

MINUTES OF A SPECIAL MEETING OF JUNE 18, 1992

A special meeting of the Sussex County Planning and Zoning Commission was held Thursday evening, June 18, 1992 at 7:30 PM in the County Council Chambers, Room 115, the Courthouse, Georgetown, Delaware, with the following present:

Mr. Allen, Mr. Magee, Mrs. Monaco, Mr. Ralph, Mr. Smith, Mr. Schrader - Assistant County Attorney, Mr. Lank - Director, and Mr. Abbott - Planner I.

The purpose of the meeting was to meet with Randall Arendt of the Natural Lands Trust to discuss his first draft of proposed amendments to Article XVI, the Residential Planned Community District.

Mr. Arendt advised the Commission that the amendments are suggested to update the Code of Sussex to be consistent with present thinking of other areas including Counties, Townships, etc..., that all regulations need to be updated to conform to present trends, that he has tried to incorporate environmental standards, and that when a future development is completed, protective measures will then exist for open space, wildlife habitat, buffers, etc...

Mr. Arendt discussed the proposed amendments to Section 115-118, the Purpose of the Article, and quoted specifically that "The overall purpose of this Article is to offer design flexibility regarding the location of buildings and roads in order to create desirable and usable open space, while protecting tree cover, wildlife habitat and water quality, and preserving environmentally sensitive features" and that "A secondary objective is the encouragement of development design principles based on traditional neighborhoods in Sussex County's small historic towns".

Mr. Arendt discussed the proposed amendments to Section 115-121, the Minimum District Area, and advised the Commission that the reduction from 40 acres to 10 acres permits a smaller RPC area with more flexibility, and that to encourage RPC developments it may be necessary to require a 2 acre minimum lot size elsewhere, that a RPC and a subdivision should have different formulas for calculating densities, and that parking arrangements can be different for a RPC and a subdivision.

Mr. Allen expressed a concern in reference to reduction of the required area.

Mr. Arendt discussed the proposed amendments to Section 115-122, Ownership, specifically subsection C, referencing utilities and roads, and maintenance.

There was a consensus of the Commission that some jurisdictional problems may exist with the County's involvement in maintenance in private developments.

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Mr. Arendt discussed proposed amendments to Section 115-125 (B), the Review Standards and Conditions section, which references conservation easements co-signed by agencies.

The Commission expressed some concerns about liabilities and questioned the co-signers of an agency. A Sussex County Council representative should be a co-signer, not a Planning and Zoning Commission representative.

Mr. Arendt discussed proposed amendments to Section 115-125 (C), which references required open space calculations, footpaths, and other activities.

The Commission expressed some concern in requiring 50 percent of site area being reserved for open space.

Mr. Arendt discussed proposed amendments by adding Section 115-125 (E), which references 100 feet buffers, landscaping criteria, and that the applicant's landscape architect or Conservation District shall make recommendations in plantings.

There was a consensus of the Commission that the applicant's landscape architect could design a landscaping proposal and that the State Forester with the Department of Agriculture should be the reviewing and approving agent.

Mr. Arendt discussed proposed amendments by adding Section 115-125 (F), which references buffer areas with trail systems, bonding, exclusion of motorized vehicles, and permission to allow golf carts where a golf course is allowed.

Mr. Arendt discussed proposed amendments by adding Section 115-125 (G), which referenced pedestrian circulation.

Mr. Arendt discussed proposed amendments by adding Section 115-125 (I), which references areas within a Conservation Zone, and tree removal and replacement requirements.

Mr. Lank advised the Commission that the conservation zone should reference an overlay zone as defined in Section 115-194.

Mr. Arendt discussed proposed amendments by adding Section 115-125 (J), which references sidewalks, curbs, and parking areas.

Mr. Lank advised the Commission that DelDOT does not require curb/gutter in Sussex County, and that the County regulation does not permit parking in street right of ways.

Mr. Arendt stated that he was not aware of either issue, and then discussed the variety of curb types.

Mr. Arendt discussed proposed amendments by adding Section 115-125 (K), which replaces the original subsection (C), which referenced repetitious setback, elevations, and landscaping.

Mr. Arendt discussed proposed amendments to Section 115-126 which references the number of dwelling units permitted.

The Commission questioned the reference to 50 percent of the 100 year floodplain area being eliminated from the net area calculation.

Mr. Arendt discussed proposed amendments to Section 115-127 which references minimum lot area, width, and setbacks.

Mr. Arendt discussed proposed amendments to Section 115-128 which references requirements regarding parking and streets and driveways.

The Commission expressed some concern in reference to no setback for garages on a rear lot line adjoining an alley-way.

Mr. Arendt stated that he would revise the first draft to reference comments made by the Commission and requested that he be able to meet with the Commission on July 16, 1992 to review the revised draft.

There was a consensus of the Commission to meet with Mr. Arendt on July 16, 1992 at 7:30 PM. in County Council Chambers.

The Meeting adjourned at 10:00 PM.