

ORDINANCE NO. 3052

AN ORDINANCE TO AMEND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN IN RELATION TO TAX PARCEL 135-11.00-82.00

WHEREAS, on May 17th, 2023, 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 Sussex County Parcel No. 135-11.00-82.00 from the Low Density Area to the Industrial Area; and

WHEREAS, the Parcel approximating 14.426 acres of land, lying and being within Georgetown Hundred, and located on the northeast side of Gravel Hill Road (Route 30), approximately 0.14 mile southeast of Lewes Georgetown Highway (Route 9);

WHEREAS, The Property is currently designated as being within the Low Density Area as set forth in the "Sussex County 2045 Future Land Use Map" identified as Figure 4.5-1 in the 2018 Comprehensive Plan for Sussex County;

WHEREAS, A pending Change of Zone Application (C/Z 1976) has been filed with the Department of Planning and Zoning for the subject property to facilitate a change of zone from Agricultural Residential (AR-1) District to Limited Industrial (LI-1) District;

WHEREAS, the Limited Industrial (LI-1) District is not listed as an Applicable Zoning District within the Low Density Area within Table 4.5-2 "Zoning Districts Applicable to Future Land Use Categories" in the 2018 Comprehensive Plan for Sussex County;

WHEREAS, the Limited Industrial (LI-1) District is listed as an Applicable Zoning District within the Industrial Area within Table 4.5-2 "Zoning Districts Applicable to Future Land Use Categories" 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 No. 135-11.00-82.00 from the Low Density Area to the Industrial Area. The entirety of Sussex County Parcel No. 135-11.00-82.00 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. 3052 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 15TH DAY OF OCTOBER 2024.


Tracy N. Torbert
Clerk of the Council

The Council found that the Future Land Use 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 Parcel No. 135-11.00-82.00 (property lying on the northeast side of Gravel Hill Road [Rt. 30], approximately 0.14 mile southeast of Lewes Georgetown Highway [Rt. 9]) (911 Address: 20093 Gravel Hill Road, Georgetown) (Tax Map Parcel: 135-11.00-82.00).
- 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 6), Council found that:
 - 1. The parcel is currently designated as being within the "Low Density Area" according to the Sussex County Future Land Use Map contained within the Comprehensive Plan. This application seeks to convert the property to the "Industrial Area" designation.
 - 2. The site has been used for heavy commercial and industrial purposes for decades. There was testimony in the record that this type of use relates back as far as World War Two and the buildup of Fort Miles. It was an oversight to omit this property from the Industrial Area designation within the current Future Land Use Map given the longstanding use of the property. This amendment corrects that oversight.
 - 3. According to the County's Comprehensive Plan, the "Industrial Area" is intended for "lands devoted to concentrations of larger industrial uses including heavier industry, light industry, warehousing, and flex space. Appropriate development in these areas could take the form of conventional industrial parks or planned business parks with a unified design that incorporates a combination of light industry and other business uses." The change in the Future Land Use Map to recognize the ongoing use of the property is appropriate.
 - 4. The property is also located along Route 30, in close proximity to the intersection with Route 9. The Industrial Area designation is appropriate at this location.
 - 5. Because this Map Amendment simply reflects the longstanding use of this particular property, 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. 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.

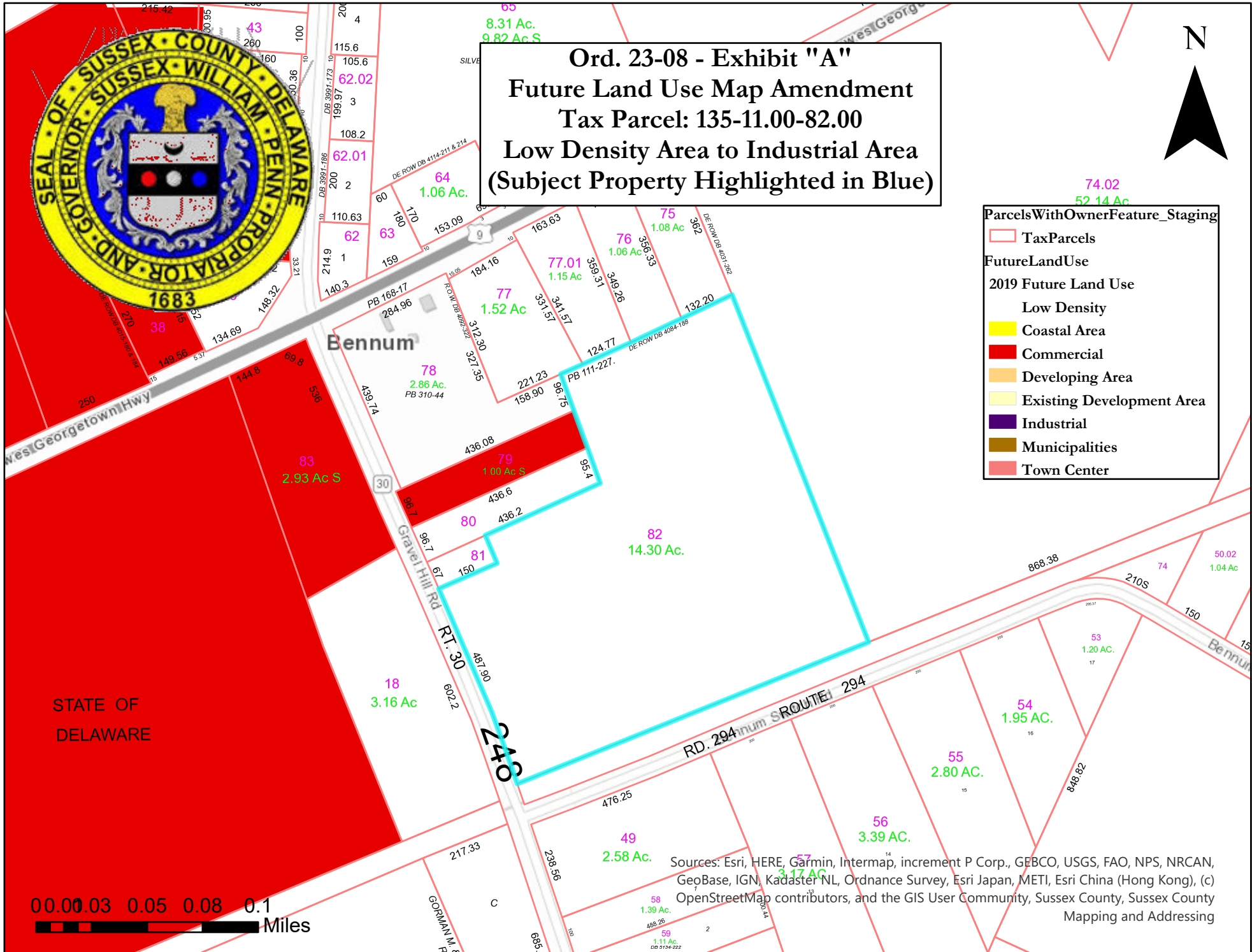


Ord. 23-08 - Exhibit "A"
Future Land Use Map Amendment
Tax Parcel: 135-11.00-82.00
Low Density Area to Industrial Area
(Subject Property Highlighted in Blue)

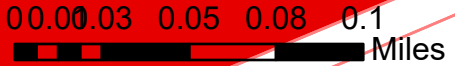


ParcelsWithOwnerFeature_Staging

- TaxParcels
- FutureLandUse
- 2019 Future Land Use
 - Low Density
 - Coastal Area
 - Commercial
 - Developing Area
 - Existing Development Area
 - Industrial
 - Municipalities
 - Town Center



STATE OF DELAWARE



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Sussex County, Sussex County Mapping and Addressing