

**COMMUNITY
DEVELOPMENT & HOUSING**

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Sussex County

DELAWARE
sussexcountyde.gov

SUSSEX COUNTY RENTAL PROGRAM
DEVELOPER APPLICATION

Background and Purpose

Sussex County seeks the creation of a full range of housing choices conveniently located in suitable living environments for its residents of low and moderate income. In furtherance of this objective, on December 9, 2008 the Sussex County Council (the "Council") passed Ordinance No. 2016 entitled "An Ordinance to Amend Chapter 72 of the Code of Sussex County Relating to Moderately Priced Housing Units to Establish an Affordably Priced Rental Unit Program, as amended" (the "Sussex County Rental Program", or the "SCRP"). After reviewing market conditions and receiving stakeholder input, the Council passed an amendment to the SCRП on November 1, 2016, known as Ordinance No. 2474 (the "Ordinance"). The Ordinance promulgates rules and regulations for a program having as its goal the creation of affordable rental units. The Ordinance addresses program administration, zoning, processing, residency requirements, purchase, sale, resale, financing, ownership, transfer and enforcement and can be found with its amendment at sussexcountyde.gov under the "Government" tab.

The SCRП Application Process

- 1. Schedule a preliminary meeting with the Department of Community Development & Housing (the "Department") for orientation to the Program, determine project eligibility, and to receive application materials**
- 2. Schedule follow-up meetings as necessary to ensure completeness of application**
- 3. Submit application when completed to the Department for review**
- 4. Once approved, the project may move on to the Planning & Zoning Commission**

Applicants desiring to participate in the application process must schedule a meeting with the Director and Housing Coordinator of Community Development & Housing for orientation and to receive guidelines and application materials. There is no deadline for which to turn in the completed application. The Applicant may schedule additional meetings with the Department as necessary.

Applications are to have Exhibit B attached hereto as its cover sheet and completed to indicate that all required information is included. Applicants should work with Department staff to ensure their application is complete prior to submission. Incomplete submissions will



be returned. *Submissions should be simply and concisely presented. Elaborate or costly plans, renderings or models are not permitted and may not be accepted.*

Applicants are to submit **four (4)** complete copies of the information identified in Exhibit A to the Department at the following address:

Department of Community Development & Housing
Attn: Housing Coordinator
22215 DuPont Boulevard
P.O. Box 589
Georgetown, DE 19947

After verification that all required information is included, submissions will be reviewed by the Departments of Community Development & Housing and Planning & Zoning (the "Departments"). The Departments will review the submissions and determine how the proposals respond to the Ordinance and to the intent of the Program. Upon review of Applicant's submission, the Department of Community Development & Housing shall issue a letter to Applicant stating whether it meets all of the eligibility requirements for the program. A copy of the eligibility letter shall be provided to the Department of Planning & Zoning. A written report on the Department's findings and recommendations will be provided to County Council.

Following the approval process, Applicants may submit proposed projects to all state and local agencies in accordance with all applicable regulatory procedures. The Program does not automatically modify the approval process for site plans or subdivisions, although, as stated in the Ordinance, Council may, in its discretion, modify zoning, zoning criteria and zoning processes to achieve the objectives of the SCRP.

Qualifications

The County Council may modify or terminate this process at any point that it deems it is in the best interest of the County to do so. The County reserves the right to reject any proposal that it deems not to be in compliance with the application process.

Developers that have already completed the Planning & Zoning process may apply to the Sussex County Rental Program. However, the Applicant must be in full compliance with all conditions of the Ordinance to participate. The Applicant will *not receive bonus density or an expedited review* for participation, as the Planning & Zoning process is already finalized.

No legal obligations of any kind with respect to any property will be created by this application process except as stated herein. Legal obligations will only be created upon Applicant's execution of an Acknowledgement of SCRP Participation Agreement which Applicant shall be required to execute upon application to SCRP in order to receive the benefit of expedited review under the Ordinance. The Acknowledgement of SCRP Participation Agreement, including the terms of the SCRP Agreement attached thereto, shall automatically become binding if Applicant participates in the expedited review process and

receives of all public approvals. Applicant shall also execute the SCRP Agreement upon receipt of all public approvals.

Applicants are responsible for all costs associated with participation in this process and bear all risks associated with changes in or termination of the process.

Applicants are advised to thoroughly familiarize themselves with all elements and mechanics of the Ordinance.

Questions should be directed to Brandy Nauman, Housing Coordinator, Department of Community Development & Housing at (302) 855-7779 or bnauman@sussexcountyde.gov.

EXHIBIT A

I. Applicant Information

- A. Entity
 - i. Describe the form of legal organization and names of all principals
- B. Contact Name
- C. Address
- D. Contact telephone and facsimile numbers
- E. Contact e-mail
- F. Housing development experience in Sussex County and elsewhere
 - i. Include a list of no more than 5 recent projects, with total unit information, average square footage, housing unit type, development location, and builder
 - ii. List experience with affordable housing programs, density incentive constructs, and any projects that utilized public monies

II. Property Information

- A. Property name
- B. Proposed subdivision name
- C. Parcel and tax map number
- D. Property size
- E. Property location
- F. Current zoning
 - i. Include any potential changes in zoning
- G. State investment level
- H. Sussex County Comprehensive Plan designation
- I. Delaware State Housing Authority (DSHA) Balanced Housing Opportunities Map Designation (see DSHA's Qualified Action Plan (QAP) online mapping tool)

III. REQUIRED Documentation

- A. Site context map covering five mile radius around the property (scale: 1 in. = 1 mi.) showing relationship to community infrastructure (e.g., roads, shopping, employment areas, schools, medical facilities, etc.) and surrounding residential areas
- B. Evidence of property ownership or control (e.g., deed, contract, etc.); if a contract, copy of the contract with proprietary economic information redacted
- C. Record plat
- D. Existing conditions plan (scale: 1 in. = 200 ft. min.) showing property boundaries, topography with 2' contours, existing improvements (if any), sensitive physical features such as forest, wetlands, tax ditches, streams and areas of steep slop
- E. Environmental Assessment (if required)
- F. PLUS comments (if subdivision is 50 units or more)
- G. Preliminary subdivision plan (scale: 1" = 200 ft.) that includes

- i. Road layouts
 - ii. Lots with key dimensions and areas; NOTE SCRP LOTS/UNITS
 - iii. Open space
 - iv. Wetlands
 - v. Forests
 - vi. Sewer and water systems and, for onsite systems, areas dedicated thereto
- H. Evidence from public water and sewer utility sources that utilities will be provided to the property

IV. Proposed Project

- A. Identification of any Density Incentive sought in excess of the Ordinance
- B. Identification of proposed deviations from the otherwise applicable zoning and subdivision requirements (e.g., lot dimensions and areas, setbacks, etc.)
- C. Total number of proposed housing units
 - i. Number of market rate units
 - 1. Include square footages, breakdown of units by number of bedrooms
 - 2. Provide floor plans, if available
 - 3. Include number of market rate units to be built per construction phase (if applicable)
 - ii. Number of Sussex County Rental Program Units
 - 1. Include square footages, breakdown of units by number of bedrooms
 - 2. Provide floor plans, if available
 - 3. Include number of SCRP units to be built in proportion to market rate units per phase
- D. Community amenities
 - i. Identify community amenities
- E. Building entity
 - i. Identify building entity
 - ii. Specific experience with and of the building entity and relationship to Applicant
- F. Identify the method of affirmatively marketing SCRP units (e.g., multiple listing service, personal sales team, licensed agents, etc.)

V. Narrative *(Do not exceed three single-spaced pages with font size 12)*

- A. Describe how the proposed project is consistent with the Ordinance and, if and where not, the associated public benefit
- B. Describe how the proposed project will contribute to the long-term affordability of the SCRP units (i.e., Universal Design, green building, partnership with non-profit housing developer(s), use of public/private funding for creation of affordable housing, etc.)
- C. Describe any use of Good Design characteristics features (i.e., walkability, parks/open space, grid layout, alleys, landscaping, etc.)

- D. Sussex County endeavors to promote non-discrimination and affordable housing whenever possible throughout the County. In this regard, the Applicant is encouraged to provide affordable housing opportunities to Sussex County residents in all new developments, and affirmatively market those affordable housing units to diverse populations. Describe marketing efforts and provide evidence where applicable (i.e. hosting public meeting, mailing, etc.).
- E. Provide such other input as Applicant desires

EXHIBIT B
Checklist/Cover Sheet

Applicant Name: _____

Date of Submission: _____

APPLICATION SECTIONS	COMPLETED?
I. APPLICANT INFORMATION	
II. PROPERTY INFORMATION	
III. REQUIRED DOCUMENTATION	
IV. PROPOSED PROJECT	
V. NARRATIVE	

NOTE: All sections and sub-sections are REQUIRED information. In addition, all materials under section III must be included with the application at the time of submission.

The information contained herein is true and complete to the best of my knowledge.

Signature of Applicant