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REPORT TO GOVERNOR'S ADVISORY COUNCIL ON PLANNING

SUSSEX COUNTY

2017-2018

JULY 1, 2018

INTRODUCTION

This is the final annual Report regarding Sussex County's current Comprehensive Land Use Plan that was adopted on June 24, 2008 (the "Plan"). This is the Seventh Annual Report to the Cabinet Committee on State Planning Issues and the Office of State Planning Coordination covering the one-year period between July 1, 2017 and June 30, 2018. This Report is intended to comply with Title 9, Section 6958 of the Delaware Code.

As described in the 2016-2017 Report, Sussex County has been preparing its 2018 Comprehensive Development Plan (the "Plan"). Sussex County, with its consultant, McCormick Taylor, handed over the draft Plan from the Planning and Zoning Commission to County Council. Public workshops have again been conducted by the Council on the draft Elements of the Plan with ample opportunity for public comment at each workshop. As of the date of this Report the Plan has been completed in draft form for submission to PLUS for review and



comment. The current draft of the Plan can also be reviewed on the dedicated Plan website: www.sussexplan.com.

LAND USE

In this reporting year, the number of land use applications has increased again over prior years. Sussex County (through its Planning and Zoning and Engineering Departments) also continues to monitor and inspect a great deal of activity in the ongoing development and construction of previously approved residential projects.

Since July 1, 2017, Sussex County has received 263 applications filed for all types of land use approvals. This includes commercial and residential development in the form of subdivision applications, rezoning applications, and conditional use applications and site plan applications.

Sussex County has processed 22 new major subdivision applications during this reporting year for a total of 1964 new lots. Sussex County also processed 22 rezoning applications, 42 applications for Conditional Use Permits and 177 Site Plans during the time covered by this Report.

During this reporting year, Sussex County has seen residential growth in the area between Robinsonville Rd. and Mulberry Knoll Rd. from Beaver Dam Rd. to Rt. 24. There have been at least five major subdivisions in the area (2017-19 – Headwater Cove, 2017-20 - Fieldstone, 2018-1 – Acadia, 2018-2 – Outer Banks, and 2018-4 – Beach Tree Preserve). These five subdivisions account for 848 new single- family parcels. The County reheard the TD Rehoboth Change of Zone application. The case was referred back to County Council by the Court for a new public hearing. The application was for a change of zone for 114 ac. of land along

Rt. 1 from AR-1 (Agricultural Residential District) to CR-1 (Commercial Residential District). Council held the public hearing on April 10, 2018. On May 1, 2018 County Council denied the Change of Zone Request.

Sussex County also completed a total rewrite of its commercial code. Previously, the Zoning Code contained only two zoning districts: B-1 Neighborhood Business and CR-1 (formerly C-1) Commercial zoning. Council and the Commission have been noting that these two districts are overly broad, and once rezoned to either one land could thereafter be used for a wide variety of uses. This led to concerns from the public, the development community and the County about creating more predictability in future commercial rezonings. Likewise, the County also looked for ways to have large-scale planned commercial districts, much like the existing Residential Planned Community District, where specific users with site plans could be considered by the County in its approval process. Finally, the County recognized that its current Code is deficient with regard to the development and reasonable regulation of mixed uses (i.e. commercial and residential, such as apartments over retail). All of this was addressed through the drafting, introduction, hearings and ultimate adoption of new commercial zoning districts. As a result, the existing B-1, C-1 and CR-1 Districts are now closed (i.e. new land cannot be rezoned to them, but land correctly zoned as B-1, C-1 and CR-1 will remain zoned as such) and new, more specific zoning districts were established: B-2 "Business Community" District, B-3 "Business Research" District, C-2 "Medium Commercial" District, C-3 "Heavy Commercial" District", C-4 "Planned Commercial" District, C-5 "Service/Limited Manufacturing" District, and I-1 "Institutional District.

WASTEWATER

The Angola Neck Sanitary Sewer Area continues to expand and eliminate existing individual on-site septic systems along the Inland Bays, with construction underway in the Route 24/Peddler's Village/Love Creek area.

Following the initiation of the County Engineering Department, County Council completely rewrote Chapter 110 of the County Code regarding the creation, construction, expansion, operation and financing of County water and sewer systems. As part of this rewritten chapter, the County adopted a Tier System governing sewer planning and coordination, including the placement of private central wastewater systems.

In addition, Sussex County, in partnership with the State, is transforming parts of the Wolfe Neck Treatment Plant's irrigation acreage served by center pivot irrigation systems through reforestation served by fixed head irrigation systems. This will enable these areas to become part of a trail system integrated into the Breakwater Junction Trail between Lewes and Rehoboth Beach.

Finally, in this reporting year, approximately 1521 new EDUs were added to County sewer.

HOUSING

Sussex County continues to promote affordable housing through the Office of Planning and Zoning and the Community Development and Housing Department. Because 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, the County is looking for ways to improve both programs through discussions with developers, state officials and others. Affordable

housing is also an ongoing sub-topic throughout the discussions and drafting of the 2018 Plan—particularly in the Housing, Community Design and Future Land Use Elements.

During this reporting year, and fiscal year ending June 30, 2018, Sussex County has assisted 250 households with owner-occupied rehabilitations and emergency repairs, water and sewer hookups, and demolitions within the County with more than \$1.5 million in funding. The County coordinated public/private partnerships with local CRA representatives and Housing Alliance Delaware to leverage dollars for community development efforts in impacted communities.

As one example of affirmatively furthering fair housing, the County partnered with the Delaware Financial Literacy Institute to offer a three-part financial education series to the residents of the Mt. Joy community in Millsboro. The series' curriculum was designed to meet the needs of the community's demographics and therefore catered to elderly individuals on a fixed income.

ECONOMIC DEVELOPMENT

Sussex County previously purchased the 74-acre King Farm along Park Avenue east of Georgetown to expand upon the existing Sussex County Industrial Park under the name of the "Delaware Coastal Business Park". The first tenant, Atlantic Industries, became operational in 2017. In April of 2018, Sussex County Council approved a lease with DGS Properties, LLC, operating as "Creative Floors South" to supply flooring materials.

In April of this year, Proximity Malt began production. This is an adaptive re-use of the old Laurel Grain facility near Laurel to produce hops for use in the

growing craft beer industry. This plant will also assist local agriculture by providing local farmers with an alternative crop and a convenient local market for that crop.

Sussex County also created new Economic Development Zones (Broadkill, Indian River and Nanticoke). This joint program with Discover Bank and the National Development Council provides \$4 million in lower interest loans that are ready and available to expand existing businesses or help new businesses relocate to Sussex County. This new loan program is targeted to central and western Sussex County, where corporate downsizing and economic downturns during the last decade have had the most negative impact on business growth and job creation.

Through another partnership with Discover Bank, Sussex County has established the “ExciteSussex Fund”. This fund provides longer loan terms and below-market rates for existing businesses with 10 to 500 employees. This loan program is intended to foster the retention and creation of permanent full-time jobs.

RECREATION AND OPEN SPACE

In addition to ongoing open space requirements set forth in the Zoning and Subdivision Codes, Sussex County has recently partnered with the Sussex County Sports Foundation to establish a recreational area within the Town of Georgetown. This recreational area will include several multi-sport grass playing fields for soccer, lacrosse and similar sports. It also preserves a large wooded area that will include a cross-country running course. Sussex County’s primary contribution to this initiation came in the form of a loan.

In this reporting year, Sussex County also renewed its contribution to farmland preservation. The County has agreed to contribute more than \$536,000.00 as its share of the \$1,300,000.00 cost of preserving 10 farms and 780 acres in Sussex County.

CONCLUSION

2018 has been a year of ongoing work on Sussex County's new Comprehensive Plan. The County looks forward to adoption of that Plan and the implementation of new ordinances and practices as part of the Plan.