



REPORT TO GOVERNOR'S ADVISORY COUNCIL ON PLANNING

SUSSEX COUNTY

2012-2013

JULY 1, 2013

INTRODUCTION

Sussex County adopted the current update to its Comprehensive Plan on June 24, 2008 (the "Plan"). In lieu of an update to the Plan every five (5) years, Sussex County must prepare a Report on the progress of implementing the Plan for submission to the Cabinet Committee on State Planning Issues and the Office of the State Planning Coordination ("OSPC") each year following the adoption of the Plan. In accordance with the requirements of Title 9, Section 6958 of the Delaware Code, the first such report was dated July 1, 2012 with information retroactive to the adoption of the Plan in 2008. This is the second annual Report to the Cabinet Committee on State Planning Issues and OSPC, and unlike the prior Report, it only covers a one-year period between, July 1, 2012 and June 30, 2013. This Report is intended to comply with Title 9, Section 6958 of the Delaware Code and to address the items outlined in Section 6950(b) in the course of the information provided below.

LAND USE

As outlined in last year's Report, the economy has continued to have an effect on the analysis of the implementation of the Plan as development has continued to be slow throughout the County. While Sussex County has seen an increase in residential building permit applications during the past year, this is generally the result of increased activity in existing, approved developments. Sussex County has not experienced a significant increase in the number of land use development applications during the past year. Instead, Sussex County is seeing the revitalization of construction in approved developments where no work (or very little work) was previously occurring. Sussex County has also experienced startups of land-use developments that were previously approved but where no work on the site had yet been undertaken. Part of this trend is the result of Sussex County's recognition of the effect on the economy and the desire to maintain the viability of approved, but not yet built, residential developments. By Ordinance No. 2288 adopted on January 15, 2013, Sussex County Council extended the validity of all existing residential land use approvals through January 1, 2016.

Since July 1, 2012, Sussex County has seen 41 applications filed for all types of land-use approvals. This includes commercial development and residential development in the form of subdivision applications, rezoning applications, and conditional use applications. Specifically, Sussex County has processed 9 subdivision applications for a total of 318 lots during the past year. Those applications were considered by the Sussex County Planning & Zoning Commission; 6 of those applications for 135 lots were approved as being in

compliance with County Code. By way of comparison, Sussex County considered 7 subdivision applications in Calendar Year 2011; 9 in Calendar Year 2010; 11 in Calendar Year 2009; and at its peak, 100 applications in Calendar Year 2005.

Sussex County also considered 11 rezoning applications of which 9 were approved by Sussex County Council. By way of comparison, Sussex County considered 8 re-zonings in Calendar Year 2011; 9 in Calendar Year 2010; and 11 in Calendar Year 2009.

Sussex County also processed 21 applications for Conditional Use Permits during the time covered by this Report. Again, by way of comparison, 16 of these applications were approved by Sussex County Council. Sussex County considered 39 Conditional Use Application in Calendar Year 2011; 26 in Calendar Year 2010 and 26 in Calendar Year 2009. Several of the past year's applications were for small businesses, and many were the result of either enforcement actions or notifications that a use was operating without the appropriate County Zoning approvals.

Finally, in the period covered by this Report, Sussex County issued 1660 Residential Building Permits, and 282 Commercial Building Permits of various types.

A few of the larger or more significant applications include the following:

1. C/U #1941 for Delaware Electric Cooperative, Inc. for a solar electrical generator facility near Trap Pond Road and Substation Road southwest of Georgetown.

2. C/Z #1719 and #1720 and C/U # 1944 for Castaways Bethany, LLC for multi-family dwellings, a campground, and an outdoor amusement place in the form of a water park along Cedar Neck Road on the outskirts of Ocean View. These applications received a recommendation of denial from the County's Planning & Zoning Commission and the applications were ultimately withdrawn before County Council acted on them.
3. C/Z #1721 for Captain's Way Development, LLC was approved by County Council for a change in zone from AR-1 to a GR-RPC near Ellendale. This 154.90 acre tract was approved several years ago by the County's Planning and Zoning Commission as a subdivision. The owners subsequently sought to rezone it with a GR-RPC to allow affordable housing options for Sussex County residents in the form of modular and manufactured homes.
4. C/U #1946 for Clean Delaware, LLC was approved by County Council for the land application of treated wastewater and sludge croplands on both sides of McColley Road, south of Milford.
5. C/Z #1725 and C/U #1951 for Jack Lingo Asset Management, LLC for an RV resort and campground with an entrance from Cedar Grove Road southwest of Lewes. This 162.424 acre area slated for a proposed campground is still under review by the Sussex County Planning & Zoning Commission and the Sussex County Council.
6. C/U #1962 for Chesapeake Agrisoil, LLC was approved by County Council for a composting facility adjacent to an existing micronutrient plan on a 288 acre tract lying west of Route 13A, southwest of Blades.

7. C/Z #1729 and C/U #1963 for Ida C. Faucet, Faucett Heirs, LLC and Massey's Landing Park, LLC for a campground lying on 50.83 acres at the end of Long Neck Road adjacent to the State boat ramp facility at Massey's Landing on the Long Neck Peninsula. These applications currently have a favorable recommendation from the County's Planning & Zoning Commission and are awaiting action by County Council.

PUBLIC SEWER EXPANSION

In the past year, Sussex County has also been working to increase the availability of County sewer to various areas of the County. Specifically, Sussex County and its Engineering Department have been able to provide service to 2482 Equivalent Dwelling Units during 2012. These new connections have primarily been through the expansion of the Oak Orchard Sanitary Sewer District, the new Angola Neck Sanitary Sewer District and normal growth in the West Rehoboth, Millville and Fenwick Island Sanitary Sewer Districts.

AFFORDABLE HOUSING

Sussex County has also given a great deal of attention to the promotion of affordable housing. After a comprehensive review of the County's resources and the ongoing need for affordable housing, the County has taken many steps throughout the past year to increase the awareness of affordable housing within the County's borders. One of the main initiatives was a mandatory seminar for all elected and appointed officials and employees of the County covering fair housing laws in particular and affordable housing in general. The County has also reviewed all of its efforts to address existing and future affordable housing needs in an effort to better coordinate County resources and direct them to areas of the

County that are most in need of such attention. For example, in the past a great deal of funding was made available to various Sussex County communities on an *ad hoc* basis for purposes such as roadway improvements, sewer infrastructure installation and upgrades, trash removal, libraries, after-school programs, community centers and other similar community-based programs. The County is taking strides to coordinate and better serve these programs and their communities through an organized means. Likewise, the County has adopted a Fair Housing Policy to confirm the County's longstanding efforts to promote fair and affordable housing opportunities to all Sussex County residents. The Fair Housing Policy adds clarity to Sussex County's past practices in this regard and makes the document available to all County employees, elected and appointed officials and County residents alike. Further, Sussex County recently amended its Moderately Priced Housing Unit Ordinance to increase the AMI percentage making such moderately priced units available to a greater range of qualified County residents. Finally, the County has updated its website to make information regarding the Fair Housing Policy and affordable housing opportunities more readily available to the public.

ECONOMIC DEVELOPMENT

Two of the more significant Economic Development projects that have occurred in the past year include Sussex County's coordination with the Delaware Department of Natural Resources and Environmental Control (DNREC) and the US Army Corps of Engineers to launch and complete the Nanticoke River Dredging Project. The main channel of the Nanticoke River has been dredged to 12 feet in depth providing a means for continued commercial navigation of the Nanticoke

River. With the completion of this project, a portion of the dredge spoils site acquired by the County will be repurposed as a passive recreation area for Sussex County residents. Sussex County also continues its efforts to add an additional length to the main runway at the Sussex County Airport near Georgetown. Construction of the first 500 foot extension is actively underway and nearing completion. This increase is designed to support existing business of the airport and elsewhere, and to increase air transportation opportunities for Sussex County and its residents.

CONCLUSION

In conclusion, Sussex County has continued in accordance with its current Plan and the Goals set forth therein. Each of the Elements of the Plan continues to guide Sussex County in its decision making, as well. Sussex County will continue to monitor the implementation of its Plan and the trends affecting the County throughout the coming year.