



## **Eyes on County Council – March 3, 2026**

### **HIGHLIGHT EVENT:**

- **Progress on Land Use Reforms** – County Administrator, **Todd Lawson**, presented six proposed land use ordinances emanating from the Land Use Reform Working Group recommendations. These draft laws are expected to be presented at the Tuesday, March 10 council meeting, when the process to plan public hearings will begin and eventually lead to votes on the proposed changes. See media reports in related articles section below for additional details.

### **Public Comment:**

- **Rich Borasso** stated he attended all land use reform work group meetings and is encouraged that Council is moving forward on drafting updates to specific recommendations while reserving others for more extensive study and deliberation. He expressed concern about the 14,000 housing units already in the development pipeline with little chance that the county will or can subject these developments to any updates resulting from the land use reform outcomes. He asked Council to recognize that these and additional new development applications over the next few months will circumvent and dilute the efforts of County Council to address land use issues, and to give it their attention. He also thanked Council for expediting the new Comprehensive Plan process and noted that Sussex Preservation Coalition looks forward to working with the county and all stakeholders over the next two years as the Plan is created.
- **Mrs. Fletcher** spoke in support of Delaware and Sussex County law enforcement and thanked Council for its support.
- **Marlene Bittinger** spoke passionately in favor of a proposed tax increase for independent libraries in Sussex. She noted that:
  - The general public, in her opinion, supports the increase.
  - Public libraries rely heavily on the money they get from property tax, but that libraries raise most of their operating budgets on their own.
  - Libraries provide many community services including computers for young people's homework assignments, hosting for a food pantry, and health, art, and cultural programs.

### Presentations:

- **Dr. Edward Hale** from The Fisheries and Aquaculture Innovation Center (FAIC) and **Mimi DuPont** from The Delaware Environmental Coalition (DECO) appealed to Council for funding. Dr. Hale spoke about advancing sustainable fisheries and aquaculture through education, research and extension programs that support economic development, environmental stewardship and community resilience. He spoke about how oyster reefs benefit the quality of the water as well as attenuate waves and reduce shoreline erosion. He compared Delaware to Rhode Island in terms of their respective scope in oyster farming. As of 2022, Rhode Island farmed 373 acres to Delaware's 18 acres. Commercial sales in RI were \$40,357,359 while in DE it was \$1,272,058. Dr. Hale then spoke about various educational paths to careers in aquaculture. He spoke about what FAIC was doing over the next several years to promote aquaculture. Mimi DuPont is looking to create aquaculture experiences for high school students and seasonal employees at the hatchery. Council recognized the untapped potential for oyster production in Delaware. However, **Mr. Rieley** suggested "this has got to be driven through the profit motive at the end of the day. I don't think, I don't see it being successful with government subsidies." No motions were made.
- County recognized retiree **Robert Mauch, III**, Public Safety Emergency Medical Services Deputy Director for his devotion, loyalty, and excellence in serving Sussex County 26 years.
- Sussex County Council approved a property management agreement with the Sussex County Land Trust for the property known as the **Pepper Fork Preserve**. In May 2024, Council approved the purchase of the Pepper Fork Preserve north of Dagsboro. The county paid \$2.65 million for over 160 acres of land. The purchase allowed for the preservation of a very large track of land with unique natural characteristics and ideal location adjacent to the town of Dagsboro. As with other recent acquisitions, this purchase stipulated a deed of conservation easement be recorded in favor of the Sussex County Land Trust for the purpose of developing and managing the property. In addition, the purchase stipulated the county and the land trust enter into a property management agreement. The agreement specifies the land trust's roles and responsibilities in managing the preserve. The agreement is for a 25-year period with an extension of 25 years. The land trust is responsible for the development, solicitation of bids, and construction of the agreed-upon improvements to the preserve, including the to-be-developed master plan. Any funding requests will need to be approved by the county in a future budget.
- Sussex County Council approved the appointment of Ms. **Vivian Erickson** to the Library Advisory Board, effective immediately until February 2029.

- **Kristen McAfee**, Logistics Manager, requested approval for relocation of Paramedic Station 114 in Rehoboth due to flooding issues. County Council approved terminating the current lease with the Waypoint Rehoboth LLC and entering into a new two-year sublease for the property located at 19948 Church Street, Rehoboth. The station will be moved permanently to Dewey Beach by fall 2027.
- **This week's sewer updates:**
  - Contract for the Briarwood Estates septic elimination project in the amount of \$2,223,060 awarded to Georgian Lynch.
  - An amendment to a professional services contract for the Briarwood Estates septic elimination project held by the firm Johnson, Mirmiran, and Thompson was approved in the amount of \$99,665.
- **Airport Updates:**
  - County Council approved Delta Airport Consultants task order number four, construct parallel taxiway B, design and bidding phases, phase 5, phase 6, phase 7, and the total project cost of \$500,000. 95% of cost will be included in a federal grant.
  - County Council approved Delta Airport Consultants task order number three runway four obstruction study obstacle action plan update in the total project cost of \$95,000.
  - County Council approved the submittal of one Federal Aviation Administration General Aviation Airport runway extension pilot program airport improvement program grant application in the amount of \$42,522,000 for work associated with the design and construction of a runway 4 extension.

**Old Business:**

- **CU #2530 on behalf of Whitney Price** – Council established that records will be closed in five calendar days, as recommended by P&Z. This was the protracted case cited at the February 10<sup>th</sup> meeting for approval of use of an Air BnB.
- **Closed the public record for CU #2033** on behalf of Springpoint at Lewes, as all required documents have been submitted
- **Ordinance No. 25-02** - a new **Sediment Release and Control and Stormwater Management** ordinance, was approved. Numerous separate changes to Chapter 99 of the county code made up the ordinance.
  - The goal of these changes is stricter sediment and stormwater control aimed at addressing construction runoff. Key changes include requiring individualized grading plans, reducing allowed disturbed acreage, enforcing tighter post-development runoff limits, enhanced inspection of development sites, and utilizing a county-created algorithm for designing stormwater systems.

- Hans Medlarz, County Engineer, was asked if these changes would eliminate sediment erosion. He answered it would provide “significant reduction”.

## **Update and Discussion related to County Code Ordinances focused on Land Use Reforms:**

Discussion and Power Point presentation start at 1:57:23 in the chambers broadcast.

- Todd Lawson, County administrator, explained the approach to moving forward on the first round of county code updates based on the Land Use Reform Working Group recommendations:
  1. Provide updates on the proposed Code changes (at today’s Council meeting)
  2. Get feedback and direction on any outstanding questions
  3. Return **next week** to discuss and introduce Ordinances for future public hearings
  4. Continue bringing updates to Council to complete first round of changes
- First round of ordinances:
  1. Sussex County Rental Program (SCRCP)
  2. Open Space Requirements
  3. Preliminary Plat Requirements, Interconnectivity and Superior Design
  4. Subdivisions in Rural Areas and Growth Areas
  5. Forest Preservation
  6. New Code definitions
- **Sussex County Rental Program** – this is a high priority of the LURWG and Council. The recommendations include: reduce set-back requirements, reduce open space requirements, adjust SCRCP units to 15% of total units, down from 25%, and adjust unit rental pricing to 60% AMI, up from 50%.
  - **Jane Gruenebaum and John Rieley** expressed concerns over the change from 25% to 15%. Steve McCarron expressed concern about where these units would be placed. He feels areas should be identified.
- **Open Space** – the recommendation is to update qualifying Open Space uses – require stormwater retention ponds that emulate natural feature, excludes any other features not listed in Code. Change Open Space requirements in subdivisions to 30% in Growth Area and 50% in Rural Area. Incorporate Superior Design elements for Open Space. Encourage naturalized landscaping and native Vegetation with pollinator zones and low-mow-zones.
- **Section 99-9c Preliminary PLAT** – Update the list of requirements in 99-9c.

Require that the criteria is satisfied and the manner in which it is satisfied. Other topics updated are – Scenic views and cultural and historic features, No lots in wetlands, erosion and stormwater control meets the updates in chapter 90, Screening of objectionable features, Improve interconnectivity requirements, Apply Superior Cluster Design to all subdivisions.

- **Subdivisions**- topics discussed were –
  - Rural Areas: Eliminate cluster subdivisions in rural areas, Apply new standards, Allow standard subdivisions with 80,000 square foot lots with sewer and ¾ acre lots without sewer, Allow RPCs in Low Density areas.
  - Growth Areas: Apply new standards, Permitted in Costal Area, Town Center Area, Commercial Area, Developing Area.
- **Forest Preservation** – Update forest preservation using the LURWG recommendation's framework, seek feedback and recommendations from the State Forester.
- **New Definitions** – Amend the Code to include new definitions: Apartment Building, Cottage Court, Duplex, Dwelling- Multifamily, Growth Area, Mixed Use, Stacked Flat, Townhouse, Triplex.

### **Introduction of Proposed Zoning Conditional Use Ordinances:**

- Several CU's were proposed for future deliberations for uses including: storage warehouse/car wash, boat and RV storage, events venue, self-storage units (2) and a landscaping business.

### **Council Meeting Schedule: Tuesdays – check agenda for timing and location**

- March 10 [031026.pdf](#)
- March 17
- No meetings: March 24 and 31, and April 7

### **Council Meeting Broadcast**

[County Council Meeting - March 03, 2026](#)

### **Related Articles:**

[Six proposals to limit development offered to Sussex County Council | Cape Gazette](#)

[Sussex County land-use reforms move to next phase | News | coasttv.com](#)

[Sussex planners delay vote on River's Edge housing project | News | coasttv.com](#)

[State hears new Ocean One plan | Cape Gazette](#) Note: County Council approved this zone change in 2024.

***Note: Eyes on County Council makes every effort to render events at public meetings accurately. It either explicitly quotes speakers, or paraphrases their statements as accurately as possible. If any representation in these notes is inaccurate, please contact us.***