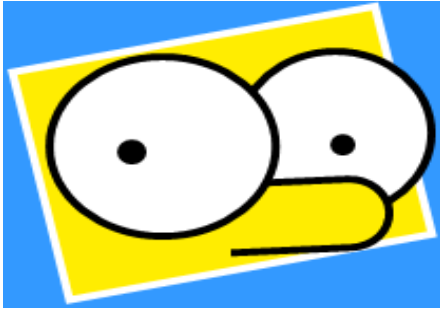




SUSSEX COUNTY
D E L A W A R E

Eyes on County Council – June 9, 2026

Highlight Events:

- County Council approved two new ordinances amending land use regulations – a signature moment for the county. Although not as strong as some hoped for, changes to affordable housing and building criteria are intended to drive construction of more affordable units. More detail is provided below. Council is currently debating other changes proposed by the Land Use Reform Working Group – a concentrated effort to improve the development crisis in Sussex County. Please stay tuned for these upcoming actions and consider attending future meetings.
- Councilwoman Jane Gruenebaum, however, expressed concern that the ordinances do not require an assessment of “the adequacy” of roads, schools, emergency medical services and other infrastructure when developers are applying to build new housing. Gruenebaum said she is “disappointed” that neither the Land Use Reform Group nor the current ordinances address the need for infrastructure studies.
- Rich Borrasso provided comment on the Seaside at Lewes conditional use application (see description below) providing background of the traffic implications of the Cave Neck Rd graded separated intersection project. This resulted in DelDOT being asked to provide further research on their assumptions/findings. This proves, once again, that public comment is critical in our check on government.

Public Comments:

- None

Old Business:

- **Ordinance No. 26-01, Affordably Priced Rental Units and the Sussex County Rental Unit Program (SCRIP):**
 - Robertson (Legal) presented the ordinance and final adjustments for vote by Council. The existing ordinance had been ineffective for years so these

changes are hoped to spur developers to pursue projects inclusive of affordable units. The 25% threshold of affordable units was held but a tiered approach with various levels of incomes was added. The formula sets three levels of income based on Average Median Income (AMI) – 60%/70% /80% - with relative weighting for each. Higher weighting was given to the lower level incomes – with the intent to provide for this group. As long as the builder reaches a weighting of the 25% of units, the project will qualify. A stipulation of at least one unit of each level is required.

- Some provisions were made to advantage the builder (likely as incentive) including: setback distances reduced in a commercial setting from 50 feet to 10 feet and building height allowed is raised to 60 feet from 52 feet, thereby increasing density.
- Ordinance 26-01 was approved unanimously.
- **Ordinance No. 26-03, to amend the subdivision code (99-9(c)) to apply stricter Superior Design criteria and mandatory street interconnectivity to all major subdivisions.**
 - Robertson (Legal) described the various motions amending the proposed ordinance, adding clarity on the design and interconnectivity criteria including:
 - For view screening, the requirements will also apply to issues within the sub-division as well as adjoining properties and roadways. Utility infrastructure, loading zones and outdoor storage areas are among the features that must be screened from view.
 - Cross reference a street design item to other sections of the code
 - For interconnectivity, design criteria for connectivity with the adjoining property, where the adjoining property has not been developed. The need to build the “stub” road when possible is included.
 - Clarify effective date of the ordinance so not to include applications already in process
 - Ordinance 26-03 was approved unanimously.

Note – it was at this section that Gruenebaum made her comment regarding the adequacy of infrastructure being excluded from the entire process, not even a phasing approach. This is an important omission as one of the public’s main criticism has been the overdevelopment where infrastructure is mostly non-existent.

- **Conditional Use No. 2631 filed on behalf of Zion Church Ventures** – announced that P&Z had approved. A five day period for public comments is required before the matter goes to vote by County Council.
- **Conditional Use No. 2554 filed on behalf of E. Johnson Holdings** – request for a self-storage facility. Approved 5-0.
- **Conditional Use No. 2555 filed on behalf of Bittersweet Investments** - request for an office and storage facility. Approved 5-0.

Presentation & Discussion Related to Solar Arrays – Whitehouse provided information to council on the number of solar array applications versus installations. The observation that less than 50% of applications come to fruition brought concerns from council. Whitehouse explained that there were various hurdles to implementation including the long approval process and stringent electric company approvals. Rieley repeated his concern of solar arrays taking farmland.

Public Hearings: Note – *due to technical difficulties with the chambers broadcast, each conditional use is deferred with the public record left open for five days.*

- **CU No. 2053 filed on behalf of Seaside at Lewes & Derrickson Properties** – request change from AR-1 to C-2 Medium Density for commercial use of a 30 acre parcel at the Rt.1 (northbound side) and Cave Neck Road location. This site is adjacent to the future grade separated intersection planned for completion in fall 2029. David Hutt, lawyer for the owners, provided support for the change citing the property meets the necessary zoning conditions. He noted that multiple commercial businesses are located along Rt. 1 in the vicinity. In addition, low density development is in the area including a 359 unit development (Seaside at Lewes) was approved in 2025 just east of Rt.1 on Cave Neck Rd. Hutt indicated that the purpose for the C-2 designation was to serve the people – and the area has various residential sub-divisions.

A representative from DelDOT was present and Hutt showed a video to describe how the new bridge and roadwork will access the property. Gruenebaum questioned what growth was factored into the traffic conditions, did it include Northstar, etc. The DelDOT person stated she would get back to Council on this question.

Public comment was made by Rich Borrasso – he supported the zoning change because C-2 is a permitted use and it will serve the population. However, he cautioned that prior traffic studies were outdated. He provided certain official studies of Level of Service (LOS) for the area that had unacceptable scores when Northstar and Cool

Spring developments were added. The grade separated project includes three roundabouts plus the bridge. Borasso noted that the final site plans will only be reviewed by P&Z, not Council. He asked DeIDOT to validate that their plans will satisfy the needs.

- **CU No. 2540 filed on behalf of La Dolce Far Niente** – request for offices, self-storage facilities and boat/RV storage on a seven acre parcel on Rt. 113 and East Piney Grove Rd. David Hutt presented as lawyer for the owner. Currently an AR-1 property. Project would be phased over several years, parcel would be fenced with gated access.
- **CU No. 2604 filed on behalf of Alvaro E. Perez Roblero** – request for usage of the five acre parcel for storage for his landscaping business. Oddly shaped parcel located near other adjoining residential properties. Opposition was made to this request by neighbors, citing safety issues plus complaints of trash/burning waste.

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

- Next meetings scheduled for 10am June 16 [Agenda - [061626 Amended 0.pdf](#)], related article - [Public hearings set June 16 for Sussex budget proposal | Cape Gazette](#)
- Future meetings scheduled June 23, 30 and July 14

Council Meeting Broadcast

- No broadcast available

Related Articles:

[Sussex County Council approves affordable housing reforms](#)

[Seaford passes new budget with tax and fee increases | Delaware Public Media](#)

Note: Seaford joins other local governments in modest increases to tax rates – due to budget gaps and continued use of reserve funds. Sussex County Council held taxes flat in the 2027 budget while using 12.5 million in reserves to close budget gaps.

[Sussex County adopts first in series of land use reform ordinances | Sussex County](#)

[County council approves two ordinances to improve development | Cape Gazette](#)

[Builders, environmentalists call for changes to proposed forest rules | Cape Gazette](#)

[Consultant chosen for Sussex County comprehensive plan update | Cape Gazette](#)

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.