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REPORT TO GOVERNOR'S ADVISORY COUNCIL ON PLANNING

SUSSEX COUNTY

2016-2017

JULY 1, 2017

INTRODUCTION

Sussex County's current Comprehensive Land Use Plan was adopted on June 24, 2008 (the "Plan"). Each year after adoption, Sussex County is required to prepare a Report on the status of its Plan for submission to the Cabinet Committee on State Planning Issues and the Office of the State Planning Coordination ("OSPC"). This is the Sixth Annual Report to the Cabinet Committee on State Planning Issues and OSPC covering the one-year period between July 1, 2016 and June 30, 2017. This Report is intended to comply with Title 9, Section 6958 of the Delaware Code.

Sussex County is preparing its 2018 Comprehensive Development Plan. To kick off this process, Sussex County, with its consultant, McCormick and Taylor, initially held 5 public meetings; one in each of the Councilmanic Districts. During these workshops, information was solicited from the public about issues in the County: including what people believe are positive attributes of Sussex County and those that may need more attention in the future. This information, like the



information collected from other sources (including the County's dedicated Comprehensive Plan Website at www.sussexplan.com) was organized for use in the consideration of each Element of the 2018 Plan. Since then, the Planning and Zoning Commission (with the assistance of staff and McCormick and Taylor) has earnestly started writing the various Elements of the plan for Council's consideration. Public workshops have been conducted by the Commission on the Elements with ample opportunity for public comment at each workshop and also during every Regular Commission meeting. To date, the initial drafts of several Elements have been completed. Also during this process, a second round of public meetings occurred in each of the Councilmanic Districts to receive refined comments on the work completed thus far. It is anticipated that the Commission will approve its draft of the Plan following additional meetings and at least one public hearing in the early Fall of 2017, so that County Council has ample time to review and refine the document and its maps prior to adoption in 2018.

LAND USE

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

Since July 1, 2016, Sussex County has received 176 applications filed for all types of land use approvals. This includes commercial and residential development in the form of subdivision applications, rezoning applications, and conditional use applications and site plan applications.

Sussex County has processed 12 new major subdivision applications during this reporting year. Sussex County also processed 23 rezoning applications, 32 applications for Conditional Use Permits and 109 Site Plans during the time covered by this Report. A few of the larger or more significant public hearings conducted during this reporting year include the following:

1. Belle Terre. This application was originally filed as a change in zone from AR-1 to MR Medium Density Residential. After the Planning and Zoning Commission recommended a denial of this application, it was withdrawn and the applicant re-filed for a cluster subdivision within the density permitted in the existing AR-1 zoning. The Commission granted preliminary site plan approval for 269 lots.

2. Burton's Pond. This project consists of two separate land use applications at the intersection of Sloan Road and Route 24. A very similar residential development was previously approved for this location but it became null and void since it was never started. This project consists of a subdivision with 265 lots and a multi-family dwelling project with 100 units.

3. Sussex Consortium. This conditional use for a school serving special-needs students from all of the County received final approvals during the reporting year.

4. Blessings Blends. This has been a controversial site where the applicant has been composting materials for several years. What started as a smaller use likely permissible under the existing AR-1 zoning has grown to the point where it has raised serious objections from neighbors, DNREC, Sussex County and others. Ultimately, the operators of this site were required to either cease operations or seek a conditional use. The operators filed an application

for a Conditional Use to allow them to continue operations on the site. After a contentious public hearing before the Planning and Zoning Commission, a recommendation of approval was issued with significant conditions designed to clean up the site and mitigate the effects of the use on neighboring properties. After a second contentious hearing before County Council, the final decision on the Conditional Use remains pending.

Sussex County also completed a total rewrite of its sign ordinance governing signs.

Finally, by operation of the prior time-extension ordinances, all extended but unbuilt land use approvals expired. As a result of this, subdivisions were sunset or became null and void with affidavits filed in the Sussex County Recorder of Deeds to confirm the cancellation of the stale approvals. This represented over a 1,000 lots that were eliminated.

WASTEWATER

Sussex County continues to increase the availability of County sewer to various areas of the County. The Angola Neck Sanitary Sewer District continues to expand and eliminate existing individual on-site septic systems along the Inland Bays, with construction planned in the Route 24/Love Creek area. A major interconnection of the Inland Bays Regional Wastewater Facility and the Wolfe Neck Wastewater Treatment Plant in conjunction with County Council's approval of wastewater and biosolids service agreements with the Lewes Board of Public Works and a bulk wastewater services agreement with Artesian Wastewater Management, Inc. gave the County greater flexibility in its wastewater capacity and in the use of the existing spray-irrigation facilities of both the Inland Bays and Wolfe Neck plants. In addition, Sussex County, in partnership with the State,

is looking to transform parts of the Wolfe Neck Treatment Plant's irrigation acreage through re-forestation and drip irrigation systems. This will have the added benefit of enabling areas of the Wolfe Neck acreage to become part of a trail system integrated into the Breakwater Junction Trail between Lewes and Rehoboth Beach. Sussex County also continues a major expansion of its sewer system as part of the Goslee Creek Planning Area to provide central sewer to new and existing communities in the area between Route 9, Route One and Route 24. Finally, the County is working in conjunction with private wastewater system providers to better coordinate the expansion of these systems and service areas.

Approximately 1,606 new EDUs were added to County sewer during this reporting year.

HOUSING

Sussex County continues to promote affordable housing through the Office of Planning and Zoning and the Community Development and Housing Department. Because there have not been any new applications during this past year for affordable housing under the County's Moderately Priced Housing Unit or Rental Programs, the County is looking for ways to improve both programs through discussions with developers, state officials and others. Affordable housing is also an ongoing sub-topic throughout the discussions and drafting of the 2018 Plan—particularly in the Housing, Community Design and Future Land Use Elements.

Sussex County completed a study of several impacted communities in order to determine investment strategies, priority designations of infrastructure and/or community development for the types of infrastructure over which the County has primary governing authority. This document can and will be used to

help guide future decisions about land use, funding support and the provision of other County services to serve these areas in a coordinated manner.

ECONOMIC DEVELOPMENT

Agriculture and tourism continue to be some of Sussex County's main economic drivers, pumping nearly a billion dollars into the County economy. And, through the Economic Development Element of the 2018 Plan, Sussex County is seeking ways to expand upon these areas and others, including data and technology centers, agri-business uses and others.

In addition, Sussex County purchase the 74-acre King Farm along Park Avenue east of Georgetown to expand upon the existing Sussex County Industrial Park. This expansion will add to the 20 businesses that employ approximately 900 people within the existing Industrial Park. As many as 12 lots of varying sizes can be created within this additional space. The County already has its first tenant, Atlantis Industries, with a new 40,000 square foot building under construction. This will enable Atlantis to consolidate its operations under one roof and add 20 to 25 jobs in the coming years.

Bayhealth is in the process of relocating its Milford Hospital to a location roughly at the intersection of Routes One and 30 within the City of Milford in northern Sussex County. Constructed on 169 acres of land, this 440,000 square foot hospital and out-patient center is the result of an estimated \$330 Million re-investment in the communities of southern Delaware by Bayhealth. At the same time, the old Milford Hospital facilities on Clarke Avenue in Milford are being redeveloped into a skilled nursing facility by Nationwide Healthcare Services.

CONCLUSION

As Sussex County moves forward with its 2018 Plan, it continues to look back at the 2008 Plan for guidance-with an eye towards what worked and what needs improvement.