

***Sussex County
Comprehensive Plan:
The Future Land Use
Element
“Looking Back”
to 2008***

League of Women Voters Forum

April 26, 2017

By Carol Bason

Looking Back to 2008:

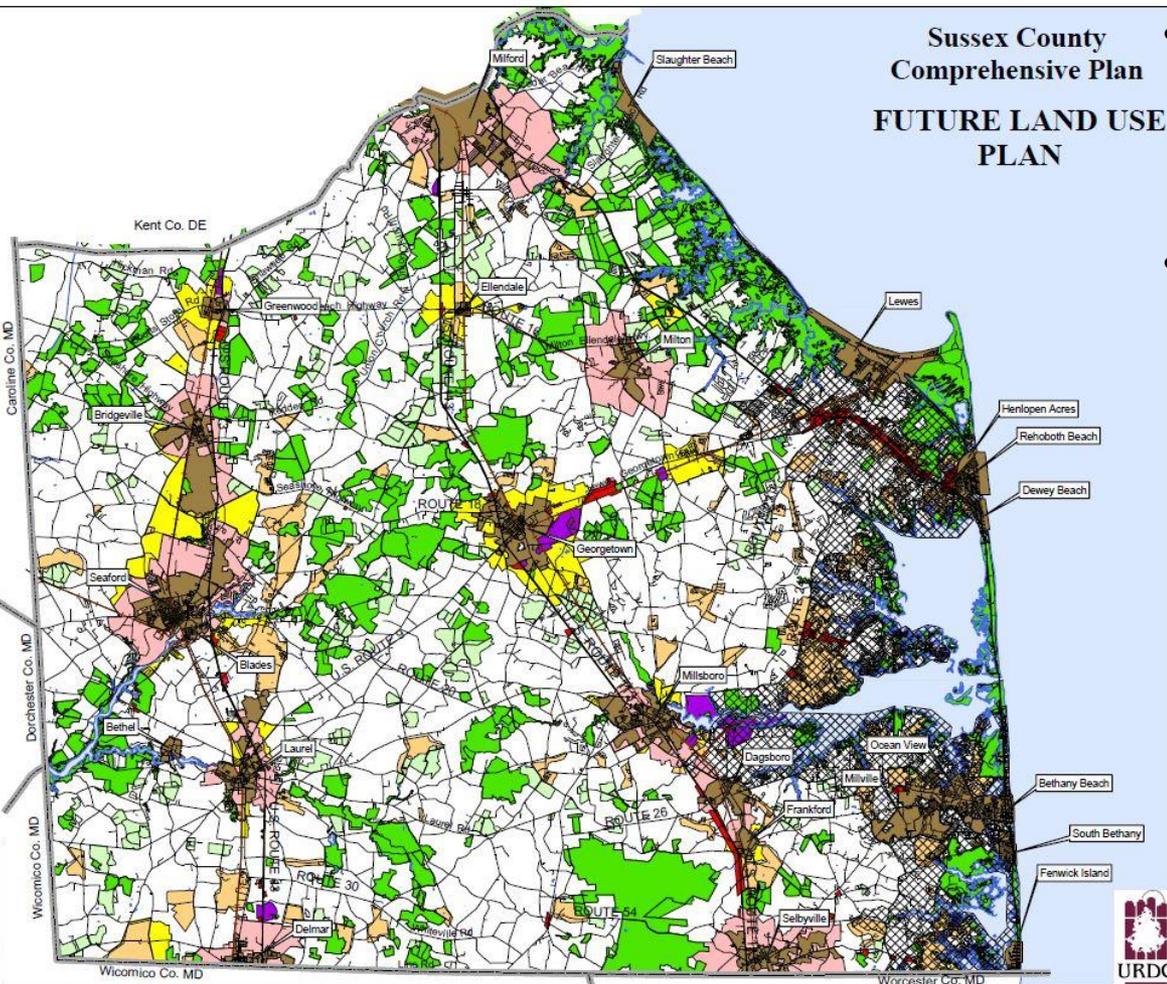
The SC Comprehensive Plan Future Land Use Map



Sussex County Comprehensive Plan FUTURE LAND USE PLAN

- *Defines future GROWTH areas in unincorporated Sussex County*

- *The legal entity for County growth planning*



Growth Areas

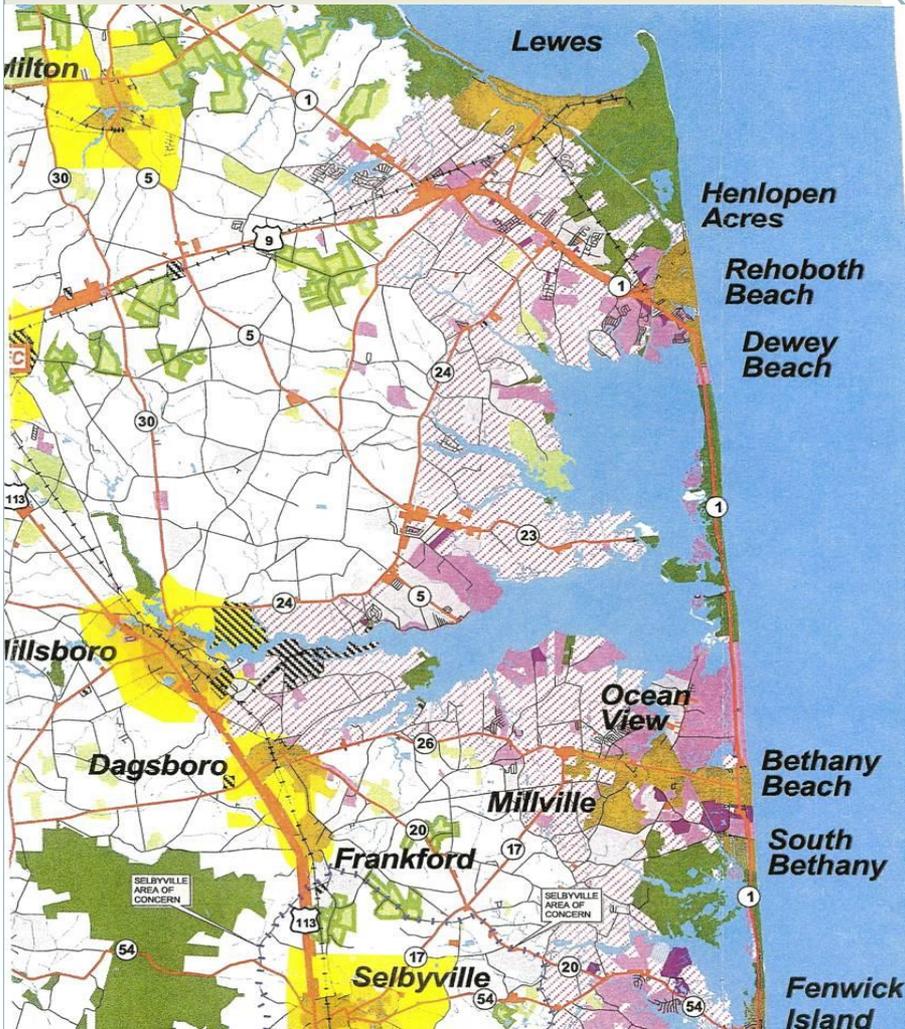
- Municipality
- Town Center
- Developing Area
- Environmentally Sensitive Developing Area
- Mixed Residential Areas
- Highway Commercial Areas
- Planned Industrial Areas

Rural Areas

- Low Density Area
- Protected Lands
(All Federal lands, State lands, agricultural easements, private conservancy lands, major wetlands and lands preserved by other conservation easements)
- Agricultural Preservation Districts Under the State Program
(A voluntary program. Only a very limited number of homes allowed on a tract under State regulations during the time of an agreement. Participating landowners are eligible to sell development rights to the State.)



Authority to Act: Area of Concern - The “ESDA”



From the 2008 Plan:

“Valid public purposes for open space include: ... To preserve land for agriculture, ... **To preserve environmentally sensitive areas.....**” (p. 3-32)

“**Seven Types of Growth Areas.....** Municipalities ..., Town Centers ..., Developing Areas..., **”Environmentally Sensitive Developing Areas”**” (p. 3-8)

Authority to Act:

The Inland Bays Watershed & Sussex County Agreements



- Authority

The Delaware Inland Bays “CCMP”

Comprehensive Conservation and Management Plan

June 1995 (September 2012)

- Signatories

- The State of Delaware – OSPC, DNREC, Agriculture
- **Sussex County Council**
- Sussex County Association of Towns
- Sussex Conservation District
- Center for the Inland Bays

Looking Back to 2008: Sussex County Agreements



- Protect Inland Bays Critical Areas, beach and dune systems (*CCMP LU-A*)
- Develop Sussex County habitat protection ordinances (*CCMP HP-A,B*)
- Reduce nutrient load to protect bay habitats (*CCMP IMS-A,B*); Meet nutrient reduction goals of the Pollution Control Strategy (PCS) (*CCMP IMS-A*)
- Tie new and existing development to appropriate sewage treatment infrastructure (*CCMP IMS-B*)
- Determine the type and rate of growth that can be accommodated (carrying capacity) across the County (*CCMP LU-A*)
- Provide a clear plan and mechanisms for implementation (*CCMP LU-A*)
- Support environmentally-sensitive development (*CCMP LU-B*)

CIB's Citizen Advisory Committee (CAC) Process



- Compared 2003 SC Comp Plan & 2008 SC Comp Plan draft to CCMP goals, objectives and tasks
- Received input from State government, local jurisdictions, and Delaware conservation organizations
- Utilized Workshops, Publicity & Promotion
- Presented CIB “Statement of Concern” & SC Comp Plan Recommendations to County
- Followed-up with draft ordinances in support of critical areas protection

CIB Recommendations: Sussex County 2008 Plan



- **To enact binding regulations for the following in all ESDA zoning districts:**
 - Effective tidal and non-tidal wetland buffering
 - Public sewer & water utilization for all land uses
 - Pollution Control Strategy (PCS) implementation
 - Community and Commercial Design criteria
 - Open Space definition and categorization
 - Transfer of Development Rights (TDR) or other mitigation strategy to protect critical environmental areas while accommodating growth

- **To ENFORCE the above!**



County Action on Recommendations



2008 SC Comp Plan Future Land Use Goals:

- “protect critical natural resources...by guarding against over-development and permanently preserving selected lands” (p. 3-7)
- “ensure that new developments incorporate preserved usable open space and other best practices in subdivision design” ” (p. 3-8)

Acted Upon

- [Open Space Ordinance \(Ord. No. 2022\)](#) Approved 12/16/2008
- [Superior Design Ordinance \(Ord. No. 2024\)](#) Approved 12/16/2008
- [Private Community Wastewater Systems Ordinance](#) (Ord. No. 2023) Approved 12/16/2008
- [Affordably Priced Rental Units Program Ordinance](#) (Ord. No. 2016) Approved 12/09/2008
- [Sign Ordinance Amendment](#) (Ord. No. 2008) Approved 12/02/2008
- [Forested Buffer Amendment](#) (Ord. No. 1984) Approved 07/29/2008
- [Source Water Protection Ordinance](#) (Ord. No. 1979) Approved 06/24/2008

Effectiveness of Effort



- On SC implementation: “May consider”, “Potential conversation”, “Interest in establishing...”
- On SC Ordinances encoded: Voluntary and Non-binding
- Still need regulations for:
 - Effective Buffers around Tidal Wetlands
 - Buffer regulations for Non-tidal Wetlands
 - Critical Habitat Protection Element in Comprehensive Plan
 - Binding Residential & Commercial Design Standards
 - ESDA and Agricultural Zoning Districts
 - Mitigation Strategies for Density Increases (e.g. TDRs; Land Capacity Study)

Looking Forward....



April 26, 2017