

Public
Meetings
September
25th &
26th
2007

Sussex County

D e l a w a r e

Comprehensive Plan Update

Summary of the September 2007 Draft Plan

What is the Comprehensive Plan?

This draft comprehensive plan describes Sussex County's policies on the future development and preservation of the County. A comprehensive plan is not zoning but it provides the background and rationale for zoning and other regulations. A good comprehensive plan is also about vision – how local people would like to see their area change (or not change) in the coming years.

What Does this Draft Plan Contain?

Sussex County completed its last comprehensive plan in 2002. Delaware law requires County Council to update the plan every five years. This draft update includes the following chapters:

- Introduction
- Future Land Use Element
- Conservation Element
- Recreation and Open Space Element
- Water and Wastewater Element
- Housing Element
- Economic Development Element
- Historic Preservation Element
- Intergovernmental Coordination Element
- Community Design Element

Note: DeIDOT will provide the **Mobility Element**, the chapter on transportation.

What is Tonight's Meeting About?

Sussex County held five public meetings in January and February of 2007 to hear your views on issues and concerns important to this plan. In addition to that input, we received many comments about the plan by letter and through our County website.

Sussex County has now prepared a draft of the new comprehensive plan. Tonight, we will summarize the highlights of this draft for your review and comment.

Please let us know what you think. Are we on the right track? Do you have ideas about how to make the plan better? The County will consider all of your opinions - and make changes to the plan if needed - before we finalize this document and submit it for official State review.

Public Meeting Schedule

Tuesday, September 25th
@ Rehoboth Convention
Center

Wednesday, September 26th
@ Laurel Fire Hall

Meetings begin at 6:30 p.m.



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FUTURE LAND USE ELEMENT

Big Picture Trends

Sussex County includes nearly half (48%) of the land area in Delaware. As of July 2006, Sussex County was home to 180,275 residents. The Delaware Population Consortium projects that Sussex County will continue developing but at a somewhat slower rate in the future.

New full-time residents, second home growth and tourism will continue to drive the local economy, and test the capacity of certain local infrastructure. Many large developments are proposed in the central and western parts of the County. But the majority of the new growth continues to occur in and around the coastal communities.

Future Land Use Goals

The Future Land Use Element is probably the most influential part of this Comprehensive Plan. It is the basis for zoning districts and zoning regulations. It also designates which parts of the County are to be considered growth areas.

Major goals of the Future Land Use Element:

- Direct development to areas that have community services or can secure them cost effectively.
- Conserve the County's agricultural economy by promoting farming and preserving agricultural land values.
- Protect critical natural resources, such as the inland bays and others, by guarding against over-development and permanently preserving selected lands.

Structure of the Future Land Use Element

The Future Land Use Plan divides Sussex County into two types of planning areas: Growth Areas and Rural Areas, with sub-categories for each.

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Growth Areas

- Municipalities - The 25 incorporated cities and towns. Sussex County strongly favors directing growth to incorporated municipalities that desire it. Zoning would be determined locally.
- Town Centers - Significant growth is proposed to be clustered in these areas, which are typically located immediately around the incorporated municipalities. Medium to higher density is encouraged, from 4 to 12 units per acre.
- Developing Areas - Newer, emerging growth areas, usually located near main arterials. Base density would be up to 2 units per acre and increase to 4 units per acre if the developer uses density bonuses.
- Environmentally-Sensitive Developing Areas - The Inland Bays vicinity. Development can be accommodated provided special environmental concerns and additional studies are addressed. Most of these areas should continue to allow 2 units per acre.
- Mixed Residential Areas - Mainly includes areas with existing homes and residential projects now under review. Current densities, which range from 4 to 12 units per acre, are appropriate.
- Highway Commercial Areas - These include retail and service uses along highways. They are general commercial areas geared towards auto traffic, not neighborhood needs.
- Planned Industrial Areas - Includes lands devoted to larger industrial uses, such as heavy industry, light industry, warehousing and flex space. Includes businesses in unified parks and stand alone businesses.

Rural Areas

- Low Density Areas - All Low Density areas are currently zoned AR-1. Current zoning should remain in place - single-family homes at 2 units per acre when connected to public sewers, with the option to go to 4 units if the developer uses density bonuses. Under cluster site design, an average of 2 homes per acre is allowed where 30% of the tract is dedicated for open space. The County intends to introduce transfer of development rights (TDR) to these areas. Transfer of development rights is encouraged as an optional method to have developers fund preservation of farms and forests. It is described at the end of this report. The County strongly supports retaining farmland values.
- Protected Lands - These lands are permanently preserved and thus "out of play".
- Agricultural Preservation Districts Under The State Program. The State requires farms to be in an agricultural preservation district before it will buy development rights. These lands would be considered Low Density Areas if the landowners would withdraw from the program. The County should consider establishing agricultural zoning within portions of these districts. In agricultural zoning, permitted development densities are set very low.

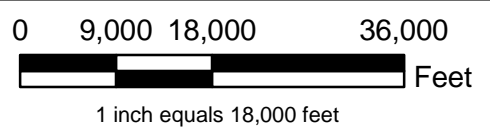
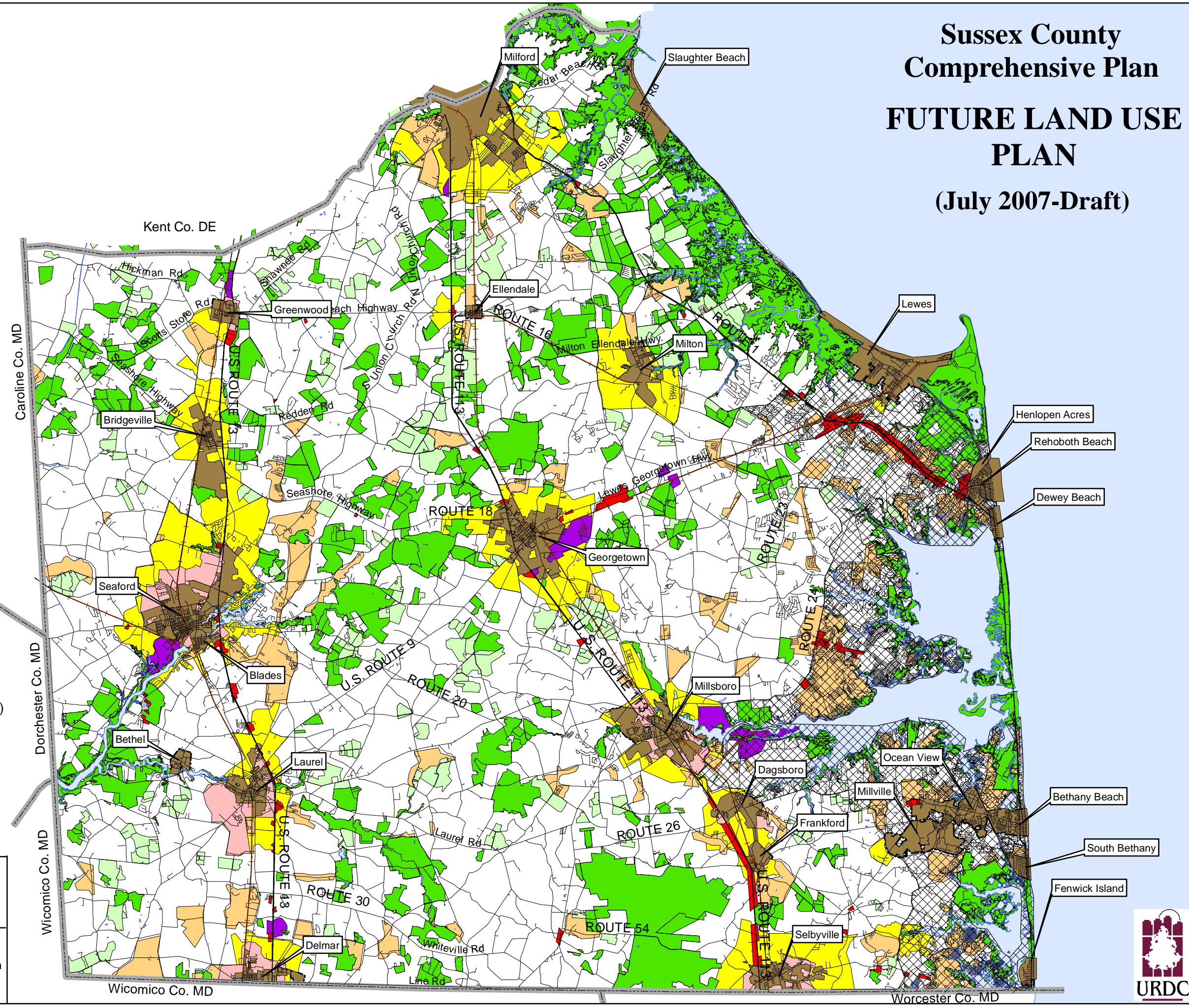
Sussex County Comprehensive Plan FUTURE LAND USE PLAN (July 2007-Draft)

Growth Areas

- Municipality
- Town Center
- Developing Area
- Environmentally Sensitive Developing Area
- Mixed Residential Areas
- Highway Commercial Areas
- Planned Industrial Areas

Rural Areas

- Low Density Area
- Protected Lands
(All Federal lands, State lands, agricultural easements, private conservancy lands, major wetlands and lands preserved by other conservation easements)
- Agricultural Preservation Districts Under the State Program
(A voluntary program. Only a very limited number of homes allowed on a tract under State regulations during the time of an agreement. Participating landowners are eligible to sell development rights to the State.)



Base Map Provided By: Sussex County Mapping Department

Sources:
 DNREC
 DE Office of State Planning Coordination
 DE Office of Transportation
 United States Geological Survey



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CONSERVATION ELEMENT

The unbuilt environment in Sussex County is a major part of the County's unique character, scenic appeal, and quality of life. The County will continue to focus on preserving more land and strengthening regulations that protect natural features.

Conservation Strategies

Ways to Preserve More Land

- Identify opportunities for the State to acquire and preserve more land in Sussex County.
- Encourage more farmers to enroll in Agricultural Preservation Districts.
- Secure more easements and land acquisitions through Sussex County Land Trust.
- Adopt a locally-formulated Transfer of Development Rights (TDR) program.

Ways to Better Protect Natural Features

- Mandate an appropriate buffer distance between non-tidal wetlands and development.
- Continue evaluating stream setback regulation for the Inland Bays area and elsewhere.
- Require more "green" stormwater management instead of traditional detention basins.
- Use zoning and subdivision codes to help protect critical wildlife habitat.
- Adopt a wellhead protection ordinance.
- Help implement State TMDL limits for the Inland Bays, Nanticoke Creek, Broadkill Creek
- In the Environmentally Sensitive Area, delete wetlands from density calculations.
- Ensure building coverage regulations promote on-site water recharge.
- Mandate effective forested buffers between homes and contiguous farms.

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RECREATION AND OPEN SPACE ELEMENT

Sussex County is famous for its public beaches and other water access points. State parks, state forests, municipal parks, and multi-use greenways offer a diverse variety of public recreation opportunities. The County will continue to work with the State and local parties to promote parks, trails, and more usable open space in new developments.

Parks and Recreation Strategies

- Recognize Sussex County Land Trust's long-range vision to gradually create a "green ribbon" of connected open spaces throughout the County.
- Keep providing selected grant assistance to selected non-profit recreation providers.
- Periodically re-evaluate the possibility of becoming an active financial partner in establishing a public park, building an indoor recreation complex.
- Require developers of larger residential projects to provide recreation facilities or multi-use trails to serve their future residents.
- Strengthen ordinance definitions regarding the types of land acceptable as dedicated public open space in new developments.
- Continue working with DENREC and other state agencies to ensure the state continues to add to the supply of active and passive recreation land and facilities in Sussex County.
- Follow Delaware's 2003 State Comprehensive Outdoor Recreation Plan (SCORP) policies on how to promote healthier and more active lifestyles.

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PUBLIC WATER SUPPLY ELEMENT

Sussex County depends completely on groundwater supplies for its public water. DNREC regulates all water treatment facilities and water withdrawals. Sussex County's role is to help protect groundwater quality and continue planning for the expansion of water supply systems.

Public Water Supply Strategies

- Adopt better ordinances to minimize hazards to public water supply wells.
- Coordinate water supply planning with sewage treatment and land use planning.
- Better protect areas likely to be needed in the future for additional groundwater.
- Require water systems to have a back-up source for emergencies.
- More effective ordinances need to be adopted and enforced by Sussex County and the incorporated municipalities to minimize hazards to public water supply wells.
- Water supply planning needs to be more closely coordinated with sewage treatment and land use planning.
- Great care should be used in allowing intensive development in areas that are likely to be needed in the future for additional groundwater supplies.

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PUBLIC WASTEWATER TREATMENT ELEMENT

Sussex County has completed detailed sewage treatment plans for several parts of the County where the County provides sewage treatment or may do so in the future. Most cities and towns in Sussex County operate their own sewage treatment systems. The private companies Artesian and Tidewater provide wastewater treatment in several vicinities. The County hopes to better coordinate the delineation of future public and private service areas.

Wastewater Treatment Strategies

Ways to Coordinate Who Provides Service in County Sewer Districts

- Consider regulating where private providers can operate within official County-designated sewage service areas.
- Consider seeking similar authority that would allow cities and towns to decide who provides sewage treatment services within their officially designated annexation areas.
- Examine the possibility of the County contracting with a private service provider to construct and/or operate some future County-owned wastewater treatment facilities.
- Look at how private systems could be constructed so they could later be acquired by the County and become part of larger public systems.
- Focus on areas where County or municipal service is planned and needed to cost-effectively solve a public health problem and/or protect the Inland Bays.

Other Wastewater Treatment Strategies

- Coordinate land use planning and zoning with public sewage improvements to help to direct growth to areas adjacent to or within towns.
- Avoid large public sewage extensions in undeveloped areas so as not to promote dense new developments in areas with important natural features.
- Consider using a portion of Transfer of Development Rights (TDR) proceeds to help fund sewage and other infrastructure improvements in receiving areas accepting greater densities.

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HOUSING ELEMENT

Strong migration has fueled prosperity in the County's real estate market, hospitality industry, and related economic sectors. At the same time, this growth has tightened the County's housing market and driven up home prices and apartment rentals to new highs. Sussex County will continue to focus on ways to expand the supply of affordable housing and facilitate housing rehabilitation.

Housing Strategies

- Monitor Sussex County's new Moderately Priced Housing Unit (MPHU) Program and evaluate changes that may be needed once the two-year trial period expires.
- Continue County-funded housing rehabilitation, and related public works projects in low/moderate income areas.
- Continue coordination with non-profit housing advocacy groups and selected financial support.
- Encourage more limited home equity projects, under which the buyer owns the home and non-profits such as community land trusts own the land.
- Encourage more private developers to establish private workforce housing programs to help stabilize housing prices and help attract more highly-skilled workers.
- Review County's zoning and any other County regulations to ensure these regulations do not unduly constrain construction of well-designed manufactured housing communities.
- Encourage the incorporated municipalities to undertake similar reviews because of the important role manufactured homes play in providing affordable housing.

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ECONOMIC DEVELOPMENT ELEMENT

Sussex County produces more broiler chickens than any other county in the United States. The County's seaside location and quality of life has led to a rapidly growing economy overall. However, growth in lower-paying, tourism-related jobs has been disproportionate. Sussex County strongly supports its agricultural economy. The County is also striving to attract employers that will diversify the local economy and provide more higher-paying jobs.

Economic Development Strategies

- Maintain land use, zoning and conservation policies and regulations that keep agriculture economically viable in Sussex County.
- Ensure zoning regulations accommodate agribusiness uses in appropriate locations, including businesses that promote new uses for agricultural products and byproducts.
- Complete long term capital improvements planned for Sussex County's airport.
- Support appropriate projects that will provide new industrial/business park space to replace parks now full.
- Intensify efforts to diversify the local economy by recruiting employers that offer year-round, higher paying jobs.
- Continue establishing more job training and professional development partnerships with local employers and educational institutions.
- Coordinate water and sewer facilities planning with the need to bring these utilities to areas zoned for business uses.
- Continue coordinating with DelDOT to provide safe and convenient road access to areas zoned for business uses.
- Fund a professional target market analysis to identify what business types may be the best match for Sussex County's physical and economic assets and constraints.
- Use this same study to see how the County and its partner economic development entities could better implement a coordinated business recruitment strategy.

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HISTORIC PRESERVATION ELEMENT

Historic buildings and landscapes in Sussex County are visible reminders of the area's heritage. Historic sites attract tourists, create jobs and generate commercial revenues. Campaigns to revitalize older downtowns often try to re-establish the traditional, "Main Street" environments that many people find more appealing than contemporary settings. Sussex County hopes to better regulate demolition in the future and strive to see that more historic properties are preserved.

Historic Preservation Strategies

- Continue partnering with the State, Preservation Delaware, Inc., local municipalities and private property owners to:
 - *Encourage more local nominations for the National Register of Historic Places.*
 - *Share more information about the benefits of historic preservation with local officials and the general public.*
 - *Promote economically viable alternatives to demolition, such as more adaptive reuse.*
- Prepare a model ordinance regulating demolition of historic structures and some forms of large scale exterior renovations to historic structures. Encourage local municipalities to adopt this ordinance.
- Adopt a County ordinance regulating demolition of historic structures as part of a more general demolition permit process.
- Require information about a property's historic status as part of land development applications.
- Use some historic criteria to help make zoning variance and conditional use decisions.

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INTERGOVERNMENTAL COORDINATION ELEMENT

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. Sussex intends to work closely with both State and local entities on several key issues as noted below.

Intergovernmental Coordination Strategies

Working With the State

- 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.*
 - *Establishing an effective, County-formulated TDR) system.*
 - *Confirming that the future boundaries of State Priority Spending Areas (Levels I through IV) match County growth area delineations.*
- Coordinate with DelDOT to complete traffic studies, and prioritize proposed improvements.
- Work with the Delaware Department of Agriculture Department to preserve more Sussex County farms and maximize compensation paid to participating landowners.
- Cooperate with DNREC and relevant non-profits to formulate stronger, yet locally acceptable, regulations for better protecting natural features.
- Work with DNREC and the Delaware Department of Agriculture to continue adding appropriate properties to the inventory of State-owned lands in Sussex County.
- Seek guidance from the Delaware Department of Community Development and Housing, and relevant non-profits on local affordable housing solutions.

Working With Local Entities

- Expand coordination with the local municipalities, particularly on annexation, zoning, utility services, roads, large development applications, affordable housing and historic preservation.

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COMMUNITY DESIGN ELEMENT

Sussex County is still a very attractive place to live, work and visit. However, crowded highways, nondescript construction, and other aspects of suburban sprawl now exist in some areas. Sussex County intends to use more regulatory incentives and other means to encourage better designed and more attractive development with legitimate common open space.

Community Design Strategies

Traditional Neighborhood Development

- Provide density bonuses and other incentives for “Traditional Neighborhood Developments” - projects that incorporate the best features of older neighborhoods.
 - *Plant trees that will eventually provide a canopy of shade over streets.*
 - *Install street lights that replicate older styles.*
 - *Provide sidewalks (or asphalt paths along main roads in rural areas).*
 - *Avoid overly wide residential streets and intersections.*
 - *Encouraged densities similar 1930s and 1940s town development.*
 - *Locate parking to the rear or side of buildings.*
 - *If rear access garages are not practical, garages should enter from the side.*
 - *Place buildings close to the street*
 - *Include front or side porches, to encourage interaction among neighbors.*

Landscaping and Buffers

- Mandate landscaped buffers between homes and businesses.
- Require more street trees and more shade trees in parking lots.
- Require forested buffers between new residential developments and adjacent farmland.

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Cluster (Open Space) Developments

- Provide density bonuses, and other incentives promote more Cluster (Open Space) developments.
- Use open space development to retain more natural stormwater drainage patterns.
- Ensure all dedicated open spaces have genuine resource or recreation value.
- Reduce the amount of required open space if the developer provides substantial recreation facilities and/or an on-site trail network.

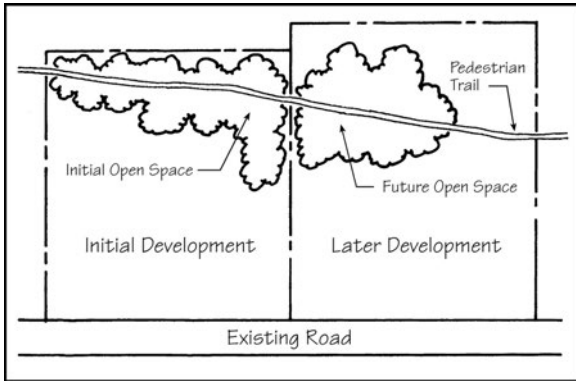
Green Architecture and Green Site Design

- Use zoning and subdivision regulations to encourage more environmentally-friendly green architecture and green site design.
 - *Promote more use of “passive” solar heating and maximum use of natural sunlight for internal lighting. Locate buildings to maximize southern exposure to the sun.*
 - *Plant more deciduous trees along the south side of the building, to avoid excessive heat during the summer, while allowing the sun through in the winter.*
 - *Plant more evergreen trees on the north and west sides of a building to block winter winds and provide shade.*
 - *Promote more groundwater recharge by using rain gardens, infiltration trenches, and other methods.*
 - *Use pervious pavement in parking areas, such as porous concrete or pervious asphalt. Less used parking areas can be constructed with grass grown within a grid material.*
 - *Direct drainage from rooftops into vegetated areas on each lot, as opposed to large stormwater systems.*

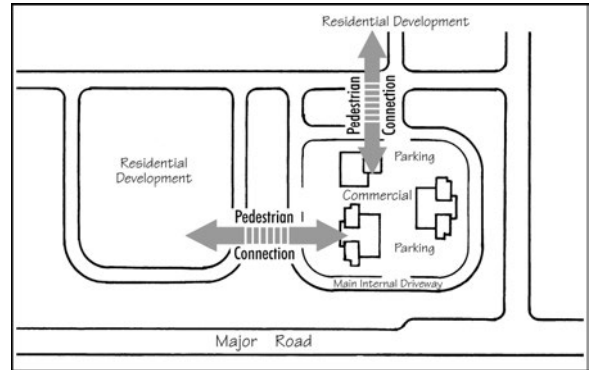
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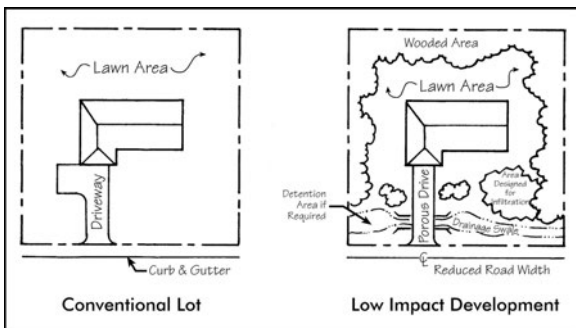
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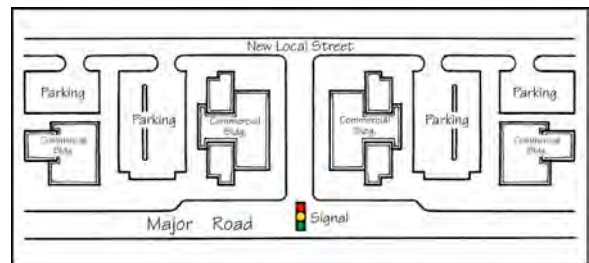
Open spaces and trails should be coordinated across various developments. When considering open space and trail locations in a current proposed development, future linkages on adjacent future development tracts should be considered.



Pedestrian and bicycle connections should be provided between various developments. Where a road does not provide a connection, a hard-surfaced pedestrian easement should be provided. In larger commercial developments, most vehicle traffic should be directed to routes that do not conflict with the main pedestrian entrances from parking lots.



The sketches above compares a lot that is mostly grass with stormwater directed into the gutter of a street, to a lot with much lower environmental impacts. The low impact lot involves directing some runoff into an area to recharge into the ground, and using drainage swales that filter out some pollutants before the water reaches a waterway.



Commercial buildings should be encouraged to be placed relatively close to the road, provided they still allow proper sight distance and room for future road widening. Most vehicle parking should be placed to the rear or side of buildings. At best, a new street or alley or interconnected parking aisles should be provided parallel to the major road so that most traffic can access the main road at a traffic signal.

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Conventional Subdivision Layout versus Cluster Development Option

Conventional Subdivision Layout



Number of Lots	= 20 2-Acre Lots
Area Consumed by Lots (including roads)	= 40 Acres
Open Space (in addition to mandatory unbuildable area)	= 0 Acres

Cluster Development Option



Number of Lots	= 24 1- Acre Lots
Area Consumed by Lots (plus roads)	= 24 Acres
Open Space (in addition to mandatory unbuildable area)	= 16 Acres

WHAT IS TRANSFER OF DEVELOPMENT RIGHTS (TDR)?

Transfer of Development Rights is a voluntary method that should be used to preserve land. A developer pays the owner of another tract to preserve that tract. In return, the developer is allowed to build more homes than otherwise would be permitted. The homes would be “transferred” from areas that should be preserved to areas that are more suitable for development. If the density would be transferred to a Town or City, a portion of the proceeds should be available for infrastructure projects by that Town or City.

In Sussex County right now, a second program allows a developer to pay the County to permit more homes at a fixed price per home. The County uses the money to preserve other properties