

SUSSEX COUNTY COUNCIL-GEORGETOWN, DELAWARE-OCTOBER 1, 2002

**Call to
Order**

The regular meeting of the Sussex County Council was held Tuesday, October 1, 2002, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Finley B. Jones, Jr.	President
Lynn J. Rogers	Vice President
George B. Cole	Member
Dale R. Dukes	Member
Vance C. Phillips	Member
Robert L. Stickels	County Administrator
David B. Baker	Finance Director
Eugene H. Bayard	County Attorney

The meeting was opened by repeating the Lord's Prayer and Pledge of Allegiance to the Flag.

**M 595 02
Approve
Agenda**

A Motion was made by Mr. Dukes, seconded by Mr. Rogers, to approve the Agenda as presented.

Motion Adopted: 5 Yea.

**Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Rogers, Yea;
Mr. Jones, Yea**

**M 596 02
Approve
Minutes**

A Motion was made by Mr. Rogers, seconded by Mr. Phillips, to approve the minutes of September 17, 2002, as distributed.

Motion Adopted: 5 Yea.

**Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Rogers, Yea;
Mr. Jones, Yea**

**M 597 02
Approve
Minutes**

A Motion was made by Mr. Rogers, seconded by Mr. Phillips, to approve the minutes of September 24, 2002, as distributed.

Motion Adopted: 5 Yea.

**Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Rogers, Yea;
Mr. Jones, Yea**

**Corre-
spondence**

Mr. Bayard read the following correspondence:

THERESA H. ROGERS, OCEAN VIEW, DELAWARE.

RE: Letter in appreciation of financial assistance with sewer hookup to her home in Ocean View, with particular thanks to Al Phillips of the County's Community Development and Housing Division and Leon Collins, Director of Utility Billing.

**Veterans'
Home for
Delaware**

Mr. Stickels introduced Charles Farrell, member of the Delaware Commission of Veterans Affairs, who asked to speak to Council regarding the establishment of a veterans' home in Delaware. Mr. Farrell advised that Delaware is the only state in the contiguous 48 states that does not have a veterans' home, and efforts are underway to change that. He explained that the Commission of Veterans Affairs consists of 15 individuals selected and appointed by the Governor and proceeded to introduce the other Commissioners present, as well as Tony Davila, Executive Director of the Commission.

Mr. Davila presented a packet of information for Council's review including a State Veterans' Home Fact Sheet, statistics on the population of veterans by county in Delaware, budget information on construction of a 135,000 square foot building versus a 115,000 square foot building, and a picture of the veterans' home in Collins, Mississippi, similar to what the Commission would like to see in Delaware. Mr. Davila stated it is their intent to provide all three counties with information as to what the Commission would like to do as far as establishing a veterans' home in Delaware, while at the same time gathering support, suggestions, and ideas on how the counties desire to serve the veteran population of the State. The Commission is looking to obtain approximately 20 acres of land that would allow for construction of the facility and a buffer area to provide activities for the residents of the home, such as gardens, parks, picnic areas, ponds for fishing, etc. Mr. Davila noted that there are 84,289 veterans in Delaware, with Sussex County having the second largest veteran population in the State. It is anticipated that the veterans' home would provide health care services that address nursing home care, an Alzheimer/dementia unit, adult day care, and domiciliary care. Veterans would contribute to their care based on a sliding scale formula that would consider personal income. Providing medical services for nonresident veterans would also be considered through a clinic at the facility. The Federal government would provide 65 percent of the funding, with the remaining 35 percent coming from the State.

State Representative Shirley Price was present and informed Council that she was the prime sponsor of House Bill No. 500 which establishes a Veterans' Home Fund in the State of Delaware. This Fund will be listed on the Delaware Personal Income Tax Return Form so that Delawareans can make a contribution when they pay their taxes or receive their refund. The bill is an

**Veterans'
Home for
Delaware
(continued)**

attempt by the State of Delaware to meet its obligation to help with the building fund effort. Representative Price stated that she would like to see the facility located in Sussex County and suggested that the Council may be of assistance in securing land and/or funding to support with this project.

It was the consensus that Council is supportive of the efforts of the Delaware Commission of Veterans Affairs to build a veterans' home in Delaware and the information presented will be taken under advisement.

**Adminis-
trator's
Report**

Mr. Stickels read the following information in his County Administrator's Report:

1. Delaware Department of Transportation

The Delaware Department of Transportation is holding a public workshop to present facts and solicit public comments regarding the proposed construction on Road 319 from SR-5 to SR-30. The meeting will be held on Wednesday, October 16, 2002, at the Milton Middle School cafeteria, 512 Federal Street, Milton, Delaware. The public is invited to attend any time between 4:00 p.m. and 7:00 p.m.

The proposed project would include the reconstruction of Road 319 from SR-5 to SR-30 and the replacement of Bridge No. 3-806 at Diamond Pond. The replacement of Bridge No. 3-918 at Reynolds Pond and SR-30 would also be included in this project. The improvements are designed to establish a truck route which would reroute truck traffic around Milton and effectively remove it from the historic district of the town.

2. Community Development Block Grant

We have received notification from 16 towns in Sussex County that they wish for the Sussex County Community Development and Housing Division to apply on their behalf for Community Development Block Grant funding. Included with this report is a list of the 22 hearings that will be held in preparation of this application.

**Airport
T-Hangar
Extension/
Bid
Results**

Mr. Sapp, Project Engineer, reported on bid results for Sussex County Project No. 99-02, Four (4) Unit T-Hangar Extension at the Sussex County Airport. The four units will be an extension to the existing six units already located at the airport, for a total of 10 hangars in one building. Mr. Sapp explained that the project was bid two ways. Alternate Bid "A" includes construction of four units with fire suppression for all ten units, and Alternate Bid "B" is for construction of two units without fire suppression. The engineer's estimate for the project was \$200,000. The following bids were received:

Airport T-Hangar Extension/ Bid Results (continued)	<u>Bidder</u>	Alt. Bid Form "A"	Alt. Bid Form "B"
		<u>4 Units w/Fire Sup.</u>	<u>2 Units w/o Fire Sup.</u>
	Kent Construction	\$280,447	\$153,030
	C.M.S.I.	\$239,900	\$119,900
	Building Concepts	\$209,800	\$138,200

Council was provided an Airport Hangar Analysis showing the estimated rent income and estimated annual expenses for the four additional hangars, with payback estimated at 15.89 years based on current income rates. Mr. Cole questioned this figure and suggested that the T-hangar rental be increased to shorten the number of payback years.

It is the recommendation of the Engineering Department that the bid be awarded to the low bidder, Building Concepts of Smyrna, Delaware, in the amount of \$209,800.

M 598 02
Award
Bid/
Sussex
County
Airport
T-Hangar
Extension

A Motion was made by Mr. Rogers, seconded by Mr. Dukes, based upon the recommendation of the Sussex County Engineering Department, that today, October 1, 2002, the Sussex County Council awards Project No. 99-02, Four (4) Unit T-Hangar Extension at the Sussex County Airport, to Building Concepts of Smyrna, Delaware, in the bid amount of \$209,800.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Rogers, Yea;
Mr. Jones, Yea

Pump
Station
100
Upgrade
and Force
Main

Mr. Stewart, Project Engineer, discussed substantial completion of Sussex County Project No. 01-05, Pump Station 100 Upgrade and Force Main, located in the South Ocean View area. Upgrade of this pump station and construction of a 14-inch force main fulfills one of the recommendations of the County's South Coastal Area Planning Study. Prior to this work being completed, the pump station was limited because it discharged through an eight-inch force main to another small pumping facility, which then pumped wastewater to the South Coastal Regional Wastewater Facility. Pump Station 100 now pumps directly to the South Coastal plant through the new force main.

M 599 02
Grant
Substantial
Completion/
Pump
Station
100
Upgrade
and Force
Main

A Motion was made by Mr. Cole, seconded by Mr. Rogers, based upon the recommendations of Sussex County's consulting engineer, George, Miles & Buhr, and the Sussex County Engineering Department, and contingent upon approval of the USDA Rural Development Agency, that the Sussex County Council grant Substantial Completion, effective September 9, 2002, to David A. Bramble, Inc., for Sussex County Project No. 01-05, Pump Station 100 Upgrade and Force Main.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Rogers, Yea;
Mr. Jones, Yea

Requests

Mr. Stickels presented requests for grant funding.

M 600 02
Council-
manic
Grant

A Motion was made by Mr. Cole, seconded by Mr. Rogers, to give \$500.00, \$100.00 from each Councilmanic Account, to the Delaware Housing Coalition for sponsorship of the Sussex Housing Group Conference.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Rogers, Yea;
Mr. Jones, Yea

M 601 02
Council-
manic
Grant

A Motion was made by Mr. Dukes, seconded by Mr. Cole, to give \$600.00, \$120.00 from each Councilmanic Account, to the Delaware Police Chiefs' Council, Inc., as partial reimbursement for the Local Police Coordinator to attend a meeting of the Committee of Executive Directors at the International Association of Chiefs of Police Annual Conference in Minneapolis, Minnesota.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Rogers, Yea;
Mr. Jones, Yea

M 602 02
Council-
manic
Grant

A Motion was made by Mr. Rogers, seconded by Mr. Dukes, to give \$500.00, \$250.00 each from Mr. Rogers' and Mr. Jones' Councilmanic Accounts, to Sussex Central High School for the German-American Exchange Program.

Motion Adopted: 5 Yea.

**M 602 02
(continued)**

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Rogers, Yea;
Mr. Jones, Yea

**M 603 02
Council-
manic
Grant**

A Motion was made by Mr. Phillips, seconded by Mr. Dukes, to give \$500.00 from Mr. Dukes' Councilmanic Account to the Woodland Ferry Association for their scholarship program.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Rogers, Yea;
Mr. Jones, Yea

**Proposed
Ordinance**

Mr. Jones introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A PRIVATE CEMETERY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NORTHWEST FORK HUNDRED, SUSSEX COUNTY, CONTAINING 14,996 SQUARE FEET, MORE OR LESS, OF A 68.3 ACRE PARCEL" (Conditional Use No. 1475) filed on behalf of Frank Jody Brown. The Proposed Ordinance will be advertised for Public Hearing.

**Recreation
Grant
Requests**

Mr. Cole discussed recreation grant requests that are presented to Council for funding. It is Mr. Cole's feeling that an inventory of the recreational programs available in Sussex County to all age groups should be established and grant funding applied for, similar to Human Service Grants, with specific criteria to be followed in the application process. Mr. Cole suggested that a funding mechanism be set up with funds earmarked for these recreation grant requests. Mr. Phillips and Mr. Dukes each stated that they scrutinize grant requests on an individual basis as they are submitted within their districts, and they do not see the need to change the current procedure for awarding these types of grants.

**Mothers
Against
Drunk
Driving
(MADD)
Ceremony**

Mr. Jones advised that he attended a Candlelight Vigil sponsored by Mothers Against Drunk Driving (MADD) on Friday evening, September 27, 2002, which was held on The Circle in Georgetown. Mr. Jones was asked to announce that membership to this organization is available at a cost of \$20.00 per person, and Lawrence Sammons, Treasurer of MADD, will be providing application forms for Council's consideration on an individual basis.

**M 604 02
Recess**

At 11:10 a.m., a Motion was made by Mr. Dukes, seconded by Mr. Rogers, to recess until 1:30 p.m. Motion Adopted by Voice Vote.

Reconvene Mr. Jones called Council back into session at 1:30 p.m.

Public Hearing (C/U No. 1464) A Public Hearing was held on the Proposed Ordinance entitled, "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO AMEND CONDITIONAL USE NO. 1240 (AUTOMOBILE REPAIRS AND AUTOMOTIVE SALES) TO ALLOW EXPANSION OF THE NUMBER OF VEHICLES DISPLAYED FOR SALE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 2.1758 ACRES, MORE OR LESS" (Conditional Use No. 1464) filed on behalf of Wilson and Alberta Cullum.

The Planning and Zoning Commission held a Public Hearing on this application to allow for the expansion of the number of vehicles displayed for sale on September 12, 2002, at which time action was deferred. The record of the Planning and Zoning Commission was incorporated into the record of this Public Hearing.

Mr. Lank reported that additional correspondence has been received since the Commission's Public Hearing from Debbie Absher, District Coordinator, Sussex Conservation District, dated September 12 and received September 18, 2002, in reference to drainage, flooding, and soils in the area.

The Council found that Wilson Cullum; Tim Willard, Attorney; and Troy Hazzard, the operator of the repair shop and sales facility, were present on behalf of the application and stated in their presentations that the conditions of Conditional Use No. 1240 approved in 1998 limited the number of vehicles displayed for sale to six vehicles; that offering six vehicles for sale is not adequate to run an automotive sales business; that they are requesting permission to permit the display of 25 vehicles for sale; that the site is in an area of mixed commercial and business uses; and that a seven-foot high stockade fence has been erected on the property to distinguish the auto repair from auto sales display area.

The Council found that George Rust and R. J. Seaton were present in support of the application and stated that the business is a very neat, clean, well-run operation and fits in well with the surrounding area.

There was no one present in opposition to the application.

The Public Hearing was closed and action was deferred due to the fact that Council can take no action until a recommendation has been received from the Planning and Zoning Commission.

Public
Hearing
(C/Z
No. 1478)

A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 1.87 ACRES, MORE OR LESS" (Change of Zone No. 1478) filed on behalf of Leo M. Donohoe.

The Planning and Zoning Commission held a Public Hearing on this application on September 12, 2002, at which time they recommended that the application be approved. The record of the Planning and Zoning Commission was incorporated into the record of this Public Hearing.

Mr. Lank reported that additional correspondence has been received since the Commission's Public Hearing from Debbie Absher, District Coordinator, Sussex Conservation District, dated September 12 and received September 16, 2002, in reference to drainage, flooding, and soils in the area; and from Russell W. Archut, Assistant County Engineer, Planning and Permits Division, Sussex County Engineering Department, dated September 4 and received September 18, 2002, containing subdivision plan review comments pertinent to the application.

The Council found that Leo and Tom Donohoe and Sally Ford, Surveyor, were present on behalf of the application. Ms. Ford stated in her presentation that the applicant is proposing to divide his property into five lots; that the applicant and his brother will retain two of the lots; that three lots will be offered for sale; that central sewer is available from the County; that central water is available from Tidewater Utilities; that high density and medium density developments are immediately adjacent to the site; and that a ten-foot buffer of trees will be located along the bank of the ditch on the property.

There were no public comments and the Public Hearing was closed.

M 605 02
Adopt
Ordinance
No. 1562
(C/Z
No. 1478)

A Motion was made by Mr. Cole, seconded by Mr. Dukes, to Adopt Ordinance No. 1562 entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 1.87 ACRES, MORE OR LESS" (Change of Zone No. 1478) filed on behalf of Leo M. Donohoe.

Motion Adopted: 4 Yea, 1 Absent.

**M 605 02
(continued)**

**Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
 Mr. Dukes, Yea; Mr. Rogers, Yea;
 Mr. Jones, Absent**

(Mr. Rogers noted that Mr. Jones had to leave to attend a meeting with the County Administrator at the Sussex County Airport.)

**Findings
of Fact**

The Council found that the change of zone was appropriate legislative action based on the following findings of fact:

- 1. The applicant established by substantial evidence that the proposed change of zone is consistent with the purposes and goals of the Comprehensive Development Plan, is in a Development District, and is consistent with the character and trend of development in the immediate area.**
- 2. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.**

**M 606 02
Recess**

At 2:10 p.m., a Motion was made by Mr. Dukes, seconded by Mr. Cole, to recess until 6:00 p.m., at which time Council will reconvene at the CHEER Community Center, 5 Sand Hill Road, Georgetown, Delaware, for a Public Hearing regarding the Sussex County Comprehensive Land Use Plan Update. Motion Adopted by Voice Vote.

Respectfully submitted,

Susan W. Webb

Susan W. Webb

Acting Clerk of the Council

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, OCTOBER 1, 2002

Reconvene The Sussex County Council meeting of Tuesday, October 1, 2002 reconvened at 6:00 p.m. at the CHEER Community Center, Sand Hill Road, Georgetown, Delaware. The following were present:

Finley B. Jones, Jr.	President
Lynn J. Rogers	Vice President
George B. Cole	Member
Dale R. Dukes	Member
Vance Phillips	Member
Robert L. Stickels	County Administrator
Eugene Bayard	County Attorney
Thomas Shafer	Shafer Consulting

**Public
Hearing/
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hensive
Plan
Update**

A Public Hearing was held on the 2002 Sussex County Comprehensive Plan Update and the Proposed Ordinance entitled "AN ORDINANCE ADOPTING THE 2002 UPDATE OF THE COMPREHENSIVE PLAN FOR SUSSEX COUNTY AND REPEALING THE 1997 COMPREHENSIVE PLAN".

The meeting was called to order by President Jones at 6:00 p.m.

Mr. Lank, Director of Planning and Zoning, summarized the minutes of the Planning & Zoning Commission's meetings held on August 29, September 11, and September 19, 2002. On August 29, 2002 the Planning and Zoning Commission held a Public Hearing on the 2002 Sussex County Comprehensive Plan Update. At the conclusion of the Public Hearing, the Commission announced that they would keep the record open for written comments until September 10, 2002. On September 11 and September 19, 2002; the Commission discussed the Public Hearing held on August 29, 2002; the comments heard during the Public Hearing; and the comments received until September 10, 2002 on the Update. The Commission recommended the adoption of the Proposed Ordinance adopting the 2002 Comprehensive Plan for Sussex County and repealing the 1997 Comprehensive Plan with the suggestion that the supporting ordinances be considered. (Attached hereto is a copy of the minutes of the meetings held by the Planning and Zoning Commission referred to above; a letter from Representative Shirley Price regarding recommendations relating to the Environmentally Sensitive District; and the recommendations of the Commission.)

Mr. Shafer of Shafer Consulting, Consultants to the County for preparation of the 2002 Update of the Comprehensive Plan for Sussex County, reviewed a letter, dated September 30, 2002, from the Office of State Planning Coordination which provided final comments on the Comprehensive Plan from the State through the LUPA process. Mr. Shafer advised that he,

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hensive
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along with County officials, met with Connie Holland and Anne Marie Townsend to review the comments and develop a list of the ones that are essential to be addressed in the final Plan, as follows:

- A separate chapter on implementation should be included so that it is clear what the next steps will be for the County to implement the Plan. Ordinances that will be needed to implement the Plan should be listed and described.
- The vision for this area (Environmentally Sensitive Developing Area) needs to be made clear and the County's intentions for this area should be spelled out with an implementation plan that shows how the County will meet their goals in this area.
- The plan does not seem to indicate any phasing for the development areas. Phasing should be included to better guide State and County investments and decision-making in development areas.
- No comparison to the Strategies for State Policies and Spending document are made in the Plan. The Plan and the maps should reflect community and developing areas as currently in the Strategies so that the State can compare inconsistencies between the two plans.
- The Environmentally Sensitive Developing Area's expansion in the Route 113 area of Dagsboro/Millsboro is questionable. This delineation would change this area from Rural to Environmentally Sensitive Developing. The State would like to see the entire Inland Bays watershed labeled as an Environmentally Sensitive Area and subject to stringent environmental standards to protect the quality of the bays. However, we do not want to use an expansion of the Development area. Therefore, the County should work with DNREC and OSPC to determine how best to approach development in the watershed.
- The Bridgeville annexation area, as described in their currently certified comprehensive plan, is incorrect in the County Plan.

Mr. Shafer reported that the Office of State Planning Coordination also had further comments:

Land Use Element

- Demographic information is insufficient. The plan does not clearly link the overlay zones mentioned in the Land Use Element to either the zoning districts mentioned on Page 20 or to the Future Land Use map. As a result, there is no way to determine what will be the resulting land use throughout the County.
- The following items are not on the Future Land Use map: Rural Development District; Natural Resource Protection Area; Conservation District; Public and Private Resource District.
- The land use element should detail recent development trends, if not on a parcel basis then on a sub regional basis (Census tracts, CCDs, TAZs, etc.). How many units have been built in the last 5 years; where are they located; how many in the pipeline has been approved for construction?

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- The population numbers given are not consistent with the 2001 Delaware Population Consortium. According to the Population Consortium report published October 18, 2001, the 2000 population of Sussex County was 156,638, and the projected 2020 population is 221,458. The 2002 Delaware Population Consortium projections will be published on October 8. Also, the change in population between 1990 and 2000 should be noted here.
- Replace “The Route One Task Force” with “State Route 1 Land Use/Transportation Study, a joint effort of Sussex County and the Delaware Department of Transportation”.

Mobility Element

- This element seems to be taken directly from the Sussex County Long-Range Transportation Plan. The County should do some analysis of the data presented in this plan and should detail what the County will do with land use planning to help DelDOT achieve its transportation goals.
- Discussion of the current County partnership with DelDOT on the SR 1 Transportation and Land Use Study should be included.

Water & Wastewater Element

- The Wastewater map appears to be incorrect. Ocean View is shown as a municipal system, while it is part of the County System. The map does not show the extension of the Georgetown Sewer District that is intended to service the Stockley School site (new Indian River High School), and the map does not show the County sewer districts at all.
- The Wastewater Plan Element should provide details about each sewer district. It should include an analysis of current capacities, allocations, excess capacity, etc., to determine how much development the sewer system can serve. Are there any technical limitations on the any of the districts? Where are there areas of failing septic systems that the County has prioritized for sewer to handle existing development? The capacity of the systems should be linked to the anticipated growth specified in the land use plan to determine if there is available capacity, and if not, what plans the County has for providing capacity? It also appears that some of the numbers should be updated from the 1997 plan if data is available.

Conservation Element

- Page 37 lists the state parks and Prime Hook National Wildlife Refuge, but the plan does not mention the many acres of State Fish and Wildlife lands or the private conservation lands owned and managed by The Nature Conservancy, Delaware Wild Lands and others. The Plan also omitted the existence of the Redden State Forest which consists of 9,528 acres.
- Also, the State Land Protection Act requires counties to adopt land use regulations to protect the “unique ecological functions” of these State Resource Areas, most likely through zoning overlays. The Plan does not address this requirement. Natural Areas should also be included in the

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hensive
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discussion and mapped (at least where they are not encompassed by State Resource Areas).

- Figure 6, Conservation and Recreation Plan, shows the State Resource Areas in one color. This should be changed to show one color for protected lands, and another color for land proposed to be protected.

Recreation and Open Space Element

- On pages 43 and 44, the Plan refers to the Statewide Comprehensive Outdoor Recreation Plan (SCORP), 1989 – 1994 Demand and Needs Assessment. This was an assessment completed for the 1990 SCORP. The information in this assessment is used to support the County's claim that there is no need for local or regional recreation. There are two more current surveys, one conducted in 1995 and one completed in spring 2002, that show that Sussex County residents do believe there is a need for more close-to-home recreation opportunities. The County should use current information.

Housing Element

- The Housing Element should include a more detailed analysis of housing stock.

Intergovernmental Coordination Element

- Page 51 refers to Intergovernmental Coordination Zones. These zones should be mapped around each municipality, and the specific strategies for how the County will coordinate with municipalities in these zones should be included.

Maps

- Although maps are discussed throughout the letter, I thought we should summarize some of our comments regarding maps. We have been unable to evaluate that the plan is consistent with State Strategies due to lack of access to digital data files. In order to adequately review the consistency of the Future Land Use map with the State Strategies, the State requests the digital data files associated with the Town Centers, Developing Areas, and Environmentally Sensitive Developing Areas. We would also like to see more clarity in the maps and more continuity and consistency between maps and text. The plan should also include the maps from the State Strategies and a County Zoning map.

Mr. Shafer stated that all of the issues will be addressed by the County.

Mr. Bayard reported on the following correspondence:

DR. MARIAN DAVIS, MILLSBORO, DELAWARE.

RE: Commentary regarding the 14th and 10th Amendments to the Constitution of the United States of America.

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PAT CAMPBELL-WHITE, REHOBOTH BEACH, DELAWARE.

RE: Comments in opposition to further restricting density in the environmentally sensitive development zone; increasing buffers around tidal wetlands; excluding golf courses and isolated wetlands from density calculations; requiring a 25' buffer around isolated wetlands; and requiring a new zoning category for any commercial building over 75,000 square feet.

Mr. Stickels introduced a letter into the record dated September 30, 2002 from the State of Delaware, Executive Department, Office of State Planning Coordination, in response to his letter of September 27, 2002 asking for an extension in the completion of the Comprehensive Plan Update until December 31, 2002. The letter from the Office of State Planning advises that the State has no objections to granting an extension until December 31, 2002.

Mr. Stickels reported that the Sussex County Council will be conducting Executive Workshops in the Council Chambers on Tuesday, October 8th at 1:30 p.m., Tuesday, October 15th at 1:30 p.m., and Tuesday, October 22nd at 1:30 p.m. Notice has been posted on the bulletin board in the County Administrative Offices. Mr. Stickels also reported that the Planning and Zoning Commission will conduct a Public Hearing on November 21st at 7:00 p.m. (time to be confirmed) in the Council Chambers and that the Sussex County Council will conduct a Public Hearing on December 3rd at 1:30 p.m. in the Council Chambers. The Public Hearings will be advertised.

Mr. Stickels reviewed the required elements of the Comprehensive Plan Update:

- **Land Use** – To direct and balance growth with divisions of public infrastructure and service.
- **Mobility/Transportation** – To preserve and enhance the existing transportation system, improve travel safety, and create additional travel alternatives through a multi-modal transit network. (On September 12th, the County Council presented a request to DelDOT for road improvements to Sussex County totaling close to \$1 billion, to be completed within the next 5 – 15 years.)
- **Water and Wastewater** – Should provide a water and wastewater system that will protect critical natural environment and provide infrastructure for growth.
- **Conservation** – Protect critical natural resources by documenting their location and develop growth management strategies to limit development in these areas which would require an Environmentally Sensitive Development Area Ordinance.
- **Recreation and Open Space** – A new area the County will be getting into in the next five years. Currently, there are five State Parks and one Federal land reserve in Sussex County. Past Councils have resisted duplicating services between governments, but it is an area that the County will be looking at. The County has provided \$1 million towards a partnership with the Sussex County Land Trust for the purchase of

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land development rights. On Tuesday, October 8th, the County Council will consider providing \$500,000 to match the State's \$2 million for a Farmland Preservation Program.

- **Housing Strategies** - Will require a complete range of housing opportunities for all residents of Sussex County.
- **Intergovernmental Coordination** – Insures cooperation between governments (Federal, State, County, Municipalities).
- **Community Design** – To revitalize the County, towns and cities and adjacent areas in a manner which will encourage private investments along with public investments to deal with the growth.
- **Historic Preservation** – Provide a complete range of housing opportunities to protect the historic areas. The County has a Historic Planner who works with many historic groups and the municipalities.
- **Economic Development** – Direct public and private investments in a manner which promotes growth and economic stability. The County is looking at targeting Georgetown and Seaford as employment centers (areas providing sufficient housing and employment opportunities to cut down on travel).

Mr. Stickels reviewed the Land Use Plan Map and the goals of the Plan. Overall, the density has been reduced approximately 30 percent from the 1997 Land Use Plan. The goals are to direct and balance growth; provide housing opportunities and choice; build better communities; protect the environment; implement fair measures to pay for growth; ensure coordination between County and local municipalities; and protect private property rights.

Mr. Stickels reviewed the fourteen considerations for the updated plan:

- Reduce size of developing areas.
- Use approved municipal plans and State Investment Strategy Map to delineate Town Centers and Developing Areas. Grandfather existing zoning except for provisions for sunseting.
- Limit density to four dwellings units per acre in commercial zones.
- Create a new commercial zone, revise permitted uses in C-1, C-2, and B-1 zones.
- Retain existing three-quarter minimum lot size in AR-1 zone or allow clustering to one-half acre lots.
- Use base density from present regulations, but reduce minimum lot size to 7,500 square feet in RPC, MR, and GR zones.
- Set minimum open space requirements for all residential zones.
- Incorporate provisions from Long-Range Transportation Plan in mobility element.
- Extend Corridor Overlay Zone to US 13 and US 113.
- Consider effect of Total Maximum Daily Load regulations.
- Consider Air Quality standards.
- Review existing permitted uses in low density zone, Ag-Campus and Bio-Tech Campus.

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- Require sidewalks or pathways, streetlights, and street trees in moderate or high density residential zones and commercial areas.
- Consider implementation of a “Transfer of Development Rights” program.

Mr. Stickels advised that the Land Use Plan will require supporting ordinances relating to commercial zoning density reduction, wetlands setbacks – tidal/non-tidal, Route 13/Route 113 corridor overlay, east-west corridor overlay, defined open space requirements, community design, TAC review for RPC developments, schedule of construction clause for RPC developments, environmentally sensitive area; overlay zones, clustering, Transfer of Development Rights sending program, biotech industry campus, agriculture-business zone, C-2 zoning, and pre-application program.

Public comments were heard.

Bruce A. Richards (Center for the Inland Bays)

Mr. Richards’ comments were submitted in written form and are attached to and made a part of these minutes.

Roland West

Mr. West expressed concern about the ordinances proposed to control the zoning, etc.; property rights; and the definition of wetlands.

Lee Jones (Citizens Coalition)

Mr. Jones’ comments were submitted in written form and are attached to and made a part of these minutes.

Til Purnell (Friends of Herring Creek)

Mrs. Purnell commented on concerns expressed by the Friends. The Inland Bays and their tributaries are still insufficiently protected. The Friends of Herring Creek take specific objection to the area being described as an Environmentally Sensitive Development Area and prefer that it be described as an Environmentally Sensitive Area, which requires special care and attention. The Plan should have some provisions which recognizes that there must be some sort of equation between the carrying capacity of the land, the adequacy of the available infrastructure, and its repeated use for housing and commerce. As it is now, those that profit from the use of the land are sometimes required to make small corrective changes to local roads, water systems, and sewer; but the impact on the major roads and evacuation routes does not appear to be figured into the total picture. The Friends think that further loading of these facilities should be made dependent on their ability to handle the burdens placed upon them. The Friends are strongly in favor of impact fees to provide for this.

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Steve Callanen

The Nanticoke River is one of Delaware's most valuable environmental resources. The Nanticoke River watershed should be identified as an Environmentally Sensitive Area in the new Land Use Plan.

The Developing Area label must be removed from the large area surrounding the bays and reserved for the areas around towns.

Land identified as wetlands by the State and Federal Government (where building construction is not allowed) should not be used in a developer's net density calculation for the purpose of increasing housing density on adjoining land. Likewise, golf courses should be eliminated from the net density calculation.

Sallie Callanen, Sierra Club

Mrs. Callanen's comments were submitted in written form and are attached to and made a part of these minutes.

Mrs. Callanen read a letter dated August 26, 2002 from the United States Geological Survey in response to her inquiries regarding the water/wastewater element of the proposed land use plan.

Michael Tyler (Citizens Coalition)

A Comprehensive Plan should be a legal document that provides a vision for the people living in the County and must give developers and land users a clear understanding of how the County desires development to occur and how it wishes to manage growth. The Plan Update does little to implement this kind of vision.

The Plan Update contains numerous contradictions and unclear wording.

The Comprehensive Plan has to have the force of law; it cannot be advisory. Words in the Plan such as "should" or "urge" must be removed and replaced with "shall" and "must".

Critical areas must be addressed because of the seriousness of the consequence if they are ignored.

- Why has the City of Lewes been designated as a Town Center?
- Remove the word "Development" from the Environmentally Sensitive Development District.
- The area from Lewes to Rehoboth abutting the State Park lands and the Lewes Rehoboth Canal, east of Route One, must be identified as environmentally sensitive.

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- The density standards and guidelines are inappropriate for the Environmentally Sensitive District. The Coalition suggests that on-site septic systems not be permitted and that density be limited to four dwelling units per acre regardless of style or dwelling type.
- The Plan contains out-of-date references and data.
- Density should not be the defining concept that drives development of Residential Planned Communities. The RPC is the most abused land use tactic. Open space percentages based on density and the MR and HR overlays need to be eliminated.
- The Inland Bays Watershed needs to be protected; the area should not be a growth area.

George Noble

Mr. Noble commented on the culture which is based on caring for the earth, interacting with the environment, and creating sustainable human environments. Mr. Noble commented on the use of ecology, rather than business or industrial products, as the basis for designing integrated systems of local food production, housing, technologies, and economic development.

Marty Ross (Sussex County Farm Bureau)

The Bureau does agree with the concept of Bio-tech Industry Campuses and Agriculture Industry Zones in the low residential density areas. The Bureau also agrees with the goals of the Comprehensive Land Use Plan.

Generally, there is no financial incentive within the Plan to preserve open space. Open space uses need to be prioritized and value added to those areas.

There is no Federal or State law referencing non-tidal wetlands; it is premature to put any references to it.

The Farm Bureau strongly supports the Agricultural Land Preservation Foundation.

Robert Raley

Higher density is needed – controlled density – so that open space can be kept available in Sussex County.

Barbara McGowan

The pre-application process is an excellent plan idea.

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Ample roads must be in place before housing/cluster housing/high density housing is approved.

Golf courses should not be considered as open space.

Mayor Samuel Cooper, Rehoboth Beach

The Plan, as drafted, shows an expansion of the Environmentally Sensitive Development Area to the west of where it now exists along Route One. Mayor Cooper stated that he feels this is premature, based on comments received through the Citizens Advisory Group to the Route One Transportation Plan.

Mayor Cooper also spoke on behalf of the Association of Coastal Towns regarding the suggestions made by the mayors of the eight coastal towns in December, 2001.

Harry Haon

Mr. Haon presented a statement from the Association of Coastal Towns.

Mr. Haon's comments were submitted in written form and are attached to and made a part of these minutes.

Sandra Ware, Positive Growth Alliance

The Land Use Plan needs to address affordable housing.

Michael McGroerty

The Land Use Plan needs to be designed with some flexibility.

The Nanticoke River Watershed is the largest within Delaware.

Page 9 of the Land Use Plan Update needs to be changed to read "The purpose of designating the Environmentally Sensitive Area is to recognize that the Nanticoke River Watershed of Sussex County is a major resource of the County and must be protected from insensitive development of the surrounding area. Mr. McGroerty advocates an Environmentally Sensitive Area on the Nanticoke River.

Remove the word "Development" from the term Environmentally Sensitive Development Area.

Chad Dickerson

Keep in mind the future use of agriculture and the future generations of farmers.

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Mabel Granke, Citizens Coalition

Ms. Granke expressed several concerns. The statement on Page 3 that “growth has increased slightly over the last five years....” is an absolute affront to all residents who live along the Route One corridor and anyone who uses Route One. This statement only covers 1992 – 1997. Where are the 11,393 dwelling units located; what has been built since 1997; what is approved; what about commercial square footage and where has it been built since 1997? Averaging over the entire County is unacceptable.

Comments made by Ms. Granke regarding the Mobility Element were submitted in written form and are attached to and made a part of these minutes.

Wolfgang Von Baumgart, Independent Party of Delaware

Mr. Von Baumgart inquired as to the exact cost of this study to date.

Mr. Von Baumgart stated that the Draft Land Use Plan Update is “scientifically and technically unworthy of any author to make a lengthy report without including a detailed bibliography (scientific references)” and that the Plan did not contain a comprehensive definition of the existing zoning classifications.

He stated that the Plan offers insufficient environmental protection; it needs to provide for increased buffer zone protection; it needs to create wildlife corridors; the Plan does not preserve the integrity of the overall ecosystem; estuaries are critical; pollution control strategies have not been addressed; a damaged environment will create a damaged economy; from a quality of life standpoint, our power grid will be over-loaded; we must concern ourselves more with the welfare of existing Sussex Countians rather than bringing in more people at an accelerated rate; the carrying capacity of the watershed must be considered; a sustainable agricultural council needs to be created; there is insufficient public water access; evacuation and public safety should be considered as development-limiting factors; and quality of life and environmental concerns should be considered when approving developments.

Joe Conaway, President, Bridgeville Town Commission

Mr. Conaway stated that the Sussex County Council and its employees go out of their way to cooperate with local governments.

Mr. Conaway commended the Council for listening to all of their constituents and complimented the County on the Land Use Plan Update.

Mr. Conaway stated that distance has nothing to do with buffers and that what you do with buffers is most important.

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Richard Collins, Positive Growth Alliance

Mr. Collins commented on the amount of water given the amount of development in the County and that, according to the U.S. Census, the County's population density is 167 people per square mile; that there are 43 cities in this County with a population density of 10,000 people per square mile or more; that there are 572 cities with a population density of 1,000 people or more per square mile, and that many of those are surrounded by millions of people in the suburbs. We have water to drink.

Mr. Collins commented on the buffer. Currently the 50 foot buffer consumes 4 percent of our land area around the water; a 100 foot buffer would increase that to 8 percent. Considering the value of the land, some people will be upset if the buffer is increased.

Mr. Collins commented on the concern expressed by others about the highways and that the County Council occasionally approves development before the highways are ready. We are being held hostage by the State in that they simply will not improve the roads that need to be done and if we are to "not approve" anything before we have the highway, then we will simply stop everything.

Mr. Collins commented that one thing he has not heard about during this Public Hearing is the people; that sometimes we tend to put the environment, etc. on a pedestal. What about the people in this equation? We need to look after their welfare.

Mr. Collins stated that Council has been told from time and time that they have created over-development. However, in just the four years since the last Plan was approved (1998-2001), the value of the building permits (just the cost of the buildings) is \$1,319,000. This figure is half wages to the people who live in Sussex County; that is a tremendous service to the workers and families of the County. Mr. Collins pointed out that despite this economic activity, the medium family income in Sussex County is still only 70 percent medium income families in New Castle County. It is obvious that if the new Land Use Plan dramatically cuts this activity, it would have to lead to tremendous unemployment and financial stress on the County's workers.

Mr. Collins stated that we are in a real estate bubble and there are two factors driving it; the collapse of the stock market and low interest rates. This is going to change and when it does, there is going to be a flood of houses on the market. Mr. Collins suggested that now is not the time for a "panic application of brake peddle", because it is going to do it on its own.

[Page 12 and Page 13 of the minutes were corrected and amended by the Sussex County Council on October 8, 2002. Corrections are double-underlined.]

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Mr. Collins stated that the key for the Plan is balance; it is not a Plan just for developers or for those who want to stop development. The people of Sussex County appreciate and understand the benefits of limited government and are depending on the Council to continue with their faith in that whole concept.

Mr. Collins submitted written comments itemizing specifically what the Positive Growth Alliance is requesting. Mr. Collins' comments are attached to and made a part of these minutes.

Rick Woodin, President, Homebuilders Association of Delaware

Mr. Woodin stated that homebuilders support environmental protection; they encourage clustering as a use by right; they support comprehensive planning. Homebuilders' concerns are that they need adequate density in growth areas; that lot sizes should provide for further flexibility and should be left open to the market; that smaller lot sizes will create additional open space; that isolated wetlands should be protected only to the extent that they are meaningful wetlands; that options for mitigation of wetlands and wetlands banking can provide a better beneficial impact to the environment; that buffers along stream corridors should be measured in terms of average buffers, not specified minimum distances; that buffers should be applied to properties in excess of 10 acres; that buffers should be applied to isolated wetlands in excess of 10 acres; and that golf courses should be counted as open space.

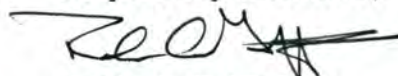
There were no further public comments and the Public Hearing was closed.

Mr. Jones announced that the record will remain open until the close of business on October 7, 2002.

M 607 02
Adjourn

A Motion was made by Mr. Cole, seconded by Mr. Dukes, to adjourn at 8:50 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the Council

[Page 12 and Page 13 of the minutes were corrected and amended by the Sussex County Council on October 8, 2002. Corrections are double-underlined.]

[Attachments to the minutes, as referenced, are attachments to the original minutes which are filed in the Office of the Clerk, Sussex County Administrative Office, 2 The Circle, Georgetown, Delaware. The attachments are available for public review.]

DELAWARE



Limulus polyphemus

CENTER FOR THE INLAND BAYS

Rehoboth Indian River Little Assawoman

October 1, 2002

The Honorable Finley B. Jones, Jr., President
Sussex County Council
2 The Circle
P.O. Box 589
Georgetown, Delaware 19947

Dear President Jones and Fellow Councilmen:

On behalf of the Center for the Inland Bays Board of Directors, I wish to thank the Sussex County Council for the opportunity to make the following comments related to the Draft Sussex County Land Use Plan. During our review of the Draft Land Use Plan, we were pleased to find that the Inland Bays were referenced 42 times, that the Inland Bays' Comprehensive Conservation and Management Plan (CCMP) was referenced nine times, and that the Center for the Inland Bays was referenced by name as well. We believe this reinforces the value and importance residents and visitors alike place on this valuable resource.

We reviewed the Draft Land Use Plan and compared it to the Comprehensive Conservation and Management Plan (CCMP) and offer the following comments:

- We support the County's decision to designate part of the Inland Bays as an *Environmentally Sensitive District* (page 9) with additional environmental requirements for new development, which is suggested in the CCMP.
- We endorse the creation of the *Natural Resource Protection Area* (page 15) as outlined in the Draft Land Use Plan. The establishment of the 1,000 foot *Conservation District* and the 50 foot buffer for rivers, streams, and wetlands within the *Conservation District* will help protect water quality and vital habitat. The CCMP recommends buffers from 50 feet to 300 feet depending on site-specific conditions. We encourage the County to consider including nontidal wetlands as part of the buffer requirement. The *Public and Private Resource District* will help preserve vital natural areas and is consistent with the CCMP.
- We support the County's recommendations in the *Water Wastewater Element* regarding the "proper application and use of septic systems" (page 33). Specifically, the emphasis on proper location and maintenance, the protection of groundwater quality, and long-range wastewater needs and community infrastructure are consistent with CCMP's Action Plans. A major thrust of the Center's work with the Inland Bay's Total Maximum Daily Load Pollution Control Strategy focused on wastewater issues.

- With regard to the *Conservation Element* and its *Conservation Growth Management Strategies* (page 42), we applaud the County's intention to review all development proposals for consistency with the CCMP. The listing of the "CCMP's goals" on page 38, although taken directly from the CCMP, do not adequately reflect the actual goals of the Center for the Inland Bays, rather that of the Estuary Program Management Conference which predated the Center. We recommend that the following wording be used in its place:

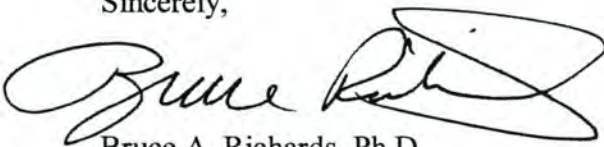
The major Action Plans of the CCMP include: Education and Outreach; Agricultural Sources; Industrial, Municipal, and Septic Systems; Land-Use; and Habitat Protection.

The following are key tactics from the Action Plans related to land use and include:

- ▶ *Manage and plant forested/vegetative buffers*
 - ▶ *Tie new and existing development into appropriate sewage treatment infrastructure*
 - ▶ *Require environmentally sensitive development*
 - ▶ *Create a Resource Protection Area management plan*
 - ▶ *Develop Sussex County habitat protection ordinances*
 - ▶ *Establish a shoreline building-setback line*
 - ▶ *Expand public land acquisition, protection, and access*
 - ▶ *Focus farmland preservation activities in the Inland Bays Watershed*
- We find that the *Community Design Element* and its Growth Management Strategies (page 54) are promoted in the CCMP and support the County's efforts to expand subdivision open space requirements, encourage design flexibility, and promote cluster design.

The Center for the Inland Bays is sensitive to the issues of land use, property rights, and economic development. We think the goals the County Council outlined in this Land Use Plan are a step in the right direction and will continue to help promote the restoration and protection of the Inland Bays for all to enjoy, both now and in the future.

Sincerely,



Bruce A. Richards, Ph.D.
Executive Director

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THE SUSSEX COUNTY COMPREHENSIVE LAND USE PLAN DRAFT FOR 2002 HAS VERY LAUDABLE GOALS AS PREMISES FOR EACH OF THE SEGMENTS OF THE PLAN. HOWEVER, UPON CLOSER REVIEW OF ITS PARTS, THERE IS CONSIDERABLE DISAPPOINTMENT IN THE LACK OF SPECIFICS FOR IMPLEMENTATION.

THERE SEEM TO BE CONTRADICTIONS -- INTENTIONAL OR UNINTENTIONAL -- ABOUT WHAT PROCEDURES MUST BE FOLLOWED TO DETERMINE THE FEASIBILITY OF DEVELOPMENT AND LAND USE IN SUSSEX COUNTY.

THERE IS CONTRADICTORY WORDING IN THE SUMMATION AND THROUGHOUT THE DOCUMENT, SUCH AS: RECOGNITION THAT SUSSEX COUNTY IS THE FASTEST GROWING SECTOR OF THE STATE WITH, ACCORDING TO THE 2000 CENSUS, A POPULATION INCREASE OF 38% OVER THE PAST TEN YEARS; FOLLOWED BY A LATER STATEMENT THAT, "SINCE GROWTH HAS INCREASED SLIGHTLY OVER THE PAST FIVE YEARS . . .," FOLLOWED BY A STILL LATER SECTION THAT RECOGNIZES THAT OUR TRAFFIC HAS TRIPLED OVER THE PAST TEN YEARS.

THERE ARE OTHER EXAMPLES THROUGHOUT THE DRAFT. IT SEEMS TO PRESENT A LOT OF STUDIES FROM THE PAST: 1990, 1994, 1995. AND IN ONE INSTANCE WE ARE TOLD WE ARE WAITING FOR "A COMPREHENSIVE STATEWIDE WATER FACILITIES ASSESSMENT, ANTICIPATED TO BE COMPLETED IN 1997." NO UPDATE WAS GIVEN. IT'S GOOD TO HAVE THEN AND NOW COMPARISONS. THEY HELP SHOW WHERE WE ARE GOING AND HOW WELL WE'VE DONE. WE NEED MORE OF WHERE WE ARE NOW OR, AT LEAST, A CLEARER VIEW.

THE LAND USE PLAN HAS DEVELOPED SEVERAL LAND USE ELEMENTS:

- MUNICIPALITIES
- TOWN CENTERS
- DEVELOPING AREAS
- ENVIRONMENTALLY SENSITIVE AREAS (WHICH HAVE THEIR OWN UNIQUE SET OF DEVELOPMENT CRITERIA)

THE GUIDE LINES ARE LAID OUT FOR EACH, INCLUDING HOUSING TYPES AND DENSITY. UNFORTUNATELY IT READS LIKE BOILER PLATE BECAUSE IT REPEATS THE SAME OPTIONS FOR ALL.

THE GOAL OF DEVELOPING AND IMPLEMENTING COMPREHENSIVE ZONING AND ORDINANCES, LAWS AND REGULATIONS AT ALL LEVELS OF GOVERNMENT THAT PROMOTE ENVIRONMENTALLY SOUND LAND USE IS STATED IN MANY DIFFERENT WAYS. THE OLD COMMERCIAL USED TO SAY, "WHERE'S THE BEEF?" WE SAY, "WHERE ARE THE TEETH?"

SO MUCH DEPENDS ON COORDINATION WITH STATE AGENCIES SUCH AS DELDOT, DNREC, DDA, WHO HAVE FINAL RESPONSIBILITY OVER SUSSEX ENVIRONMENT AND RESOURCES. WHICH COMES FIRST, THE CHICKEN OR THE EGG? OR DO WE INTEND TO JUST KILL THE CHICKEN? DOES DEVELOPMENT COME FIRST AND THE COUNTY, DELDOT AND DNREC FOLLOW OR DO THEY LEAD AND DOES DEVELOPMENT PROCEED FROM THERE.? DELDOT SEEMS TO ALWAYS BE BEHIND THE CURVE IN ANTICIPATION OF NEEDS. DNREC SEEMS TO BE OVERWHELMED BY DEVELOPMENT PRESSURES. THE COUNTY, WHICH HAS GREAT AUTHORITY, APPEARS TO FAVOR DEVELOPMENT NO MATTER WHAT THE CIRCUMSTANCES.

THE SO-CALLED IMPLEMENTATION OF "LIVABLE DELAWARE" CONCEPT OF HIGHER DENSITY TOWARD MAJOR CENTERS AND MUNICIPALITIES HAS RESULTED IN THE ARCHITECTURAL STANDARDS OF BARRACKS HOUSING CONSTRUCTION BACKED UP HARD ON ALREADY OVER-STRESSED HIGHWAYS. CITIES AND MUNICIPALITIES CAN, AT LEAST, HAVE SOME CONTROL OVER THE STANDARDS OF ARCHITECTURAL AESTHETICS IN THEIR COMMUNITIES. BUT NO CONTROL IS EXERTED BY THE COUNTY AND THE CORRUPTIVE INFLUENCE OF GREED WILL WIN OUT EVERY TIME UNLESS WE DEVELOP A MORE COORDINATED COUNTY GOVERNANCE THAT CROSSES BOUNDARIES AND AGENCIES.

WE LOOK FORWARD TO A MORE PRECISE DOCUMENT WHICH INCORPORATES THE RESULTS OF INPUT GATHERED FROM ALL THE SOURCES OVER THE PAST TWO YEARS.

IT MIGHT DO WELL FOR THE COUNTY COUNCIL TO LOOK TO OTHER REGIONS OF THE COUNTRY THAT HAVE GONE THROUGH OR ARE GOING THROUGH THE SAME DEVELOPMENT DEMANDS AND PRESSURES. SUSSEX COUNTY IS HARDLY UNIQUE. WE SHOULD AT LEAST LEARN FROM THE MISTAKES OF OTHERS. WE WILL NO DOUBT STILL HAVE THE OPPORTUNITY TO MAKE PLENTY MORE OF OUR OWN.

SUBMITTED BY LEE JONES

Citizen Coalition

2000 Land Use Draft Plan
Planning & Zoning Commission
August 29, 2002
Cheer Center
Georgetown, DE

Having been founded in 1892, The Sierra Club is the nation's oldest 'grass roots' environmental organization. Our purpose is "*To explore, enjoy and protect the wild places of the earth; to practice and promote the responsible use of the earth's ecosystems and resources; to educate and enlist humanity to protect and restore the quality of the natural and human environments.*" With these thoughts as a guide, The Sierra Club's Southern Delaware Group¹ wishes to preface its remarks by stating that it is neither the intent nor purpose of this presentation to compromise, and/or promote the denial of a landowner's ability to utilize their property. Neither does The Group seek to deny any property right and/or beneficial use to which an owner is entitled as a right-by-law under any existing and applicable Federal or State law and/or the parameters of the existing Sussex County Comprehensive Plan, Zoning and Subdivision Ordinances.

The Group, acting on behalf of and in the interest of its membership and in accordance with the organization's stated policies and principals respectfully requests that the statements presented this evening be entered into and made a part of the public record associated with these proceedings.

The Water Wastewater Element of the Sussex County 2000 Land Use Draft Plan presents material both confusing and disturbing .

1) The water use number for western Sussex is cited at 4.5 million gallons per day. This number is taken from a May '98 study by Whitman, Requardt, and Associates using public supply records. Why weren't domestic well data, industrial, livestock, & irrigation use included? Surely, one can understand the significance for such data for western Sussex County. Why wasn't the more recent study, published in '99, by Judy Wheeler of USGS used? Also, is the projected annual growth rate of 1.3% at the bottom of the chart

(P 29) specifically for western Sussex? If so, then the growth rate for eastern Sussex must be 2.3% to equal the growth rate of 3.6% from the Land Use Element (P4). Are these numbers accurate? "Among Delaware's three counties, households in Sussex County will grow at the fastest rate from 1990 to 2020, expanding by 86 percent from 43,682 in 1990 to 81,371 in 2020. There will be 37,689 new households in Sussex County by 2020."² Data from 1976 is used to cite water demand of 10.2 million gallons per day for eastern Sussex County, specifically the Inland Bays, Atlantic Ocean areas. Why isn't more current data, which is available, used? Admission that this value is 'likely low since several new subdivisions along the coast are obtaining water from confined aquifers' (P30) is unacceptable when compiling data as significant as this. What is the estimated total water use for Sussex County? The difference between the LUP estimates (15Mgal/d) & the USGS (93Mgal/d) for Sussex County is 78 Mgal/d. Why this discrepancy? Since residential use makes up approximately 75% of the total demand in each system, it would bode well to implement the facts provided in the Killam Report. An average day demand per residential connection of 250 GPD is reasonable for planning purposes. It is evident that a more thorough study & evaluation for water demands are necessary.

2) The LUP cites a 1987 study by John Talley of the Delaware Geological Survey that 'The Manokin & Pocomoke aquifers are mostly undeveloped in the inland portions of the Basin and are believed to have additional capacity for withdrawals without any adverse effects.' This study was assuredly correct – for 1987; but again, why use data that is 15 years old? The well withdrawal data cited by Hodges (1984) (p30) predicts an increase of ground water withdrawals from the confined aquifers in the Inland Bays/Atlantic Ocean Basin of 400,000 gal./day in 1976 to 520,000 gal./day in 2000. This is cited as a 34% increase; but doing the math ($400,000 \times 34\% = 536,000$). The reasoning for declaring the fact that the value is likely low--- the explosive development along the coast was not used in these calculations. Why haven't the recent MODFLOW simulation by

¹ Hereinafter, The Group.

² Ames, David & Dean, Robert, May, 1999, Projected Population Growth and the New Arithmetic of Development in Delaware 1990-2020, University of Delaware, Center for Historic Architecture & Design, Prepared for the State Office of Planning Coordination, State of Delaware.

DGS & DNREC Source Water Assessment Program been utilized to help estimate aquifer capacity & drawdown effects? Are we not currently seeing the effects of over pumpage of the confined aquifers in this season of drought? How many wells have had to be re-established?

Andres (1987) states that 77% of the public wells draw water from the unconfined aquifer (P30). Again, why are outdated studies being used? Why aren't the adverse effects of drawdown to a pumping well considered? Since the unconfined aquifer is shallow, should we not be concerned about the hazards of pesticides, fertilizers, septic effluent, volatile organic compounds, & other contaminants seeping into the water more easily? What is the effect of large public supply wells pumping vigorously from this aquifer to nearby shallow domestic wells? Near the ocean, do we not have to be concerned about salt-water intrusion from excessive freshwater withdrawal from the unconfined aquifer?

In delineating wellhead protection areas as critical to protecting the quality & quantity of water sources only DNREC is mentioned. No where on (P31) does the LUP address the County's responsibility for either wellhead protection or the second category—recharge areas. Where are the data & maps, which have been drawn, to protect well heads & recharge areas? If the County chooses to wait until 2007, as we've been told, to address the recharge area issue; there will in all likelihood, be little recharge area to consider. Consider The News Journal article, published today, 8/29/02, entitled **Report Blames Sprawl for Water Shortages**. The Natural Resources Defense Council which along with American Rivers and Smart Growth America, compiled the report entitled **Paving Our Water to Water Shortages: How Sprawl Aggravates Drought**. *"Delaware's State Water Coordinator Gerald J. Kauffman called the report 'no surprise' and said it had been well established that development redirects groundwater."* Delaware is one of the hardest hit states in the nation according to the National Drought Mitigation Center. *"Federal drought expert Mike Hayes agreed suburban sprawl makes the nation more vulnerable in drought, he said, 'We are changing our land-use patterns in this country, and it's got to have some kind of an impact,' said Hayes, a climate impact specialist at the Federal National Drought Mitigation Center in Lincoln, Nev.*

3) Wastewater element. Disposal of wastewater in the Inland Bays concerns us greatly. 1 million menhaden fish died near Rehoboth Beach and an algae called Chattonella was blamed. Reducing the release of nitrogen & phosphorus laden wastes from sewage treatment plants, lawns, & farms should be a priority in land use planning. The County should & must assist the state with compliance in this matter. The front page article from the Sunday News Journal of 8/18/02 entitled **Lowly Organisms Spark Fears** identifies the urgent need for answers to the algae problems created by pollution. *"It comes from farm animals, fertilizer, and increased development along the coasts. The mid-Atlantic coast has been identified as one of 44 places in the world with severely high levels of nitrogen & phosphorus that algae feed on."*

Having said that, the current LUP draft states:

- that the South Coastal Regional Wastewater facility needs to increase capacity. Have scientific studies been completed to determine the ocean's capability of handling 22 Million gallons/day – the current outfall capacity? How many people are required to produce 22 Million gal/day?
- that the service area of the Inland Bays Regional Wastewater facility should be reevaluated. Spray irrigation is mentioned to dispose of the effluent without regard to stipulating tertiary level of treatment. Have possible health risks been evaluated relating to the filtration of this effluent to the ground water and the migration of enteric viruses?
- that the Wolfe Neck Wastewater Treatment facility has a design capacity of 4 million gallons. This daily capacity was originally designed and approved by DNREC for a peak summer month flow.³ Wolfe Neck Wastewater's *design* capacity is not the same as *actual* capacity (P32). What is the actual daily capacity? *The Wolfe Neck WWTP has capacity for an annual average flow of 2.23 MGD (or 814 Mgal/yr.). The amount of wetted acres were reduced to avoid spraying wetlands or creating runoff. Consequently, in order to maintain a 4.0 MGD peak summer month design capacity, the reduced land area would require an increase in the spray irrigation rate to 2.85*

inches per week.⁴ This spray rate has not been approved by DNREC. Based on current boundaries of the West Rehoboth Expansion Area, at ultimate build-out there will be a need for wastewater treatment and disposal capacity of 7.8 MGD in the peak summer month, which is greater than the current capacity of the Wolfe Neck WWTP.⁵ This leads one to speculate that we may be quickly reaching capacity for all these facilities if not already over capacity.

Did the sewer plan for western Sussex, (P33) completed by Whitman, Requardt & Asso. In 1995 ever leave the drawing board? The study recommended that the County consider a new regional treatment facility near Blades & south of the Nanticoke River. And where will the \$42 million needed, which they projected, to serve the developing areas of each municipal service area come from? Once again, the County elects to use data that is 7 years old. The County states,(P33) "A new western wastewater treatment plant **could** serve all or a portion of the Seaford area." Using the imperative term **shall or must** would provide better intent.

"The Comprehensive Statewide Water Facilities Assessment is anticipated to be completed in the spring of '97' (P34). Has this occurred or are we still anticipating? Hence, with regard to waste water treatment facilities---this outdate information tells us that the population % served in the County is unchanged as is the capacity, average daily flow, resident population, & seasonal population. As Ronald Reagan said, "There they go again!"

4) What has the County done to implement the specific recommendations (P33) made for improving the proper application and use of septic systems, which are unchanged since the '97 LUP? Septic effluent can be an important source of ground water contamination if located close together & if there are shallow water supply wells downgrade. They can also provide nutrient to bodies of water such as the Inland Bays if

³ Capacity Evaluation & Planning Study for West Rehoboth Expansion Area of the Dewey Beach Sanitary Sewer District, prepared for Sussex County Council, Sussex county Engineering Dept. Sussex County No. 99-07, GMB File NO. 99004, November 16, 1999, p.3

⁴ Ibid.

located near the body of water & there is ground water discharge into it. Once again, the County has a responsibility to cooperate with the state to achieve beneficial results.

Comments for Growth Management Strategies--which are unchanged from the 1997 LUP.

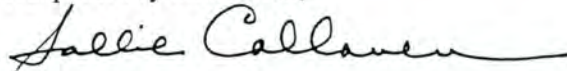
Will the strategies be over and above what DNREC requires or are they simply going to refer to DNREC standards, which have nothing to do with the County? Where are the mechanisms for implementation of these proposed strategies? DNREC or County? In dealing with the approval & permitting process of sewage disposal systems, will this apply to new systems only or those grand-fathered in?

SUMMARY

The Plan is unclear and ambiguous in what it is proposing. There is grandiose use of outdated material, duplication, & overall, a very sloppy presentation.

Thank you for allowing me the opportunity to address you on this issue of vital importance.

Respectfully submitted,



Sallie Callanen, Chairperson

Sierra Club, Southern DE Group

⁵ Ibid.



ASSOCIATION OF COASTAL TOWNS

ACT MEMBERS

TOWN OF BETHANY BEACH
TOWN OF FENWICK ISLAND
CITY OF LEWES
TOWN OF OCEAN VIEW

TOWN OF DEWEY BEACH
TOWN OF HENLOPEN ACRES
CITY OF REHOBOTH BEACH
TOWN OF SOUTH BETHANY

October 1, 2002

Sussex County Council
Administrative Office Building
Georgetown, DE 19947

Gentlemen:

Over the last year Sussex County has carried out an extensive process of public hearings and workshops to gather and integrate ideas from the public, state agencies and local governments regarding the update of the Sussex County Comprehensive Plan. At an early date it was recognized almost universally that the geographical area needing particular attention in this update process was the former Coastal Development District around the Inland Bays from Lewes to Fenwick Island. To this end, this area was identified as an Environmentally Sensitive District and special development criteria to deal with the unique challenges therein were formulated and recommended by the County's planning staff and consultant.

Summaries of these recommendations for the Environmentally Sensitive District were presented by the planning staff and consultant to the public and government officials at various public meetings during the past several months and as recently as July. However, although some of these recommendations are included in the current draft of the text of the Comprehensive Plan Update, several important recommendations presented to the public were not included in the current draft as shown in Table I.

In addition, as defined in the current draft, the Environmentally Sensitive District does not include significant portions of undeveloped areas around Lewes, Rehoboth Beach and Dewey Beach that were part of the original Coastal Development District. This area is under the same environmental and development pressure as the rest of the District, and should be included. We understand the State has no objection to this change, as well as other expansions of the District planned by the County.

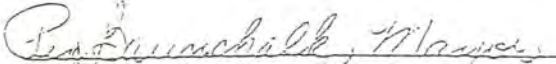
Page 2
Sussex County Council
October 1, 2002

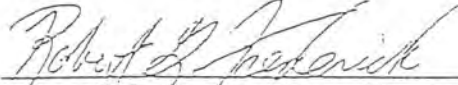
It has been almost three years since Governor Carper's Cabinet Committee on State Planning issues designated this area as Environmental Sensitive, and called for the County to initiate new development criteria for the area. The time for County Council to act is now.

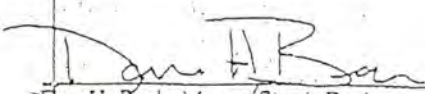
Therefore, we request the previous recommendations of the Planning Staff be reinstated by County Council into the new plan. Without these specific modifications, the Environmentally Sensitive District will be essentially no different than any other development district except in name only.

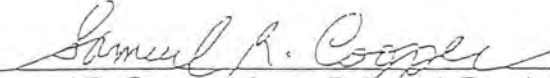
Thank you for your consideration of our request.

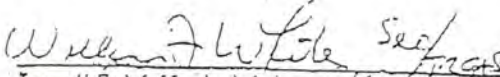
Sincerely,

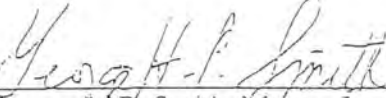

Peg Baunchalk, Mayor, Fenwick Island


Robert G. Frederick, Mayor, Dewey Beach

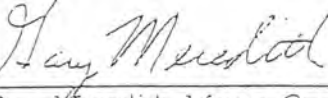

Don H. Beck, Mayor, South Bethany


Samuel R. Cooper, Mayor, Rehoboth Beach


Joseph F. McHugh, Mayor, Bethany Beach


George H. P. Smith, Mayor, Lewes


Wanda Davis, Mayor, Henlopen Acres


Gary Meredith, Mayor, Ocean View

cc: Robert L. Stickels – County Administrator
Lawrence Lank – Planning & Zoning
Constance Holland – Director of State Planning

TABLE I

Special Criteria for Environmentally Sensitive District

	Included in Previous Staff Presentations to the Public _____	Included in Current Draft of Text _____
<u>Environmental Considerations</u>		
Increase buffer zone for tidal wetlands from 50' to 100'	Yes	No
Add 25' buffer zone for non-tidal wetlands	Yes	No
<u>Land Use Considerations</u>		
Retain existing AR-1 density of 2.0 per net residential acre	Yes	No – instead up-zone to MR density of 4.0 per net residential acre
Exclude non-tidal wetlands from net residential acres (as is already done with roads and tidal wetlands)	Yes	No
Exclude commercial golf courses from net residential acres (as is already done with other commercial uses)	Yes	No
Require minimum 15% of the net residential acres to be dedicated to open space	Yes	No

Table I (continued)

- **BUFFER ZONES** of 100' for tidal wetlands and 25' for non-tidal wetlands is what DNREC recommends and what has been adopted in Maryland to protect wetlands around the Chesapeake Bay. The Planning and Zoning Commission also recommends these changes:

The County's consultant has estimated that the amount of additional land dedicated to these buffer zones is very small – typically 1 to 3% of the total net residential acreage. And since buffer zones can be included to meet open-space requirements, the net reduction in buildable acreage is negligible or zero.

It's been 14 years since the County enacted its first and only requirements for buffer zones. It's time to upgrade these requirements and the Comprehensive Plan is the place to start if Council is serious about creating an Environmentally Sensitive zone in the Inland Bays area.

- Throughout the planning process over the last year the fundamental concept presented to the public by the planning staff regarding **DENSITY** in the Environmentally Sensitive District has been based on two principles:
 - 1) An over-all density of 2 units per net residential acre would be specified for the Environmentally Sensitive District in the updated Comprehensive Plan that would retain the rights of landowners to the existing AR-1 zoning of their land.
 - 2) The minimum lot size would be reduced to 7500 ft² to allow developers to use innovative cluster-type designs with significantly more open space and lower infrastructure expenses. In the past, developers could only achieve these benefits if their AR-1 land was upzoned to MR or HR.

And now comes the draft of the Comprehensive Plan that almost totally abandons this concept. Instead, it calls for an upzoning of overall density to 4 units per net residential acre as in MR zoning, as well as densities as high as 12 for condominiums. These densities are no different than any other development district in the County, in which case the designation Environmentally Sensitive might as well be dropped.

This needs to be corrected.

- Again, before the current draft was issued, the planning staff had recommended that NON-TIDAL WETLANDS AND COMMERCIAL GOLF COURSES BE EXCLUDED FROM CALCULATIONS of net residential acres as has been done for many years for roads, tidal wetlands and other commercial uses. The concept here is that land that either can't be built on or will be used for other commercial activities should not also be included as buildable residential acreage.

We understand that the Planning and Zoning Commission has recommended that non-tidal wetlands, but not golf courses, be excluded. This would mean that golf course land gets to be used simultaneously in three ways: as a commercial enterprise, as a credit against open space requirements, and as a residential density bonus.

At this point we would suggest a compromise for your consideration in which $\frac{1}{2}$ the acreage of a golf course (representing the fareways and greens) be excluded from density and open-space calculations.

- Finally the current draft includes suggestions on OPEN SPACE but does not make them requirements. We believe the 20% minimum requirement recommended by the Planning and Zoning Commission should be adopted in the plan.

MOBILITY ELEMENT

The goal for transportation element of the Land Use Plan Update states preservation and enhancement of existing transportation system and improving public safety and then create additional travel alternatives. Sounds good, but there is no real commitment in the Plan to indicate action. Action is needed for both short-range and long-range decisions. There are six strategies listed. No priorities are indicated. Most, if to come to fruition, involve millions of dollars--the N-S proposal for Rt. 113; E-W corridor improvements to give an example.

Trends Analysis (pg. 25) as presented must be questioned as to accuracy. For example in discussing Coastal Highway (SR1) statement "Traffic has nearly tripled over this period to more than 35,000 vehicle trips on an average and to more than 80,000 trips on the busiest weekend days.", does not reflect actual figures presented in the 1999 Traffic Summary (xiii) for automatic traffic counter 8076 (located just north of Rehoboth Beach) which reveals over capacity counts (48,000) from May to September and an Annual Average Daily Traffic (AADT) count of 44,967. In addition, there also exists a Summer 2000 Report (referred to at SR1 meetings by DelDot) which raises even more questions since that report indicated that SR1 from 24 to Collins Ave. in Dewey Beach operates at LOS F and SR1/1A (Rehoboth Beach) is one of the busiest intersections in Sussex County.

The discussion about An Aging Population indicates that by 2020 one out of 4 residents will be part of the population that cannot generally drive, but includes in that calculation ages 16 and under. To make what point?

The statement with regard to seasonal population is greatly under-estimated. As an example, the Rehoboth Beach proposed draft Land Use Plan (pg. 5) states census 2000 total population of 1495 with a potential season increase of low in April of 16,000 and a high of possibly 50,000 in August. 40% figure needs another look.

Land use decisions and resulting fiscal decisions must be based on factual data. This includes recognition that Coastal Sussex has been the focus of ill-conceived decisions which have allowed the dramatic concentration of population growth.

Strategy 6 is a policy issue and deserves top priority (pg. 28) which highlights the absolute need for, "transportation planning and land use decision-making, economic development strategies, agricultural land preservation, and environmental resource protection must be pursued in an integrated coordinated fashion or else they will tend to undercut rather than enhance each other." Paper agreements for the future do not count. To continue pell-mell approvals without careful consideration of the land use decision and impact/pressure on the transportation system in the immediate short-range decreases public safety by allowing even more unsafe congestion and provably decreased emergency response time. The long-range effect is to negate the ability to even address potential solutions because alternatives have been closed off. Prime example can be seen over the entire length of Rt1. The subsequent increases in cost are detrimental to the economy of governmental expenditures.

The first in the series of 5 issues raised under Strategy 6 recognizes, "impacts of land use decisions on transportation facilities and services as well as the impacts of transportation facility and service decisions on land use patterns." Recognition is commendable, however, the implementation of a meaningful mitigation plan which would remedy the myriad disconnects in Sussex County's transportation system would be far more productive in addressing the "impacts of land use decisions on transportation" and more beneficial to the Quality of Life of Sussex County's residents than the mere continued recognition without action of which we are well aware and which continues unabated. Strategy 6 recognizes, maintains, coordinates, establishes and considers. It fails to provide correction! Therefore, short-range decisions need to be based on preservation of the existing transportation system. The Plan must call for an ordinance that requires existing/operational infrastructure as a prerequisite for approval of future development proposals.

The statement (pg. 28) leading into Strategy 5 that, "Lack of mobility also poses a significant problem for employers and creates increased demand for social services." is insensitive at best. Employees, students, seniors suffer from lack of mobility. Further, a stable work force able to reach employment opportunities is very important. A plan for increasing public transit cannot be just for discussion. Recognition of equipment needs and actual dollars in the Capital Transportation Plan is a must. Particularly, since capital expenditures for the next 5 years are currently under review and public hearings scheduled. This is an important coordination planning effort.

Long distance bus travel such as that provided by Trailways must be encouraged. Currently, this alternative is treated as a step-child and schedules difficult for the public to know.

Sidewalks are a matter for confusion to say the least. In the Rt 1 corridor we have them and they essentially go nowhere. They are linear with no planned pathways for the pedestrian to access commercial facilities. In some places, stormwater management facilities make it impossible to even think about pedestrian access. Site plans for both commercial and residential must address this problem.

It is alarming to learn (pg. 24) that improvements undertaken to improve emergency evacuation could quickly be eclipsed by new land use demands. A new evacuation map (Strategy 4) seems to be promised. Not good enough. An absolute date for such a map must be established and appropriate distribution planned.

The Route 1 corridor stands as the tragic example of what not to do and provides the undisputed example of why land use and transportation planning cannot be considered in sequence, but must be considered together. The depth of concern and frustration of year-round residents as they must travel Rt. 1 must be recognized. Telling us we don't travel as much if over 55 years of age or that (pg. 3) there has been "a slight increase in growth" borders on the ludicrous and must be rejected.

Rather than simply citing a litany of known transportation problems, in the Mobility Element for the Plan, would it not be more advisable to focus on issues which the County can control--land use. The adverse impacts are direct and cumulative. The Mobility Element needs to be focused and prioritized and a time line based action plan must be included in THIS Land Use Plan Update before you and available to the public for comment at the scheduled October 1, 2002 public hearing. I .

Molly Spanke

POSITIVE ALLIANCE

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October 1, 2002

Comments on the Sussex County Land Use Plan

The Positive Growth Alliance would like to compliment Sussex County government on an excellent conceptual first draft of the land use plan update. While we are recommending changes, most are technical in nature.

Because the overall plan is general in nature, we have some general comments. First, we feel that the plan is responsible in requiring higher standards for development in the environmentally sensitive zone. We do have concerns about other items, particularly when the County takes up the proposed ordinances. We are opposed to any increased buffers in tidal wetlands. Golf courses and non-tidal wetlands must be included in density calculations. We are opposed to buffers around non-tidal wetlands and we do not feel that a new zoning category for larger businesses will be beneficial. It is critical that the County defend home rule and the concept of local control in every way possible. More must be done in eastern Sussex to allow higher density so as to protect open space. Finally, DelDOT and the state should be encouraged to dramatically speed up the pace of highway improvements. This will require changes in the mobility element.

The following are specific suggested changes in the language of the plan that we think will provide concrete benefits to Sussex County government and its citizens. The suggested changes are organized into three broad categories.

The first group is made up of what we consider to be factual errors. We believe that Sussex County government has done a very good job of land use planning since 1997. With few exceptions, the County has also followed their plan. We would like the County to remove or change statements in the land use plan that tend to reinforce the incorrect idea that Sussex County government has irresponsibly approved "out of control" development. The County's own plan should not provide fodder for uninformed critics.

We have called the second group "Encouraging Needed Transportation Improvements." It consists of statements that we believe should be changed to properly reflect where the responsibility lies to provide adequate transportation infrastructure. The most critical need that Sussex County faces for the foreseeable future is in transportation and transportation planning. The changes we are suggesting are designed to spur the state and DelDOT to take action.

We have titled the third group “Other Comments.” We believe adoption of these changes would improve the plan in a variety of ways.

Finally, for background information, we are including a study on density in eastern Sussex County. We believe this is convincing evidence that there is no crisis of over development that requires emergency action.

Factual Errors

Page 1, end of last paragraph – strike the words, “which have a higher cost to the state to provide services.” **The state has never provided any information to back up this contention.**

Page 2, second paragraph – strike the words, “and the strategies to deal with future transportation needs in the County.” **The mobility element does not include adequate strategies to deal with our transportation needs. In particular, there is practically nothing that would solve problems in the Route One corridor.**

Page 2, fourth paragraph – change the word “high” to “moderately high” **Please see the attached study on density.**

Page 2, fourth par. – delete, “and the threat of air pollution and eutrophication of the waterways.” **No evidence has been submitted that growth is causing air pollution or eutrophication of the waterways.**

Page 4, 1st par. – change “high rate growth” to “moderately high rate of growth” **See study on density.**

Page 6, 2nd par – change “The overwhelming majority of” to “Many” – also, delete “and controlling growth in rural areas is critical.” **The limited and unscientific polling that the county was capable of accomplishing does not justify the phrase, “The overwhelming majority of...” or the statement about controlling rural growth.**

Page 11, 1st par – change “walking distance” to “distance” **Many of these communities are larger than walking distance now.**

Page 11, 2nd par entitled “Guidelines for Density” – delete entire sentence, “Speed limits within rural community boundaries should be appropriate for safe stopping distances and turning movements into internal streets and driveways.” **This authority lies with DelDOT, not Sussex County. Having this lone reference to traffic controls in the entire document makes little sense.**

Page 23, under Pedestrians and Bicyclists – Change, “Walking and bicycling, however, are becoming important forms of transportation,” to “Walking and biking are becoming important forms of

recreation.” **This is a more accurate statement that helps to prevent diversion of scarce highway funds to bike paths and walkways.**

Page 47, 1st sentence – change “very high growth rate” to “moderately high growth rate” **See study on density.**

Page 52 – end of second paragraph – change “insensitive development” to “modern trends in development” **It is neither accurate nor appropriate to denigrate everyone who doesn’t want to live in our older town centers.**

Page 67 – near the end of the second paragraph at top on right – delete the word “huge” from the sentence, “The growth in tourism combined with the growth in permanent and seasonal population has put a huge strain on the Delaware beaches.” **This is a matter of opinion and this word tends to indict the county for “uncontrolled development.”**

Encouraging Needed Transportation Improvements

Page 2 – delete 5th bullet on transportation. **The mobility element does not properly prioritize transportation improvements.**

Page 2, last par. – change, “Meeting the need for infrastructure improvements...” to “Meeting the need for transportation improvements...” - **Except for transportation, which is not the County’s responsibility, it will not be difficult to meet infrastructure needs.**

Page 5, par 2 – Add to the sentence that begins with, “The proliferation of retail development...” the words, “The lack of transportation improvements, combined with the proliferation of retail development...” **This more properly isolates the source of the problem.**

Page 24, under An Aging Population – change “generally cannot drive” to “generally rides as passengers rather than drive themselves.” **A more accurate statement of fact that reinforces needed road improvements.**

Page 51 – delete bullet 2 & 4 – **Corridor preservation and access management are DelDOT responsibilities and have been a major source of problems for property owners and County government.**

Page 66 – at top on the right. **The plan should demand action from DelDOT on Route One!**

Page 69 – delete the 5th bullet on a multimodal transportation system – **A more appropriate statement would be that the County will investigate a multimodal transportation system. Many experts feel that an over-emphasis on transit will waste resources needed for the highway system.**

Other Comments

Page 3, last paragraph – **This statement that we have been consuming one acre per home since 1997 makes it evident that the last plan, and probably this one, don't do enough to encourage density.**

Page 7, under Guidelines for Infrastructure, in the next to the last line – change “should” to “could”
The word “should” leaves no flexibility for new ideas.

Page 11, ¾ of the way down in the 1st par – delete the sentence, “Rural Community District boundaries that allow for more than a doubling of their developed area are likely to be inconsistent with the purpose of the District.” **This is arbitrary, with no information given as to why more than a doubling would not be acceptable.**

Page 12, under the heading “Purpose” – change “big box” to “large” **“Big box” is a derogatory term devised by the opponents of large, state of the art retailers.**

Page 14, entire section regarding the “Ag-Lands Preservation Foundation Area” – **Plan must make clear that if land leaves the ten year plan, these restrictions no longer apply.**

Page 16, at the bottom on the right under the heading “Strip Development” – Delete sentence, “Entrances for commercial uses should generally be restricted to one per property except where DelDOT determines that additional entrances are required to accommodate projected traffic.” **This is a DelDOT responsibility and doesn't belong in the Sussex land use plan.**

Page 17 – modify bullet 5 which revises permitted uses in various districts. **The Positive Growth Alliance is opposed to further restrictions of use of land. Clarify the bully to indicate that it will not further limit the use of land.**

Page 17 – eliminate bullet 6 on decreasing density in commercial districts. **We believe that commercial zoning is the only place that the county can have enough density to offset the effects of sprawl. We are very concerned that the County is still using one acre per household.**

Page 17 – eliminate bullet 7 on creating a new commercial zone for large buildings - **We are opposed to requiring re-zonings to establish modern retail facilities.**

Page 27 – delete the last Issue and Strategy 6 regarding intergovernmental coordination – **This section basically has the county agreeing to give up local control of land use.**

Page 32 – when speaking of the future, all references to “septic system” should be changed to “on-site wastewater treatment system” to match up with the technological advances in this area. **This will allow for , and maybe even encourage, needed adoption of new, cleaner technology.**

Page 50, under the heading “Intergovernmental Coordination Implementation Strategies” – replace the word “support” with “consider” - **This will allow the county to consider whether this support will harm local control.**

Page 52, second paragraph – delete the last sentence that says, “Though older Municipalities and communities feature these characteristics, some have been lost to insensitive development.” – **Many of these features are no longer common because they are not practical or desirable in today’s society. It is not appropriate for Sussex County government to make value judgments about how its citizens live.**

Page 54, 3rd par – add to the following sentence, “Provisions for sidewalks, street trees and street lighting will increase safety, add to the quality of life in the development and sustain property values,” the words, “but may increase housing costs.” **This adds a note of reality to the sentence to address what will soon be one of Sussex County’s biggest challenges, housing for those with less than an upper middle class income.**

Thank you,



Richard G. Collins
Executive Director

POSITIVE ALLIANCE

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www.positivegrowthalliance.org

August 7, 2002

Is Eastern Sussex County Overdeveloped?

The conventional wisdom on development in eastern Sussex County is that we have too much of it. Ask the man or woman in the street if we're growing too fast, and you will almost surely hear an emphatic YES, followed by an emotional diatribe on traffic congestion and other perceived ills caused by growth.

There is certainly no question that we have traffic congestion on Route One and many of the roads that feed into it, but is that occurring because we have too much growth and development? More to the point, do we have so many people living in eastern Sussex that it will destroy the quality of life?

The answer is, almost surely not. The data to back that claim up can be found on the Internet at www.demographia.com/db-2000city50kdens.htm. This site gives us the population, the number of square miles, and the number of people per square mile for every city in the U.S. that has a population of over 50,000. There are 601 cities on the list. The cities range in physical size from Anchorage, Alaska at 1697.3 square miles to Union City, NJ at 1.3 square miles. Populations range from 8,008,278 in New York City to just over 50,000 in numerous places.

Where does eastern Sussex fit into this picture? First of all, it's not a city, so it's not on the list. We can take the facts we know, however, and compare them to the cities on the list. According to the Center for the Inland Bays, the drainage basin for the inland bays includes approximately 300 square miles. They estimate the permanent population at between 60,000 and 70,000. Let's use the higher number. Simple arithmetic tells us that 70,000 people divided by 300 square miles equals 233 people per square mile.

A little analysis now shows us that eastern Sussex is actually rather lightly developed. We would be number 600 on a list of 602. Carson City, Nevada, just above us at number 599, is 57% denser with 366 people per square mile. The densest city, Union City, NJ, has 52,972 people per square mile! There are 43 cities with over 10,000 people per square mile and 572 with over 1,000 per square mile.

If we're not too dense now, surely we must be growing too fast. Wrong again! Let's be extremely pessimistic and assign every bit of the growth in Sussex County from 1990 to 2000 to the Inland Bays drainage basin. That would be an increase of 43,454 people over 300 square miles, which equals a population density increase of 145 people per square mile. There are numerous cities on the list that grew many times faster, such as Hempstead, NY, that had a density increase of 1919 people per square mile or Garden Grove, CA, which grew by 1230 people per square mile.

What is our population density on the weekend? Surely that's a disaster. Once again, look at the facts and decide for yourself. Let's estimate the summer weekend population of the Inland Bays drainage basin at 250,000. That almost surely is a gross exaggeration. Even so, that would equal a population density of 833 people per square mile, which would put us at number 586 out of 602.

If we're not too dense, why is our traffic so bad? That's a subject that merits another article, but here's food for thought. The peak summer weekend population from Lewes, DE, to Ocean City, MD, is approximately 500,000 to 600,000. This entire population is more or less served by one north/south highway, Route One. Within the city limits of Baltimore, Boston, or Washington, DC, year 2000 populations ranged from 572,059 to 651,154. How do you think the traffic would be in any of those three cities if you closed every major north/south road but one? Of course, we know this example is not directly comparable because we're ignoring the millions who live outside these cities in the suburbs. Nevertheless, I believe this example helps to bring the problem into focus. The number one threat to our quality of life in the future is road congestion. Government reaction so far has been too little, too late. It is obvious that we need fresh thinking in Delaware government about traffic congestion and roads in eastern Sussex County.

The Positive Growth Alliance is interested in your input. Check out the web site referenced above and also the U.S. Census Bureau site at www.census.gov and then give us your opinion. Our e-mail address is information@pgalliance.org and our fax number is (302) 644-3879.

Rich Collins
Executive Director

DEMOGRAPHIA

2000 Census: US Municipalities C Ranked by 2000 Density

Other 2000 US City Population Information

Rank	Municipality	State	2000 Population	2000 Land Area in Square Miles	2000 Population per Square Mile	1990 Population	1990 Ar Sc M
1	Union City city NJ	New Jersey	67,088	1.3	52,972	58,012	
2	New York city	New York	8,008,278	303.3	26,401	7,322,564	
3	Passaic city	New Jersey	67,861	3.1	21,803	58,041	
4	Huntington Park city	California	61,348	3.0	20,251	56,065	
5	Somerville city	Massachusetts	77,478	4.1	18,867	76,210	
6	East Orange city	New Jersey	69,824	3.9	17,775	73,552	
7	Paterson city	New Jersey	149,222	8.4	17,674	140,891	
8	San Francisco city	California	776,733	46.7	16,633	723,959	
9	Jersey City city	New Jersey	240,055	14.9	16,093	228,537	
10	Cambridge city	Massachusetts	101,355	6.4	15,765	95,802	
11	Mount Vernon city	New York	68,381	4.4	15,688	67,153	
12	Hempstead village	New York	56,554	3.7	15,365	49,453	
13	Cicero town	Illinois	85,616	5.8	14,644	67,436	
14	Lynwood city	California	69,845	4.9	14,388	61,945	
15	Hawthorne city	California	84,112	6.1	13,878	71,349	
16	Berwyn city	Illinois	54,016	3.9	13,875	45,426	
17	Daly City city	California	103,621	7.6	13,703	92,311	
18	South Gate city	California	96,375	7.4	13,084	86,284	
19	Chicago city	Illinois	2,896,016	227.1	12,749	2,783,726	
20	Miami Beach city	Florida	87,933	7.0	12,501	92,639	
21	Santa Ana city	California	337,977	27.1	12,451	293,742	
22	Inglewood city	California	112,580	9.1	12,323	109,602	
23	Boston city	Massachusetts	589,141	48.4	12,165	574,283	
24	El Monte city	California	115,965	9.6	12,139	106,209	
25	Bellflower city	California	72,878	6.1	11,999	61,815	
26	Hialeah city	Florida	226,419	19.2	11,766	188,004	
27	Paramount city	California	55,266	4.7	11,678	47,669	
28	Newark city	New Jersey	273,546	23.8	11,494	275,221	
29	Baldwin Park city	California	75,837	6.7	11,378	69,330	

30	Alhambra city	California	85,804	7.6	11,257	82,106
31	Philadelphia city	Pennsylvania	1,517,550	135.1	11,233	1,585,577
32	Oak Park village	Illinois	52,524	4.7	11,172	53,648
33	Trenton city	New Jersey	85,403	7.7	11,153	88,675
34	Malden city	Massachusetts	56,340	5.1	11,102	53,884
35	Bayonne city	New Jersey	61,842	5.6	10,991	61,444
36	Yonkers city	New York	196,086	18.1	10,847	188,082
37	Norwalk city CA	California	103,298	9.7	10,667	94,279
38	Rosemead city	California	53,505	5.1	10,398	51,638
39	Lawrence city MA	Massachusetts	72,043	7.0	10,351	70,207
40	Lakewood city OH	Ohio	56,646	5.5	10,208	59,718
41	Santa Monica city	California	84,084	8.3	10,178	86,905
42	Miami city	Florida	362,470	35.7	10,160	358,548
43	Redondo Beach city	California	63,261	6.3	10,065	60,167
44	Gardena city	California	57,746	5.8	9,921	49,847
45	Elizabeth city	New Jersey	120,568	12.2	9,865	110,002
46	Berkeley city	California	102,743	10.5	9,823	102,724
47	Evanston city	Illinois	74,239	7.7	9,583	73,233
48	Providence city	Rhode Island	173,618	18.5	9,401	160,728
49	Washington city	DC	572,059	61.4	9,316	606,900
50	Compton city	California	93,493	10.1	9,225	90,454
51	Garden Grove city	California	165,196	18.0	9,165	143,050
52	Long Beach city	California	461,522	50.4	9,149	429,433
53	Camden city	New Jersey	79,904	8.8	9,056	87,492
54	Westminster city CA	California	88,207	10.1	8,724	78,118
55	Bridgeport city	Connecticut	139,529	16.0	8,720	141,686
56	Downey city	California	107,323	12.4	8,641	91,444
57	Alexandria city	Virginia	128,283	15.2	8,451	111,183
58	Lakewood city CA	California	79,345	9.4	8,414	73,557
59	Pawtucket city	Rhode Island	72,958	8.7	8,350	72,644
60	Reading city	Pennsylvania	81,207	9.8	8,270	78,380
61	Lynn city	Massachusetts	89,050	10.8	8,233	81,245
62	Baltimore city	Maryland	651,154	80.8	8,058	736,014
63	La Habra city	California	58,974	7.3	8,045	51,266
64	Salinas city	California	151,060	19.0	7,948	108,777
65	Lauderhill city	Florida	57,585	7.3	7,892	49,708
66	Los Angeles city	California	3,694,820	469.1	7,876	3,485,398
67	Monterey Park city	California	60,051	7.6	7,869	60,738
68	Pico Rivera city	California	63,428	8.3	7,645	59,177
69	Lowell city	Massachusetts	105,167	13.8	7,635	103,439
70	Lancaster city PA	Pennsylvania	56,348	7.4	7,616	55,551
71	San Mateo city	California	92,482	12.2	7,569	85,486
72	Montebello city	California	62,150	8.2	7,536	59,564
73	Buena Park city	California	78,282	10.6	7,403	68,784
74	National City city	California	54,260	7.4	7,343	54,249
75	Buffalo city	New York	292,648	40.6	7,205	328,123
76	Huntington Beach city	California	189,594	26.4	7,183	181,519

77	Oakland city	California	399,484	56.1	7,126	372,242
78	North Miami city	Florida	59,880	8.5	7,079	49,998
79	Hartford city	Connecticut	121,578	17.3	7,025	139,739
80	New Rochelle city	New York	72,182	10.4	6,973	67,265
81	Minneapolis city	Minnesota	382,618	54.9	6,970	368,383
82	Clifton city	New Jersey	78,672	11.3	6,965	71,742
83	Costa Mesa city	California	108,724	15.6	6,956	96,357
84	Detroit city	Michigan	951,270	138.8	6,855	1,027,974
85	Medford city MA	Massachusetts	55,765	8.1	6,851	57,407
86	Oxnard city	California	170,358	25.3	6,729	142,216
87	Seattle city	Washington	563,374	83.9	6,717	516,259
88	Torrance city	California	137,946	20.5	6,715	133,107
89	South San Francisco city	California	60,552	9.0	6,712	54,312
90	Anaheim city	California	328,014	48.9	6,702	266,406
91	Wilmington city DE	Delaware	72,664	10.8	6,698	71,529
92	Alameda city	California	72,259	10.8	6,693	76,459
93	New Haven city	Connecticut	123,626	18.9	6,558	130,474
94	Pomona city	California	149,473	22.8	6,544	131,723
95	West Covina city	California	105,080	16.1	6,524	96,086
96	El Cajon city	California	94,869	14.6	6,510	88,693
97	Oak Lawn village	Illinois	55,245	8.6	6,427	56,182
98	Glendale city CA	California	194,973	30.6	6,362	180,038
99	Skokie village	Illinois	63,348	10.0	6,308	59,432
100	Milwaukee city	Wisconsin	596,974	96.1	6,214	628,088
101	Fountain Valley city	California	54,978	8.9	6,167	53,691
102	Cleveland city	Ohio	478,403	77.6	6,166	505,616
103	Rochester city NY	New York	219,773	35.8	6,133	231,636
104	Margate city	Florida	53,909	8.8	6,120	42,985
105	San Leandro city	California	79,452	13.1	6,053	68,223
106	Pittsburgh city	Pennsylvania	334,563	55.6	6,019	369,879
107	Allentown city	Pennsylvania	106,632	17.7	6,011	105,090
108	Sunnyvale city	California	131,760	21.9	6,006	117,229
109	Cerritos city	California	51,488	8.6	5,974	53,240
110	Citrus Heights city	California	85,071	14.3	5,929	107,439
111	Tustin city	California	67,504	11.4	5,921	50,689
112	La Mesa city	California	54,749	9.3	5,909	52,931
113	Syracuse city	New York	147,306	25.1	5,871	163,860
114	Mountain View city	California	70,708	12.1	5,861	67,460
115	Pasadena city CA	California	133,936	23.1	5,798	131,591
116	Burbank city	California	100,316	17.3	5,782	93,643
117	Davis city	California	60,308	10.5	5,769	46,209
118	Whittier city	California	83,680	14.6	5,719	77,671
119	Schenectady city	New York	61,821	10.8	5,699	65,566
120	Fullerton city	California	126,003	22.2	5,676	114,144
121	St. Louis city	Missouri	348,189	61.9	5,622	396,685
122	Santa Clara city	California	102,361	18.4	5,566	93,613
123	Mount Prospect village	Illinois	56,265	10.2	5,513	53,170

124	Orange city	California	128,821	23.4	5,506	110,658
125	St. Clair Shores city	Michigan	63,096	11.5	5,472	68,107
126	St. Paul city	Minnesota	287,151	52.8	5,441	272,235
127	White Plains city	New York	53,077	9.8	5,415	48,718
128	West Allis city	Wisconsin	61,254	11.3	5,397	63,221
129	Taylorsville city	Utah	57,439	10.7	5,376	52,351
130	New Britain city	Connecticut	71,538	13.3	5,364	75,491
131	Modesto city	California	188,856	35.8	5,277	164,730
132	Racine city	Wisconsin	81,855	15.5	5,267	84,298
133	Quincy city	Massachusetts	88,025	16.8	5,244	84,985
134	Gaithersburg city	Maryland	52,613	10.1	5,216	39,542
135	San Jose city	California	894,943	174.9	5,118	782,248
136	Hollywood city	Florida	139,357	27.3	5,097	121,697
137	Royal Oak city	Michigan	60,062	11.8	5,083	65,410
138	Palatine village	Illinois	65,479	13.0	5,047	39,253
139	Mission Viejo city	California	93,102	18.7	4,990	72,820
140	Dearborn Heights city	Michigan	58,264	11.7	4,973	60,838
141	Wheaton city	Illinois	55,416	11.2	4,938	51,464
142	Euclid city	Ohio	52,717	10.7	4,923	54,875
143	Coral Springs city	Florida	117,549	23.9	4,916	79,443
144	Tamarac city	Florida	55,588	11.4	4,879	44,822
145	Santa Barbara city	California	92,325	19.0	4,865	85,571
146	West Haven city	Connecticut	52,360	10.8	4,832	54,021
147	Arcadia city	California	53,054	11.0	4,830	48,290
148	Deerfield Beach city	Florida	64,583	13.4	4,810	46,325
149	Vista city	California	89,857	18.7	4,810	71,872
150	Fort Lauderdale city	Florida	152,397	31.7	4,803	149,377
151	San Buenaventura (Ventura) city	California	100,916	21.1	4,790	92,575
152	Carson city	California	89,730	18.8	4,762	83,995
153	Newport Beach city	California	70,032	14.8	4,738	66,643
154	Springfield city MA	Massachusetts	152,082	32.1	4,737	156,983
155	Erie city	Pennsylvania	103,717	22.0	4,723	108,718
156	Sunrise city	Florida	85,779	18.2	4,712	64,407
157	Lake Forest city	California	58,707	12.5	4,698	62,685
158	Beaverton city	Oregon	76,129	16.3	4,664	53,310
159	Waltham city	Massachusetts	59,226	12.7	4,663	57,878
160	New Bedford city	Massachusetts	93,768	20.1	4,660	99,922
161	Kenner city	Louisiana	70,517	15.1	4,659	72,033
162	Lodi city	California	56,999	12.2	4,658	51,874
163	Newton city	Massachusetts	83,829	18.1	4,643	82,585
164	Arlington Heights village	Illinois	76,031	16.4	4,633	75,460
165	Milpitas city	California	62,698	13.6	4,623	50,686
166	Cupertino city	California	50,546	10.9	4,620	40,263
167	Worcester city	Massachusetts	172,648	37.6	4,596	169,759
168	Orem city	Utah	84,324	18.4	4,572	67,561
169	Shoreline city	Washington	53,025	11.7	4,546	47,111

170	Upland city	California	68,393	15.1	4,524	63,374
171	Albany NY city	New York	95,658	21.4	4,474	101,082
172	Stockton city	California	243,771	54.7	4,455	210,943
173	Florissant city	Missouri	50,497	11.4	4,442	51,206
174	Grand Rapids city	Michigan	197,800	44.6	4,431	189,126
175	Largo city	Florida	69,371	15.7	4,429	65,674
176	Brockton city	Massachusetts	94,304	21.5	4,393	92,788
177	Norfolk city	Virginia	234,403	53.7	4,362	261,229
178	Santa Cruz city	California	54,593	12.5	4,356	49,040
179	Clearwater city	Florida	108,787	25.3	4,302	98,784
180	Parma city	Ohio	85,655	20.0	4,291	87,876
181	Cincinnati city	Ohio	331,285	78.0	4,249	364,040
182	Westland city	Michigan	86,602	20.5	4,235	84,724
183	Las Vegas city	Nevada	478,434	113.3	4,222	258,295
184	Ann Arbor city	Michigan	114,024	27.0	4,221	109,592
185	Laguna Niguel city	California	61,891	14.7	4,221	44,400
186	Rialto city	California	91,873	21.9	4,200	72,388
187	Turlock city	California	55,810	13.3	4,194	42,198
188	Sacramento city	California	407,018	97.2	4,189	369,365
189	St. Petersburg city	Florida	248,232	59.6	4,163	238,629
190	Pembroke Pines city	Florida	137,427	33.1	4,157	65,452
191	Louisville city	Kentucky	256,231	62.1	4,125	269,063
192	Napa city	California	72,585	17.7	4,101	61,842
193	Fresno city	California	427,652	104.4	4,097	354,202
194	Gresham city	Oregon	90,205	22.2	4,071	68,235
195	Des Plaines city	Illinois	58,720	14.4	4,071	53,223
196	Concord city CA	California	121,780	30.1	4,041	111,348
197	Warren city	Michigan	138,247	34.3	4,032	144,864
198	Dearborn city	Michigan	97,775	24.4	4,013	89,286
199	Santa Maria city	California	77,423	19.3	4,006	61,284
200	Clovis city	California	68,468	17.1	4,000	50,323
201	Champaign city	Illinois	67,518	17.0	3,974	63,502
202	Oceanside city	California	161,029	40.6	3,967	128,398
203	Schaumburg village	Illinois	75,386	19.0	3,967	68,586
204	Sandy city	Utah	88,418	22.3	3,960	75,058
205	Federal Way city	Washington	83,259	21.0	3,959	67,554
206	Tempe city	Arizona	158,625	40.1	3,959	141,865
207	Niagara Falls city	New York	55,593	14.1	3,955	61,840
208	Petaluma city	California	54,548	13.8	3,953	43,184
209	Portland city OR	Oregon	529,121	134.3	3,939	437,319
210	Canton city	Ohio	80,806	20.5	3,933	84,161
211	Glendale city AZ	Arizona	218,812	55.7	3,929	148,134
212	Delray Beach city	Florida	60,020	15.4	3,905	47,181
213	Toledo city	Ohio	313,619	80.6	3,890	332,943
214	Boulder city	Colorado	94,673	24.4	3,884	83,312
215	Redwood City city	California	75,402	19.5	3,871	66,072
216	Vallejo city	California	116,760	30.2	3,868	109,199

217	Tacoma city	Washington	193,556	50.1	3,865	176,664
218	Waukegan city	Illinois	87,901	23.0	3,820	69,392
219	Plantation city	Florida	82,934	21.7	3,815	66,692
220	Diamond Bar city	California	56,287	14.8	3,813	53,672
221	Pompano Beach city	Florida	78,191	20.6	3,804	72,411
222	Boynton Beach city	Florida	60,389	15.9	3,803	46,194
223	Kenosha city	Wisconsin	90,352	23.8	3,795	80,352
224	Elgin city	Illinois	94,487	25.0	3,779	77,010
225	Garland city	Texas	215,768	57.1	3,778	180,650
226	San Diego city	California	1,223,400	324.4	3,772	1,110,549
227	Waterbury city	Connecticut	107,271	28.6	3,754	108,961
228	Flint city	Michigan	124,943	33.6	3,715	140,761
229	Aurora IL city	Illinois	142,990	38.5	3,711	99,581
230	Utica city	New York	60,651	16.3	3,710	68,637
231	Bethlehem city	Pennsylvania	71,329	19.3	3,704	71,428
232	Escondido city	California	133,559	36.3	3,681	108,635
233	Santa Rosa city	California	147,595	40.1	3,678	113,313
234	Springfield city OR	Oregon	52,864	14.4	3,670	44,683
235	Sheboygan city	Wisconsin	50,792	13.9	3,652	49,676
236	Pittsburg city	California	56,769	15.6	3,639	47,564
237	Norwalk city CT	Connecticut	82,951	22.8	3,637	78,331
238	Hammond city	Indiana	83,048	22.9	3,630	84,236
239	Naperville city	Illinois	128,358	35.4	3,628	85,351
240	Denver city	Colorado	554,636	153.4	3,617	467,610
241	Yakima city	Washington	71,845	20.1	3,570	54,827
242	Fontana city	California	128,929	36.1	3,570	87,535
243	Bellevue city	Washington	109,569	30.7	3,563	86,874
244	Corona city	California	124,966	35.1	3,555	76,095
245	Chula Vista city	California	173,556	48.9	3,551	135,163
246	Saginaw city	Michigan	61,799	17.4	3,543	69,512
247	Sarasota city	Florida	52,715	14.9	3,540	50,961
248	Bloomington IN city	Indiana	69,291	19.7	3,511	60,633
249	Akron city	Ohio	217,074	62.1	3,497	223,019
250	Arlington city	Texas	332,969	95.8	3,475	261,721
251	Union City city CA	California	66,869	19.3	3,473	53,762
252	Dallas city	Texas	1,188,580	342.6	3,470	1,006,877
253	Lakewood city CO	Colorado	144,126	41.6	3,465	126,481
254	Rancho Cucamonga city	California	127,743	37.4	3,411	101,409
255	Eugene city	Oregon	137,893	40.5	3,403	112,669
256	Lakewood city WA	Washington	58,211	17.1	3,401	58,412
257	Lansing city	Michigan	119,128	35.0	3,399	127,321
258	Sterling Heights city	Michigan	124,471	36.6	3,397	117,810
259	Spokane city	Washington	195,629	57.8	3,387	177,196
260	Columbus city OH	Ohio	711,470	210.3	3,383	632,910
261	San Rafael city	California	56,063	16.6	3,379	48,404
262	Houston city	Texas	1,953,631	579.5	3,372	1,630,553
263	Omaha city	Nebraska	390,007	115.7	3,371	335,795

264	Antioch city	California	90,532	26.9	3,359	62,195
265	Appleton city	Wisconsin	70,087	20.9	3,356	65,695
266	Vancouver city	Washington	143,560	42.8	3,354	46,380
267	Pontiac city	Michigan	66,337	20.0	3,318	71,166
268	Richmond city CA	California	99,216	30.0	3,309	87,425
269	Santee city	California	52,975	16.1	3,299	52,902
270	Richmond city VA	Virginia	197,790	60.1	3,292	203,056
271	Vacaville city	California	88,625	27.1	3,272	71,479
272	Riverside city	California	255,166	78.1	3,267	226,505
273	Longmont city	Colorado	71,093	21.8	3,262	51,555
274	Hillsboro city	Oregon	70,186	21.6	3,254	37,520
275	Manchester city	New Hampshire	107,006	33.0	3,241	99,567
276	Huntington city	West Virginia	51,475	15.9	3,234	54,844
277	Walnut Creek city	California	64,296	19.9	3,229	60,569
278	Merced city	California	63,893	19.9	3,216	56,216
279	Richardson city	Texas	91,802	28.6	3,214	74,840
280	Pasadena city TX	Texas	141,674	44.2	3,208	119,363
281	Visalia city	California	91,565	28.6	3,204	75,636
282	Westminster city CO	Colorado	100,940	31.5	3,204	74,625
283	Chino city	California	67,168	21.1	3,190	59,682
284	Ontario city	California	158,007	49.8	3,174	133,179
285	Mesa city	Arizona	396,375	125.0	3,171	288,091
286	Atlanta city	Georgia	416,474	131.8	3,161	394,017
287	Santa Clarita city	California	151,088	47.8	3,159	110,642
288	Hayward city	California	140,030	44.3	3,158	111,498
289	San Bernardino city	California	185,401	58.8	3,152	164,164
290	Arvada city	Colorado	102,153	32.7	3,128	89,235
291	Kalamazoo city	Michigan	77,145	24.7	3,125	80,277
292	Bowie city	Maryland	50,269	16.1	3,122	37,589
293	Owensboro city	Kentucky	54,067	17.4	3,103	53,549
294	Plano city	Texas	222,030	71.6	3,102	128,713
295	Stamford city	Connecticut	117,083	37.7	3,102	108,056
296	Irvine city	California	143,072	46.2	3,098	110,330
297	Kettering city	Ohio	57,502	18.7	3,077	60,569
298	West Valley City city	Utah	108,896	35.4	3,076	86,976
299	Thornton city	Colorado	82,384	26.9	3,067	55,031
300	Livermore city	California	73,345	23.9	3,066	56,741
301	North Richland Hills city	Texas	55,635	18.2	3,056	45,895
302	Chandler city	Arizona	176,581	57.9	3,050	90,533
303	Yorba Linda city	California	58,918	19.4	3,042	52,422
304	Encinitas city	California	58,014	19.1	3,035	55,386
305	Portsmouth city	Virginia	100,565	33.2	3,032	103,907
306	Madison city	Wisconsin	208,054	68.7	3,029	191,262
307	Portland city ME	Maine	64,249	21.2	3,029	64,358
308	Scranton city	Pennsylvania	76,415	25.2	3,029	81,805
309	Lincoln city	Nebraska	225,581	74.6	3,022	191,972
310	Camarillo city	California	57,077	18.9	3,015	52,303

311	Carrollton city	Texas	109,576	36.5	3,004	82,169
312	Waukesha city	Wisconsin	64,825	21.6	3,000	56,958
313	Salem city	Oregon	136,924	45.7	2,994	107,786
314	Evansville city	Indiana	121,582	40.7	2,987	126,272
315	Southfield city	Michigan	78,296	26.2	2,984	75,728
316	Dayton city	Ohio	166,179	55.8	2,979	182,044
317	Idaho Falls city	Idaho	50,730	17.1	2,972	43,929
318	Baton Rouge city	Louisiana	227,818	76.8	2,964	219,531
319	Fall River city	Massachusetts	91,938	31.0	2,963	92,703
320	St. Charles city	Missouri	60,321	20.4	2,962	54,555
321	Renton city	Washington	50,052	17.0	2,939	41,688
322	Pleasanton city	California	63,654	21.7	2,938	50,553
323	Boise City city	Idaho	185,787	63.8	2,913	125,738
324	Medford city OR	Oregon	63,154	21.7	2,910	46,951
325	Great Falls city	Montana	56,690	19.5	2,909	55,097
326	Springfield city OH	Ohio	65,358	22.5	2,908	70,487
327	Ogden city	Utah	77,226	26.6	2,899	63,909
328	Bloomington IL city	Illinois	64,808	22.5	2,880	51,972
329	Mesquite city	Texas	124,523	43.4	2,868	101,484
330	Lorain city	Ohio	68,652	24.0	2,858	71,245
331	Irving city	Texas	191,615	67.2	2,850	155,037
332	Lawrence city KS	Kansas	80,098	28.1	2,849	65,608
333	Simi Valley city	California	111,351	39.2	2,842	100,217
334	Wyoming city	Michigan	69,368	24.4	2,840	63,891
335	Kent city	Washington	79,524	28.0	2,837	37,960
336	Hampton city	Virginia	146,437	51.8	2,828	133,793
337	Layton city	Utah	58,474	20.7	2,824	41,784
338	Livonia city	Michigan	100,545	35.7	2,815	100,850
339	Everett city	Washington	91,488	32.5	2,814	69,961
340	Elyria city	Ohio	55,953	19.9	2,814	56,746
341	San Antonio city	Texas	1,144,646	407.6	2,808	935,933
342	Hamilton city	Ohio	60,690	21.6	2,808	61,368
343	Lafayette city IN	Indiana	56,397	20.1	2,806	43,764
344	Nashua city	New Hampshire	86,605	30.9	2,803	79,662
345	Joliet city	Illinois	106,221	38.1	2,791	76,836
346	Taylor city	Michigan	65,868	23.6	2,790	70,811
347	Muncie city	Indiana	67,430	24.2	2,788	71,035
348	South Bend city	Indiana	107,789	38.7	2,786	105,511
349	Phoenix city	Arizona	1,321,045	474.9	2,782	983,403
350	Moreno Valley city	California	142,381	51.2	2,779	118,779
351	Cranston city	Rhode Island	79,269	28.6	2,774	76,060
352	Sparks city	Nevada	66,346	23.9	2,773	53,367
353	Boca Raton city	Florida	74,764	27.2	2,750	61,492
354	Bolingbrook village	Illinois	56,321	20.5	2,746	40,843
355	Coon Rapids city	Minnesota	61,607	22.7	2,718	52,978
356	Tracy city	California	56,929	21.0	2,711	33,558
357	Tampa city	Florida	303,447	112.1	2,708	280,015

358	New Orleans city	Louisiana	484,674	180.6	2,684	496,938
359	Marietta city	Georgia	58,748	21.9	2,684	44,129
360	Rockford city	Illinois	150,115	56.0	2,680	139,426
361	Orland Park village	Illinois	51,077	19.1	2,668	35,720
362	Billings city	Montana	89,847	33.7	2,665	81,151
363	Oshkosh city	Wisconsin	62,916	23.6	2,662	55,006
364	Provo city	Utah	105,166	39.6	2,653	86,835
365	Fremont city	California	203,413	76.7	2,652	173,339
366	Newport News city	Virginia	180,150	68.3	2,638	170,045
367	Sugar Land city	Texas	63,328	24.1	2,629	24,529
368	Overland Park city	Kansas	149,080	56.8	2,627	111,790
369	Roseville city	California	79,921	30.5	2,622	44,685
370	Des Moines city	Iowa	198,682	75.8	2,621	193,187
371	Bellingham city	Washington	67,171	25.6	2,619	52,179
372	Nampa city	Idaho	51,867	19.9	2,612	28,365
373	Reno city	Nevada	180,480	69.1	2,611	133,850
374	Austin city	Texas	656,562	251.5	2,610	465,622
375	Fort Wayne city	Indiana	205,727	79.0	2,606	173,072
376	Brooklyn Park city	Minnesota	67,388	26.1	2,586	56,381
377	Frederick city	Maryland	52,767	20.4	2,584	40,148
378	Iowa City city	Iowa	62,220	24.2	2,575	59,738
379	La Crosse city	Wisconsin	51,818	20.1	2,573	51,003
380	Greeley city	Colorado	76,930	29.9	2,572	60,536
381	Fairfield city	California	96,178	37.7	2,554	77,211
382	Gilbert town	Arizona	109,697	43.0	2,554	29,188
383	Fort Collins city	Colorado	118,652	46.5	2,549	87,758
384	Peoria city IL	Illinois	112,936	44.4	2,543	113,504
385	Wichita city	Kansas	344,284	135.8	2,536	304,011
386	Cheyenne city	Wyoming	53,011	21.1	2,511	50,008
387	Tucson city	Arizona	486,699	194.7	2,500	405,390
388	Albuquerque city	New Mexico	448,607	180.7	2,483	384,736
389	Pensacola city	Florida	56,255	22.7	2,478	58,165
390	Palo Alto city	California	58,598	23.7	2,475	55,900
391	Odessa city	Texas	90,943	36.8	2,471	89,699
392	Farmington Hills city	Michigan	82,111	33.3	2,466	74,652
393	Miramar city	Florida	72,739	29.5	2,466	40,663
394	Killeen city	Texas	86,911	35.3	2,459	63,535
395	Meriden city	Connecticut	58,244	23.7	2,453	59,479
396	Elkhart city	Indiana	51,874	21.4	2,428	43,627
397	St. Peters city	Missouri	51,381	21.2	2,425	45,779
398	Burnsville city	Minnesota	60,220	24.9	2,421	51,288
399	Youngstown city	Ohio	82,026	33.9	2,420	95,732
400	Warwick city	Rhode Island	85,808	35.5	2,417	85,427
401	Troy city	Michigan	80,959	33.5	2,414	72,884
402	Raleigh city	North Carolina	276,093	114.6	2,409	207,951
403	Bloomington MN city	Minnesota	85,172	35.5	2,400	86,335
404	Missoula city	Montana	57,053	23.8	2,397	42,918

405	Chicopee city	Massachusetts	54,653	22.9	2,390	56,632
406	Fargo city	North Dakota	90,599	37.9	2,388	74,111
407	Folsom city	California	51,884	21.7	2,387	29,802
408	Kennewick city	Washington	54,693	22.9	2,385	42,155
409	Greenville city NC	North Carolina	60,476	25.6	2,364	44,972
410	Melbourne city	Florida	71,382	30.2	2,364	59,646
411	Ames city	Iowa	50,731	21.6	2,352	47,198
412	Round Rock city	Texas	61,136	26.1	2,339	30,923
413	Green Bay city	Wisconsin	102,313	43.9	2,332	96,466
414	Memphis city	Tennessee	650,100	279.3	2,327	610,337
415	Lafayette city LA	Louisiana	110,257	47.6	2,317	94,440
416	McAllen city	Texas	106,414	46.0	2,315	84,021
417	San Marcos city	California	54,977	23.8	2,314	38,974
418	Hemet city	California	58,812	25.6	2,294	36,094
419	Milford city	Connecticut	50,594	22.3	2,271	48,168
420	Bristol city	Connecticut	60,062	26.5	2,266	60,640
421	Pueblo city	Colorado	102,121	45.1	2,265	98,640
422	Davie town	Florida	75,720	33.4	2,265	47,217
423	El Paso city	Texas	563,662	249.1	2,263	515,342
424	Laredo city	Texas	176,576	78.5	2,250	122,899
425	Cary town	North Carolina	94,536	42.1	2,246	43,858
426	Charlotte city	North Carolina	540,828	242.3	2,232	395,934
427	Roanoke city	Virginia	94,911	42.9	2,213	96,397
428	West Jordan city	Utah	68,336	30.9	2,211	42,892
429	Sioux Falls city	South Dakota	123,975	56.3	2,201	100,814
430	Henderson city	Nevada	175,381	79.7	2,201	64,942
431	Midwest City city	Oklahoma	54,088	24.6	2,199	52,267
432	Temecula city	California	57,716	26.3	2,198	27,099
433	Topeka city	Kansas	122,377	56.0	2,185	119,883
434	Bakersfield city	California	247,057	113.1	2,184	174,820
435	Dubuque city	Iowa	57,686	26.5	2,178	57,546
436	Rochester city MN	Minnesota	85,806	39.6	2,166	70,745
437	Indianapolis city	Indiana	781,870	361.5	2,163	731,327
438	Chico city	California	59,954	27.7	2,161	40,079
439	Janesville city	Wisconsin	59,498	27.5	2,161	52,133
440	Tulsa city	Oklahoma	393,049	182.7	2,152	367,302
441	Greenville city SC	South Carolina	56,002	26.1	2,148	58,282
442	Greensboro city	North Carolina	223,891	104.7	2,138	183,521
443	Thousand Oaks city	California	117,005	54.9	2,133	104,352
444	Lewisville city	Texas	77,737	36.8	2,113	46,521
445	Rochester Hills city	Michigan	68,825	32.9	2,095	61,766
446	Carlsbad city	California	78,247	37.4	2,090	63,126
447	Roswell city	Georgia	79,334	38.0	2,086	47,923
448	Springfield city MO	Missouri	151,580	73.2	2,072	140,494
449	Bismarck city	North Dakota	55,532	26.9	2,065	49,256
450	Springfield city IL	Illinois	111,454	54.0	2,064	105,227
451	Loveland city	Colorado	50,608	24.6	2,060	37,352

452	Fayetteville city NC	North Carolina	121,015	58.8	2,059	75,695
453	Gary city	Indiana	102,746	50.2	2,045	116,646
454	Eau Claire city	Wisconsin	61,704	30.3	2,038	56,856
455	Baytown city	Texas	66,430	32.7	2,034	63,850
456	Middletown city	Ohio	51,605	25.7	2,011	46,022
457	Plymouth city	Minnesota	65,894	32.9	2,002	50,889
458	Orlando city	Florida	185,951	93.5	1,989	164,693
459	Gainesville city	Florida	95,447	48.2	1,981	84,770
460	Durham city	North Carolina	187,035	94.6	1,976	136,611
461	Decatur city IL	Illinois	81,860	41.6	1,970	83,885
462	Eagan city	Minnesota	63,557	32.3	1,968	47,409
463	St. Cloud city	Minnesota	59,107	30.2	1,960	48,812
464	Deltona city	Florida	69,543	35.8	1,944	50,828
465	Colorado Springs city	Colorado	360,890	185.8	1,943	281,140
466	Shreveport city	Louisiana	200,145	103.1	1,940	198,525
467	Aurora CO city	Colorado	276,393	142.5	1,939	222,103
468	Amarillo city	Texas	173,627	89.9	1,932	157,615
469	Cedar Rapids city	Iowa	120,758	63.1	1,913	108,751
470	Terre Haute city	Indiana	59,614	31.2	1,908	57,483
471	Minnetonka city	Minnesota	51,301	27.1	1,890	48,370
472	Mentor city	Ohio	50,278	26.8	1,878	47,358
473	Knoxville city	Tennessee	173,890	92.7	1,877	165,121
474	Monroe city	Louisiana	53,107	28.7	1,852	54,909
475	Wilmington city NC	North Carolina	75,838	41.0	1,850	55,530
476	Victoria city	Texas	60,603	33.0	1,838	55,076
477	Fort Worth city	Texas	534,694	292.6	1,828	447,619
478	Pocatello city	Idaho	51,466	28.2	1,822	46,080
479	Corpus Christi city	Texas	277,454	154.6	1,794	257,453
480	Redlands city	California	63,591	35.5	1,793	60,394
481	Lake Charles city	Louisiana	71,757	40.2	1,786	70,580
482	Grand Prairie city	Texas	127,427	71.4	1,785	99,616
483	Missouri City city	Texas	52,913	29.7	1,782	36,176
484	Danbury city	Connecticut	74,848	42.1	1,777	65,585
485	Haverhill city	Massachusetts	58,969	33.3	1,769	51,418
486	Murfreesboro city	Tennessee	68,816	39.0	1,765	44,922
487	Savannah city	Georgia	131,510	74.7	1,759	137,560
488	Jackson city MS	Mississippi	184,256	104.9	1,756	196,637
489	High Point city	North Carolina	85,839	49.1	1,750	69,496
490	Macon city	Georgia	97,255	55.8	1,743	106,612
491	Lubbock city	Texas	199,564	114.8	1,738	186,206
492	Brownsville city	Texas	139,722	80.4	1,738	98,962
493	Olathe city	Kansas	92,962	54.2	1,716	63,352
494	Virginia Beach city	Virginia	425,257	248.3	1,713	393,069
495	Lakeland city	Florida	78,452	45.8	1,711	70,576
496	Winston-Salem city	North Carolina	185,776	108.9	1,707	143,485
497	Tyler city	Texas	83,650	49.3	1,697	75,450
498	Eden Prairie city	Minnesota	54,901	32.4	1,695	39,311

499	Charleston city WV	West Virginia	53,421	31.6	1,690	57,287
500	Harlingen city	Texas	57,564	34.1	1,689	48,735
501	St. Joseph city	Missouri	73,990	43.8	1,688	71,852
502	Mobile city	Alabama	198,915	117.9	1,687	196,278
503	College Station city	Texas	67,890	40.3	1,686	52,456
504	Asheville city	North Carolina	68,889	40.9	1,683	61,607
505	Salt Lake City city	Utah	181,743	109.1	1,666	159,936
506	Santa Fe city	New Mexico	62,203	37.3	1,666	55,859
507	Broken Arrow city	Oklahoma	74,859	45.0	1,664	58,043
508	Bend city	Oregon	52,029	32.0	1,625	20,469
509	Birmingham city	Alabama	242,820	149.9	1,620	265,968
510	Fort Smith city	Arkansas	80,268	50.4	1,594	72,798
511	Columbia city MO	Missouri	84,531	53.1	1,593	69,101
512	San Angelo city	Texas	88,439	55.9	1,582	84,474
513	Little Rock city	Arkansas	183,133	116.2	1,576	175,795
514	Tallahassee city	Florida	150,624	95.7	1,574	124,773
515	Rocky Mount city	North Carolina	55,893	35.6	1,571	48,997
516	Davenport city	Iowa	98,359	62.8	1,566	95,333
517	Council Bluffs city	Iowa	58,268	37.4	1,559	54,315
518	Sioux City city	Iowa	85,013	54.8	1,551	80,505
519	Maple Grove city	Minnesota	50,365	32.9	1,532	38,736
520	Bryan city	Texas	65,660	43.3	1,515	55,002
521	Jacksonville city NC	North Carolina	66,715	44.5	1,500	30,013
522	Anderson city	Indiana	59,734	40.0	1,491	59,459
523	Chino Hills city	California	66,787	44.8	1,490	27,608
524	West Palm Beach city	Florida	82,103	55.1	1,489	67,643
525	Wichita Falls city	Texas	104,197	70.7	1,474	96,259
526	North Las Vegas city	Nevada	115,488	78.5	1,471	47,707
527	Hoover city	Alabama	62,742	43.1	1,454	39,788
528	Independence city	Missouri	113,288	78.3	1,446	112,301
529	Gastonia city	North Carolina	66,277	46.1	1,439	54,732
530	Midland city	Texas	94,996	66.6	1,426	89,443
531	Las Cruces city	New Mexico	74,267	52.1	1,426	62,126
532	Johnson City city	Tennessee	55,469	39.3	1,412	49,381
533	Kansas City city MO	Missouri	441,545	313.6	1,408	435,146
534	Albany GA city	Georgia	76,939	55.5	1,385	78,122
535	Tuscaloosa city	Alabama	77,906	56.2	1,385	77,759
536	Redding city	California	80,865	58.4	1,384	66,462
537	Bossier City city	Louisiana	56,461	40.8	1,383	52,721
538	North Charleston city	South Carolina	79,641	58.5	1,360	70,218
539	Waco city	Texas	113,726	84.2	1,351	103,590
540	North Little Rock city	Arkansas	60,433	44.8	1,349	61,741
541	Longview city	Texas	73,344	54.7	1,342	70,311
542	Beaumont city	Texas	113,866	85.0	1,339	114,323
543	Rapid City city	South Dakota	59,607	44.6	1,337	54,523
544	Fayetteville city AR	Arkansas	58,047	43.4	1,337	42,099
545	Biloxi city	Mississippi	50,644	38.0	1,332	46,319

546	Lynchburg city	Virginia	65,269	49.4	1,321	66,049
547	Denton city	Texas	80,537	61.5	1,310	66,270
548	Montgomery city	Alabama	201,568	155.4	1,297	187,106
549	Duluth city	Minnesota	86,918	68.0	1,278	85,493
550	Lancaster city CA	California	118,718	94.0	1,263	97,291
551	Gulfport city	Mississippi	71,127	56.9	1,250	40,775
552	Palm Bay city	Florida	79,413	63.6	1,248	62,632
553	Battle Creek city	Michigan	53,364	42.8	1,246	53,540
554	Flower Mound city	Texas	50,702	40.9	1,240	15,527
555	Galveston city	Texas	57,247	46.2	1,240	59,070
556	Lawton city	Oklahoma	92,757	75.1	1,234	80,561
557	Pine Bluff city	Arkansas	55,085	45.6	1,208	57,140
558	Jackson city TN	Tennessee	59,643	49.5	1,205	48,949
559	Taunton city	Massachusetts	55,976	46.6	1,201	49,832
560	Lee's Summit city	Missouri	70,700	59.5	1,188	46,418
561	Kansas City city KS	Kansas	146,866	124.3	1,182	149,767
562	Port St. Lucie city	Florida	88,769	75.5	1,175	55,866
563	Nashville-Davidson	Tennessee	545,524	473.3	1,152	488,374
564	Chattanooga city	Tennessee	155,554	135.2	1,150	152,466
565	Waterloo city	Iowa	68,747	60.7	1,132	66,467
566	Palmdale city	California	116,670	105.0	1,111	68,842
567	Abilene city	Texas	115,930	105.1	1,103	106,654
568	Scottsdale city	Arizona	202,705	184.2	1,100	130,069
569	Daytona Beach city	Florida	64,112	58.7	1,093	61,921
570	Clarksville city	Tennessee	103,455	94.9	1,091	75,494
571	Concord city NC	North Carolina	55,977	51.6	1,085	27,347
572	Decatur city AL	Alabama	53,929	53.4	1,010	48,761
573	Charleston city SC	South Carolina	96,650	97.0	996	80,414
574	Cape Coral city	Florida	102,286	105.2	972	74,991
575	Jacksonville city FL	Florida	735,617	757.7	971	635,230
576	McKinney city	Texas	54,369	58.0	937	21,283
577	Hesperia city	California	62,582	67.4	929	50,418
578	Columbia city SC	South Carolina	116,278	125.2	929	98,052
579	Lexington-Fayette	Kentucky	260,512	284.5	916	225,366
580	Huntsville city	Alabama	158,216	174.1	909	159,789
581	Victorville city	California	64,029	72.8	880	40,674
582	Columbus city GA	Georgia	185,781	216.1	860	178,681
583	Athens city	Georgia	100,266	117.8	851	45,734
584	Temple city	Texas	54,514	65.4	834	46,109
585	Oklahoma City city	Oklahoma	506,132	607.0	834	444,719
586	Flagstaff city	Arizona	52,894	63.6	832	45,857
587	Vineland city	New Jersey	56,271	68.7	819	54,780
588	Edmond city	Oklahoma	68,315	85.1	802	52,315
589	Peoria city AZ	Arizona	108,364	138.2	784	50,618
590	Apple Valley town	California	54,239	73.3	740	46,079
591	Yuma city	Arizona	77,515	106.7	727	54,923
592	Rio Rancho city	New Mexico	51,765	73.4	705	32,505

593	Jonesboro city	Arkansas	55,515	79.6	697	46,535
594	Port Arthur city	Texas	57,755	82.9	696	58,724
595	Dothan city	Alabama	57,737	86.6	667	53,589
596	Augusta city	Georgia	195,182	302.1	646	44,639
597	Chesapeake city	Virginia	199,184	340.7	585	151,976
598	Norman city	Oklahoma	95,694	177.0	541	80,071
599	Carson City NV	Nevada	52,457	143.4	366	40,443
600	Suffolk city	Virginia	63,677	400.0	159	52,141
601	Anchorage city	Alaska	260,283	1,697.3	153	226,338

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