

ORDINANCE NO. 2935

AN ORDINANCE TO AMEND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN IN RELATION TO TAX PARCELS 135-15.00-98.00 & 98.01.

WHEREAS, on April 28, 2022, the Sussex County Planning and Zoning Office received an application for a Comprehensive Plan Amendment Request to amend the Future Land Use Map element of the Comprehensive Plan to change the Area designation of a portion of Sussex County Parcel Nos. 135-15.00-98.00 & 98.01 from the Commercial Area to the Developing Area; and

WHEREAS, the Parcel approximating 50.797 acres of land, lying and being within Georgetown Hundred, and located on the south side of Lewes Georgetown Highway (Route 1), approximately 0.4-miles east of the intersection of Sand Hill Road (S.C.R. 319) and Lewes Georgetown Highway.

WHEREAS, The Property is designated as being within the Commercial Area as set forth in the Future Land Use Map identified as Figure 4.5-1 in the 2018 Comprehensive Plan for Sussex County.

WHEREAS, Sussex County Council desires to adopt this Ordinance amending the Future Land Use Map of the Plan with minor amendments; and

WHEREAS, in accordance with the required process for public hearings on Ordinances such as this one, both Sussex County Council and the Sussex County Planning & Zoning Commission will hold public hearings on this Ordinance but limited in scope to this specific proposed amendment to the Future Land Use Map contained in the Plan.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. The Future Land Use Map identified as Figure 4.5-1 of the Sussex County Comprehensive Plan is hereby amended to change the area designation of Sussex County Parcel Nos. 135-15.00-98.00 & 98.01 from the Commercial Area to the Developing Area. The entirety of Sussex County Parcel Nos. 135-15.00-98.00 & 98.01 so changed is identified in Exhibit A, attached hereto, and incorporated herein.

Section 2. This Ordinance shall also take effect following its adoption by majority vote of all members of the County Council of Sussex County, Delaware, and upon certification by the State of Delaware.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 2935 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 27TH DAY OF JUNE 2023.

Tracy N. Torbert
Clerk of the Council

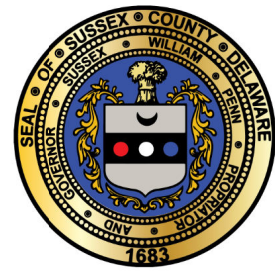
The Council found that the Future Land Use Map Amendment was appropriate legislative action based on the following Findings of Fact:

- A.** This is an application to amend the Future Land Use Map of the Comprehensive Plan in relation to Tax Parcels 135-15.00-98.00 & 98.01 (properties located on the south side of Lewes Georgetown Highway [Route 9], approximately 0.4-mile east of the intersection of Sand Hill Road [S.C.R. 319] and Lewes Georgetown Highway) (911 Address: 22242 Lewes Georgetown Highway, Georgetown) (Tax Parcels: 135-15.00-98.00 & 98.01).
- B.** Based on the record before the Planning & Zoning Commission, the hearing before the Sussex County Council and the Planning and Zoning Commission's Findings (1 through 8), Council found that:

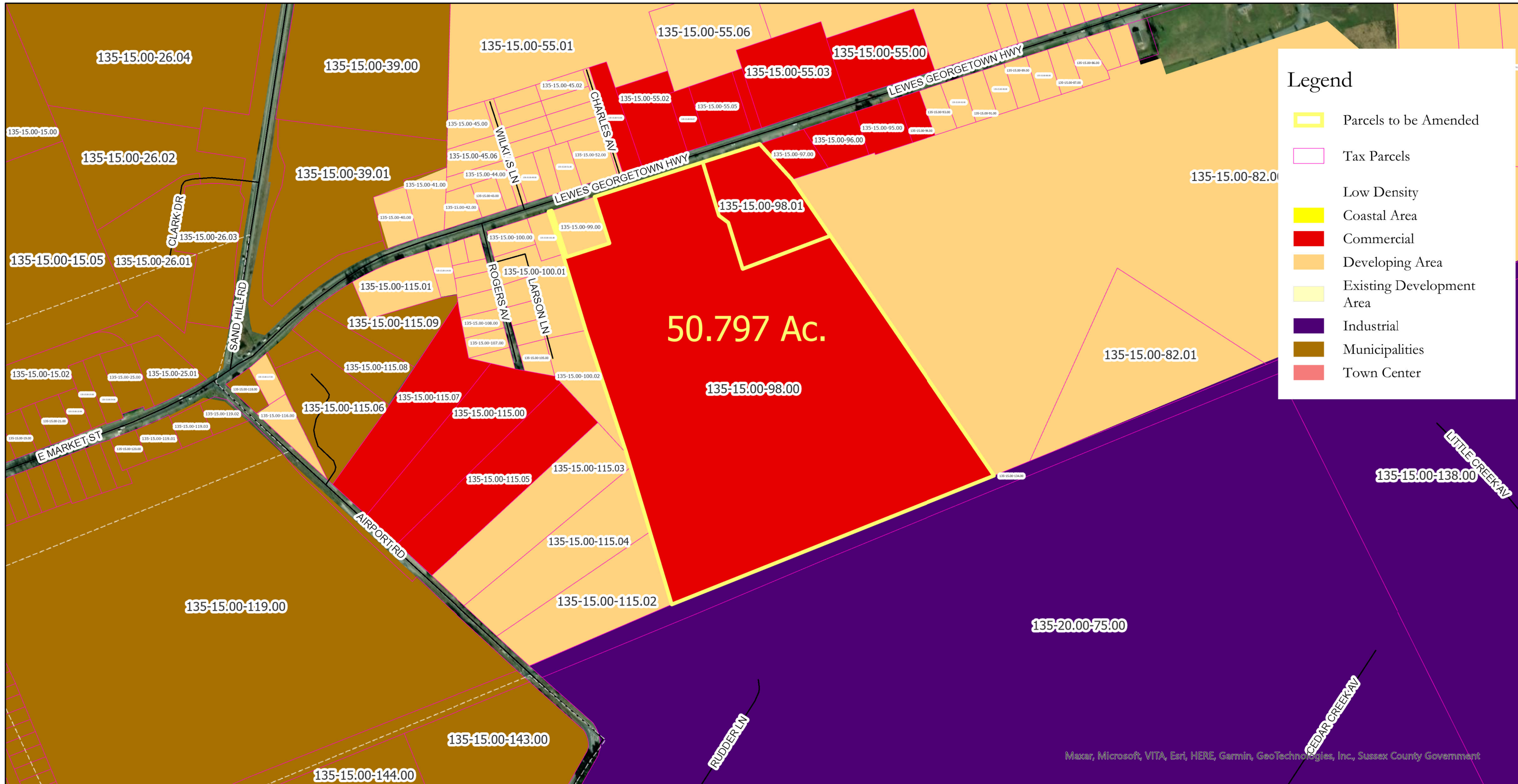
- 1. The parcel is currently designated as the Commercial Area according to the Future Land Use Map. This application seeks to convert the property to the “Developing Area” designation.**
 - 2. The Developing Area and Commercial Area are both “Growth Areas” according to the Comprehensive Plan, so this revision does not result in a substantial change to the Future Land Use Map.**
 - 3. The parcel has frontage on Route 9, which is an appropriate location for the Developing Area designation.**
 - 4. Although the site was originally given the Commercial Area designation in the Comprehensive Plan due to its proximity to the railroad, the County Industrial Park, Route 9, and Sports at the Beach, there has not been any movement to develop it commercially. The Developing Area designation is equally appropriate, since it will permit the property to be residentially developed at a location that is in close proximity to the Town of Georgetown and the employment opportunities and commercial uses.**
 - 5. This revision to the Future Land Use Map will not adversely affect neighboring properties, area roadways, or future land-use planning in the area.**
 - 6. There is central sewer and water available to the property.**
 - 7. No parties appeared in opposition to this Map Amendment.**
 - 8. This revision of the Future Land Use Map is appropriate given the particular circumstances involved at this location. When several factors like these exist, the consideration and approval of an amendment to the Future Land Use Map is appropriate.**
- C. Based on the record created before the Planning and Zoning Commission and the Sussex County Council, the Council approved this Application.**

EXHIBIT A:

Potential Comprehensive Plan
Amendment Parcels



Sussex County

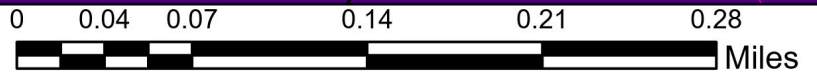


Legend

- Parcels to be Amended
- Tax Parcels
- Low Density
- Coastal Area
- Commercial
- Developing Area
- Existing Development Area
- Industrial
- Municipalities
- Town Center

50.797 Ac.

135-15.00-98.00



Maxar, Microsoft, VITA, Esri, HERE, Garmin, GeoTechnologies, Inc., Sussex County Government