

Sussex



County

REPORT TO GOVERNOR'S ADVISORY COUNCIL ON PLANNING

SUSSEX COUNTY

2014-2015

JULY 1, 2015

INTRODUCTION

Sussex County's current Comprehensive Land Use Plan was adopted on June 24, 2008 (the "Plan"). Each year after adoption, Sussex County is required to prepare a Report on the status of its Plan for submission to the Cabinet Committee on State Planning Issues and the Office of the State Planning Coordination ("OSPC"). This is the Fourth Annual Report to the Cabinet Committee on State Planning Issues and OSPC covering the one-year period between July 1, 2014 and June 30, 2015. This Report is intended to comply with Title 9, Sections 6958 and 6950(b) of the Delaware Code.

LAND USE

In this reporting year, Sussex County has again not received a large number of new land use applications. However, Sussex County has seen a great deal of activity in the ongoing development and construction of approved residential projects.

Since July 1, 2014, Sussex County has received 57 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.

Sussex County has processed 3 new subdivision applications for a total of 62 lots during this reporting year. Sussex County also processed 25 rezoning applications. Finally, Sussex County processed 29 applications for Conditional Use Permits during the time covered by this Report. A few of the larger or more significant public hearings conducted during this reporting year include the following:¹

1. Subdivision #2014-2 for Showfield, LLC, for a subdivision of 166 lots on 132.05 acres located just outside of the municipal boundaries of the City of Lewes. This application received Preliminary Site Plan Approval on August 7, 2014.

2. Subdivision #2013-4 for Jack Lingo Asset Management, LLC for a subdivision of 69 lots on 108.75 acres. This project is also located just outside of the City of Lewes. It received Preliminary Site Plan Approval from the Sussex County Planning and Zoning Commission on March 12, 2015.

3. Change of Zone #1766 for Stonemark Ventures, LLC to rezone 19.52 acres of land along Beaverdam Road near the Five Points intersection from AR-1 to HR-1 High Density Residential. The Sussex County Planning and Zoning Commission expressed initial concern about the proposed rezoning to HR-1 due to its possible incompatibility/inconsistency with the zoning of adjacent and nearby properties. Ultimately the application was withdrawn on March 20, 2015.

4. Change in Zone #1770 for TD Rehoboth, LLC, seeking to rezone 114.48 acres along Route One from AR-1 to CR-1. After a very lengthy public hearing during which a great deal of information was presented both for and against the application, the Commission recommended approval by a vote of 3 (in favor) to 2 (against). Sussex County Council has also held a public hearing on the application, and left the record open for some additional limited information. The application remains pending before County Council.

During the past year, in cooperation with the Federal Emergency Management Agency and the Delaware Department of Natural Resources, Sussex County completely

¹ Note that in some cases the hearings reflected below followed applications initially filed during the 2013-2014 reporting year.

overhauled its Flood Zone Ordinance as set forth in the County Code. This involved a re-organization and re-write of all of the County's Flood provisions in its Zoning Code. The new Ordinance was drafted and reviewed by the Planning and Zoning Commission and County Council during separate public hearings. One of the major provisions of the new Ordinance is voluntary, but incentivized freeboard, to promote structures that are built with a first floor that is higher than simply the minimum base flood elevation. The new Ordinance was ultimately adopted by Sussex County Council and subsequently approved by FEMA with a commendation to the County for its efforts.

WASTEWATER

Sussex County continues to increase the availability of County sewer to various areas of the County. The Angola Neck Sanitary Sewer District continues to expand eliminating many more individual on-site septic systems along the Inland Bays. In addition, Sussex County continues a major expansion of its sewer system as part of the Goslee Creek Planning Area to provide central sewer to new and existing communities in the area between Route 9, Route One and Route 24. Sussex County has expanded its Fenwick Island Sanitary Sewer District west towards Williamsville, as well.

HOUSING

Sussex County continues to promote affordable housing through a variety of means and methods. All of this work is coordinated through the County's Fair Housing Compliance Officer under the County's Community Development and Housing Department.

There have not been any new applications during this past year for affordable housing under the County's Moderately Priced Housing Unit or Rental programs. Nevertheless, Sussex County continues to promote these projects in various ways through its Community Development and Housing Department, the County website and other materials, and the land use application process. The Community Development and Housing Office also worked with several local housing providers and advocacy organizations to provide an inaugural Sussex County Homebuyer Fair.

During this reporting year, Sussex County also completely revised the definition of "Dwelling", "Dwelling, Single Family" and "Dwelling, Multifamily" as those terms are set

forth in the County's Zoning Code. These definitions have been updated to reflect the federal definition of "Dwelling" and the County was commended by the Office of State Planning Coordination and the Delaware State Housing Authority for its efforts.

Finally, Sussex County continues to evaluate Impacted Communities in order to determine investment strategies, priority designations of infrastructure and/or community development for those elements of infrastructure over which the County has primary governing authority. Once this data is collected, the County anticipates performing an evaluation and drafting an approval process for future infrastructure projects.

ECONOMIC DEVELOPMENT

Agriculture and tourism continue to be some of Sussex County's main economic drivers. In addition, health care providers, including Beebe Health Care, Bayhealth, Nanticoke Health Services and Peninsula Regional Medical Center continue to expand. Other businesses such as Dogfish Head and PATS Aircraft are adding to their Sussex County production capabilities, too. Technology businesses are making great strides, as well.

CONCLUSION

Sussex County continues to monitor the implementation of its current Plan and the trends affecting the County throughout the coming year, with an eye toward the creation and adoption of the next Comprehensive Land Use Plan. Sussex County has started the early stages of this process, beginning with the preparation of a Request for Proposals for a land use consultant to be tasked with not only assisting in the preparation of the new Plan, but also the various ordinances that will be considered as part of that process.