

MEMORANDUM

To: Dewey Beach Planning Commission

From: David King, Vice Chair

Subject: Meeting with Office of State Planning Coordination

Chair Harry Wilson, Vice Chair David King and Attorney John Paradee (acting as counsel to the Dewey Beach Planning Commission) met on August 1, 2012 with State Planning Director Connie Holland and Planner/PLUS Coordinator Dorothy Morris of OSPC to discuss questions and proposed amendments to the Town of Dewey Beach 2007 Comprehensive Development Plan (Plan).

Director Holland informed us that we are required to formally review our Plan at its five-year anniversary. OSPC's review procedure depends on the level of change requested by the township; they include:

- Review. When no significant change is being requested, OSPC will review and approve in-house. The amended plan does not go through the Preliminary Land Use Service (PLUS) review, nor is it recertified by the Governor.
- Amendment. When there are minor changes, which could include zoning changes for a single area when, for example, in an economic downturn the township realizes that it has rezoned too much land to residential use from open land or agricultural use, this requires PLUS review, but may not require recertification.
- Full update. When there are changes to the zoning maps and/or changes to plan goals, this requires both PLUS review and re-certification.

Following review of Mr. Paradee's recommendations and the Planning Commission's proposed Plan changes (as listed in the draft minutes of its June 29, 2012 meeting), Director Holland indicated,

1. If all of the proposed changes were made with the exception of any change to a Plan map or Goal, Objective or Recommendation, this review could likely be expedited by in-house review and approval by OSPC.
2. If changes were made to a Plan map or to a Goal, Objective or Recommendation, for example by deleting Plan Recommendation #4 on page 21 or redefining the meaning of "relaxed bulk standards", this would require PLUS review and approval, and possibly re-certification.

It was the consensus of OSPC and Mr. Paradee that we should strive for a request that could be handled by OSPC review rather than one that would require PLUS review and possible recertification.

Attached are two draft Plan amendment documents for Planning Commission review. They were generated from the Mr. Paradee's written recommendations and Planning Commission discussion at its June 29, 2012 meeting. One should result in a request to OSPC that could be handled by their internal review. The other would likely require, at a minimum, PLUS review.

VERSION 1 – REVIEW

Clarification and housekeeping amendments

1. Amend the last sentence in Section 1.1 to read, “Intended to cover a ten-year planning period, it must be reviewed every five years and updated every ten.”
2. Update demographics by replacing Tables 1 (Total Population) and 4 (Racial Composition) with the following Tables, additionally citing the 2010 U.S. Census. (Note: Demographic data for the other tables in this section is either not available or the data from 2010 and 2000 Census reports are not compatible.)
3. Update housing data by replacing Tables 12 (Total Housing) and 17 (Occupancy Status) with the following, and citing 2000 and 2010 U.S. Census reports.
4. Amend the second paragraph on page 19 for clarification purposes as, “Commercial land uses currently comprise primarily small businesses and restaurants, most of which are seasonal. As the property owners and visitors to population of Dewey Beach increasingly spend more time in Town during the shoulder seasons~~becomes more residential and less seasonal~~, a need may develop for local commercial establishments that are open year-round and offer goods and services that are appropriate and necessary for off-season year-round living.”
5. Amend the Goal Statement for Land Use and Annexation in Sections 2.3 (page 21) and 3.1 (page 36) to both read, “The Town of Dewey Beach will pursue a strategy of growth and redevelopment that protects the Town’s resources and ensures its economic vitality while accurately defining the community.” (Replaces “urban growth” with “growth” in both, and has both read “redevelopment” rather than “redevelopment” in Section 2.3 and “development” in Section 3.1).
6. Amend Plan Recommendation #4 under Land Use and Annexation in Sections 2.3 (page 21) and 3.1 (page 37) to add, “These negotiations were concluded with the ratification of a joint Memorandum of Agreement and Release (MAR) by the Town Commissioners on February 26, 2011.”
7. Amend the paragraph following Plan Recommendation #4 under Land Use and Annexation in Section 2.3 (page 21-22) to add, “Negotiations related to all such pre-existing development applications were completed when the Town Commissioners voted to approve the MAR, February 26, 2011.”
8. Amend the last, “relaxed bulk standards” bullet under Plan Recommendations—Land Use and Annexation for Resort Business-1, Resort Business-2 and Resort Business-3, on pages 22 and 23, to add, “The meaning of ‘relaxed bulk standards’ was clarified by Ordinance ___ enacted _____, 20__.”
9. Update traffic count by replacing Table 22 (Traffic on S.R.1) (page 23) with the following, adding a citation to the DBRB Chamber of Commerce.

VERSION 2 – AMENDMENT OR UPDATE

Clarification and housekeeping amendments

1. Amend the last sentence in Section 1.1 to read, “Intended to cover a ten-year planning period, it must be reviewed every five years and updated every ten.”
2. Update demographics by replacing Tables 1 (Total Population) and 4 (Racial Composition) with the following Tables, additionally citing the 2010 U.S. Census. (Note: Demographic data for the other tables in this section is either not available or the data from 2010 and 2000 Census reports are not compatible.)
3. Update housing data by replacing Tables 12 (Total Housing) and 17 (Occupancy Status) with the following, and citing 2000 and 2010 U.S. Census reports.
4. Amend the second paragraph on page 19 for clarification purposes as, “Commercial land uses currently comprise primarily small businesses and restaurants, most of which are seasonal. As the property owners and visitors to population of Dewey Beach increasingly spend more time in Town during the shoulder seasons~~becomes more residential and less seasonal~~, a need may develop for local commercial establishments that are open year-round and offer goods and services that are appropriate and necessary for off-season year-round living.”
5. Amend the Goal Statement for Land Use and Annexation in Sections 2.3 (page 21) and 3.1 (page 36) to both read, “The Town of Dewey Beach will pursue a strategy of growth and redevelopment that protects the Town’s resources and ensures its economic vitality while accurately defining the community.” (Replaces “urban growth” with “growth” in both, and has both read “redevelopment” rather than “redevelopment” in Section 2.3 and “development” in Section 3.1).
6. Update traffic count by replacing Table 22 (Traffic on S.R.1) (page 23) with the following, adding a citation to the Rehoboth Beach-Dewey Beach Chamber of Commerce.

Significant Changes (recommended by Mr. Paradee)

7. Delete Plan Recommendation #4 under Land Use and Annexation in Sections 2.3 (page 21) and 3.1 (page 37).
8. Delete the last two sentences in the paragraph following Plan Recommendation #4 under Land Use and Annexation in Section 2.3 (page 21-22).
9. Amend the last, “relaxed bulk standards” bullet under Plan Recommendations—Land Use and Annexation for Resort Business-1, Resort Business-2 and Resort Business-3, on pages 22 and 23, to add, “Notwithstanding the relaxation of bulk standards, no building shall be permitted to exceed 35 feet in height (despite any pre-existing conditions).”