

**INTERGOVERNMENTAL  
COORDINATION  
ELEMENT**

## **INTERGOVERNMENTAL COORDINATION ELEMENT**

### **Mutual Impacts and Inter-Relationships**

Sussex County devotes considerable effort to coordinating with government agencies at several different levels. The County also maintains active working relationships with many non-profit entities that focus on issues of importance to local growth and conservation. This includes direct grants by the County to support many local initiatives and programs. This chapter contains a summary of how Sussex County works with others. Priorities for future intergovernmental efforts are identified. Other ways the County intends to implement this plan are also described.



### ***Other Counties***

Within Delaware, Sussex County is adjacent to Kent County in Delaware and the Maryland counties of Caroline, Dorchester, Wicomico, and Worcester. Major development and conservation trends in these nearby jurisdictions influence Sussex County. In turn, significant growth and preservation activities in Sussex County affect traffic volumes, land use patterns, economic development, environmental conditions and other aspects of life in neighboring areas. The Sussex County Council recognizes the importance of these inter-relationships. Sussex County is a member of the Delaware Association of Counties and the National Association of Counties.

### ***Sussex County Municipalities and School Districts***

Mutual impacts are a fact of life on a more immediate level between Sussex County and its 25 incorporated municipalities. Decisions the individual towns and cities make about zoning, annexation, development applications, utility services and related topics directly affect nearby unincorporated areas under County jurisdiction. Similarly, many County-level policies regarding these same types of issues impact the incorporated areas. Sussex County works closely with its cities and towns through these municipalities' governing bodies, local chambers of commerce, and the Sussex County Association of Towns (SCAT). In formulating this Comprehensive Plan Update, Sussex County considered the comprehensive plans, annexation intentions, and utility service policies of the local towns and cities. Sussex County is a member of the Delaware League of Local Governments.

Sussex County also has a working relationship with the County's seven school districts and one Countywide district. The County has funded certain special needs projects within these districts.

- Cape Henlopen School District
- Delmar School District
- Indian River School District
- Laurel School District
- Milford School District
- Seaford School District
- Sussex County Technical School District
- Woodbridge School District

### *State Agencies*

In addition to county and municipal influences, activities at the State-level have important implications for Sussex County. The Governor’s initiatives, such as “Livable Delaware” and the policies and regulations administered by Delaware’s State agencies play an important role in the development and preservation of Sussex County. Regarding the matters covered in this comprehensive plan, the following State agencies have a particularly important influence on the County’s policy formulation and decision making:

- Delaware Office of State Planning Coordination
- Delaware Department of Transportation (DelDOT)
- Delaware Department of Natural Resources and Environmental Control (DNREC)
- Delaware Department of Labor
- Delaware Department of Community Development and Housing
- Delaware Department of Agriculture

Sussex County has a special agreement with the State under which the County funds 50% of the costs required to station 36 State Police officers in Sussex County, in addition to those the State funds on its own.

In accordance with Chapter 92 of the Delaware Code, the Office of State Planning Coordination and Sussex County Council co-signed a Memorandum of Understanding in 2003 concerning State review of certain County land use decisions. This agreement recognizes that some County land use decisions can: a) have far-reaching implications; and b) effectively commit resources at all levels of government.

In accordance with this agreement, the following Sussex County land use planning, zoning and development activities require review under the State’s Preliminary Land Use Service (PLUS) system:

- Any Residential Planned Community.
- Major residential subdivisions containing more than 50 dwelling units.
- Any non-residential subdivision or site plan involving the expansion of an existing structure by 25 percent with a total floor area exceeding 75,000 square feet or new construction involving structures or buildings with a total floor area exceeding 75,000 square feet.

- Any rezoning within the Environmentally Sensitive Development District that would increase intensity or residential density.
- Applications for rezoning that are inconsistent with the Sussex County's Comprehensive Plan.
- Any local land use regulation, ordinance or requirement referred to the Office of State Planning Coordination by Sussex County for the purpose of providing the County with advisory comments. These include the modifications to the County's zoning and subdivision ordinances.
- Any amendment, modification or update to the Sussex County Comprehensive Plan.

The County coordinates with State agencies regarding many additional issues:

- The County has entered into three agreements with the Delaware State Police to currently provide 36 additional State Police in Sussex County. The County has budgeted \$1.6-million dollars during fiscal 2008 for this project.
- The County has paid the State of Delaware \$2.1-million dollars toward the purchase of 2,471-acres of development rights from Sussex farmers. Sussex County is the only government to partner every year with the State since 2003.
- The County works closely with DNREC to provide central wastewater service and remove existing septic systems. The County is currently working with DNREC and the City of Rehoboth in reviewing options for a regional wastewater solution which would end Rehoboth's practice of discharging into the Lewes/Rehoboth canal. The County has actively participated in many DNREC meetings regarding the State's proposed pollution control strategy.
- The County works closely with DelDOT in recommending capital road projects in Sussex. The County is requesting authority to issue special development district bonds to fund offsite improvements, such as roads.
- The County works with the Delaware Housing Agency to coordinate efforts such as moderately priced housing and housing rehabilitation programs.
- In 2004 the County contributed \$1.1-million dollars towards a State-owned public safety facility at Bridgeville. More recently, the County agreed to provide \$1.2-million dollars towards the costs of purchasing and renovating an airport hanger for Delaware Technical Community College for a new airframe mechanics training program. Normally, the State of Delaware provides capital funding for Del Tech.
- As part of its open space program, the County also contributed \$1.5-million dollars towards the purchase of 327-acres to be added to the Redden State Forest.

- County staff meets regularly with State agencies on many topics. For example: quarterly meetings with Economic Development office staff, regular meetings with Housing Authority representatives, annual meeting with the State Farm Land Preservation representative, County participation and/or membership on State committees such as Delaware Geographic Information Systems, Emergency Management, Storm Water, Pollution Control Strategy, DelDOT Capital Transportation Program, Clean Water Advisory Council, PLUS, etc.

### ***Future Coordination With the State***

In addition to continuing its on-going coordination with the State, Sussex County intends to expand its working relationship with the State in two particular areas:

- The County will review DelDOT planning efforts that address long-term transportation needs in the Sussex County. The establishment of long-term plans for transportation will enable DelDOT to purchase land and easements for future road improvements now while these acquisitions are still available. Long-term plans will also enable DelDOT to work more effectively with new developers to provide funds for planned improvements. The County would like to see property purchases for new roads made in a timely fashion after the location is determined.
- The County intends to solicit advice from DNREC and other relevant State agencies in preparing and reviewing the specific ordinances needed to implement this Comprehensive Plan.

### ***Federal Agencies***

Most State agencies also have working relationships with federal entities, such as the U.S. Department of Transportation, the U.S. Department of Housing and Urban Development, the U.S. Fish and Wildlife Service, the U.S. Census Bureau, the Army Corps of Engineers, the Federal Aviation Authority, the Environmental Protection Agency, the U.S. Department of Agriculture, and many others. An important part of many of these relationships involves allocating federal funds to Delaware jurisdictions, including Sussex County, and then monitoring how the local recipients use these funds. The U.S. Fish and Wildlife Service is also a large landowner in the County.

### ***Private Non-Profits***

In addition to cooperation with government entities, Sussex County devotes considerable time to coordinating its activities with private non-profit organizations. These organizations typically devote their efforts to a single subject area. In and around the County, the following private non-profits, among many others, have working relationships with Sussex County:

- Sussex County Land Trust
- Sussex County Farm Bureau

- Delaware Farm Bureau
- Delaware Agricultural Lands Preservation Foundation
- Center For the Inland Bays
- Little Assawoman Bay Conservancy
- The Nature Conservancy
- Diamond State Community Land Trust
- Preservation Delaware, Inc.
- First State Manufactured Housing Alliance
- Small Business Development Center
- Service Corps of Retired Executives
- Southern Delaware Tourism
- Various watershed associations
- Youth athletic associations and other recreation providers
- Local trail organizations
- Fire, ambulance and rescue companies
- Local chambers of commerce
- Local historic preservation organizations
- First State Community Action Agency
- Habitat for Humanity

### **Intergovernmental Coordination Used in Preparing This Plan**

The previous parts of this chapter identify the numerous areas where Sussex County coordinates with other levels of government on an on-going basis, including the State, federal agencies, the other Delaware counties, Sussex County municipalities, Sussex County school districts, and relevant private non-profits. As the following text indicates, Sussex County also included intergovernmental coordination in the preparation of this Comprehensive Plan Update, particularly consultation with the County's incorporated municipalities and with relevant Delaware state agencies.

#### ***Coordination with the Incorporated Municipalities***

As a first step to updating its Future Land Use Plan and Map, Sussex County reviewed the existing or proposed comprehensive plan for each of the County's 25 incorporated municipalities. In preparing its growth and preservation strategy, the County also consulted maps of each municipality's Short-Range Annexation Area, Long-Range Annexation Area, and Area of Interest. Once the Comprehensive Plan Update was prepared in draft form, the County met with representatives of all 25 municipalities to describe the draft plan and talk about any related concerns the municipalities wished to raise. These concerns were then considered before finalizing this Comprehensive Plan Update. As part of the comprehensive planning process, Sussex County also met with the Sussex County Association of Towns (SCAT).

### ***Coordination with the State***

As part of preparing its growth and preservation policies, Sussex County reviewed relevant State strategies, particularly those designed to help implement the State's Livable Delaware initiative. The County is fully aware of the State's key role in providing many of the essential services required to serve growth, such as schools, roads, and police protection in unincorporated areas. In preparing this Comprehensive Plan Update, Sussex County coordinated with the State in the following ways:

- Most of the demographic data in this plan is information from the Delaware Population Consortium.
- Most maps in this plan stem from digital base map files or other digital mapping provided by DNREC.
- One to two staff members from the State Office of Planning Coordination attended each of the public meetings Sussex County held in connection with this plan — and actively participated in these meetings. One to two State personnel also participated in each of the meetings Sussex County held with the incorporated municipalities.
- DelDOT authored the Transportation chapter included in this plan.
- In draft form, this plan was reviewed through the State's formal PLUS review process where written comments about the draft plan were prepared by several State departments. A meeting was then held by the State to review these comments with the County.
- The County presented this plan in draft form and described related County policies and accomplishments at a formal meeting of the Livable Delaware Advisory Council.
- Subsequent to the two formal meetings noted directly above, Sussex County staff members and the County's planning consultant met in workshop formats with representatives of the Office of State Planning Coordination, DNREC, DelDOT and the Governor's Office. These meetings focused on revisions the draft plan needed to: a) qualify for State certification; and b) conform more closely with State objectives on growth, open space, farmland preservation, infrastructure, and related topics. Sussex County then made several changes to its draft plan based on the discussions held at these workshop meetings.

Sussex County prepared its recent Source Water Protection ordinance in close coordination with DNREC staff members. Sussex County hopes in the future to continue coordinating with the State on growth management matters, particularly as the County drafts the ordinances needed to implement this plan, such as a Transfer of Development Rights (TDR) ordinance, among many others.

## **Intergovernmental Coordination Strategies**

- Expand coordination with the County's 25 towns and cities, with particular focus on annexation, municipal zoning, future utility service areas, road improvements, large development applications, and historic preservation.
- Work closely with the Delaware Office of State Planning Coordination on the following matters that Sussex County views as critical:
  - Updating of the County Zoning Ordinance (which will include additional community design standards) to better coordinate County and State perspectives on developments reviewed through the PLUS system.
  - Establishment of an effective, County-sponsored Transfer of Development Rights (TDR) system in Sussex County.
  - Confirmation that the future boundaries of State Priority Spending Areas (Levels I through IV) match the growth area delineations described in this Comprehensive Plan Update.
- Coordinate with DelDOT in completing current and future traffic studies, in prioritizing the implementation of the road improvements recommended in those studies, and in new ways to fund road improvements.
- Work with the Delaware Department of Agriculture Department to preserve more Sussex County farms through agricultural preservation easements and maximize the value of the compensation paid to the landowners.
- Cooperate with DNREC and relevant non-profits to formulate stronger, yet locally acceptable, regulations for better protecting groundwater, waterways, sensitive habitat areas and other critical natural lands in Sussex County.
- Work with DNREC and the Delaware Department of Agriculture to continue adding appropriate properties to the inventory of State-owned lands in Sussex County, particularly to link together existing State-owned forests.
- Seek guidance from the Delaware Department of Community Development and Housing, and relevant non-profits on how best to continue expanding Sussex County's response to local affordable housing problems.



- Work with all of the relevant state agencies and non-profit services to attract more higher-paying and diverse businesses to locate in Sussex County.
- Expand the number of State Police officers stationed in Sussex County by continuing to fund 50% of new officers above and beyond the County's base allocation from the State.
- Continue seeking advice from, and providing County financial support to, appropriate non-profit organizations that serve Sussex County in an exemplary way.

## **Plan Implementation Priorities**

The intergovernmental coordination strategies enumerated above will be key in implementing this Comprehensive Plan Update. Selected updates to the County's Zoning Ordinance and the County's Subdivision Code will also be critical to ensure that appropriate recommendations in this plan are translated into enforceable regulations.

### ***The Zoning Ordinance***

The Zoning Ordinance is the primary legal tool to regulate the uses of land and buildings. The Zoning Ordinance includes a Zoning Map that divides the unincorporated areas of the County into different zoning districts. Each district permits a set of activities and establishes a maximum density of development. In addition to regulating land uses and densities, zoning also controls the following:

- the heights of buildings,
- the percentage of a lot that may be covered by buildings and paving,
- the minimum distances that buildings may be placed from streets and property lines,
- the minimum size of lots,
- the maximum sizes and heights of signs, and
- the protection of important natural features.

This Comprehensive Plan Update recommends many zoning revisions. Updating the County's Zoning Ordinance immediately will be Sussex County's first step towards implementing this plan.

### ***Subdivision Code***

The County's Subdivision Code mainly regulates the creation of new lots, the construction of new streets by developers, and related improvements associated with new development. Updates to the Subdivision Code could include innovative ways to manage stormwater in a more environmentally friendly manner through use of "best management practices (BMPs). This includes greater use of measures to promote infiltration into the groundwater and to filter pollutants out of runoff. This Comprehensive Plan Update will lead promptly to the revision of selected regulations in Sussex County's Subdivision Code.

### ***Funding Sources***

Beyond intergovernmental coordination and regulatory revisions, funding sources will be critical to implementing this Plan. This means adequate allocations to County departments and others from Sussex County's annual operating budget. For larger endeavors, Sussex County will also depend on its capital improvements programming. State and federal funds will continue to be absolutely essential to carrying out this plan.

### ***Sussex County Capital Improvement Program 2008–2012***

Sussex County Council adopted its most recent budget on June 19, 2007. In addition to describing operating costs and revenues for Fiscal Year 2008, a Capital Project Program is included for FY 2008 through FY 2012. This Capital Projects Program divides anticipated capital projects into two types: a) Non-Sewer and Water Projects; and b) Sewer and Water Projects.

As the name implies Non-Sewer and Water Projects include capital projects the County will undertake that are not related to public sewer or public water improvements. For example, the County is committed to investing over \$20 million dollars in the Sussex County Industrial Airpark to continue adding jobs and benefitting the County's economy. The largest employer at the airpark has grown from 50 jobs in 1997 to over 600 in February 2008. Extending the airport runway from 5,000 to 6,000 feet will help provide additional jobs there.

The County's capital improvement program reflects population growth in the County. Projects are planned to expand libraries, build a larger emergency operation center, and construct additional County administration office space. Sussex County funds Non-Sewer and Water capital improvements from general revenues.

Sewer and Water Projects are capital improvements that Sussex County will undertake to protect environmental conditions in its 18 sewer and water districts. These projects are designed primarily to extend County wastewater conveyance and treatment services into areas that currently use on-site septic systems. Sewer and Water projects also include expansions and upgrades to the four wastewater treatment plants that Sussex County owns and operates. The County funds its capital Sewer and Water Projects through two types of user fees: assessment charges to recover the costs of bond funds borrowed for specific projects, and one-time fees that new customers must pay for connecting to the County's system.

The following table shows the costs of capital improvements Sussex County now plans for FY 2008 through FY 2012. The revenue sources the County anticipates using to pay for these projects are also shown.

**Table 20**  
**Sussex County Council – Capital Project Program for Fiscal 2008–2012**

Project	Total for Fiscal 2008 Thru Fiscal 2012	2008	2009	2010	2011	2012
<b>NON-SEWER AND WATER PROJECTS:</b>						
Airport – Runway 10-28	4,410,000	4,410,000				
Airport – Tie Down Ramps	50,000	50,000				
Airport – Extend Runway 4-22	16,545,000	745,000	800,000	8,000,000	7,000,000	
Airport – Perimeter Fence Upgrade	120,000	120,000				
Airport – Clear Zone	4,736,000	2,900,000	1,836,000			
Airport / Industrial Park – Street Lighting System	35,000	35,000				
Airport – Stormwater Improvements	100,000	100,000				
Airport – Wetlands Mitigation Phase 2 Design	250,000		250,000			
Airport / Industrial Park – New Guard House	32,000	32,000				
Airport / Industrial Park – Water System	2,500,000	2,500,000				
Industrial Park Expansion	1,000,000					1,000,000
County Administration Building – Roof Repair	750,000	750,000				
Administrative Building	22,000,000	2,000,000	10,000,000	10,000,000		
County Administration Record Storage	100,000	100,000				
Library – Greenwood Library	2,300,000	224,000	1,038,000	1,038,000		
Library – South Coastal Building Expansion	6,500,000	4,000,000	2,500,000			
Library – Milton Second Floor	641,000	641,000				
Suburban Street Projects	1,885,000	685,000	300,000	300,000	300,000	300,000
Landfill Postclosure Costs	2,692,794	1,492,794	300,000	300,000	300,000	300,000

Project	Total for Fiscal 2008 Thru Fiscal 2012	2008	2009	2010	2011	2012
Communication Building	1,500,000		1,000,000	500,000		
Airport – RW I-18 Parallel	300,000					300,000
<b>WATER AND SEWER DISTRICT PROJECTS:</b>						
Angola Sewer District	35,600,000	1,000,000	17,300,000	17,300,000		
Holt’s Landing Sewer – Mallard Creek Expansion	1,700,000	850,000	850,000			
Oak Orchard Expansion	13,986,000	500,000	500,000	8,500,000	4,486,000	
Dewey Water – Office Trailer	24,030	24,030				
Dewey Water – Generator P.S. 1	32,000	32,000				
Dewey Sewer – Spare Pump	20,000	20,000				
Dewey Sewer – 2 Generators – 2 & 4	62,000	62,000				
Bethany Sewer – Spare Pump	10,000	10,000				
South Bethany Sewer – Manhole Restoration	20,000	20,000				
South Bethany Sewer – Spare Pump	10,000	10,000				
South Bethany Sewer – Replace Control Cabinet	23,000	23,000				
Blades Sewer – Spare Pump	10,000	10,000				
Blades Sewer – Generator	36,000	36,000				
Blades Sewer – Expand Collection / Transmission	16,000,000		1,000,000	7,500,000	7,500,000	
Dags. Frankford Sewer – Replace Pump St. 8	35,000	35,000				
Dags. Frankford Sewer – Spare Pump	10,000	10,000				
Dags. Frankford – Collection / Transmission	8,440,000	640,000	2,600,000	2,600,000	2,600,000	
Piney Neck Expansion – Additional Treatment	10,200,000	600,000	4,800,000	4,800,000		
Dags. Frankford Sewer – Delaware Avenue Extension	373,308	373,308				

Project	Total for Fiscal 2008 Thru Fiscal 2012	2008	2009	2010	2011	2012
Dags. Frankford Sewer – Prince George’s Acr	800,000	800,000				
Fenwick – Spare Pump	10,000	10,000				
Fenwick – Rt. 54 Transmission Upgrade	1,900,000		1,900,000			
Holt’s Landing Sewer – Spare Pump	10,000	10,000				
IBRWF – Pump for Washdown Station	10,000	10,000				
IBRWF – Rebuild Irrigation Pump	25,000	25,000				
IBRWF – 2 Aerator Motors	20,000	20,000				
IBRWF – Utility Truck with 3,200 lb. Hoist	57,000	57,000				
IBRWF – Expansion	26,000,000	500,000	12,750,000	12,750,000		
Johnson Corner	13,700,000	800,000	6,450,000	6,450,000		
Long Neck – 3 5HP Pumps	20,000	20,000				
Long Neck – Generator P.S. 71	37,000	37,000				
Long Neck – Rebuilt 4 Pump Stations	87,500	87,500				
Long Neck – Replace Pumps at 74 & 78	30,000	30,000				
Miller Creek Sewer District	10,000,000	4,750,000	4,750,000	500,000		
Oak Orchard Sewer District	750,000	750,000				
Millville Sewer	29,579,000	14,779,000	12,000,000	2,800,000		
SCRWF – Cleaning / Maintenance of Force Main	100,000	100,000				
SCRWF – Close 5 Bays of Pole Barn	38,000	38,000				
SCRWF – Pump Station 30 Design for Expansion	13,245,000	345,000	6,450,000	6,450,000		
SCRWF – VFD’S – 3 Stations	20,000	20,000				
SCRWF – Rewind Primary Transformer	21,000	21,000				

Project	Total for Fiscal 2008 Thru Fiscal 2012	2008	2009	2010	2011	2012
SCRWF – Pump for Filter Pump Station	12,000	12,000				
SCRWF – Administration Maintenance Building	1,775,117	1,775,117				
SCRWF – Expansion and Upgrade	1,000,000	1,000,000				
SCUDA – SCADA and Tower Upgrades	552,500	552,500				
SCUDA – Tools and Work Equipment	41,600	41,600				
SCUDA – Office and Computer Equipment	31,590	31,590				
SCUDA – Transportation Equipment	257,700	257,700				
Pump Station Upgrades	500,000					500,000
Western Sussex Sewer District	20,000,000	750,000	750,000	9,250,000	9,250,000	
West Reh. Sewer – 3 – 5HP Pumps	20,000	20,000				
West Reh. Sewer – Lower Manholes on Rt. 270	40,000	40,000				
West Reh. Sewer – Upgrade Controls at 5 Stations	20,000	20,000				
West Reh. Sewer – Replace Pumps at 5 Stations	23,500	23,500				
West Reh. Sewer – Rebuild PS. 201	12,000	12,000				
West Reh. Sewer – Paving	10,000	10,000				
West Reh. Sewer – Replace Heating and Air System	42,000	42,000				
West Reh. Sewer – Aerator Rebuilds	10,000	10,000				
West Reh. Sewer – Kjelda Digestion System	12,200	12,200				
West Reh. Sewer – Pinetown Extension	568,700	568,700				
West Reh. Sewer – Treatment Expansion	22,000,000	500,000	1,000,000	10,000,000	9,000,000	1,500,000
<b>TOTAL</b>	298,426,539	53,928,539	91,124,000	109,038,000	40,436,000	3,900,000

Project	Total for Fiscal 2008 Thru Fiscal 2012	2008	2009	2010	2011	2012
<b>FUNDING:</b>						
GENERAL FUND	43,219,694	16,077,044	12,941,150	11,819,000	775,000	1,607,500
WATER & SEWER	25,532,737	4,982,737	4,350,000	9,200,000	5,000,000	2,000,000
FEDERAL GRANTS	35,222,621	5,497,721	3,521,700	16,268,200	9,650,000	285,000
STATE GRANTS	9,166,900	4,904,250	3,361,150	719,000	175,000	7,500
BONDS (STATE, RD & COUNTY)	170,884,587	10,966,787	64,050,000	71,031,800	24,836,000	
OTHER	14,400,000	11,500,000	2,900,000			
<b>TOTAL</b>	<b>298,426,539</b>	<b>53,928,539</b>	<b>91,124,000</b>	<b>109,038,000</b>	<b>40,436,000</b>	<b>3,900,000</b>