

COUNTY COUNCIL

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Sussex County

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SUSSEX COUNTY COUNCIL

A G E N D A

FEBRUARY 19, 2019

10:00 A.M.

****AMENDED on February 15, 2019 at 10:30 A.M.¹**

Call to Order

Approval of Agenda

Approval of Minutes

Reading of Correspondence

Public Comments

Presentation on Milford Shipyard - Sher Valenzuela, Vice President, First State Manufacturing

Todd Lawson, County Administrator

1. Tribute – National FFA Week
2. Board of Adjustment Appointment
3. Administrator’s Report

Bill Pfaff, Economic Development Director

1. Foreign Trade Zone

Hans Medlarz, County Engineer

1. Fencing Services RFP, Project #17-14
 - A. Change Order No. 3



John Ashman, Director of Utility Planning

1. Use of Existing Infrastructure Agreement - Hyatt Hotel, Lewes Hotel LLC

Janelle Cornwell, Planning and Zoning Director

1. Discussion and Possible Introduction of Proposed Ordinances

- A. "AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY, CHAPTER 115, ARTICLES III AND XXVII, SECTIONS 115-15 AND 115-210 REGARDING A DETERMINATION BY THE SUSSEX COUNTY PLANNING & ZONING COMMISSION AS TO PERMITTED USES"
- B. "AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY, CHAPTER 115, ARTICLES IV, V, VI, VIII, IX, X, XI, XIA, AND XII, SECTIONS 115-22, 115-23, 115-31, 115-32, 115-39, 115-40, 115-55, 115-56, 115-63, 115-64, 115-71, 115-72, 115-77, 115-80, 115-83.2, 115-83.6, 115-87 AND 115-88" (ASSISTED LIVING ORDINANCE)
- C. "AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY, CHAPTER 62, ARTICLE III, SECTION 62-7, CHAPTER 72, ARTICLE I, SECTIONS 72-4 AND 72-5, CHAPTER 115, ARTICLES IV, XXV AND TABLE 1 BY AMENDING SECTIONS 115-22, 115-25, 115-182, 115-183 AND 115-194.3 TO REPLACE ALL REFERENCES TO THE "ENVIRONMENTALLY SENSITIVE DEVELOPMENT DISTRICT" WITH "COASTAL AREA"
- D. "AN ORDINANCE TO AMEND ORDINANCE #2620 ADOPTING THE COMPREHENSIVE PLAN FOR SUSSEX COUNTY TO ADDRESS CHANGES TO THE COMPREHENSIVE PLAN RAISED BY THE STATE OF DELAWARE EXECUTIVE DEPARTMENT, OFFICE OF STATE PLANNING COORDINATION, IN A LETTER DATED JANUARY 18, 2019"

Vince Robertson, Assistant County Attorney

1. Subdivision Appeal – Streams Edge Subdivision #2018-8

Grant Requests

1. Woodland School House Association for renovations
2. Laurel Elementary School for 5K run/wellness walk fundraiser
3. Cape Henlopen Senior Center for Rehoboth Concert Band fundraiser

Introduction of Proposed Zoning Ordinances

Council Members' Comments

****Executive Session – Land Acquisition and Pending Litigation pursuant to 29 Del.C.§10004(b)**

Possible Action on Executive Session Items

1:30 p.m. Public Hearings

Conditional Use No. 2155 filed on behalf of Stockley Materials, LLC

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A BORROW PIT TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 158.75 ACRES, MORE OR LESS” (lying on the southwest side of Seashore Highway (Route 18) approximately 0.72 mile southeast of Gravely Branch Road) (Tax I.D. No. 231-6.00-21.00 and 22.01) (911 Address: None Available)

Change of Zone No. 1870 filed on behalf of Coroc/Rehoboth III, LLC

“AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-3 HEAVY COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 10.001 ACRES, MORE OR LESS” (land lying on the north side of Holland Glade Road, approximately 575 east of Coastal Highway (Route 1) (Tax I.D. No. 334-13.00-325.36) (911 Address: None Available).

Conditional Use No. 2157 filed on behalf of Country Lawn Care & Maintenance, LLC (c/o Gerald and Stephania Dougherty

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A LANDSCAPING BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 4.26 ACRES, MORE OR LESS” (lying on the north side of Hollymount Road, approximately 0.42 mile east of Beaver Dam Road) (Tax I.D. No. 234-11.00-78.07) (911 Address: 30435 Hollymount Road, Harbeson)

Adjourn

Sussex County Council meetings can be monitored on the internet at www.sussexcountype.gov.

In accordance with 29 Del.C. §10004(e)(2), this Agenda was posted on February 12, 2019 at 5:00 p.m., and at least seven (7) days in advance of the meeting.

This Agenda was prepared by the County Administrator and is subject to change to include the addition or deletion of items, including Executive Sessions, which arise at the time of the Meeting.

Agenda items may be considered out of sequence.

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¹ Per 29 Del. C. § 10004 (e) (5) and Attorney General Opinion No. 13-IB02, this agenda was amended to include Pending Litigation under Executive Session. The agenda amendment was required to discuss a matter which arose after the initial posting of the agenda but before the start of the Council meeting.