

Sussex County Land Use Reform Working Group  
Draft Recommendations (As of July 10<sup>th</sup>)

1. **Explore the Alignment of the Future Land Use Map with the Updated State Investment Strategy**
2. **Comprehensive Rezoning:** Proactively undertake a countywide rezoning to align zoning districts with updated goals, land use policies, and infrastructure realities.
3. **Establish Clear Standards for Rezoning:** Adopt criteria to evaluate rezoning applications, including plan consistency, infrastructure availability, and public benefit.
4. **Define Missing Middle Housing Types:** Clearly define housing types, like duplexes, triplexes, and cottage courts, to distinguish them from multifamily and support their inclusion as permitted uses in different districts.
5. **Permit Missing Middle Housing By-Right in Strategic Areas:** Eliminate conditional use requirements for missing middle housing in well-located growth areas.
6. **Reduce Bulk and Setback Standards for Missing Middle Housing:** Update dimensional standards (e.g., lot width, side yards) to allow compact and context-sensitive housing and to reduce land consumption.
7. **Increase Maximum Building Heights in Strategic Areas:** Raise height limits in designated growth zones to support multifamily, mixed-use, and infill development.
8. **Increase Multi-Family Housing in Strategic Areas:** Update zoning to encourage multi-family housing where infrastructure and services exist.
9. **Modernize Commercial Zoning Districts to Support Mixed-Use Residential Corridors:** Update the commercial districts to better support walkable, mixed-use corridor redevelopment.
10. **Establish a Process for Phasing Coordination of Transportation Improvements:** Link major development approvals to infrastructure sequencing and delivery timelines.
11. **Allow Greater Building Lengths for Multifamily or Townhouse Development:** Revise code to allow for longer buildings.
12. **Establish Criteria for Growth Zones:** Identify criteria to determine how and where growth zones are mapped.
13. **Strategic Density Increases:** Allow for increased density and lot size reduction within mapped growth areas.
14. **Evaluate Sussex County Rental Program (SCRIP) Program Performance and Affordability Targets:** Conduct a formal evaluation of the SCRIP after two years (or at a defined milestone) to assess effectiveness and alignment with affordability goals. Review whether current Average Median Income (AMI) targets remain appropriate and financially feasible and identify opportunities to waive or reduce certain fees (e.g., Transportation Impact District [TID] impact fees) to improve project viability.

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15. **Tree Preservation:** Promote the retention of existing trees by enacting strenuous replacement requirements in AR-1 outside of growth areas. Options for consideration include allowing a percentage of tree removals before triggering the replacement requirement; requiring native, deciduous species for replanting; and limiting the percentage of evergreens permitted.
16. **Require Naturalized Stormwater Basins in Preserved Open Space:** Encourage coordination with the Sussex Conservation District (SCD) to promote naturalized surface stormwater basins, such as those featuring native vegetation and habitat value, when located within required open space. Native plantings and ecological integration should be encouraged where basin design allows.
17. **Refocus Subdivision Design Around Conservation Priorities:** Strengthen the application of conservation-first design in AR-1 by evaluating current practices, clarifying requirements, and requiring clustered subdivisions for Major Subdivisions outside growth areas.
18. **Increase Open Space Requirements and Remove Minimum Lot Sizes in Clusters:** Increase open space in subdivisions outside growth areas in both cluster and non-cluster subdivisions and reduce or eliminate minimum lot sizes in cluster subdivisions to support compact development and meaningful preservation.
19. **Support Working Farms Through Permitted Agricultural Support Uses:** Permit agricultural support uses by right on active farms outside growth zones (e.g., processing facilities, repair shops, farm stands), with performance standards to mitigate impact.
20. **Adjust AR-1 Zoning Outside Growth Areas:** Reduce base density to 1 unit per acre in AR-1 outside mapped growth areas; retain 2 units/acre in AR-1 when located within growth areas.
21. **Create a Master Plan Zoning Ordinance for Large-Scale Development:** Complete adoption of the drafted Master Plan Zone ordinance to enable coordinated, mixed-use, and infrastructure-supported developments that align with County goals. This zoning tool can help guide large-scale development through a phased, Comprehensive Plan-aligned process.
22. **Explore a Transfer of Development Rights (TDR) Program:** Enable voluntary transfer of development rights from conservation-priority areas to designated growth zones. Establish sending/receiving areas and administrative support.