total units will be energy efficient, affordable homeownership opportunities for families who live and work in Sussex County.

Protect Our Quality of Life While Slowing Sprawl

Many of the legislative and policy initiatives outlined above support the overall goal of protecting Delaware's quality of life while slowing sprawl. In addition to those accomplishments, the Minner Administration, since Fiscal Year 2002, worked with the General Assembly to enhance Delaware's quality of life by:

- Investing \$22.7 million in Beach Preservation to preserve Delaware's shoreline from Fenwick Island to Slaughter Beach.
- Providing \$54.0 million to the 21st Century Fund to support drinking water initiatives, water/wastewater treatment projects, and clean water programs.
- Enacting a comprehensive revenue package in support of the Transportation Trust Fund, for the first time in over a decade, that is projected to raise over \$160.0 million in new revenue over the next two fiscal years for such needed projects as improvements to Interstate 95, West Dover Connector, Route 26 in Bethany, the Indian River Bridge and to continue its pavement management and bridge inspection programs.

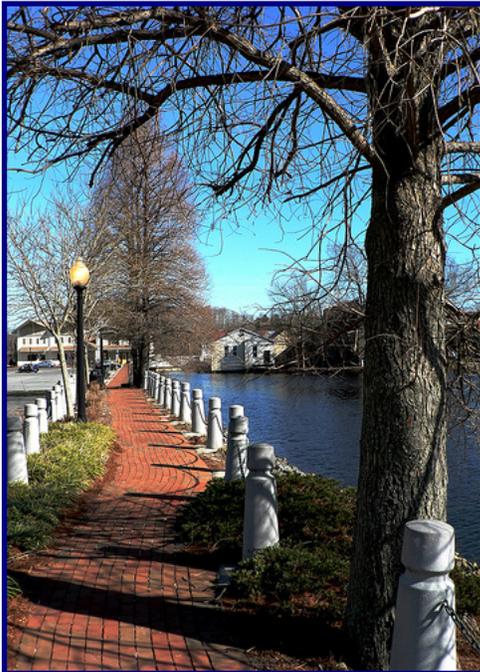


Huling Cove, Lewes, DE – Elderly and Disabled Housing
Photo Source: Delaware State Housing Authority



Development Trends in Delaware

Since 2001, the implementation of Livable Delaware has encouraged growth and development around the state's existing infrastructure and population centers and has refocused attention on Delaware's municipalities and established county growth areas. Delaware's municipalities and counties have planned for



Governor's Walk, Milton, DE
OMB-BDPA Staff Photo: Mike Mahaffie

growth and many of the State's towns, cities, and identified growth areas have experienced rapid development as a result. As such, the following development trends in Delaware are occurring:

1. Delaware's local governments are planning;
2. Delaware's municipalities are growing; and
3. Development in Delaware's counties is focused in identified growth areas.

Delaware's Local Governments are Planning

As Livable Delaware evolved over the last seven years, community awareness about the need to

properly plan for future growth and development has been at the forefront of public policy debates. Consider the following:

- 53 of Delaware's 54 municipalities have either completed or are working to complete State-certified comprehensive plans that guide growth and development in their jurisdictions. In addition, New Castle County recently had its updated comprehensive plan certified by the State of Delaware, and Kent and Sussex counties are in the process.
- In support of the reinvigorated comprehensive planning process, the State of Delaware appropriates \$150,000 annually in comprehensive planning technical assistance grants to local governments. The State has provided over \$754,000 in Livable Delaware grant funds to 41 local jurisdictions.
- Since 2001, 540 staff and appointed and elected officials from 50 of Delaware's local governments have participated in 5,241 hours of training in the Academy for Excellence in Local Government Leadership and Planning Education Program provided by the Institute for Public Administration at the University of Delaware.

There has been a collaborative effort throughout the State to form partnerships among the State, local governments and developers on master planning projects. This includes:

- **Southern New Castle County Memorandum of Agreement (MOA):** New Castle County, school districts, towns, and state agencies signed this agreement to work cooperatively through a planning process that will produce a comprehensive regional master plan. This master plan will coordinate regional land use policies with the transportation, sewer, and other community facility plans needed in order to best accommodate future growth in Southern New Castle County.



- Westown:** This master-planned project in Middletown was the first in the State to successfully use Transfer of Development Rights. At no cost to taxpayers, developers purchased development rights on more than 500 acres, extending a green buffer around town, and transferred those rights into Middletown – enabling them to build a highly efficient and livable community applying the principles of Traditional Neighborhood Design. One of the farmers used the money received to purchase a neighboring farm, and in turn New Castle County purchased those development rights – ultimately preserving about 700 acres of prime farmland. The developers contributed more than \$5 million toward infrastructure costs through a unique agreement.

- Eden Hill:** The State worked closely with the City of Dover and the owners of a historic 272-acre farm to carefully plan its development as a walkable and mixed-use development. In addition to providing consulting services to help design the development, the Department of Transportation invested to preserve historic buildings and two alleys of trees on the site.

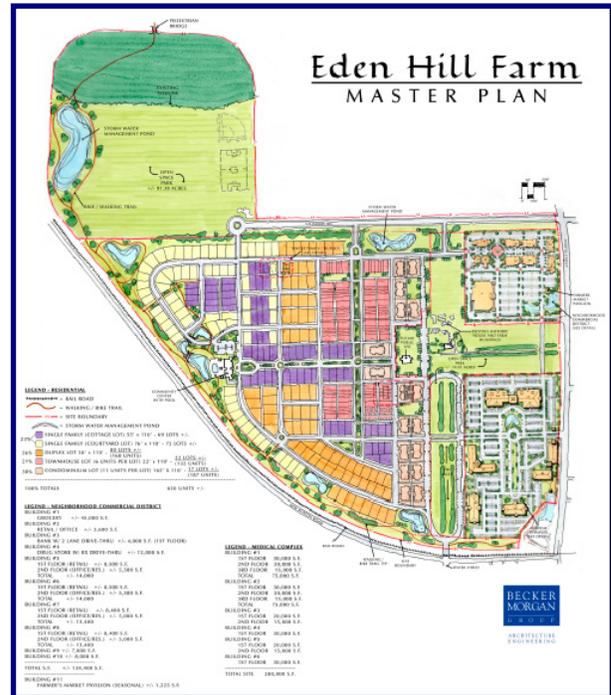


Image Source: Eden Hill Master Plan, Becker Morgan Group, Inc.



Delaware's Municipalities are Growing

The time and effort that Delaware's towns and cities have invested in planning for their future has been well spent. As illustrated in Table 1, Delaware's municipalities are experiencing resurgent growth.

In addition, incorporated towns and cities in Delaware have expanded their boundaries by 9,735 acres since 2004.

Development in Delaware's municipalities means significant growth in Investment Levels 1 and 2; those areas where the State has determined that it is most prepared to efficiently provide infrastructure and services supporting development. A short analysis of municipal growth by county can be summarized as follows:

- New Castle County:** Since 1980, more than 13,500 new residents have called municipalities in New Castle County home. Recent development activity in these towns and cities has been brisk. From 2002 to 2007, Middletown approved nearly 4,100 residential units, issued just over 2,700 building permits for new residential construction, and approved approximately 2.4 million square feet of commercial space. Middletown also annexed 660 of the 692 acres annexed in New Castle County since 2004. The cities of Newark and Wilmington are more built out than Middletown, but still demonstrated steady development and redevelopment pressure through 2002 to 2007. During this timeframe, residential units approved in Newark numbered 570, with just less than 1,900 residential units approved in Wilmington.

Table 1. Population Increase in Delaware's Municipalities, 1980-2006.

Municipalities In...	1980 to 1990	1990 to 2000	2000 to 2006	1980 to 2006
New Castle County	2,520	5,059	5,949	13,528
Kent County	4,936	10,590	7,050	22,576
Sussex County	3,199	7,587	2,095	12,881
Total	10,655	23,236	15,094	48,985

Source: U.S. Census 1990 and 2000. U.S. Census Bureau, Population Division, 2006 Annual Population Estimates.

Table 2. Municipal Annexation Activity Since 2004.

Municipalities In...	Number of Annexations	Total Acreage Annexed
New Castle County	18	692
Kent County	108	3,647
Sussex County	99	5,396
Total	225	9,735

Source: Delaware Office of State Planning Coordination, August 2007.



- Kent County:** Kent County's municipalities have experienced the most significant growth in recent years, adding 22,576 residents between 1980 and 2006. Recent development approval data indicates that this growth is likely to continue. For instance, between 2002 and 2007, Camden approved 470 residential units and nearly 380,000 square feet of commercial space while issuing 468 permits for new residential construction. Milford has approved nearly 11,000 residential units in recent years, not including the almost 3,500 lots approved in mixed use developments. Smyrna is also experiencing rapid development, approving 3,550 residential units and 587,000 square feet of commercial space while issuing slightly more than 1,000 building permits from 2003 to 2007. Annexation activity has been significant, with more than 3,600 acres annexed by Kent County municipalities since 2004. Milford and Smyrna each annexed over 750 acres, Cheswold and Dover each annexed nearly 500 acres, and five other towns annexed over one hundred acres since 2004.
- Sussex County:** Welcoming nearly 13,000 new residents from 1980 to 2006, Sussex's municipalities have been experiencing significant growth and development pressure. Georgetown approved just over 3,300 residential units for development between 2002 and 2007. Millville, which had a Census 2000 population of 274, approved more than 2,500 residential units over the same time period. Compared to towns and cities in New Castle and Kent counties, Sussex's municipalities have grown the most in geographic area since 2004. Bridgeville, Laurel, Millsboro, Millville, Seaford, and Selbyville each annexed more than 500 acres, with Bridgeville annexing just over 1,200 acres.

Development in Delaware's Counties is Focused in Identified Growth Areas

Over the past decade and a half, the population of Delaware's unincorporated county areas has increased dramatically. From 1990 to 2006, the populations of unincorporated areas in New Castle, Kent, and Sussex counties increased by 72,633, 18,968, and 60,941, respectively. Livable Delaware has been successful in helping to guide this increased development into those areas most capable of supporting it.

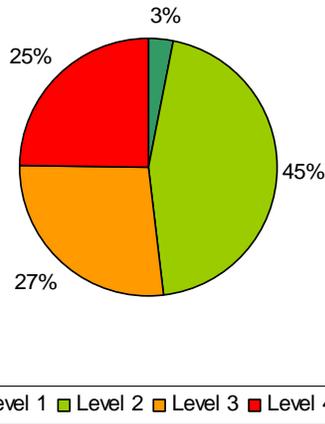


The Odessa area shows a clear edge between green, open areas and more developed communities.
Source: 2006 USDA Imagery

Between 2001 and 2007, an estimated 37,000 residential units were approved for development in the unincorporated areas of New Castle, Kent, and Sussex counties. Excluding development data from municipalities, Figure 1 identifies that just over seventy-five percent of the residential lots approved for development from 2001 to 2007 were located within Investment Levels 1, 2, and 3.



Figure 1. Estimated Residential Lots Recorded in Delaware's Unincorporated Areas by Investment Level, 2001-2007



Sources: Approved Subdivision GIS Data layers from New Castle, Kent, and Sussex counties, August 2007. Institute for Public Administration GIS analysis performed according to the methods in Appendix 4.

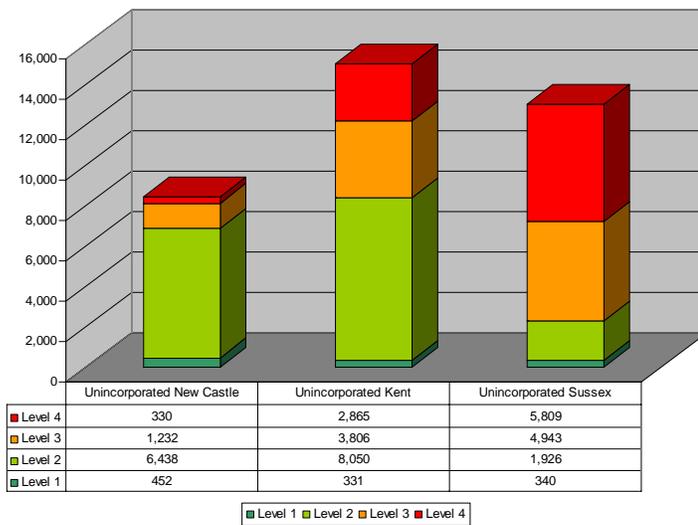
While the majority of the residential development approved in recent years has been located within Investment Levels 1, 2 and 3, development has been and continues to be approved in Level 4 areas. These areas are predominantly agricultural and also boast undeveloped natural areas, such as forestlands, and large recreational uses, such as state and county parks and fish and wildlife preserves. Figure 1 illustrates that approximately a quarter of the residential lots approved since 2001 in unincorporated areas have been located in Level 4 areas. As identified in Figure 2, approvals in rural areas are more prevalent in the unincorporated areas of Sussex County than they are in the unincorporated portions of Kent and New Castle counties.

Further, development in Levels 1, 2 and 3 accounted for 96 percent of residential units approved in unincorporated New Castle County and 81 percent of units in unincorporated Kent County. Development in Levels 1, 2 and 3 accounted for only 55 percent of residential units approved in unincorporated Sussex County, meaning that roughly 45 percent of all units approved in unincorporated Sussex were located in Level 4 areas.

While Livable Delaware has fostered positive outcomes with regard to an increased focus on land use planning, municipal growth and guiding the majority of new residential development to areas capable of managing growth, the level of development in rural areas identified in

Figure 2 should be combined with strategies to build on past successes to improve intergovernmental planning efforts, particularly as Delaware's demographics continues to change.

Figure 2. Estimated Residential Units Approved By Unincorporated County Area and Investment Level, 2001-2007.



Sources: Approved Subdivision GIS Data Layers from New Castle, Kent, and Sussex counties, August 2007. Institute for Public Administration GIS analysis performed according to methods in Appendix 4.



Demographic Trends in Delaware

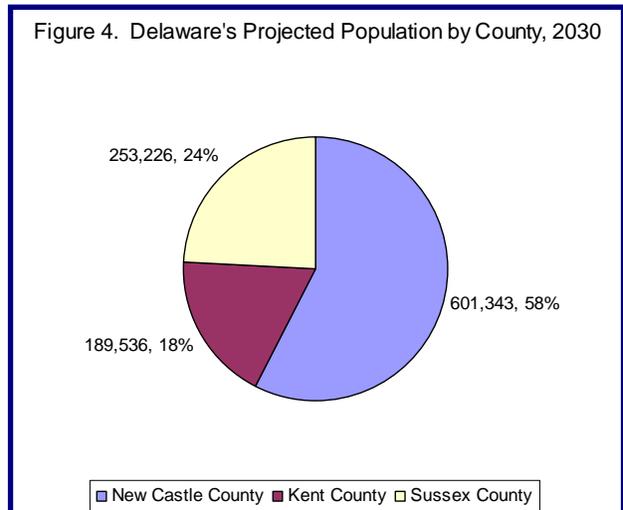
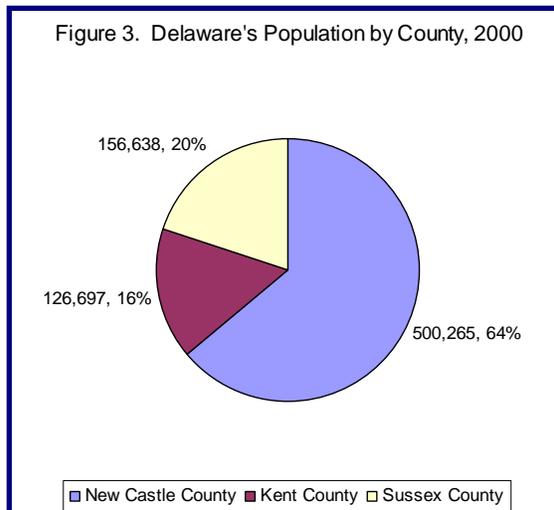
Recent and expected changes in the size and characteristics of the State's population continue to be a key factor driving the Livable Delaware agenda. According to the U.S. Census Bureau, Delaware's population increased nearly 20 percent between 1990 and 2000, from 666,168 to 783,600. The Delaware Population Consortium (DPC) projects that Delaware's population will exceed one million by 2030, an increase of approximately 33 percent over the State's calendar year 2000 population. Simply stated:

1. Delaware's population growth will not be evenly distributed;
2. The composition of Delaware's population is changing; and
3. Delaware's residents are living differently.

Delaware's Population Growth will not be Evenly Distributed

Between 2000 and 2030, Delaware's population is projected to increase by roughly 260,000 to a total of 1,044,015 persons. 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 2030, the DPC anticipates that Kent and Sussex residents will account for approximately six percent more of Delaware's 2030 population than they did in 2000.

Figure 3 shows each county's percentage of the State's total growth from 1990 to 2000. Figure 4 shows the same data projected out to 2030. Though New Castle and Sussex counties show greater absolute increases with nearly 100,000 each, Kent County is anticipated to account for a significantly higher portion of Delaware's total growth in coming years, from 13 percent in 1990-2000, to 24 percent from 2000-2030.



Source: U.S. Census 2000. Delaware Population Consortium, Annual Population Projection Series, October 26, 2006.



The Composition of Delaware's Population is Changing

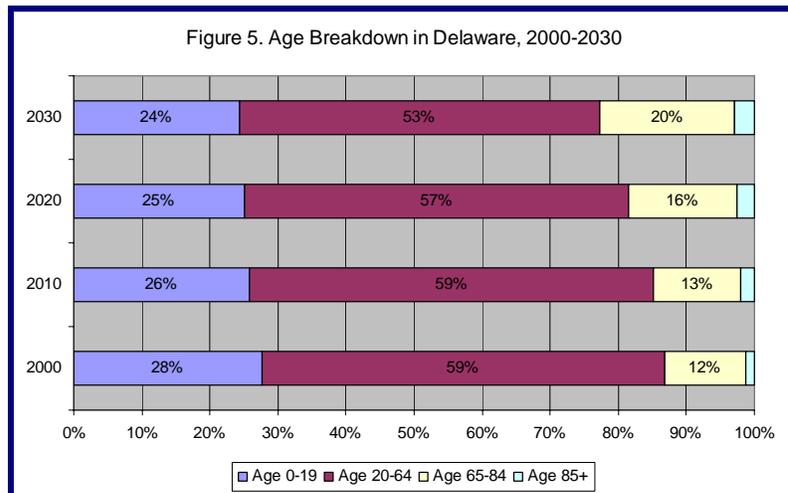
The Delaware of 2030 is likely to be populated by a higher percentage of senior citizens. It will also be more racially and ethnically diverse than the Delaware of today.

- An Aging Population:** Recent Census data has demonstrated the growth of the senior population in Delaware and nationwide. The population over age 65 is projected to continue to increase in absolute numbers and as a percentage of the total population. Figure 5 depicts Delaware's projected age profile from 2000 to 2030.

The percentage of Delawareans over the age of 65 will almost double during this time period while the percentage over 85 is expected to triple. From 2000 to 2030, the

proportion of residents over the age of 65 is expected to increase from 11 to 22 percent in New Castle County, 12 to 19 percent in Kent County, and 19 to 29 percent in Sussex County.

- A More Diverse Population:** Delaware's population has become more racially and ethnically diverse, a trend that is expected to continue. Delaware's population of non-U.S. born residents doubled between 1990 and 2000. In Sussex County, this population more than tripled through the same time-period. Table 3 depicts the racial and ethnic diversification that occurred in Delaware between 1990 and 2000. Significantly, the State's Hispanic origin population increased as a percent of Delaware's population from 1990 to 2000, from 2 to 5 percent.



Source: Delaware Population Consortium, Annual Population Projection Series, October 26, 2006.

Table 3. Delaware's Racial and Ethnic Composition, 1990-2000.

	1990			2000		
	White Population	Black Population	Hispanic Origin Population	White Population	Black Population	Hispanic Origin Population
State of Delaware	80%	17%	2%	75%	19%	5%
New Castle County	79%	19%	2%	73%	21%	3%
Kent County	80%	16%	3%	73%	20%	5%
Sussex County	82%	17%	1%	80%	15%	4%

Source: U.S. Census Bureau, 1990 and 2000 decennial census.



The trend of increasing diversity is projected to continue across the nation and in Delaware. The U.S. Census Bureau projects that persons of Hispanic origin will comprise 24.4 percent of the nation's population by 2050, up from 12.6 percent in 2000 (U.S. Interim Projections by Age, Sex, Race, and Hispanic Origin, 2004). The Census Bureau similarly projects that the white population will makeup 72 percent of the nation's population by 2050, down from 81 percent in 2000. The Delaware Population Consortium projects that by 2030, the State's white population is expected to represent 72 percent of the total population, down from 77 percent in 2000.

Delaware's Residents are Living Differently

- Homes Built on Larger Lots in Non-Traditional Places:** Since World War II, more and more Delaware residents have chosen to live outside of the State's traditional town and urban centers. Though growth of municipalities has been increasing, as shown in Table 4, growth outside of Delaware's municipalities has consistently outpaced growth inside. Except for in Kent County between 1990 and 2000, every county has seen more growth in unincorporated rather than incorporated areas for each decade since 1960. This development has tended to occur on comparatively larger lots. From 1940 to 1949, roughly nine percent of the state's new single-family home construction took place on

lots larger than one acre. Between 1995 and 2000 that figure stood at roughly 23 percent of new construction.

- Changing Lifestyles:** Delawareans tend to spend more time in their cars than they used to. Between the 1990 and 2000 Census, the median time spent commuting to work rose from a 15 to 19 minute time range to a 20 to 24 minute time range. At the same time, the number of persons spending more than one hour on their commute increased from 11,185 in 1990 to 22,493 in 2000. The segment of Delawareans driving to work held steady at about 90 percent between 1990 and 2000. Commuters driving to work alone in cars did become more common though, with approximately 37,000 more persons choosing this option in 2000 than did in 1990. The number of people walking to work also decreased between 1990 and 2000, with 3,225 less people choosing to commute in this fashion in 2000.

There are simply more people driving more miles than there used to be in Delaware. According to the Department of Transportation's 2006 version of the Delaware Transportation Facts, the number of licensed drivers increased by 45,274 between 2001 and 2005 while the number of registered motor vehicles increased by 91,144 and annual vehicle miles traveled increased by approximately 900 million.

Table 4. Percent of Delaware Residents Living in Incorporated Places and Unincorporated Areas, 1960-2006.

	1960	1970	1980	1990	2000	2006
Incorporated Places	39%	33%	30%	29%	27%	27%
Unincorporated Areas	61%	67%	70%	71%	73%	73%

Source: U.S. Census 1960-2000, U.S. Census Bureau, Population Division Annual Population Estimates 2006.



State Financial Investments Supporting Recent Trends

In light of development and demographic trends in Delaware, a number of investments in the areas of public education, transportation, water/wastewater projects, and public safety have occurred since Fiscal Year 2002 in order to maintain core government services for Delawareans.

Public Education

Funding for public education encompasses approximately one-third of the total General Fund operating budget of the State of Delaware. Since Fiscal Year 2002, the Public Education operating budget has grown 43.9 percent to over \$1.1 billion for Fiscal Year 2008. Much of this growth can be attributed to the growing enrollment in the State's public system of schools. Table 5 illustrates that Delaware's public schools grew by more than 7,000 students from the 2001-2002 school year to the 2006-2007 school year, a 6.2 percent increase.

However, the cost of providing the state funding for teachers, textbooks, energy, supplies and equalization funding has grown by 41 percent

since Fiscal Year 2002, an increase of \$221 million. The costs associated with public school transportation have increased by approximately 52 percent, increasing from approximately \$54.5 million in Fiscal Year 2002 to \$82.9 million in Fiscal Year 2008. Further, the need for new school construction, along with improvements necessary to existing schools, has led to the State expending significant sums on capital expenses to support Delaware's growing public schools.

For seven of the last eight fiscal years, the State appropriated over \$100 million annually on capital expenses for public schools. Appropriations for new school construction and land acquisition for future schools has comprised a significant portion of these capital expenditures. Through the last eight fiscal years, the State appropriated over \$330 million for land acquisition and new construction, appropriating over \$120 million in the 2007 and 2008 fiscal years, alone. Not surprisingly, the need for new school construction has been most prevalent in those areas of the State that have experienced rapid development. For example, in the rapidly growing Appoquinimink School District, the State provided funding for 8 new schools, or 24 percent of the 33 new school buildings funded statewide in the last eight fiscal years.

Table 5. Enrollment in Delaware's Public Schools, 2001-2007

	2001-2002	2002-2003	2003-2004	2004-2005	2005-2006	2006-2007
School Districts	110,454	110,476	110,792	111,864	113,924	114,276
Charter Schools	4,239	5,069	6,263	6,549	6,567	7,580
Total	114,693	115,545	117,055	118,413	120,491	121,856

Source: State of Delaware, Office of Management and Budget, September 2007.



Transportation

Since Fiscal Year 2002, over \$2.0 billion has been expended on the State's transportation system's capital needs. Much of these expenses are geared toward system preservation, including road and bridge maintenance, as the number of licensed drivers, registered motor vehicles and the number of vehicle miles traveled have all increased. Consider the following increases from 2001 to 2005:

- The number of licensed drivers in Delaware increased by 8 percent or approximately 45,000 drivers;
- The number of registered motor vehicles increased by 12 percent or over 90,000 vehicles; and
- The number of vehicle miles traveled on Delaware's roadways has increased from approximately 8.6 billion to 9.5 billion.

In addition, the use of public transportation has also increased. From 2002 to 2005, ridership on

Delaware's fixed-route public transportation system increased by 39 percent, while Paratransit ridership rose by nearly 240,000, a 43 percent increase. The subsidy needed for the Paratransit program nearly doubled between 2001 and 2007 to over \$20 million.

Much of these increases contributed to a \$1.5 billion shortfall in the Transportation Trust Fund's ability to meet capital project demands and operate an efficient system for the movement of goods and services. In response, the General Assembly in Fiscal Year 2008 enacted the first comprehensive revenue package for the Transportation Trust Fund in more than a decade. This package is anticipated to provide over \$160 million of new revenue over the next two fiscal years to support major projects throughout the State, including various improvements to I-95, the construction of the Indian River Bridge, and State Route 26 improvements.



Photo Source: Delaware Department of Transportation



Water and Wastewater

While the operation of drinking water and wastewater systems has traditionally been the domain of Delaware's local governments, the State does provide significant funding to allow for the improvement and expansion of these systems. Table 6 lists recent State expenditures on water and wastewater items through the Clean Water Revolving Fund, the Water Pollution Control Revolving Fund, and the Wastewater Management Account, which are all programs that supplement federal support for community water service projects.

From Fiscal Year 2002 to Fiscal Year 2008, the State expended just over \$43.4 million on these water and wastewater items for projects throughout the State in each county and the City of Wilmington to improve the quality and distribution of drinking water and the control of the management of waste water. The elimination of failing septic systems in Kent and Sussex counties will improve groundwater and help clean our Inland Bays

Public Safety

Delaware's growing population has created the need for increasing budgets to support public safety services such as paramedics and police. As listed in Table 8, the State annually appropriates funds to support paramedic services in Delaware's three counties. The State has provided approximately \$58.5 million of funding for the paramedic program from Fiscal Year 2002 to Fiscal Year 2007.

The State also funds Delaware's largest police force, the Delaware State Police. Since Fiscal Year 2002, State Police's budget has increased 46% to \$110.8 million. The authorized complement of state troopers has increased from 598 troopers to 665 troopers. Finally, in order to minimize the impact of growth, specialized agreements with Sussex County have been signed to increase trooper strength within the county.

Table 6. State Expenditures on Water and Wastewater (in millions of dollars), FY 2002-2008.

	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Clean Water Revolving Fund	-	1.8	1.3	-	3.3	-	1.0
Water Pollution Control Revolving Fund	-	3.3	-	1.0	1.0	0.8	1.7
Wastewater Management Account	2.4	-	4.5	10.0	8.0	-	-
Total	2.4	5.1	5.8	11.0	10.3	0.8	2.7

Source: State of Delaware, Office of Management and Budget, September 2007.

Table 7. State Funding for Paramedic Program, FY 2001-2007.

County	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007*
New Castle	\$4,169,581	\$4,980,525	\$4,367,970	\$3,801,819	\$4,425,790	\$5,374,840
Kent	\$1,437,975	\$1,532,241	\$1,369,949	\$1,144,251	\$1,245,037	\$1,561,975
Sussex	\$3,336,238	\$3,514,811	\$3,482,488	\$3,392,94	\$4,005,682	\$5,311,875
Total	\$8,943,794	\$10,027,577	\$9,220,407	\$8,339,021	\$9,676,509	\$12,248,691

Source: State of Delaware, Office of Management and Budget, September 2007. *FY 2007 Data is estimated because 4th quarter totals not yet received



Recommendations for Future Action

Livable Delaware provided a framework to accomplish many of the important initiatives previously discussed to help balance the growing demands being placed on state resources. While many successes have been realized, the following are recommendations to continue supporting and institutionalizing Livable Delaware policies among state and local governments and other stakeholders.

1. Adopt legislation that continues to guide growth to areas prepared to accept it.
2. Further connect land use activity into the budget process.
3. Examine and reevaluate state policies that impact development.
4. Train state employees to incorporate Livable Delaware principles into funding decisions.
5. Enhance intergovernmental coordination efforts.



Legislative Hall, Dover, Delaware.
OMB-BDPA Staff Photo: Mike Mahaffie

Adopt Legislation To Continue to Guide Growth to Areas Prepared to Accept It

- **Transfer of Development Rights:** A Transfer of Development Rights (TDRs) program is a market-driven growth management strategy that functions by providing for a transfer of development rights from more rural areas that will be preserved to more urbanized areas

where those rights can be used as credit to develop in a more intense fashion. The result of TDR programs is growth focused in areas where it can be more efficiently served by infrastructure and services coupled with the preservation of rural lands that are valuable for scenic, environmental, and agricultural purposes. Furthermore, landowners in the rural areas are compensated for their cooperation, not regulated to conform.

TDRs are in use by several Delaware jurisdictions, but new legislation is needed to enhance current efforts. House Bill 244, introduced in the 144th General Assembly, has the support of the agricultural community, counties, municipalities and developers. It is currently awaiting action by the General Assembly. The passage of this legislation would provide another tool to manage growth and ensure that Delaware can protect its resources and infrastructure investments.

- **Mobility Friendly Design:** The concept of mobility friendly design seeks to address traffic congestion by providing for a more efficiently designed transportation system that will make it easier for all of Delaware's residents to move via their chosen mode of transportation. Legislation should be adopted to address the following issues:

- **Community Planning** - Current planning efforts jump from the large-scale comprehensive plan to the small-scale subdivision plan with no middle ground. A mechanism is needed to plan at the intermediate or community scale. Often referred to as master, or sub-regional plan, this intermediate level of planning is especially useful in ensuring that new developments fit into the fabric of their surroundings and interact efficiently with each other, particularly in terms of the local transportation network.



- **Transportation Issues** - In many areas, our state lacks a network of local collector roads. Subdivision streets often directly access arterial roads, impairing their capacity. Additionally, streets are sometimes closed without factual analysis and/or broad community input. A deliberative public process is needed that formalizes the involvement of the affected communities and governments. Also, providing more transit ready site plans is needed for improved access to bus services. The plan development process should support design details that will enable the expansion of transit services in the future to increase service viability and effectively contribute to reducing congestion and improving air quality.
- **Design and location of public buildings** - It is important to locate and design all public facilities, including schools, to maximize pedestrian, bicycle and transit access for students, employees and customers.
- **Reexamine Planning Enabling Statutes:** The portions of Delaware Code that grant planning authority to the counties and municipalities are critical since they determine how these jurisdictions must organize to plan and what measures they can use to implement their plans. Vague or burdensome statutes can make it difficult for counties and municipalities to effectively and confidently exercise their planning duties. Delaware's planning enabling statutes should be reexamined to ensure that jurisdictions and municipalities are afforded the proper planning tools to effectively manage their futures.

Further Connect Land Use Activity into the Budget Process

- **Develop a Comprehensive Set of Livability Indicators:** A set of indicators connected to the Livable Delaware principles should be developed and tracked. These indicators

should measure such relevant topics as development trends, including development approval and construction activity, demographic changes, and housing affordability. These indicators should be collected in a common format with a spatial element to allow for mapping. These indicators can serve as performance measures for future annual reports from the Cabinet Committee on State Planning Issues.

- **Inventory State Discretionary Funding Provided to Local Governments:** A centralized identification of funding that is provided to Delaware's counties and municipalities can be developed to enhance understanding of the amount of state resources allocated at the local level. This inventory may be able to serve in the future as a tool to help guide local governments with implementing their comprehensive plans, similar to how they are now required to rezone and adopt new ordinances within 18 months of adopting a new comprehensive plan.
- **Comprehensive Plan Fiscal Note:** As part of the certification process for comprehensive plans, a fiscal note can be attached to help identify future state investments needed to support planned and proposed development within local governments.

Examine and Reevaluate State Policies that Impact Development

- **Develop policies to withhold permits when development is inconsistent with plans:** When the State certifies comprehensive plans; it is affirming that local jurisdictions are consistent with the Strategies for State Policies and Spending along with other state policies and initiatives. Therefore, it is critical that counties and municipalities develop in a manner that is consistent with their certified plans. To this end, a policy should be developed that allows for the withholding of permits when development occurs that is inconsistent with certified plans or the state strategies.



Train State Employees to Incorporate Livable Delaware into Funding Decisions

Because of the far reaching implications of development, all State employees influencing policy decisions need to be aware of the principles of Livable Delaware to ensure that coordination of resources reaches all agencies and levels of decision-making.

- **Institute Livable Delaware Training for Mid-level State Agency Managers:** Education of Delaware's state agency managers on the concepts of Livable Delaware can only help to better align state decision-making with the principles of sustainable development that comprise the Livable Delaware initiative. This training series could be developed to educate state employees on Livable Delaware-related topics such as the Strategies for State Policies and Spending, general education on the land use planning process, growth and development trends, and the fiscal impact that development has on the State's capital and operating budget.

Enhance Intergovernmental Coordination Efforts

- **Devote Resources to Master Planning:** Master planning can effect more efficient development by ensuring that development is phased concurrently with the provision of needed infrastructure improvements. These planning efforts can engage stakeholders, such as residents, municipalities, counties, school districts, DeIDOT, and DNREC, in order to deliberate on issues such as the timing, character, and extent of planned growth, before development actually takes place. Master planning is gaining prominence in Delaware. For instance, the county, school districts, towns, and state agency directors signed onto the Southern New Castle County Memorandum of Understanding in order to guide regional planning efforts in the rapidly growing Middletown, Odessa, Townsend region of Delaware. This approach has also been used to address Middletown's Westtown project and the Milford East Planning Area. Master planning holds great potential for its ability to efficiently coordinate state and local planning activities, and is a technique that should be increasingly employed when the challenges of regional planning issues in Delaware demand intergovernmental coordination.



Appendix 1. State Strategies Investment Level Summary

Purpose

The Strategies for State Policies and Spending coordinate land-use decision making with the delivery of infrastructure and services to make best use of our natural and fiscal resources. Coordination is important because 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) are funded by the State.

While the State Strategies were being developed, local governments and citizens provided input to develop a unified view toward growth and preservation priorities while allocating government resources. The State is committed to the principles of the State Strategies and directs State agencies to fund only those projects that are in compliance with these strategies.

Strategy Maps

The *Strategies for State Policies and Spending* 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 argue against growth. The analysis creates a statewide spatial data set that reflects the combined policies of all levels of government to highlight which areas are most appropriate for growth. This analysis combines data sets that depict lands in three main categories:

- Lands that are out of play; that is, not available for development or redevelopment, such as wetlands, parkland, conservation easements:
- Lands for which state and local policies do not favor growth: and,
- Lands for which state and local policies do favor growth.

The Investment Levels

The categories for **favoring** and **not favoring** growth are depicted on the map as **Investment Level's 1, 2, 3 and 4**. The Levels are not meant as ascending levels of importance, but rather as a way to distinguish the different types of funding priorities within each area. The map designates levels 1-3 as areas of the state which are most prepared for growth and where the state can make the most cost-effective infrastructure investments for schools, roads, and public safety. In level 4 areas – where development is not preferred – the state will make investments that will help preserve a rural character, such as investments to promote open space and agriculture.

Level 1

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.

Strategy for Level 1: In areas where the population is concentrated, commerce is bustling, and a wide range of housing types already exist, state policies will provide for their continued health and vitality through reinvestment and redevelopment and through the efficient use and maintenance of existing public and private investments.

Investment Examples: Infill & redevelopment, brownfields, traffic management, new or expanded public facilities

Level 2

This investment level has many diverse characteristics. These 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 which are generally adjacent or near Investment Level 1 Areas, smaller towns and rural villages which should grow consistent 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 contain a limited variety of housing types, predominantly detached single-family dwellings. Their commercial and office uses, such as grocery, video rental, and drug stores, typically cater to local residents. Level 2 areas often offer a limited range of entertainment, parks and recreation, cultural, and institutional facilities.

Strategy for Level 2: Base investments on available infrastructure to accommodate orderly growth, promote a broader mix of housing and commercial sites, encourage development consistent with area character, and encourage compact, mixed-use development.

Investment Examples: Intersection & transit improvements, water/sewer expansion, park acquisition

Level 3

Although some factors support growth in these areas, there are other factors which argue for land preservation or longer-term phased development. These areas could be lands which are, in the long term, growth plans of municipalities or counties, but where development is not necessary to accommodate growth during the current, five-year planning period. This is the level where growth is least appropriate among the three growth-oriented investment levels.

This level could also contain lands adjacent to, or intermingled with, fast growing areas in levels 1 or 2. These adjacent lands may be environmentally

sensitive, associated with agricultural preservation issues, or be affected by the availability or capacity of infrastructure.

Strategy for Level 3: The strategy for Level 3 is to invest in these areas once Levels 1 and 2 are substantially built out, or when infrastructure or facilities are a logical extension of existing systems deemed appropriate to the area.

Investment Examples: Corridor preservation, health & safety, Transfer of Development Rights (TDR)

Level 4

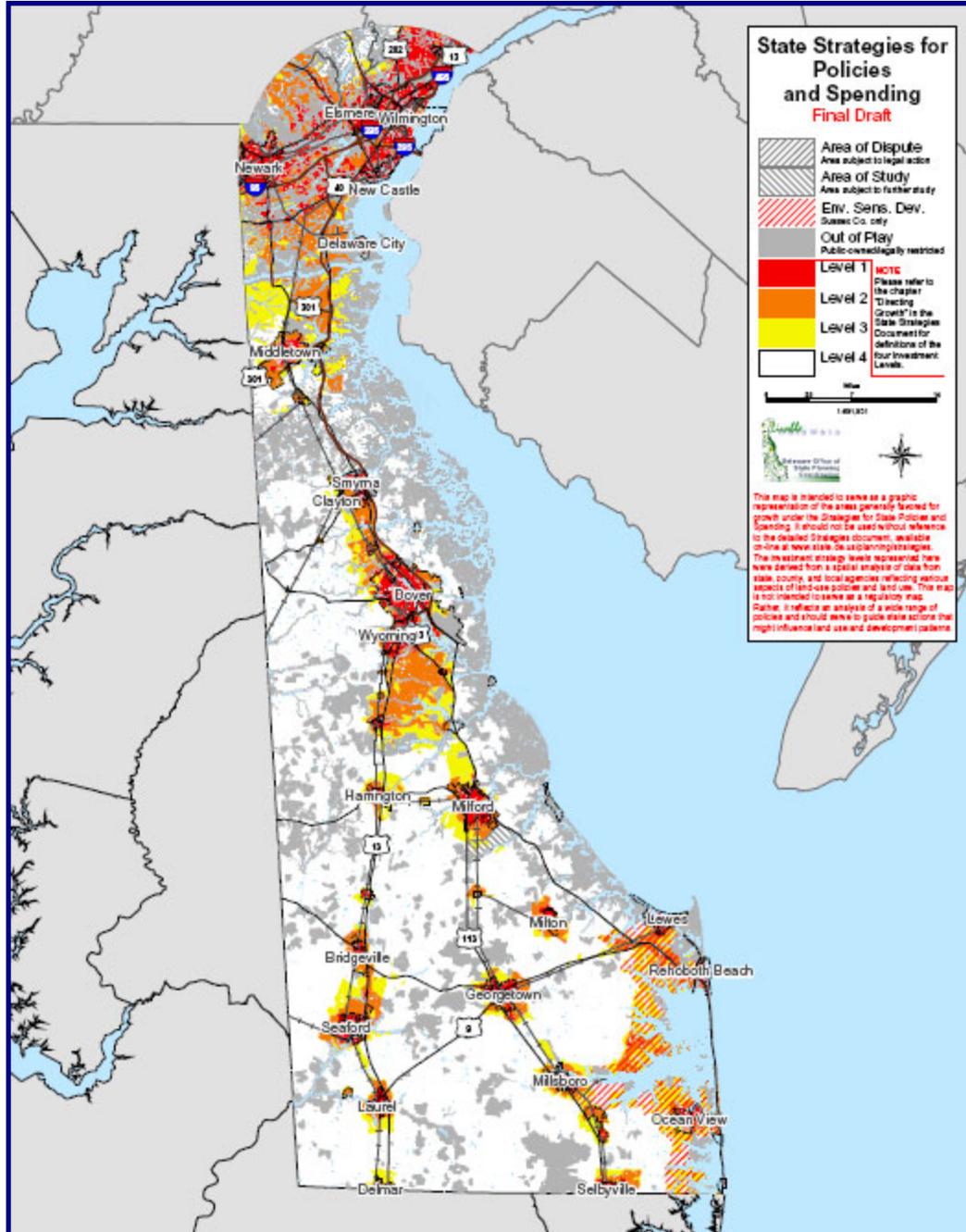
Delaware's Investment Level 4 areas are predominantly agricultural, along with undeveloped natural areas such as parks and fish/wildlife preserves. Sometimes private recreational facilities such as campgrounds and golf courses are also situated in Investment Level 4 areas.

Strategy for Level 4: State investment and policies should retain the rural landscape and preserve open space and farm lands to attempt to establish defined edges around more concentrated development, maintaining a clear boundary between rural and more urban landscapes. The state will preserve existing transportation facilities and services, only supporting new projects that provide necessary maintenance and safety improvements. Water and wastewater investments will be limited to maintaining existing systems or responding to imminent public health, safety or environmental risks, with little or no provision for additional capacity to accommodate further development.

Investment Examples: Agriculture & open space preservation, health & safety, TDR.



Appendix 2. Strategies for State Policies and Spending Map



Appendix 4. Development Data Analysis Methods

Overview of Analysis Methods and Limitations

A spatial analysis was conducted by the Institute for Public Administration at the University of Delaware in order to examine the location and extent of recently approved development across Delaware. ArcMap, a geographic information systems (GIS) software package produced by Environmental Systems Research Institute, Inc. (ESRI), was used to conduct the analysis. The analysis utilized the best available spatial data sets in order to compare the location of recently approved development relative to the location of the State Investment Levels delineated in the Strategies for State Policies and Spending.

The basic inputs to the analysis were spatial datasets from each of Delaware's counties showing the location of major subdivisions approved from 2001 to 2007 and specifying the number of residential units contained in each subdivision. These data were overlaid on a spatial dataset representing the Investment Levels from the Strategies for State Policies and Spending. The number of residential units and number of acres developed in each of the four Investment Levels was then counted. Since equivalent datasets were not available from each county, supplementary analysis was also necessary in order to prepare the data. The most consistent development data was available at the subdivision level, rather than parcel scale. Therefore, the estimates of lots approved by Investment Level do not exactly match numbers reported by County development records. The results of this analysis indicate the general trends of the location and magnitude of recently approved development in Delaware's unincorporated areas, and should not be seen as providing precise numbers that can be quoted with certainty.

Description of Datasets Used

Strategies for State Policies and Spending, Investment Levels: This dataset was developed as part of the 2004 update of the Strategies for State Policies and Spending document. For details on how this update was carried out, please refer to Appendix C (Spatial Data Analysis Approach) of the State Strategies document. For this analysis a raster dataset dividing the state into 30 meter grid cells and depicting each cell as either Investment Level 1, 2, 3, or 4 was used.

New Castle County Development Activity and Subdivisions: These spatial datasets, accessed in August 2007, provide the location of approved and pending developments within unincorporated New Castle County and also provides data on the number of residential units that comprise each development. The dataset was culled to include only those developments approved between 2001 and 2007 in the analysis. Additionally, the Development Activity dataset was cross-referenced against a New Castle County Land Use Department report on major subdivisions recorded between 2002 and 2007. Subdivisions that had been recorded but were not included in the Development Activity file, were added based on their location provided by the New Castle County Subdivisions dataset.

Kent County Communities: This dataset indicates the boundaries of major subdivisions (subdivisions created with interior public use streets) approved, developed, and under review within the unincorporated areas of Kent County. This data was trimmed to include only those subdivisions approved during the period 2001-2007. The number of residential units recorded within each subdivision is also included with this dataset. Only major subdivisions are reflected; being those created with interior streets dedicated to public use.

Sussex County Subdivisions and Parcels: A Sussex County parcel dataset, updated in May



2007, and a dataset, acquired from the County in August 2007, containing subdivision names and boundaries for incorporated and unincorporated Sussex County were used for the analysis. Again, the data was culled to only include subdivisions approved between 2001 and 2007. Information on the number of residential units approved within each subdivision was not provided in the data. The number of residential units was estimated by using GIS software to count up those parcels that were located within subdivisions, had their land use identified as a type of residential within the parcel dataset, and were not otherwise identified as a conservation, stormwater, open space, recreation, or common area. Parcels with their center located within municipal boundaries were considered and analyzed as a subset of the Sussex County data, "Incorporated Sussex County."

Preliminary Land Use Service (PLUS) Project Data: This spatial dataset was obtained from the Office of State Planning Coordination in August 2007 and contains details including project area, residential units proposed, and non-residential square footage proposed for PLUS projects reviewed through July 2007. Only projects with residential units proposed were included in this analysis.

Data Procedures

Data analysis was performed on the recently approved subdivisions and PLUS datasets in order to present information on items such as the estimated number of residential units approved or proposed by Investment Level, the estimated acreage of development approved by Investment Level, and the estimated acreage of development approved by gross development density. The following data procedures were used:

Calculation of Units per Investment Level: Using the data on spatial location of recently approved developments and residential units per

subdivision provided by the counties (or estimated in the case of Sussex County), residential units were assigned to State Strategies Investment Levels and counted up using the following general methods:

1. For each subdivision used for the analysis, the percent area of that subdivision situated within Investment Levels 1, 2, 3, and 4 was calculated. Each subdivision was then assigned to the Investment Level which comprised the highest percentage of its area. For example, a subdivision composed of 55% Level 3 area and 45% Level 4 area would be assigned to Investment Level 3, while a subdivision composed of 40% Level 1 area, 35% Level 2 area, and 25% Level 3 area would be assigned to Investment Level 1.
2. Based on the assignment of subdivisions to Investment Levels in step 1, the number of residential units located within each Level was estimated by simply summing all the units approved within the subdivisions assigned to a given Level.

Calculation of Estimated Acreage of Development per Investment Level: Using the data on spatial location of recently approved developments, the estimated acreage of development per Investment Level was calculated using the following methods:

1. Using a cross tabulation GIS software tool, the total subdivision area (square meters) located in each Investment Level was calculated.
2. The square meter area was converted to acres, resulting in the estimated acreage of recently approved development located in each Investment Level.

Calculation of Estimated Acreage of Development per Gross Density of Development and Investment Level: Using the data on spatial location of recently approved developments and residential units per subdivision provided by the counties (or estimated in the case of Sussex County), the estimated acreage of development per gross density of development and Investment Level was calculated using the following methods:

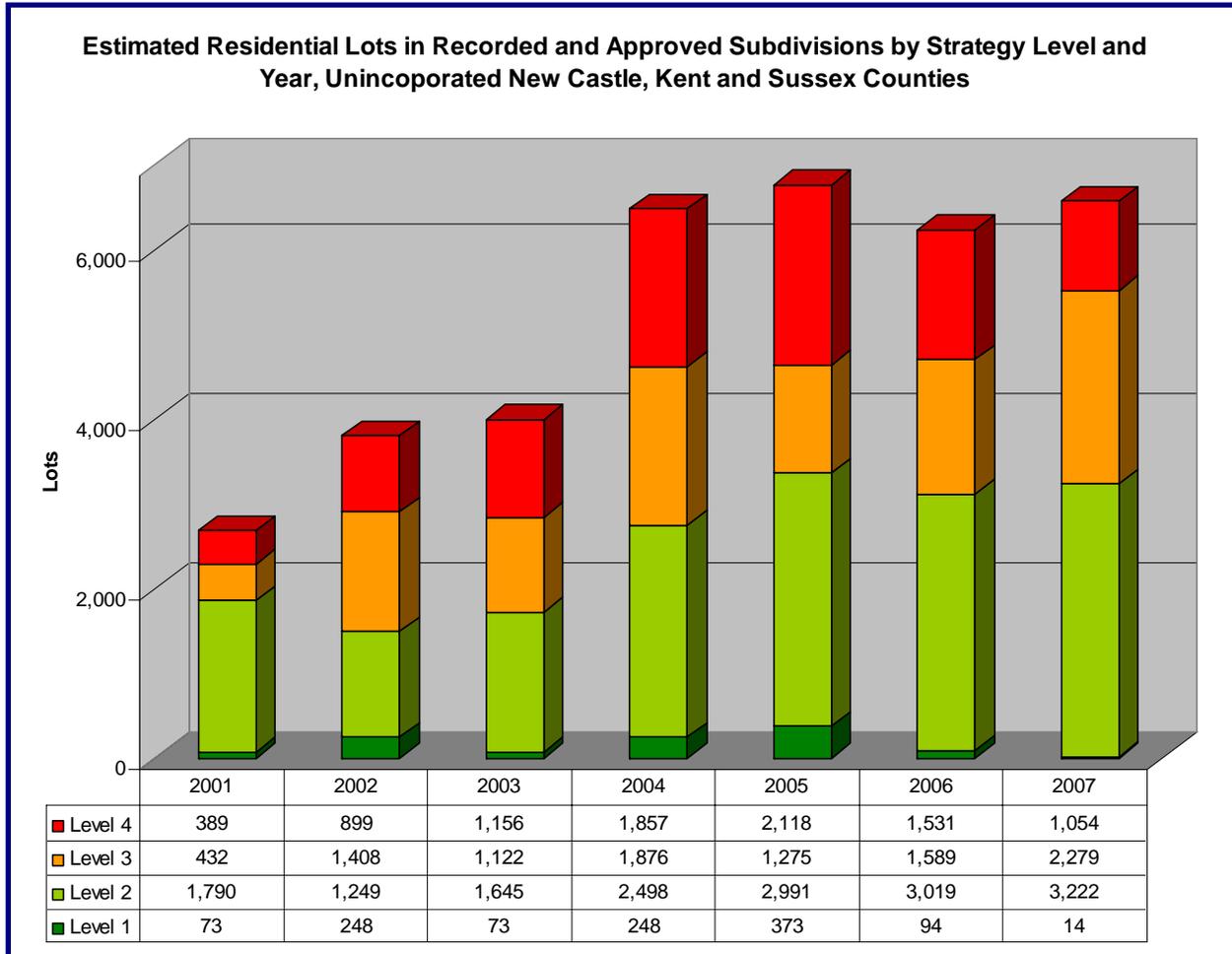


1. Subdivisions were assigned to Investment Levels as detailed in the Calculation of Units per Investment Level methods.
2. Each subdivisions' area in acres was calculated using GIS software functionality
3. A gross development density was calculated for each subdivision by dividing the number of residential units in each subdivision by the acreage of that subdivision.
4. Based on their gross development density, subdivisions were assigned to "Low" (less than one unit per acre), "Medium" (more than one, but no more than four units per acre), and "High" (more than four units per acre) density categories.
5. The number of units classified in each of the three density categories were counted up and summarized by the Investment Level those subdivisions were located in.



Appendix 5. County Development Data

Statewide Data



Sources: Approved Subdivision GIS Data Layers from New Castle, Kent, and Sussex Counties, August 2007. Institute for Public Administration GIS analysis performed according to the methods in Appendix 4.



New Castle County Data

Development Data in New Castle County, 2002-2007.

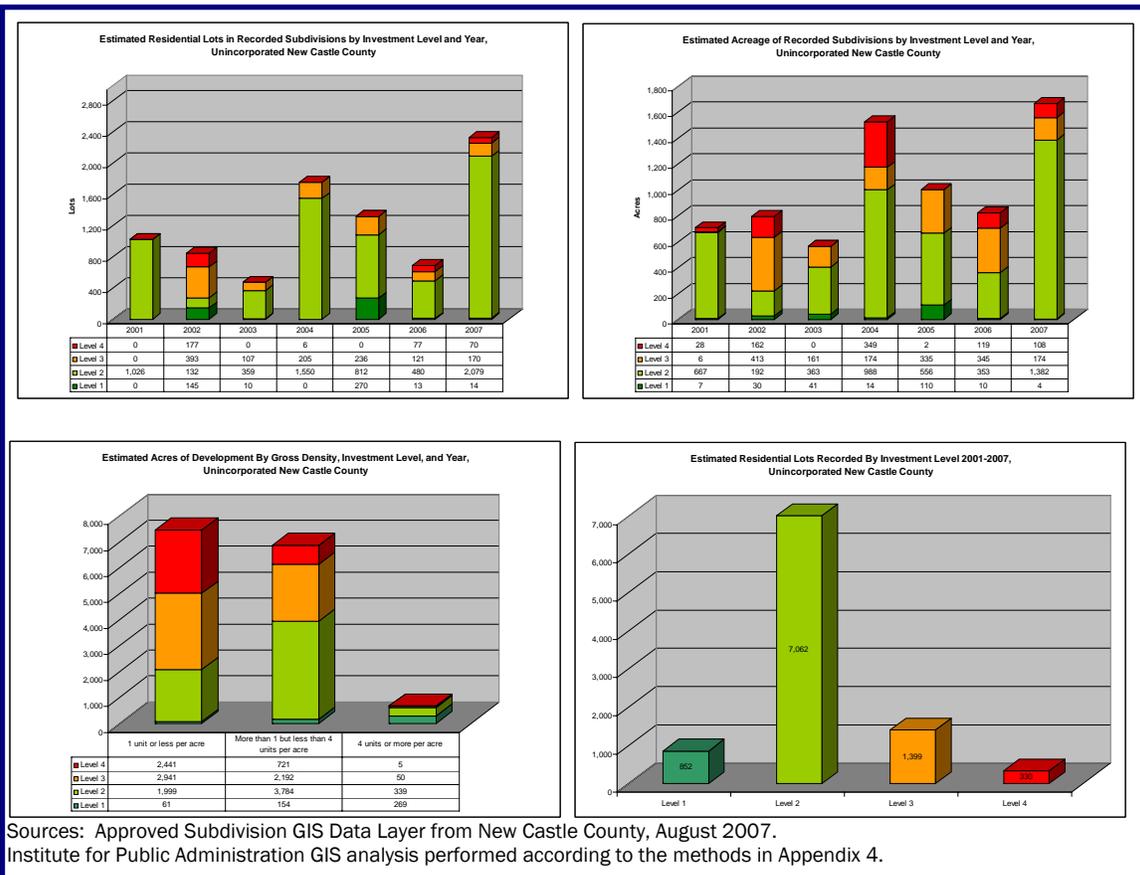
Year	Building Permits Issued for New Residential Construction	Recorded Non-Residential Gross Floor Area (sq. ft.)
2002	2,343	1,698,887
2003	2,106	2,336,843
2004	1,831	1,422,297
2005	1,020	3,916,314
2006	980	879,760
2007	593	1,343,271
Totals	8,873	11,597,372

Source: New Castle County Department of Land Use, August 2007.

Number of Lots and Plans Recorded, New Castle County 2001-2006

	2001	2002	2003	2004	2005	2006	Totals
Residential Lots	1,867	836	1,556	1,209	1,822	896	8,186
Residential Plans	79	58	72	58	79	55	401

Source: New Castle County Department of Land Use, FY 2008 Budget Recommendation to County Council.



Sources: Approved Subdivision GIS Data Layer from New Castle County, August 2007. Institute for Public Administration GIS analysis performed according to the methods in Appendix 4.

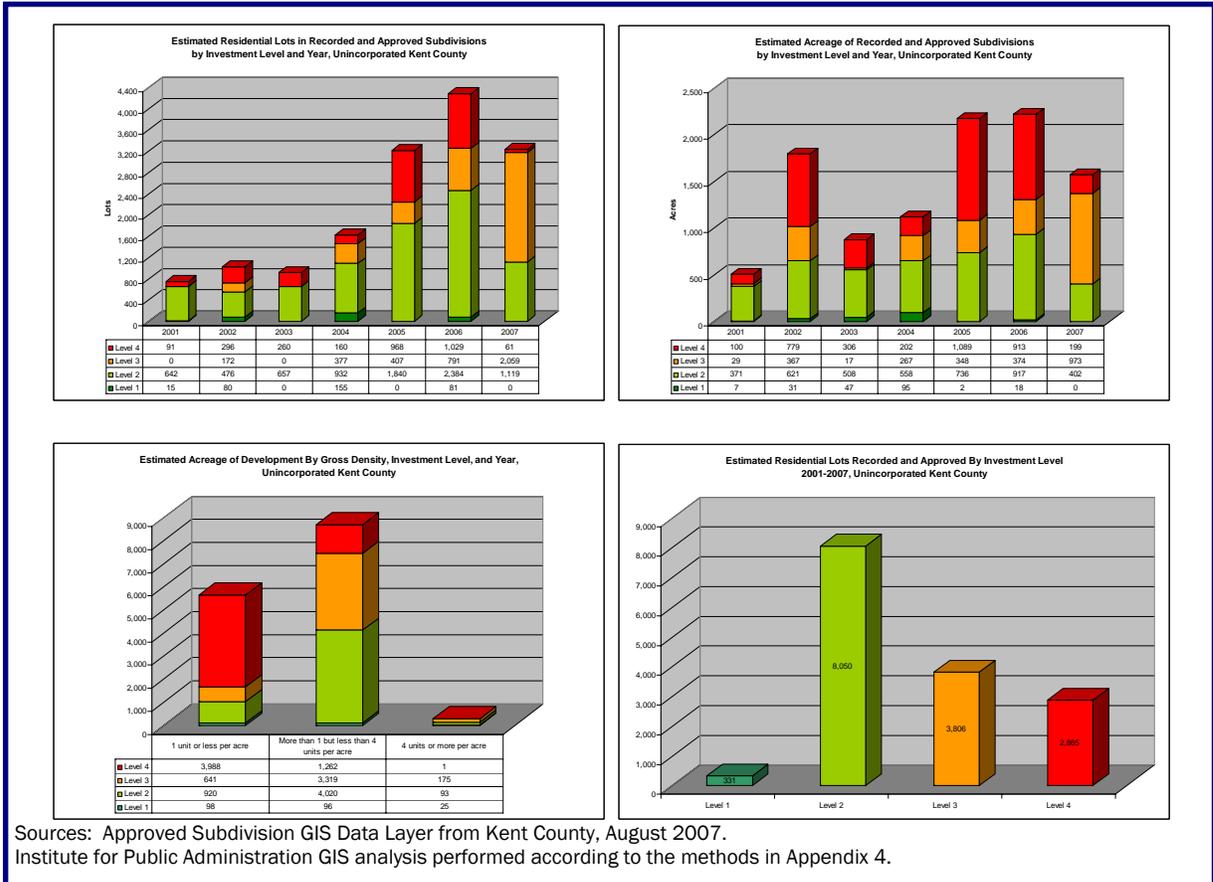


Kent County Data

Number of Lots Recorded in Kent County, 2001-2006.

	2001	2002	2003	2004	2005	2006	Totals
Recorded Lots	748	721	716	2,434	2,603	2,303	9,525

Source: Kent County Department of Planning Services, Comprehensive Plan Update Workshop Presentation Series, June 2007.



Sources: Approved Subdivision GIS Data Layer from Kent County, August 2007.
 Institute for Public Administration GIS analysis performed according to the methods in Appendix 4.



Sussex County Data

Developments Approved in Sussex County, 2001-2006.

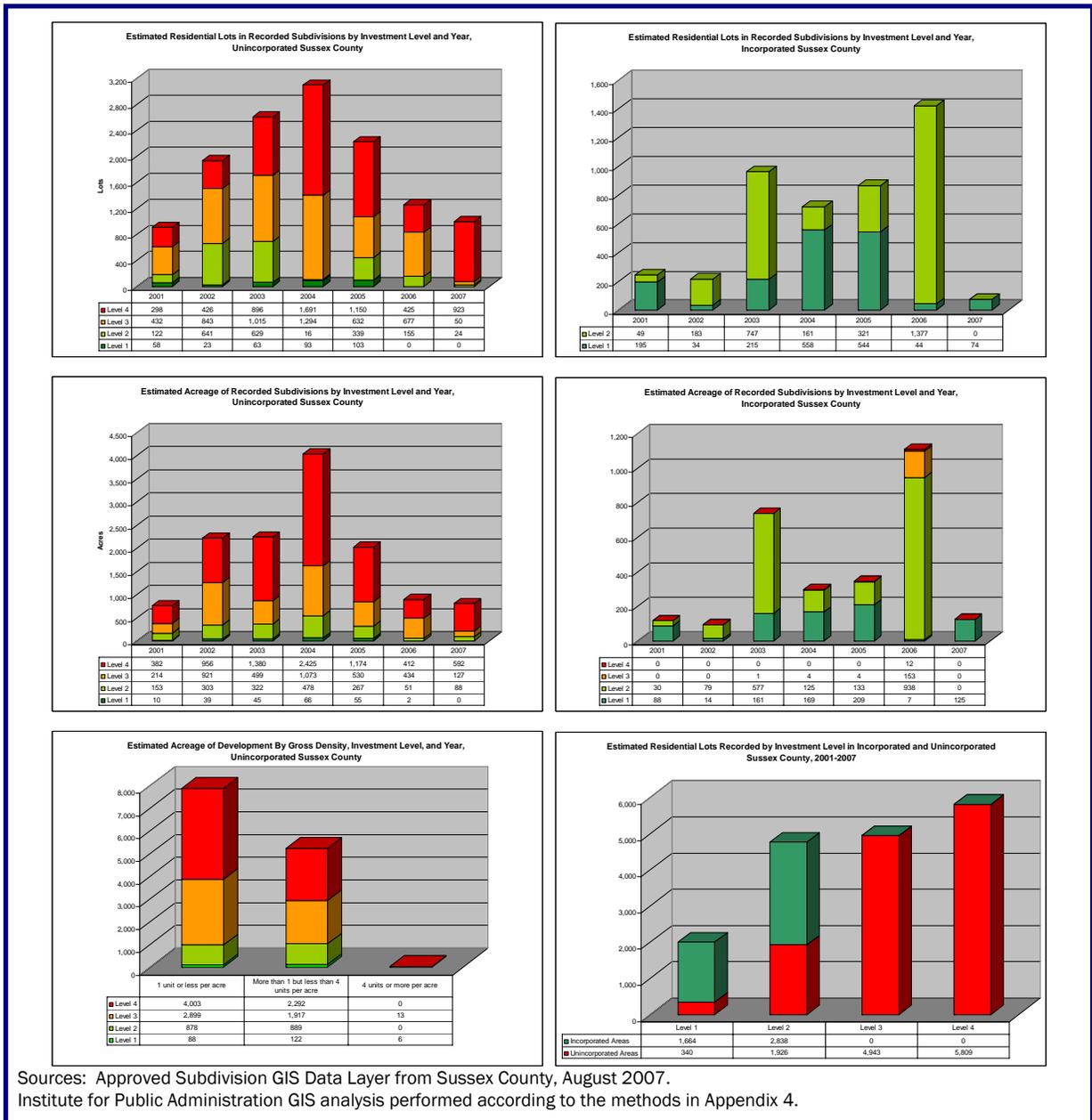
	2001	2002	2003	2004	2005	2006	Total
# of Subdivisions Approved	35	50	56	61	100	76	378
# of Residential Planned Communities Approved	10	14	10	8	3	3	48

Source: Sussex County Office of Planning and Zoning, August 2007.

Building Permits Issued for New Construction in Sussex County, 2003-2006.

Permits Issued for Manufactured Homes	Permits Issued for All Other Homes
3,035	10,671

Source: Sussex County Comprehensive Plan Update Draft, July 2007.



Sources: Approved Subdivision GIS Data Layer from Sussex County, August 2007.

Institute for Public Administration GIS analysis performed according to the methods in Appendix 4.



Appendix 6. Municipal Development Data

Population Data and Comprehensive Plan Status for Municipalities in New Castle County

	Population				Comprehensive Plan Status
	1990	2000	2006	% Change 1990-2006	
Arden	477	474	484	1.5%	County Jurisdiction
Ardencroft	282	267	274	-2.8%	County Jurisdiction
Ardentown	325	300	307	-5.5%	County Jurisdiction
Bellefonte	1,243	1,249	1,289	3.7%	Certified
Delaware City	1,682	1,453	1,512	-10.1%	Complete, updating
Elsmere	5,935	5,800	5,731	-3.4%	Certified
Middletown	3,834	6,161	10,272	167.9%	Certified
New Castle	4,837	4,862	4,963	2.6%	Certified, updating
Newark	25,098	28,547	30,014	19.6%	Certified
Newport	1,240	1,122	1,108	-10.6%	Certified, updating
Odessa	303	286	329	8.6%	Certified
Townsend	322	346	371	15.2%	Certified, updating
Wilmington	71,529	72,664	72,826	1.8%	Certified, updating
Total	117,107	123,531	129,480	10.6%	

Sources for Population Data: U.S. Census 1990 and 2000. U.S. Census Bureau, Population Division, 2006 Annual Population Estimates. Source for Comprehensive Plan Data: Delaware Office of State Planning Coordination, September 2007.

PLUS Review and Annexation Data for Municipalities in New Castle County*

	Summary of PLUS Reviews, 2004-2007		Completed Annexations Since 2004	
	Residential Units	Commercial Square Footage	Number of Annexations	Total Acreage Annexed
Middletown	1,558	1,969,500	10	660
New Castle	210	598,966	0	0
Newark	0	0	4	28
Townsend	0	26,000	4	4
Total	1,768	2,594,466	18	692

Source: Delaware Office of State Planning Coordination, August 2007. *Municipalities not listed had no activity reported.



Population Data and Comprehensive Plan Status for Municipalities in Kent County

	Population				Comprehensive Plan Status
	1990	2000	2006	% Change 1990-2006	
Bowers Beach	179	305	334	86.6%	Complete, updating
Camden	1,899	2,100	2,433	28.1%	Certified
Cheswold	321	313	455	41.7%	Certified
Clayton	1,163	1,273	1,420	22.1%	Certified
Dover	27,630	32,135	34,735	25.7%	Certified
Farmington	122	75	82	-32.8%	Certified
Felton	683	784	847	24.0%	Certified
Frederica	761	648	724	-4.9%	Certified
Harrington	2,311	3,174	3,263	41.2%	Certified
Hartly	107	78	85	-20.6%	In Progress
Houston	487	430	466	-4.3%	Complete
Kenton	232	237	259	11.6%	In Progress
Leipsic	236	203	221	-6.4%	Certified
Little Creek	167	195	209	25.1%	Certified
Magnolia	211	226	241	14.2%	In Progress
Milford	6,040	6,732	7,852	30.0%	Certified
Smyrna	5,231	5,679	7,837	49.8%	Certified
Viola	153	156	168	9.8%	Certified
Woodside	140	184	197	40.7%	No Information
Wyoming	977	1,141	1,290	32.0%	Certified
Total	49,050	56,068	63,118	28.7%	

Sources for Population Data: U.S. Census 1990 and 2000. U.S. Census Bureau, Population Division, 2006 Annual Population Estimates. Source for Comprehensive Plan Data: Delaware Office of State Planning Coordination, September 2007.

PLUS Review and Annexation Data for Municipalities in Kent County*

	Summary of PLUS Reviews, 2004-2007		Completed Annexations Since 2004	
	Residential Units	Commercial Square Footage	Number of Annexations	Total Acreage Annexed
Camden	651	215,000	5	158
Cheswold	1,443	5,000	2	494
Clayton	410	22,000	2	239
Dover	2,715	3,290,129	23	485
Felton	839	0	7	114
Frederica	478	0	2	119
Harrington	151	148,577	12	330
Milford	6,813	1,263,873	18	878
Smyrna	3,846	579,255	31	795
Viola	0	0	1	1
Wyoming	75	0	5	34
Total	37,830	6,779,199	108	3,647

Source: Delaware Office of State Planning Coordination, August 2007. *Municipalities not listed had no activity reported.



Population Data and Comprehensive Plan Status for Municipalities in Sussex County

	Population				Comprehensive Plan Status
	1990	2000	2006	% Change 1990-2006	
Bethany Beach	326	903	942	189.0%	Certified
Bethel	178	184	196	10.1%	In Progress
Blades	834	956	1,000	19.9%	Certified, updating
Bridgeville	1,210	1,436	1,585	31.0%	Certified
Dagsboro	398	519	560	40.7%	Certified
Delmar	962	1,407	1,487	54.6%	Certified
Dewey Beach	204	301	311	52.5%	Certified
Ellendale	313	327	345	10.2%	Certified
Fenwick Island	186	342	357	91.9%	In Progress
Frankford	591	714	756	27.9%	Complete, updating
Georgetown	3,732	4,643	4,927	32.0%	Certified, updating
Greenwood	578	837	885	53.1%	Certified
Henlopen Acres	107	139	139	29.9%	Certified
Laurel	3,226	3,668	3,821	18.4%	Certified
Lewes	2,295	2,932	3,119	35.9%	Certified
Millsboro	1,643	2,360	2,512	52.9%	Certified
Millville	206	259	274	33.0%	Certified
Milton	1,417	1,657	1,792	26.5%	Certified
Ocean View	606	1,006	1,099	81.4%	Certified
Rehoboth Beach	1,234	1,495	1,554	25.9%	Certified
Seaford	5,689	6,699	7,080	24.5%	Certified
Selbyville	1,335	1,645	1,747	30.9%	Certified
Slaughter Beach	114	198	213	86.8%	In Progress
South Bethany	148	492	513	246.6%	Certified
Total	27,532	35,119	37,214	35.2%	

Sources for Population Data: U.S. Census 1990 and 2000. U.S. Census Bureau, Population Division, 2006 Annual Population Estimates. Source for Comprehensive Plan Data: Delaware Office of State Planning Coordination, September 2007.



PLUS Review and Annexation Data for Municipalities in Sussex County*

	Summary of PLUS Reviews, 2004-2007		Completed Annexations Since 2004	
	Residential Units	Commercial Square Footage	Number of Annexations	Total Acreage Annexed
Blades	141	0	1	14
Bridgeville	0	82,220	8	1,242
Dagsboro	986	350,250	1	38
Delmar	130	0	1	89
Georgetown	2,614	290,290	3	95
Laurel	2,070	93,600	11	634
Lewes	600	0	0	0
Millsboro	3,850	460,170	9	948
Millville	3,810	633,000	13	957
Milton	795	0	2	1
Ocean View	337	0	6	98
Seaford	3,312	576,149	18	505
Selbyville	124	80,000	26	775
Total	18,769	2,565,679	99	5,396

Source: Delaware Office of State Planning Coordination, August 2007. *Municipalities not listed had no activity reported.



Appendix 7. Livable Delaware Progress Since 2001

Legislation

HB 255: (2001) required municipalities to develop certified comprehensive plans showing future growth areas before they can annex. It required a plan of services detailing how and when infrastructure and other services will be provided to annexation areas and set up an approval process and dispute resolution procedures for comprehensive plans.

HB 192: (2001) changed the Realty Transfer Tax formula to increase the annual amount available for Open Space purchases from \$3 million to \$9 million, increased greenways funding, and created a stewardship fund to maintain acquired lands.

SB 105: (2001) created the Livable Delaware Advisory Council, giving it responsibilities previously delegated to the Cabinet Committee on State Planning Issues.

SB 65: (2003) overhauled the Land Use Planning Act (LUPA), creating the Preliminary Land Use Service that enables state agencies to weigh in much earlier on land-use proposals, including residential subdivisions not included under LUPA.

SB 305: (2004) changed the process for selecting school sites to avoid encouraging sprawl, revised the Certificate of Necessity process, and gave the State authority for approving new school sites.

SB 229: (2005) established permanent funding for farmland preservation in the amount of \$10 million annually.

SB 121: (2005) created a Forestland Preservation Program to parallel the State's

successful Purchase of Development Rights (PDR) program for farmland.

Brownfields Legislation:

- Brownfields grants available for assessment and cleanup increased from \$25,000 to \$150,000 per project (SB 183, 2001; SB 328, 2004).
- Liability legislation (SB 157, 2003) mirrored federal liability law and made brownfield development more attractive to prospective purchasers.
- SB 328 (2004) created a distinct and unified brownfields program within DNREC, providing separation from state Superfund and other more enforcement-oriented programs.
- The Uniform Environmental Covenants Act (SB 112, 2005) enabled the establishment of durable, environmental covenants that are linked to the land regardless of changes in ownership. These covenants provide transparency and confidence in the sustainability of brownfield cleanups.

