



Land Use Reform Working Group

Sussex County, Delaware

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1. Executive Summary

In early 2025, Sussex County Council established the Land Use Reform Working Group to address one of the County's most complex challenges: managing growth while balancing housing needs, infrastructure capacity, farmland preservation, and natural resource protection. Council's willingness to convene this effort reflects both an understanding of the issue's complexity and a commitment to collaborative, proactive planning for Sussex County's future.

The Working Group brought together a diverse set of voices, including representatives of housing, development, preservation, agriculture, community organizations, and state agency partners. This diversity allowed for the recommendations to not be dominated by one perspective, but a balance of priorities and tradeoffs informed by those most directly engaged in growth and conservation challenges. The process was designed to be candid and unvarnished, with no restraints on discussion, ensuring that recommendations emerged from frank debate rather than pre-set boundaries. Between March and September 2025, the Working Group held ten meetings and additional one-on-one interviews.

This report presents 20 recommendations developed and refined through that process. Together, they provide Sussex County Council with a roadmap for aligning growth with infrastructure, diversifying housing options, preserving farmland and natural resources, and reducing uncoordinated, low-density development. The recommendations are designed to be practical, defensible, and responsive to the County's stated goals (see Appendix A). Some of them can be implemented relatively quickly, while others will require more effort and a longer time horizon (See Appendix B). They represent not only areas of consensus, but also the willingness of participants to work across differences to advance solutions for Sussex County's long-term success.



2. Background & Purpose

In early 2025, Sussex County Council established the Land Use Reform Working Group (Working Group) to examine how the County's current development patterns, zoning framework, and infrastructure policies are shaping growth. The Working Group was tasked with evaluating these conditions and developing recommendations for County Council that could guide updates to the County Code and the Comprehensive Plan.

Objectives

The core objective of the Working Group was to analyze land use development in Sussex County and recommend updates that result in smarter, more predictable, and more sustainable development practices. The process focused on five goals:

-  1. Implement smarter and more sustainable development practices.
-  2. Ensure growth is supported by infrastructure, including roads, schools, environment, and public safety.
-  3. Increase affordable and workforce housing opportunities.
-  4. Preserve farmland and critical natural resources.
-  5. Prevent uncoordinated, low-density development in rural areas.

Stakeholder Representation

To ensure that the recommendations reflect a balanced set of perspectives, the Working Group included representatives from across Sussex County's development, housing, preservation, and infrastructure communities. Membership includes stakeholders from the following sectors:

- **Community, preservation and environmental advocacy** (Sussex Preservation Coalition, Center for the Inland Bays).
- **Residential and affordable housing development** (Völker, JLAM, Delaware State Housing Authority [DSHA]).
- **Engineering and development interests** (American Council of Engineering Companies [ACEC], Home Builders Association of Delaware).
- **Agricultural interests** (Sussex County Farm Bureau).
- **Other State agencies** (Delaware Department of Transportation [DelDOT], Office of State Planning Coordination [OSPC]).

Consultant & Staff Support

The Working Group was supported by Sussex County staff and a consultant team led by McCormick Taylor and Kramer & Associates. The team provided facilitation, technical planning support and policy research, as well as the preparation of meeting materials, documentation, and this consolidated report of findings and recommendations.

Intended Outcome

The Working Group process was designed to provide County Council with a structured framework for informed decision-making, including a set of short-, mid-, and long-term recommendations, along with supporting rationale and analysis. These recommendations are intended to guide future updates to the County Code and Comprehensive Plan and to help Sussex County manage growth in a way that sustains its economy, preserves its natural and agricultural resources, and enhances quality of life for residents.

3. Process & Engagement

Meeting Process

The Working Group met ten times between March and September 2025 at the Sussex County Public Safety Complex, 21911 Rudder Lane, Georgetown. The meeting schedule and primary discussion topics were as follows:

Meeting #	Date	Meeting Topic
1	March 27, 2025	Background and goal topics
2	April 10, 2025	Emerging themes and related goals
3	May 1, 2025	Affordable housing
4	May 19, 2025	Supporting smart, sustainable, infrastructure-efficient growth and limiting low-density sprawl
5	June 12, 2025	Preserving farmland and critical environmental resources
6	July 10, 2025	Introduction of draft recommendations
7	July 24, 2025	Review of draft recommendations
8	August 5, 2025	Draft recommendations finalization
9	August 21, 2025	Draft recommendations finalization
10	September 11, 2025	Finalization of recommendations

In addition to group sessions, to accommodate the project timeline, the consultant team conducted one-on-one interviews with Working Group members during the process. These interviews provided an opportunity to hear individual perspectives, identify priorities, and identify potential opportunities.

Public Access and Transparency

While the purpose of the meetings was to facilitate discussion among Working Group members and develop recommendations, the sessions were open to the public and included opportunities for public comment at the end. Working Group meetings were also livestreamed, and recordings and presentations were posted on the [Sussex County website](#) for public viewing.





Member Support Exercise

At Meeting #10, Working Group members participated in an anonymous exercise using an interactive polling software called Mentimeter to indicate their level of support for each draft recommendation. Members selected from three levels of support (Strongly Support, Support, or I Can Live With It) and two levels of opposition (Oppose or Strongly Oppose).

In addition to voting on individual recommendations, members were also asked to indicate their overall level of support for the complete package of recommendations. This recognized that several recommendations reflected balance and tradeoffs among different perspectives that would need to be implemented collectively to achieve the desired goals.

In the following section, the results of this exercise are presented for each recommendation with text summarizing the vote distribution. These results provide County Council with insight into the level of consensus achieved by the Working Group and the areas where perspectives were more varied.

4. Recommendations

The following section presents the individual recommendations developed by the Working Group. Each recommendation is listed separately and is accompanied by background summarizing the issues raised by Working Group members during meetings and interviews, providing context for how the recommendation addresses specific barriers or land use challenges in Sussex County.

Each recommendation also identifies the goal(s) it is intended to advance and includes the level of support expressed by Working Group members during the final voting exercise.

1: Align Future Land Use Map

SUPPORT & GOALS

GOALS ADDRESSED:

Recommendation #1 advances:



Goal 1: Smarter, sustainable development



Goal 2: Infrastructure alignment



Goal 4: Preserve farmland and resources



Goal 5: Limit low-density sprawl

SUPPORT:



Support – all 10 members



Oppose – none

Of the 10 members, 6 strongly supported, 3 supported, and 1 said they could live with the recommendation.

As part of the 2028 Comprehensive Plan Update, revise the Future Land Use Map (FLUM) using the State Strategies for Spending as a guide, where appropriate, to designate the boundaries of Growth Areas and Conservation Areas.

Background & Discussion:

The intent of this recommendation is for the State Strategies to be used as a guide when developing Sussex County's 2028 Future Land Use Map (FLUM). The State Strategies for Spending provide policy guidance for state activities and serve as a framework for coordinating the plans and actions of local governments.

As population and housing demand have grown in Sussex County, development increasingly has occurred in the State's Investment Level 4. Members noted that this pattern is unsustainable because these areas are not planned for infrastructure investment, particularly roads, and that continued residential development in these locations contributes to scattered, low density development. They also stressed that the establishment of Investment Levels in 2025 should serve as a guide for the 2028 FLUM, not as a constraint on the County's ability to set its own growth priorities.

By coordinating the County's next FLUM with the State's Investment Levels where appropriate, Sussex can help direct growth to appropriate locations and reduce pressure for sprawl into areas where development should be discouraged.

Delaware Strategies for State Policies and Spending		
Level	Description	Intention
Level 1	Urban Areas	Mature and established areas with infrastructure and services
Level 2	Urbanizing Areas	Close to Level 1 with planned infrastructure investments
Level 3	Longer Range Growth Areas	Less established but experiencing development pressures. Requires master planning.
Level 4	Preservation and Rural Areas	Natural Resources and Agricultural Activity. Lack public services and infrastructure to support large scale development.
Out-of-Play	Not available for private development	Public Ownership or Purchase for Conservation

Source: OSPC "Delaware Strategies for State Policies and Spending: The Investment Levels." March 30, 2020. <https://youtu.be/6ulQJ5PerrI> (Accessed September 26, 2025).



2: Establish Growth and Conservation Areas

SUPPORT & GOALS

GOALS ADDRESSED:

Recommendation #2 advances:



Goal 1: Smarter, sustainable development



Goal 2: Infrastructure alignment



Goal 3: Affordable and workforce housing



Goal 4: Preserve farmland and resources



Goal 5: Limit low-density sprawl

SUPPORT:



Support – 9 members



Oppose – 1 member

Of the 10 members, 5 strongly supported the recommendation, 4 supported it, none selected “I can live with it,” 1 opposed, and none strongly opposed.

- A. As part of the next Comprehensive Plan update, establish areas intended for growth (“Growth Areas”) and conservation (“Conservation Areas”) to align growth with infrastructure access and land suitable for development.
- B. Growth Areas to replace current comprehensive plan designations (Town Centers, Developing Areas, and Coastal Areas, etc.) and should be based on infrastructure access and development suitability, which consider but are not limited to the following criteria:
 1. Within 2 miles of sanitary sewer pump stations,
 2. Within 2 miles of public water,
 3. Within 1 mile of all municipalities,
 4. Along arterial roadways and planned major capital projects,
 5. Within proximity of schools, fire, emergency medical services, and healthcare services,
 6. Areas largely comprised of commercial districts,
 7. Includes municipalities and future annexation areas,
 8. Include areas within 0.25 – 0.5 miles of a transit hub or bus routes,
 9. Location or proximity to Transportation Improvement Districts (TID),
 10. Location of existing growth areas.
- C. Growth Areas should include transition zones at their edges to provide a step-down in density and intensity between Growth Areas and adjacent Conservation Areas.
- D. Establish conservation areas (“Conservation Areas”) for all areas not included in Growth Areas. The purpose of Conservation Areas is to prevent uncoordinated sprawl by preserving farmland, protecting natural resources, and limiting development in areas not served by adequate infrastructure.
- E. Permit only the following zoning designations in Growth Areas: GR, MR, HR, UR, M, CR-1, C-1, C-2, C-3, C-4, C-5, I-1, UB, B-1, B-2, B-3, RPC.
- F. Permit only the following zoning districts in Conservation Areas: AR-1, B-1, I-1, LI-1, LI-2, HI-1.
- G. Adjust natural resource protection requirements within Conservation Areas (See recommendation #15).

Background & Discussion: The Working Group supported establishing areas where growth is to be encouraged and areas where conservation should be prioritized. Members discussed the importance of using measurable factors to guide the designation of Growth Areas, such as access to sewer and water, proximity to schools and emergency services, and adjacency to municipalities and arterial roadways. At the same time, they emphasized that these factors should serve as considerations rather than rigid requirements. This approach balances predictability with flexibility, allowing boundaries to be refined based on local conditions.

The establishment of Conservation Areas was also viewed as a deliberate and proactive step, not simply a default for land outside Growth Areas. Members emphasized that Conservation Areas should identify where farmland and natural resources are to be protected, and that this should be reinforced through adjusted natural resource protection standards.

The concept of transition zones between Growth and Conservation Areas was also identified as a way to manage the edges of development and reduce conflicts between growth and rural uses. Members noted that this overall framework would provide greater predictability for property owners, developers, and residents, while giving the County stronger tools for aligning zoning with infrastructure planning and reducing pressure on farmland and environmental resources.



3: Comprehensive Rezoning

SUPPORT & GOALS

GOALS ADDRESSED:

Recommendation #3 advances:



Goal 1: Smarter, sustainable development



Goal 2: Infrastructure alignment



Goal 3: Affordable and workforce housing



Goal 4: Preserve farmland and resources



Goal 5: Limit low-density sprawl

SUPPORT:



Support – all 10 members



Oppose – none

Of the 10 members, 7 strongly supported and 3 supported it.

As part of the 2028 Comprehensive Plan Update, undertake a countywide rezoning effort to realign zoning districts with growth and conservation areas established in Recommendation #2. The process should prioritize enabling housing diversity and affordability and be supported by public engagement and implementation guidance.

Background & Discussion:

The Working Group agreed that updating the Future Land Use Map (Recommendation 1) and establishing Growth and Conservation Areas (Recommendation 2) would not be sufficient on their own to change development patterns. Zoning is the County's primary regulatory tool for implementing land use policy, and members observed the predominance of AR-1 zoning, which covers roughly 60 percent of the County's land area. Current zoning permits low density residential development across much of the County, including areas better suited for preservation. This broad permissiveness has made it difficult to direct growth and has contributed to scattered, low-density development.

Members described a countywide rezoning as a "heavy lift" for Sussex County, a process that would require significant time, resources, and public engagement. Some noted that because of the challenges of rezoning the entire County it may need to be phased. Even so, members agreed that comprehensive rezoning is important if the County is to implement the framework to be set out in the 2028 Comprehensive Plan's FLUM and the establishment of Growth/Conservation Areas.

Several participants also stressed that rezoning should be approached not only as a land use alignment exercise, but also as an opportunity to enable greater housing diversity and affordability. They noted that current zoning heavily favors single-family detached dwellings, limiting options for workforce and Missing Middle housing. A rezoning effort that directs development toward designated Growth Areas and broadens the housing types allowed there would help the County meet multiple goals at once.

4: Establish Clear Standards for Rezoning

SUPPORT & GOALS

GOALS ADDRESSED:

Recommendation #4 advances:



Goal 1: Smarter, sustainable development



Goal 2: Infrastructure alignment



Goal 5: Limit low-density sprawl

SUPPORT:



Support – all 10 members



Oppose – none

Of the 10 members, 6 strongly supported and 4 supported it.

Adopt codified criteria to evaluate rezoning applications in a transparent and consistent manner. These standards should be applied to map amendments and should support legally defensible, policy-aligned decisions. Criteria may include:

- A. Consistency with the Comprehensive Plan, including alignment with the Future Land Use Map and adopted policy objectives;*
- B. Compatibility with Zoning District Intent;*
- C. Environmental suitability of the site, including the presence of sensitive or protected natural resources that cannot be mitigated;*
- D. Proximity of existing and planned supportive infrastructure.*

Background & Discussion:

The Working Group discussed the importance of adopting clear, codified standards to guide rezoning applications. Given the abundance of AR-1 zoning in the County and the demand for additional housing options, rezonings within designated growth areas are likely to remain a common and necessary tool for accommodating development. Members noted that rezoning requests are currently considered without consistent criteria, which creates uncertainty for applicants, residents, and decision-makers.

To address this, members supported the development of measurable criteria for evaluating rezoning requests, including criteria such as consistency with the Comprehensive Plan and FLUM, compatibility with stated zoning district intent, environmental suitability of the site, and the proximity of existing or planned infrastructure. Establishing such standards would provide greater predictability for the development community and existing residents, improve fairness in the review process, and support legally defensible decisions.

5: Define Missing Middle Housing Types

SUPPORT & GOALS

GOALS ADDRESSED:

Recommendation #5 advances:



Goal 1: Smarter, sustainable development



Goal 3: Affordable and workforce housing



Goal 5: Limit low-density sprawl

SUPPORT:



Support – all 10 members



Oppose – none

Of the 10 members, 9 strongly supported and 1 supported it.

Amend the Zoning Code to establish clear definitions for Missing Middle Housing types, including duplexes, triplexes, stacked flats, and cottage courts, as distinct from the current overly broad term “multifamily dwelling” in the Zoning Code.

*A. Amend the definition of “**Multifamily**” in §115-4 as follows:*

- 1. A residential building containing five (5) or more dwelling units, designed in a garden-style, mid-rise, or higher-density configuration, with units arranged either side-by-side or stacked vertically. Units may share common entrances, hallways, stairways, or amenities. This definition includes apartments, condominiums, and other similar multi-unit structures but excludes duplexes, triplexes, townhomes, cottage courts, and stacked flats.*

*B. Create a new definition of “**Duplex**” in §115-4 as follows:*

- 1. A building designed for or occupied exclusively by two (2) dwelling units, with the units arranged side-by-side with a separate entrance to each unit.*

*C. Create a new definition of “**Triplex**” in §115-4 as follows:*

- 1. A residential building containing three (3) dwelling units, which are arranged side by side, with a separate entrance to each unit.*

*D. Create a new definition of “**Stacked Flat**” in §115-4 as follows:*

- 1. A residential building containing two (2) to four (4) dwelling units, arranged in a stacked vertical configuration (e.g., one or more units located above or below others). Units may share a common entry or have individual exterior entrances.*
- 2. Individual lots not required.*

*E. Create a new definition of “**Cottage Court**” in §115-4 as follows:*

- 1. A residential development typology consisting of four (4) to twelve (12) small detached or semi-detached dwelling units arranged around a shared central courtyard or open space.*
- 2. Individual lots are not required.*

Background & Discussion:

The Working Group identified a lack of housing diversity as a significant barrier to meeting the County’s housing needs. Current zoning definitions group a wide range of housing types under the single umbrella term “multifamily dwelling.” This approach provides no distinction between smaller-scale housing types, such as duplexes, triplexes, or cottage courts, and larger apartment or condominium buildings. As a result, even modest Missing Middle projects are often subject to the same procedures and conditional use requirements as larger, higher-density proposals.

Members observed that this lack of clarity discourages investment in smaller housing types, complicates project review, and prevents the County from tailoring housing types to the zoning districts where they fit best. Developers confirmed that, under current rules, single-family subdivisions often remain the path of least resistance, reinforcing patterns of sprawling development.

The Working Group also emphasized the merits of Missing Middle housing, which can serve a wide range of residents, from older adults seeking to downsize to younger households looking for entry-level homeownership opportunities. By defining these housing types separately, the County can provide clear standards, streamline approvals, and create more predictable opportunities for compact housing in growth areas.



6: Permit Missing Middle Housing in Strategic Areas

SUPPORT & GOALS

GOALS ADDRESSED:

Recommendation #6 advances:



Goal 1: Smarter, sustainable development



Goal 2: Infrastructure alignment



Goal 3: Affordable and workforce housing



Goal 5: Limit low-density sprawl

SUPPORT:



Support – all 10 members



Oppose – none

Of the 10 members, 8 strongly supported and 2 supported it.

Update Zoning Code Sections §115-37 (GR), §115-29 (MR), and §115-45 (HR) of the County Code to permit a broader range of housing types, such as duplexes, triplexes, townhomes, cottage courts, stacked flats, and multifamily buildings, within designated growth areas as follows:

- A. Revise 115-37 of GR to add the following permitted uses:
 1. Duplex and Triplex
- B. Revise 115-29 of MR to add the following permitted uses:
 1. Uses permitted in GR
 2. Townhouses, Stacked Flats, and Cottage Courts
- C. Revise 115-45 of HR to add the following permitted uses:
 1. Uses permitted in MR
 2. Multifamily
- D. Additional adjustments may be necessary based on Recommendation #9 (Density Bonus)

Background & Discussion:

The Working Group noted that defining Missing Middle housing types (Recommendation 5) is only the first step toward increasing housing diversity in Sussex County. To be effective, these housing types also need to be permitted uses in zoning districts where growth is intended to occur.

Allowing these uses in the GR, MR, and HR districts would provide more predictable options for developers and expand opportunities for households at different life stages and income levels, including workforce and moderate-income households. Members noted that broadening permitted housing types also reduced the risk of running afoul of Federal Fair Housing regulations, which can arise when certain housing forms are subjected to more onerous approval processes than others. This approach builds on findings of the state's Affordable Housing Task Force, which emphasized the need to remove regulatory barriers and ensure a more even playing field for diverse housing options.

Members noted that the location of these housing types should follow a transect-based approach, with more intense forms concentrated near town centers and activity hubs and gradually tapering to lower-intensity forms at the edges of growth areas. Together, these changes would make compact housing types more feasible in growth areas, where infrastructure and services can support them, and help reduce pressure for development in rural and conservation areas.

Example of a Rural to Urban Transect



Source: Duany Plater-Zyberk & Company



7: Establish Bulk and Setback Standards for Missing Middle Housing and Adjust Height, Building Length, and Separation Caps in Growth Areas

SUPPORT & GOALS

GOALS ADDRESSED:

Recommendation #7 advances:



Goal 1: Smarter, sustainable development



Goal 3: Affordable and workforce housing



Goal 5: Limit low-density sprawl

SUPPORT:



Support – all 10 members



Oppose – none

Of the 10 members, 7 strongly supported, 2 supported it, and 1 could live with it.

- A. *Revise minimum lot sizes, widths, setbacks, and separation distances within growth areas to enable compact housing types in Zoning Code Sections §115-37 (GR), §115-29 (MR), §115-45 (HR), §115-85 (M), §115-77 (C-1), and §115-83.2 (CR-1) as outlined below:*

Zone/Use	Min. Lot Size (Sq. Ft.)	Front Setback	Rear Setback	Side Setback	Lot Width
GR					
Single Family	5,000	20'	25'	5'	50'
Duplex	2,000	20'	25'	5'/0'*	20'
Triplex	1,600	20'	25'		
MR					
Townhouse	1,600	20'	25'		18'
Stacked Flat	N/A				
Cottage Court	3,000	20'	15'	-	-
HR					
Multifamily	N/A				

**Side setbacks not required with a shared-party wall*

- B. *Increase maximum building height for mixed-use and multifamily to 60 ft. in GR, MR, HR, CR-1, C1, C2, C3, and C4 zoning districts within growth areas to facilitate walkable, mixed-use, and multifamily development.*
- C. *Eliminate current building length caps for townhomes and multifamily structures in growth areas to allow for more flexible site planning and cost-effective housing types. Modify townhouse standards to allow more than eight attached units per building. Reduce building separation to 20 ft. between multifamily buildings.*

Background & Discussion:

The Working Group members noted that dimensional standards, such as lot sizes, setbacks, height limits, and building length caps, play a decisive role in shaping how land is developed in Sussex County. Under current standards, even when zoning districts permit higher densities, restrictive bulk and setback standards often prevent projects from achieving them. This mismatch results in inefficient land use patterns, larger lots, and an over-reliance on single-family subdivisions, which in turn, accelerates sprawl and increases pressure on rural landscapes and natural resources.

If the County introduces new housing types (Recommendations 5 & 6), such as duplexes, triplexes, stacked flats, and cottage courts, it must also establish bulk and setback standards for those uses. Height limits were another recurring concern. Members discussed the current 42-foot maximum as a barrier to multifamily and mixed-use development, noting that taller buildings (up to 60 ft.) would allow more efficient land use and better support walkable, mixed-use patterns. Similarly, members identified restrictions, such as townhouse caps of eight units per building and wide separation requirements between multifamily buildings, as inconsistent with compact-growth goals.

This recommendation seeks to modernize bulk and setback standards so they align with growth area goals, enable Missing Middle housing, and reduce barriers to compact development. Doing so would help Sussex County maximize infrastructure investments, diversify housing options, and relieve development pressure on rural areas.



8: Strategic Density Adjustments

SUPPORT & GOALS

GOALS ADDRESSED:

Recommendation #8 advances:



Goal 1: Smarter, sustainable development



Goal 2: Infrastructure alignment



Goal 3: Affordable and workforce housing



Goal 4: Preserve farmland and resources



Goal 5: Limit low-density sprawl

SUPPORT:



Support – 9 members



Oppose – 1 member

Of the 10 members, 5 strongly supported and 3 supported it, 1 could live with it, and 1 opposed it.

Adjust the permitted densities in “Growth Areas” and “Conservation Areas” to promote growth in strategic areas where infrastructure is supported and discourage growth in areas where conservation should be promoted.

- A. *Establish a maximum base density of four (4) units per acre within the GR zoning district.*
- B. *Establish a maximum base density of six (6) units per acre within the MR zoning district.*
- C. *Establish a maximum base density of eighteen (18) units per acre within the HR zoning district.*
- D. *Establish a maximum base density of one (1) unit per acre within the AR-1 zoning district.*

Background & Discussion:

Permitted densities play a central role in directing where and how growth occurs. Members agreed that allowing higher densities in designated Growth Areas would make better use of existing and planned infrastructure, help diversify the housing supply, and reduce pressure for scattered development. At the same time, several members supported reducing densities in rural areas to discourage sprawl and better align development potential with conservation priorities.

Much of the discussion on this topic focused on AR-1 zoning. The recommendation proposed lowering the base density in AR-1 from two units per acre to one unit per acre in Conservation Areas. While preservation advocates viewed this as an important tool for farmland and natural resource protection, agricultural representatives voiced strong concerns. They stressed that reducing density would diminish farmland equity, limit collateral for farm loans, and could put farm families at financial risk. At least one member also stated that the downzoning did not go far enough, noting that even at one unit per acre, development could continue to spread into rural areas and contribute to sprawl.

Other members indicated that their support for higher densities in GR, MR, and HR districts was tied to a corresponding reduction in rural densities. They described this balance as essential for ensuring growth is directed toward serviced areas, while also protecting farmland and rural character. Several noted that without downzoning in AR-1, upzoning alone would be insufficient to address sprawl pressures.

This recommendation seeks to recalibrate base densities across zoning districts by concentrating higher densities in Growth Areas and reducing allowable densities in Conservation Areas to promote compact, infrastructure-efficient development and discourage sprawl in rural areas.



9: Develop Strategic Density Bonus Program

SUPPORT & GOALS

GOALS ADDRESSED:

Recommendation #9 advances:



Goal 1: Smarter, sustainable development



Goal 2: Infrastructure alignment



Goal 3: Affordable and workforce housing



Goal 4: Preserve farmland and resources



Goal 5: Limit low-density sprawl

SUPPORT:



Support – all 10 members



Oppose – none

Of the 10 members, 6 strongly supported, 3 supported it, and 1 could live with it.

Create incentive programs to preserve open space, farmland, natural resources, and/or affordable housing units.

- A. *Sussex County Preservation Program: Authorize additional density above the base level only through an expanded Density Bonus program (§115-22), which will:*
 1. *Increase density in GR, MR, or HR by 1/3;*
 2. *Only be permitted in Growth Areas;*
 3. *Replace the current flat per-unit fee with a tiered fee based on unit type (e.g., single family home, townhouse, triplex, duplex, multifamily);*
 4. *Direct proceeds to a dedicated land preservation fund that prioritizes protection of farmland, forests, and high-value natural resources located within Conservation Areas, when possible in the same HUC-10 watershed as the receiving site.*
- B. *Sussex County Purchase Program: Authorize additional density above the base level only through an expanded Density for Bonus for Workforce program (§115-22), which will:*
 1. *Increase density in GR, MR, or HR by 1/3;*
 2. *Only be available in Growth Areas;*
 3. *Require 10% of units are priced for sale to achieve an affordability target of 120% Area Median Income (AMI).*

Background & Discussion:

The Working Group discussed expanding the County's density bonus program to better link growth in designated areas with preservation and affordability goals. Members noted that the County's current fee-for-density program is underutilized, as developers often pursue rezonings instead. Recalibrating the program to offer meaningful incentives, while tying additional density to specific outcomes such as farmland preservation, natural resource protection, or workforce housing, was seen as a way to achieve multiple goals simultaneously.

The revised program would apply only in designated Growth Areas and would authorize higher densities in the GR, MR, and HR districts. The additional density could be obtained either through a tiered fee based on unit type, with proceeds directed to land preservation within the same watershed where possible, or by setting aside 10% of the for-sale units for workforce housing priced at up to 120% AMI.

The intent of this recommendation is to modernize Sussex County's density bonus framework so that it channels development into Growth Areas, while delivering tangible benefits for land preservation and affordable housing.

10: Amend the Sussex County Rental Program (SCRCP)

SUPPORT & GOALS

GOALS ADDRESSED:

Recommendation #10 advances:



Goal 3:
Affordable and
workforce
housing

SUPPORT:



Support – all 10
members



Oppose – none

Of the 10 members, 6 strongly supported, 2 supported it, and 2 could live with it.

Revise the Sussex County Rental Program (SCRCP) to improve effectiveness and increase developer participation through a data-informed, phased approach:

- A. *Amend the program structure to:*
 1. *Reduce the affordable unit set-aside from 25% to 15%*
 2. *Revise the AMI target from 50% to 80% AMI.*
- B. *Additional adjustments:*
 1. *Reduce open space requirements (e.g., from 50% to 30%)*
 2. *Offer impact fee reductions proportionate to the share of affordable units (e.g., for TID fees, sewer connections)*
 3. *Align rent limits with (a) HUD established rents based on applicable household income, or (b) other rent limits explicitly required by state or federal housing financing programs applicable to the project.*

Background & Discussion:

The Working Group devoted significant attention to the Sussex County Rental Program (SCRCP), recognizing it as a strong foundation for advancing housing affordability. Members noted, however, that the program's current structure has seen limited participation from private developers. The 25% affordable set-aside and 50% AMI target were described as difficult to achieve for projects without external subsidies, which has limited the number of projects making use of the program.

To improve utilization, members supported recalibrating program requirements to strike a more workable balance between affordability and project feasibility. Suggestions included reducing the set-aside to 15% and adjusting the AMI target to 80%. There was robust debate around whether to go lower, with some members advocating for a set-aside of 10% to increase use, though County staff expressed concern that such a change, combined with an increased AMI threshold, could dilute affordability outcomes.

Other adjustments, such as lowering open space requirements, aligning rent limits, and offering impact fee reductions tied to the share of affordable units, were also raised as ways to further incentivize participation. Collectively, these refinements were framed as practical steps to better utilize SCRCP, reduce barriers to participation, and expand the supply of affordable rental housing.



Chapel Branch Groundbreaking

(Photo courtesy of Sussex County Public Information Office)



11: Collaborate with Delaware Department of Transportation (DelDOT)

SUPPORT & GOALS

GOALS ADDRESSED:

Recommendation #11 advances:



Goal 1: Smarter, sustainable development



Goal 2: Infrastructure alignment



Goal 5: Limit low-density sprawl

SUPPORT:



Support – all 10 members



Oppose – none

Of the 10 members, 4 strongly supported, 5 supported it, and 1 could live with it.

Collaborate with Delaware Department of Transportation (DelDOT) to create Transportation Improvement Districts (TID) for all Growth Areas and Develop a Transportation Impact Fee for development in Conservation Areas.

Background & Discussion:

The Working Group recognized that transportation capacity is one of the most recurring issues with land use in Sussex County. Members agreed that more predictable and coordinated mechanisms are needed to align land use decisions with transportation investment, so residents can be confident that roadway impacts are being addressed with development.

TIDs were widely discussed as a proactive tool to fund and sequence transportation improvements in growth areas. Members agreed that TIDs can create a fairer system for sharing costs among developers, reduce reliance on project-by-project traffic impact studies, and give greater predictability about when and where infrastructure will be delivered. At the same time, they acknowledged that the establishment of TIDs is lengthy and resource-intensive process. There was discussion about better coordination with DelDOT to identify efficiencies in TID establishment.

In parallel, members supported establishing a transportation impact fee for development in Conservation Areas. While TIDs would focus on funding improvements in growth areas, the impact fee would apply to projects in rural areas and help offset the costs of extending services to dispersed development. Members viewed this as a tool to discourage leapfrog growth just beyond TID boundaries while reinforcing investment in serviced areas.

Together, these tools would improve predictability, ensure new development contributes fairly to infrastructure costs, and reinforce the County's broader goals of directing growth to areas with adequate services while limiting sprawl in rural and conservation zones.



12: Complete Adoption of a Master Plan Zoning Ordinance for Large-Scale Development

SUPPORT & GOALS

GOALS ADDRESSED:

Recommendation #12 advances:



Goal 1: Smarter, sustainable development



Goal 2: Infrastructure alignment

SUPPORT:



Support – all 10 members



Oppose – none

Of the 10 members, 4 strongly supported and 6 supported it.

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.

Background & Discussion:

The Working Group recognized that large-scale developments in Sussex County often function like self-contained communities, providing their own amenities, services, and infrastructure. Existing review processes, such as rezonings and conditional uses, do not always provide the framework needed to evaluate such projects comprehensively or to ensure they are phased and supported by appropriate infrastructure. While these types of developments can bring significant investment and new housing supply, members supported establishing standards and a review process that also reflects the County's broader growth goals.

To address this gap, members supported completing adoption of the Master Plan Zoning Ordinance. Widely used in planning practice, master plan zoning tools balance flexibility with oversight by allowing innovative, mixed-use projects to proceed while requiring them to demonstrate consistency with the Comprehensive Plan, integrate necessary infrastructure, and deliver community benefits. Members also noted that by mixing residential and commercial uses and incorporating sidewalks, trails, and bike facilities, master planned communities can enable people to walk or bike to local destinations without needing to rely solely on cars. Establishing this tool would create a more predictable, transparent process for applicants and give the County stronger ability to guide large-scale development in line with community priorities.

13: Forest Preservation

SUPPORT & GOALS

GOALS ADDRESSED:

Recommendation #13 advances:



Goal 1: Smarter, sustainable development



Goal 4: Preserve farmland and resources

SUPPORT:



Support – all 10 members



Oppose – none

Of the 10 members, 4 strongly supported, 5 supported it, and 1 could live with it.

Promote the retention of existing trees by enacting value-based tree preservation requirements, including mitigation options and incentives to promote preservation. Revise the existing “Forest” definition:

“For the purposes of this subsection, Forest shall mean: A vegetative community dominated by trees and other woody plants covering a land area of 10,000 square feet or greater. Forest includes: (1) areas that have at least 100 trees per acre with at least 50% of those having a six-inch or greater diameter at 4.5 feet above the ground and larger, and (2) forest areas that have been cut but neither stumps were removed nor the land regraded excluding invasive species.”

- A. Provide minimum standards for retention based on the forest location.
 1. Inside growth area: Forest shall be protected at a minimum percentage of 30%
 2. Outside growth zone: Forest shall be protected at a minimum of 50%
 3. Retention requirements do not apply to lands actively managed for the cultivation and harvest of trees as a crop
- B. Forest Mitigation: Forests may be cut or cleared over a greater area than permitted only if mitigation is provided.
 1. Forest area shall be mitigated at a rate of 1.5 to 1 within the growth zone, and 2 to 1 outside the growth area.
 2. Mitigation is encouraged to be contiguous to existing forest stands to promote the existing ecology and habit value of existing forest stands.
 3. No mitigation is required for the removal of trees that are not contiguous to a defined forest and are under 6 inches in diameter, or any other non-native or invasive species.
- C. Develop landscape and tree planting requirements for development projects:
 1. Landscape requirements should be based on the net developed area as follows:
 - i. Inside Growth Areas: One (1) tree per 10,000 sq. ft. for residential development and one (1) tree per 5,000 sq. ft. for non-residential development.
 - ii. Outside the Growth Areas: One (1) tree per 5,000 sq. ft. for residential and one (1) tree per 3,000 sq. ft. for non-residential.
 - iii. Retained forest in excess of minimum protection requirements may be utilized to achieve aforementioned planting requirements.
- D. Develop requirements which set standards for unauthorized clearing beyond allowable limits.

Background & Discussion:

Working Group members consistently raised concerns about the loss of mature trees and forests in Sussex County, noting that tree clearing contributes to habitat fragmentation, ecological degradation, and water quality impacts. Members emphasized that existing trees are far more valuable than replacement plantings in terms of ecosystem services and stormwater management, and that preservation efforts should prioritize ecological value rather than just tree counts. Members supported refining the definition of “forest” to ensure protections focus on meaningful stands of trees (e.g., areas of 10,000 square feet or greater with mature trees and not scattered small-caliper plantings).

To address these issues, the recommendation calls for establishing minimum retention standards, 30 percent within Growth Areas and 50 percent in Conservation Areas, so that forest protection expectations are clear and enforceable. To discourage unnecessary tree removal, members supported mitigation measures that would require replacement ratios when forests are removed (1.5 to 1 inside Growth Areas and 2 to 1 outside), creating a deterrent while also restoring canopy where loss is unavoidable. Complementary landscape and tree planting requirements are included to ensure that development projects contribute to long-term canopy replacement, with standards scaled to project size and location.

This recommendation creates a value-based preservation framework that balances growth with conservation. By setting clear retention minimums, requiring meaningful mitigation, and tying development to canopy replacement, Sussex County can reduce forest loss, maintain ecological functions, and provide fair, predictable standards for both residents and developers.



14: Encourage Naturalized Landscaping in Passive Open Space

SUPPORT & GOALS

GOALS ADDRESSED:

Recommendation #14 advances:



Goal 1: Smarter, sustainable development



Goal 4: Preserve farmland and resources

SUPPORT:



Support – 9 members



Oppose – 1 member

Of the 10 members, 6 strongly supported, 1 supported it, 2 could live with it, and 1 opposed it.

Encourage naturalized landscaping and native vegetation located within passive open space, where site conditions and regulatory standards permit. The County should coordinate with the Sussex Conservation District to identify opportunities to support habitat-friendly design features, such as native plantings, pollinator zones, and low-mow areas, in preserved open space. This recommendation is intended to support existing trends and complement state standards, not override technical requirements or design constraints.

Background & Discussion:

The Working Group discussed the role of landscaping standards in shaping both the character and ecological value of new development. Members noted that traditional landscaping practices often emphasize manicured lawns and non-native species, which can increase maintenance costs and provide limited environmental benefits. In contrast, naturalized landscaping- using native plants and low-mow zones- can enhance habitat, improve stormwater performance, and reduce costs associated with long-term upkeep.

This recommendation focuses specifically on passive open space areas, where site conditions and regulatory standards allow for flexibility. Members supported incorporating ecological design features in these areas and emphasized coordination with the Sussex Conservation District to ensure plant selection and maintenance practices reflect state standards and best practices.

15: Focus Subdivision Design in Conservation Areas around Conservation Priorities

SUPPORT & GOALS

GOALS ADDRESSED:

Recommendation #15 advances:



Goal 1: Smarter, sustainable development



Goal 4: Preserve farmland and resources



Goal 5: Limit low-density sprawl

SUPPORT:



Support – 9 members



Oppose – 1 member

Of the 10 members, 4 strongly supported, 3 supported it, 2 could live with it, and 1 opposed it.

- A. *Require all major subdivisions in AR-1 zoning within Conservation Areas to preserve the maximum lot size for any major subdivision. Valuable natural resources must be preserved to the maximum extent possible, but in all instances, the major subdivision shall be permitted to attain a density of one (1) unit/acre at a maximum of one half (½) acre lot size. The foregoing shall not prohibit larger than one half (½) acre lots provided all valuable natural resources are protected.*
- B. *Increase the minimum open space requirement to 35-50%.*
- C. *Require resource protection mapping to include delineation and mapping of resources, including: forests, wildlife habitat corridors, wetlands, waterways, and historic or scenic viewsheds. Prioritize protection of resources as follows:*
 1. *Waterways;*
 2. *Wetlands;*
 3. *Forests;*
 4. *Wildlife Habitat Corridors*

Background & Discussion:

The Working Group identified subdivision design in conservation areas as a critical issue for protecting natural resources. Some members suggested that current cluster subdivisions often prioritize maximizing yield rather than prioritizing conservation, reducing the ecological value of preserved areas.

To address these issues, members supported requiring subdivisions to be more clearly and intentionally designed around conservation priorities, beginning with the protection of waterways, wetlands, forests, and wildlife corridors. They also recommended raising open space requirements from 30% to a range of 35–50%; clarifying expectations for connected, contiguous open space; and strengthening resource protection mapping to ensure designs are based on ecological priorities rather than simply meeting percentage thresholds.

This recommendation seeks to strengthen subdivision standards so that AR-1 conservation area development protects high-value resources, while still allowing property owners to achieve base density. By requiring larger, connected open space and mandating clear resource mapping, the County can reduce habitat fragmentation, safeguard natural systems, and provide greater predictability for both developers and residents.



16: Support Working Farms Through Permitted Agricultural Support Uses

SUPPORT & GOALS

GOALS ADDRESSED:

Recommendation #16 advances:



Goal 4: Preserve farmland and resources

SUPPORT:



Support – all 10 members



Oppose – none

Of the 10 members, 7 strongly supported and 3 supported it.

Support the viability of working farms in AR-1 zoning outside designated Growth Areas by permitting commercial agricultural support uses by right, such as processing facilities and equipment repair, subject to performance standards. Review and revise outdated zoning procedures (e.g., Board of Adjustment requirements) that may duplicate State oversight.

Background & Discussion:

Sustaining agriculture in Sussex County depends not only on preserving farmland, but also on ensuring farms have access to the support services that make agricultural operations viable. Sussex County's agricultural base consists largely of family-owned farms that rely on access to processing and repair facilities to remain competitive. Without local support services, some types of production become financially unfeasible. For example, when farmers have to send produce to Pennsylvania for processing, the added transportation cost can make the crop no longer viable. Members supported permitting agricultural support uses by right in AR-1 zoning, subject to performance standards that mitigate impacts to surrounding properties (e.g., screening, lighting, etc.).

The intent of this recommendation is to strengthen the long-term viability of Sussex County's working farms by allowing essential agricultural support businesses to locate and operate with greater predictability. By permitting these uses, the County can better support farm families and ensure that investment in agriculture allows for the industry to continue to function as a cornerstone of the local economy.



17: Explore Transfer of Development (TDR) Program

SUPPORT & GOALS

GOALS ADDRESSED:

Recommendation #17 advances:



Goal 1: Smarter, sustainable development



Goal 2: Infrastructure alignment



Goal 4: Preserve farmland and resources



Goal 5: Limit low-density sprawl

SUPPORT:



Support – all 10 members



Oppose – none

Of the 10 members, 3 strongly supported, 6 supported it, and 1 could live with it.

Review TDR programs to enable voluntary transfer of development rights from conservation-priority areas to designated growth zones with sending/receiving areas.

Background & Discussion:

The Working Group discussed the potential of a Transfer of Development Rights (TDR) program as a voluntary, market-based tool to preserve farmland and environmentally sensitive areas while directing growth toward designated receiving zones. Members noted that such a program could compensate landowners in areas with prime farmland soils, critical natural features, or limited infrastructure, while also creating opportunities for higher density in locations better equipped to support development.

At the same time, participants acknowledged the significant challenges of establishing an effective TDR program. Some members suggested exploring a program with fixed-term transfers (e.g., 20 years), though others felt this would be unbalanced given that receiving areas would absorb permanent development. Concerns were also raised about how to set fair values for credits, the potential challenge of finding willing buyers/sellers, the long-term impacts of perpetual deed restrictions on the farming community, and the difficulty of designing and administering a program that is both equitable and sustainable.

While members agreed that TDR could be a valuable tool, they stressed that any program must be carefully tailored to Sussex County's local context and directly address the concerns of the farming community. If designed thoughtfully and supported by the agricultural community, a TDR program could complement existing preservation efforts by providing tangible value to landowners in conservation-priority areas, while channeling growth into infrastructure-supported locations.

18: Improve Clarity and Consistency of Subdivision Code Section §99-9(C) Standards

SUPPORT & GOALS

GOALS ADDRESSED:

Recommendation #18 advances:



Goal 1: Smarter, sustainable development



Goal 2: Infrastructure alignment



Goal 4: Preserve farmland and resources

SUPPORT:



Support – all 10 members



Oppose – none

Of the 10 members, 6 strongly supported and 4 supported it.

Revise §99-9(C) of the subdivision code to reduce subjectivity and improve clarity for applicants, reviewers, and the public. While maintaining the intent of the existing criteria, the County should:

- A. Introduce objective, predictable, and measurable criteria to guide decision-making;*
- B. Eliminate terms such as “minimization,” “preservation,” and “effect on area property values” to support consistent interpretation and application;*
- C. Where applicable, reference specific County code requirements, such as Chapter 89 (Water Source Protection) and Chapter 90 (Sediment and Stormwater Control), as well as relevant guidance materials.*

Background & Discussion:

The Working Group identified §99-9(C) of the subdivision code as an area in need of greater clarity and consistency. Code Section §99-9(C) includes criteria to be submitted by an applicant in the consideration of subdivision applications. Members noted that the current language includes broad criteria, such as minimization of erosion, preservation of natural features, or protection of property values, that are well-intentioned but highly subjective. Because these terms are difficult to apply consistently, both developers and residents are often left without a clear basis for how compliance is measured, creating risk and unpredictability in the review process.

This recommendation calls for revising §99-9(C) to establish objective, measurable criteria, and where applicable, reference existing code requirements. By reducing reliance on vague terms and grounding reviews in specific, defensible measures, Sussex County can improve fairness for applicants, provide greater predictability for residents, and ensure that approvals are aligned with adopted policies.



19: Prioritize Hearing Scheduling for Projects That Advance County Land Use Goals

SUPPORT & GOALS

GOALS ADDRESSED:

Recommendation #19 advances:



Goal 1: Smarter, sustainable development



Goal 2: Infrastructure alignment



Goal 3: Affordable and workforce housing



Goal 5: Limit low-density sprawl

SUPPORT:



Support – all 10 members



Oppose – none

Of the 10 members, 7 strongly supported, 2 supported it, and 1 could live with it.

Establish a formal process to prioritize scheduling for public hearings for residential subdivision and land development projects that advance the County's land use goals and are located in Growth Areas. This process would not waive public hearing requirements, but would place qualifying projects higher in the queue for scheduling.

This recommendation aims to reward proposals that align with County objectives around growth management, housing diversity, and infrastructure coordination. To further reduce backlogs, the County should also consider whether some frequently recurring non-residential uses with consistent approval outcomes, such as solar, could be addressed through more standardized review processes. Together, these refinements would help to reduce delays for priority projects and encourage higher-quality development outcomes.

Background & Discussion:

The Working Group discussed how the land development approval process, particularly the scheduling of public hearings, creates significant delays. Members noted that long waits increase project carrying costs, which drive up housing costs for residents, and can discourage developers from pursuing missing middle housing types that respond to community needs, favoring more conventional products (like single family homes) that are more typical and, therefore, more likely to advance.

Prioritizing the scheduling of projects in Growth Areas over those in Conservation Areas was generally supported as a way to align the approval process with County land use goals and encourage development where infrastructure can support it. At the same time, members acknowledged that projects in Conservation Areas, given their greater potential impacts on infrastructure and natural resources, may warrant additional review time.

To further reduce bottlenecks, members also suggested streamlining review processes for recurring non-residential uses with consistent approval outcomes, such as solar facilities. Simplifying these reviews would free staff and Planning & Zoning (P&Z) Commission capacity to focus on more complex or higher-priority projects.

Together, these refinements would reduce backlogs, prioritize projects that advance County goals, support housing affordability, and encourage higher-quality development outcomes.

20: Modernize the Code to Support Mixed Use

SUPPORT & GOALS

GOALS ADDRESSED:

Recommendation #20 advances:



Goal 1: Smarter, sustainable development



Goal 2: Infrastructure alignment



Goal 3: Affordable and workforce housing

SUPPORT:



Support – all 10 members



Oppose – none

Of the 10 members, 8 strongly supported, 1 supported it, and 1 could live with it.

Sussex County should update its zoning code to make mixed-use development a predictable permitted use in commercial districts. By aligning permitted uses, increasing height flexibility, regulating density through building form, modernizing parking standards to encourage shared solutions, and requiring transitions and buffering when adjacent to low-density neighborhoods, the County can foster vibrant, walkable centers that expand housing options, support local businesses, and make efficient use of infrastructure while preserving community character.

Background & Discussion:

The Working Group recognized that mixed-use projects can be difficult to deliver in Sussex County because they often require conditional use approval, adding uncertainty, delay, and cost. Members emphasized that establishing predictable standards for mixed-use development in commercial districts would better align projects with County growth and housing goals, particularly in walkable settings and along transportation corridors.

Mixed-use development was seen as a way to achieve multiple objectives: expanding housing options, supporting local businesses, reducing traffic impacts by enabling more trips to be made on foot or within the development rather than on surrounding roads, and making more efficient use of infrastructure. Developers noted that these projects are often more viable when uses are arranged in separate but coordinated buildings, rather than confined to a single structure.

To encourage this type of development, members supported updating the zoning code to provide flexibility in height and density, modernizing parking standards to promote shared solutions, and requiring appropriate buffering where projects are adjacent to lower-density neighborhoods. Together, these changes would enable the County to foster vibrant, walkable centers that expand housing choice, support economic vitality, and make efficient use of infrastructure.



Appendices

Appendix A: Goals and Recommendations Matrix

	Goal #1: Implement smarter and more sustainable development practices.	Goal #2: Ensure growth is supported by infrastructure, including roads, schools, environment, and public safety.	Goal #3: Increase affordable and workforce housing opportunities.	Goal #4: Preserve farmland and critical natural resources.	Goal #5: Prevent uncoordinated, low-density development in rural areas
1 Align Future Land Use Map	✓	✓		✓	✓
2 Establish Growth and Conservation Areas	✓	✓	✓	✓	✓
3 Comprehensive Rezoning	✓	✓	✓	✓	✓
4 Establish Clear Standards for Rezoning	✓	✓			✓
5 Define Missing Middle Housing Types	✓		✓		✓
6 Permit Missing Middle Housing in Strategic Areas	✓	✓	✓		✓
7 Establish Bulk and Setback Standards for Missing Middle Housing and Adjust Height, Building Length, and Separation Caps in Growth Areas	✓		✓		✓
8 Strategic Density Adjustments	✓	✓	✓	✓	✓
9 Develop Strategic Density Bonus Program	✓	✓	✓	✓	✓
10 Amend the Sussex County Rental Program (SCRП)			✓		
11 Collaboration with DelDOT	✓	✓			✓
12 Complete Adoption of a Master Plan Zoning Ordinance for Large-Scale Development	✓	✓			
13 Forest Preservation	✓			✓	
14 Encourage Naturalized Landscaping in Passive Open Space	✓			✓	
15 Focus Subdivision Design in Conservation Areas Around Conservation Priorities	✓			✓	✓
16 Support Working Farms Through Permitted Agricultural Support Uses				✓	
17 Explore a Transfer of Development Rights (TDR) Program	✓	✓		✓	✓
18 Improve Clarity and Consistency of Subdivision Code Section §99-9(C) Standards	✓	✓		✓	
19 Prioritize Hearing Scheduling for Projects that Advance County Land Use Goals	✓	✓	✓		✓
20 Modernize the Code to Support Mixed Use	✓	✓	✓		



Appendix B: Implementation Matrix

		Requires Comprehensive Land Use Plan Change	Requires County Code Change	Length of Time Required to Enact	Difficulty Level	Coordination required with other Recommendations
1	Align Future Land Use Map <i>Summary: Revise the Future Land Use Map using State Strategies for Spending as a guide to establish new growth and conservation areas during the 2028 Comp Plan Update</i>	YES	YES	YEARS	ONEROUS	YES 2 & 3
2	Establish Growth and Conservation Areas <i>Summary: Develop new areas intended for growth and conservation based on specific criteria during the 2028 Comp Plan Update</i>	YES	YES	YEARS	ONEROUS	YES 1, 3, & 15
3	Comprehensive Rezoning <i>Summary: Update the entire County's zoning map to realign zoning districts for growth and conservation, prioritizing for housing diversity and affordability, during the 2028 Comp Plan Update</i>	YES	YES	YEARS	ONEROUS	YES 1 & 2
4	Establish Clear Standards for Rezoning <i>Summary: Develop criteria for rezoning applications and map amendments based on specific criteria</i>	NO	YES	MONTHS	SUBSTANTIAL	NO
5	Define Missing Middle Housing Types <i>Summary: Develop definitions for housing types, including duplexes, triplexes, stacked flats, and cottage courts</i>	NO	YES	WEEKS	MANAGEABLE	YES 6 & 7
6	Permit Missing Middle Housing in Strategic Areas <i>Summary: Update County Code to allow specific housing types in GR, MR, and HR</i>	MAYBE	YES	WEEKS	MANAGEABLE	YES 5 & 7
7	Establish Bulk and Setback Standards for Missing Middle Housing and Adjust Height, Building Length, and Separation Caps in Growth Areas <i>Summary: Revise lot sizes, widths, setbacks and separation distances; increase building height; and eliminate length caps in specific Zoning Districts</i>	MAYBE	YES	WEEKS	MANAGEABLE	YES 5, 6, & 8
8	Strategic Density Adjustments <i>Summary: Revise permitted densities in "growth areas" and "conservation areas"</i>	YES	YES	YEARS	ONEROUS	YES 1, 2, & 3
9	Develop Strategic Density Bonus Program <i>Summary: Create programs to add density above the base level to create funds for land preservation and units for workforce housing</i>	NO	YES	MONTHS	SUBSTANTIAL	YES 1, 2, & 3
10	Amend the Sussex County Rental Program (SCRIP) <i>Summary: Amend the SCRIP to change the set-aside number, AMI target, open space, and offer impact fee reductions</i>	NO	YES	WEEKS	MANAGEABLE	NO
11	Collaboration with DeIDOT <i>Summary: Create TIDs for all growth areas and an impact fee for development in conservation areas</i>	YES	YES	YEARS	ONEROUS	YES 1, 2, 3, 4, 6, & 8
12	Complete Adoption of a Master Plan Zoning Ordinance for Large-Scale Development <i>Summary: Finish the adoption of the drafted Master Plan ordinance</i>	NO	YES	WEEKS	MANAGEABLE	NO
13	Forest Preservation <i>Summary: Develop value-based tree preservation requirements including mitigation options and incentives</i>	NO	YES	YEARS	ONEROUS	YES 1, 2, & 3



		Requires Comprehensive Land Use Plan Change	Requires County Code Change	Length of Time Required to Enact	Difficulty Level	Coordination Required with other Recommendations
14	Encourage Naturalized Landscaping in Passive Open Space <i>Summary: Develop standards for naturalized landscaping and native vegetation within open space where conditions permit</i>	NO	YES	WEEKS	MANAGEABLE	NO
15	Focus Subdivision Design in Conservation Areas Around Conservation Priorities <i>Summary: Develop new standards for major subdivisions in AR-1 to preserve the maximum lot size and valuable natural resources</i>	YES	YES	YEARS	ONEROUS	YES 1, 2, & 3
16	Support Working Farms Through Permitted Agricultural Support Uses <i>Summary: Update Code to permit commercial agriculture related uses by-right in AR-1 zoning outside the growth areas</i>	YES	YES	WEEKS	MANAGEABLE	NO
17	Explore a Transfer of Development Rights (TDR) Program <i>Summary: Develop TDR program to enable voluntary transfer from conservation-priority areas to designated growth areas with sending/receiving areas</i>	YES	YES	YEARS	ONEROUS	YES 1, 2, & 3
18	Improve Clarity and Consistency of Subdivision Code Section §99-9(C) Standards <i>Summary: Revise the Subdivision Code to reduce subjectivity and improve clarity with objective criteria</i>	NO	YES	WEEKS	MANAGEABLE	NO
19	Prioritize Hearing Scheduling for Projects that Advance County Land Use Goals <i>Summary: Develop process to prioritize public hearings for projects that advance the County's goals and are located in the growth areas</i>	YES	YES	YEARS	ONEROUS	YES 1, 2, & 3
20	Modernize the Code to Support Mixed Use <i>Summary: Update Code to make mixed-use development a predictable permitted use in commercial districts</i>	NO	YES	MONTHS	SUBSTANTIAL	NO

