

# DEPARTMENT OF TRANSPORTATION

## DIVISION OF PLANNING AND POLICY

Statutory Authority: 17 Delaware Code, Sections 132(e), 507, 508 and 29 Delaware Code, Section 8404(8) (17 Del.C. §§132(e), 507 & 508; 29 Del.C. §8404(8))  
2 DE Admin. Code 2309

### PROPOSED

### PUBLIC NOTICE

#### 2309 Development Coordination Manual

Pursuant to the authority provided by 17 Del.C. §§132(e), 507, and 508, as well as 29 Del.C. §8404(8), the Delaware Department of Transportation (DelDOT) adopted the Development Coordination Manual.

The Department, through its Division of Planning and Public Policy, seeks to adopt general revisions to its existing regulations, the Development Coordination Manual, to address procedural changes, add or modify technical requirements and clarify and amend design criteria. These collective changes are both technical and administrative in nature and serve in part to clarify the intent of the Department as enacted through these regulations.

#### Public Comment Period

DelDOT will take written comments on these proposed general revisions to Section 2309 of Title 2, Delaware Administrative Code, from March 1, 2018 through April 2, 2018. The public may submit their comments to:

Marc Coté, P.E., Assistant Director, Planning Development Coordination via email

([Marc.Cote@state.de.us](mailto:Marc.Cote@state.de.us)) or in writing to his attention,

Division of Planning

Delaware Department of Transportation

P.O. Box 778

Dover, DE 19903

#### SUMMARY OF PROPOSED CHANGES TO THE DEVELOPMENT COORDINATION MANUAL

Sec/Fig	Para.	DelDOT Comment/Proposed Change	Justification
P3-a	-	“Submit Record Plan in accordance with the Gatekeeping Checklist” “ <b>Submit Record Plan in accordance with the Development Coordination Manual</b> ” “Submission acceptable in accordance with Gatekeeping Checklist” “ <b>Submission acceptable in accordance with Development Coordination Manual</b> ”	Removing the reference to the Gatekeeping Checklist
P3-b	-	“Submit Entrance/Construction Plans in accordance with the Gatekeeping Checklist.” “ <b>Submit Entrance/Construction Plans in accordance to the Development Coordination Manual.</b> ” “Submission acceptable in accordance to the Gatekeeping Checklist?” “ <b>Submission acceptable in accordance to the Development Coordination Manual?</b> ”	Removing the reference to the Gatekeeping Checklist

P.4.2		<p>“Once the approval expires, plans will need to be resubmitted for review.”</p> <p>“Once the approval expires, plans will need to be resubmitted for review <b>with the proper fee</b>”.</p>	Clarification
P.4.2		<p>“Upon addressing all comments provided by DelDOT in a comment response letter, the entrance/construction plans can be submitted.”</p> <p>“Upon addressing all comments provided by DelDOT <b>in a comment response letter</b>, the entrance/construction plans can be submitted.”</p>	Clarification
P.4.4		<p>“For commercial sites, a Commercial Entrance Construction Permit (see Appendix E) will be issued in addition to NTP.”</p> <p>“For commercial sites, a Commercial Entrance Construction Permit <b>(see Appendix E)</b> will be issued in addition to NTP.”</p>	Typographical Error
P.5		Added “If all or a portion of the property subject to this fee is re-subdivided within 10 years of the payment of this fee, that subdivision shall be treated for fee purposes as if planned for 5 lots or more.”	Added Language from Title 17, Chapter 1, Section 131 for clarification
P6		Deleted and Replaced entire Section	Modified this entire section to allow more projects to be eligible for this shorter process. The revision added clarity to what was required of the projects in the process and clarified the waiver process.
P7		Deleted entire Section. P6 and P7 now combined into one.	Deleted entire Section. P6 and P7 now combined into one.
P.9		<p>Now P.8</p> <p>Updated manual references to the most current version.</p>	Clarification
5.2.9	-	Auxiliary Lane warrants	Consistent with other local and regional standards.
Ch.9	-	Removal of entire Chapter	Removed to prevent any conflict with the Administrative Procedures Act

**Please Note:** Due to the size of the proposed regulation, it is not being published here. The following links to the proposed regulation are provided below:

Preface (<http://regulations.delaware.gov/register/march2018/proposed/Preface.pdf>)

Chapter 5 Design Elements (<http://regulations.delaware.gov/register/march2018/proposed/Chap5.pdf>)

Chapter 9 Manual Updates (<http://regulations.delaware.gov/register/march2018/proposed/Chap9.pdf>)