

# Preliminary Land Use Service (PLUS) Application Municipal Comprehensive Plans

Delaware State Planning Coordination  
122 Martin Luther King, Jr. Blvd • Dover, DE 19901 • Phone: 302-739-3090 • Fax: 302-739-5661

Please complete this “PLUS application in its entirety. **All questions must be answered. If a question is unknown at this time or not applicable, please explain.** Unanswered questions on this form could lead to delays in scheduling your review. This form will enable the state staff to review the project before the scheduled meeting and to have beneficial information available for the applicant and/or developer at the time of review. If you need assistance or clarification, please call the State Planning Office at (302) 739-3090. Possible resources for completing the required information are as follows:

[www.state.de.us/planning](http://www.state.de.us/planning)  
[www.dnrec.state.de.us/dnrec2000/](http://www.dnrec.state.de.us/dnrec2000/)  
[www.dnrec.state.de.us/DNRECeis/  
datamil.delaware.gov](http://www.dnrec.state.de.us/DNRECeis/datamil.delaware.gov)  
[www.state.de.us/deptagri/](http://www.state.de.us/deptagri/)

**Preliminary Land Use Service (PLUS) Application  
Municipal Comprehensive Plans**

Delaware State Planning Coordination  
122 Martin Luther King, Jr. Blvd • Dover, DE 19901 • Phone: 302-739-3090 • Fax: 302-739-5661

<b>Name of Municipality:</b>	
<b>Address:</b>	<b>Contact Person:</b>
	<b>Phone Number:</b>
	<b>Fax Number:</b>
	<b>E-mail Address:</b>

**Date of Most Recently Certified Comprehensive Plan:** \_\_\_\_\_

<b>Information prepared by:</b>	
<b>Address:</b>	<b>Contact Person:</b>
	<b>Phone Number:</b>
	<b>Fax Number:</b>
	<b>E-mail Address:</b>

<b>Maps Prepared by:</b>	
<b>Address:</b>	<b>Contact Person:</b>
	<b>Phone Number:</b>
	<b>Fax Number:</b>
	<b>E-mail Address:</b>

# Preliminary Land Use Service (PLUS) Application Municipal Comprehensive Plans

Delaware State Planning Coordination  
122 Martin Luther King, Jr. Blvd • Dover, DE 19901 • Phone: 302-739-3090 • Fax: 302-739-5661

## General Plan Approval Process

- Step 1:** Draft prepared by local government.
- Step 2:** Planning Commission and/or Legislative Body approves to send to PLUS at the time the plan is released for public review.
- Step 3:** PLUS meeting, application submitted by 1<sup>st</sup> business day of the month for that month's meeting.
- Step 4:** State comments submitted to local government within 20 business days of meeting.
- Step 5:** Local government replies to state comments in writing and submits revised plan to Office of State Planning Coordination (O S P C) for review.
- Step 6:** OSPC requires 20 working days to reply to revised plan. State sends a letter accepting changes or noting discussion items.
- Step 7:** Once you receive the Office of State Planning Coordination letter stating that all certification items have been addressed, your Planning Commission and Council should adopt the plan pending State certification. We strongly recommend that your Council adopt the plan by ordinance. The ordinance should be written so that the plan will go into effect upon receipt of the certification letter from the Governor.
- Step 8:** Send our office a copy of the ordinance (or other documentation) that formally adopts your plan along with an electronic or paper copy of the final plan. We will forward these materials to the Governor for consideration. At the discretion of the Governor a certification letter will be issued to your town. The plan is effective on the date of adoption.
- Step 9:** Once you receive your certification letter, please forward two (2) bound paper copies and one electronic copy of your plan to our office for our records. It is suggested that you incorporate a copy of the State's PLUS letter and the Governor's certification letter into the final comprehensive plan document.

# Preliminary Land Use Service (PLUS) Application Municipal Comprehensive Plans

Delaware State Planning Coordination  
122 Martin Luther King, Jr. Blvd • Dover, DE 19901 • Phone: 302-739-3090 • Fax: 302-739-5661

## **Comprehensive Plan / Amendment Checklist<sup>1</sup>**

Please check yes or no as to whether the following information has or has not been included in the comprehensive plan and indicate page numbers where information may be found.

<b>Public Participation</b>	<b>Yes</b>	<b>No</b>	<b>Page # / Sections</b>
Public Participation Summary and Results			

<b>Population Data and Analysis</b>	<b>Yes</b>	<b>No</b>	<b>Page #</b>
Past Population Trends			
Population Projections			
Demographics			
Position on Population Growth			

<b>Housing</b>	<b>Yes</b>	<b>No</b>	<b>Page #</b>
Housing Stock Inventory			
Housing Pipeline			
Housing Needs Analysis			
Position on Housing Growth			
Affordable Housing Plan			

<b>Annexation</b>	<b>Yes</b>	<b>No</b>	<b>Page #</b>
Analysis of Surrounding Land Uses			
Annexation Plan			

<b>Redevelopment Potential</b>	<b>Yes</b>	<b>No</b>	<b>Page #</b>
Identification of Redevelopment Areas and Issues			
Redevelopment Strategy			
Community Development Strategy			

<sup>1</sup> Please go to the following website for detailed checklist information:  
<http://www.state.de.us/planning/services/circuit.shtml>.

# Preliminary Land Use Service (PLUS) Application Municipal Comprehensive Plans

Delaware State Planning Coordination  
122 Martin Luther King, Jr. Blvd • Dover, DE 19901 • Phone: 302-739-3090 • Fax: 302-739-5661

<b>Community Character</b>	<b>Yes</b>	<b>No</b>	<b>Page #</b>
History of the Town or City			
Physical Conditions			
Significant Natural Features			
Community Character			
Historic and Cultural Resources Plan			
Community Design Plan			
Environmental Protection Plan			

<b>Land Use Plan</b>	<b>Yes</b>	<b>No</b>	<b>Page #</b>
Existing Land Use			
Land Use Plan			

<b>Critical Community Development and Infrastructure Issues</b>	<b>Yes</b>	<b>No</b>	<b>Page #</b>
Review of Community Conditions			
Inventory of Community Infrastructure			
Inventory and Analysis of Community Services			
Water and Wastewater Plan			
Transportation Plan			
Community Development Plan			
Community Facilities Plan			

<b>Intergovernmental Coordination</b>	<b>Yes</b>	<b>No</b>	<b>Page #</b>
Description of Intergovernmental Relationships			
Intergovernmental Coordination Strategy			
Analysis and Comparison of Other Relevant Planning Documents			

<b>Economic Conditions</b>	<b>Yes</b>	<b>No</b>	<b>Page #</b>
Economic Base / Major Employers			
Labor Market			
Income and Poverty			
Economic Development Plan			

<b>Open Space and Recreation</b>	<b>Yes</b>	<b>No</b>	<b>Page #</b>
Inventory of Open Space and Recreation Facilities			
Open Space and Recreation Plan			





## **town of fenwick island**

comprehensive plan update 2017

DRAFT 2017

**town of fenwick island**  
comprehensive plan update 2017  
adopted and certified month **X**

prepared for the town of fenwick island by:



28485 DuPont Boulevard  
Millsboro, DE 19966  
Tel: 302-933-0200  
Fax: 302-933-0320

## Certification Letter

## Adoption Resolution

**NOTE: TO BE REVISED WHEN TEXT IS FINALIZED**

**Table of Contents**

**Foreword**

Town, County, State Officials and Participants  
 List of Figures, Tables and Maps

**Section 1: Introduction**

1.1 Authority to Plan	1-2
1.2 Community Overview	1-2
1.3 Executive Summary	1-3
1.4 Priority Implementation Actions	1-12

**Section 2: Planning Process**

2.1 Approach	2-1
2.2 Public Engagement	2-1
2.3 Phase One: Understanding What’s Going On	2-3
2.4 Phase Two: Exploring & Imagining	2-3
2.5 Phase Three: Deciding What To Do	2-4

**Section 3: Municipal Development Strategy**

3.1 Demographics and Population	3-1
3.2 Housing	3-6
3.3 Land Use and Annexation	3-10
3.4 Redevelopment	3-13
3.5 Infrastructure	3-16
3.6 Community Character-Built Environment	3-26
3.7 Community Character-Natural Environment	3-32

**Section 4: Implementation**

4.1 Implementation Strategy	4-1
4.2 Intergovernmental Coordination	4-8

**Glossary**

**Bibliography**

**Appendix**

## Town, County and State Officials

### Town of Fenwick Island

#### Council Members

Eugene N. Langan, Mayor  
Richard Mais, Vice Mayor  
R. Gardner Bunting, Treasurer  
Bernie Merritt, Secretary  
Vicki Carmean, Council Member  
Julie Lee, Council Member  
Roy Williams, Council Member

#### Planning Commission

Winnie Lewis, Chairperson  
Steve Carey  
Faye Horner  
Nancy Kushela  
Richard Mais  
Jack Smith  
Lois Twilley

#### Town Staff

Terry Tieman, Town Manager  
Linda Poole, Town Clerk  
Kristy Brittingham,  
Administrative Clerk  
Patricia J. Schuchman, Building  
Official  
Mary Schrider-Fox, Town  
Solicitor

### Sussex County

Todd F. Lawson, Sussex County Administrator  
Michael H. Vincent, 1<sup>st</sup> District  
Samuel R. Wilson, Jr., 2<sup>nd</sup>  
District  
I. G. Burton, 3<sup>rd</sup> District  
George B. Cole, 4<sup>th</sup> District  
Robert B. Arlett, 5<sup>th</sup>  
District

### State of Delaware

Jack Markell, Governor  
Gerald W. Hocker, Senator, 20<sup>th</sup> District  
Ronald E. Gray, Representative, 38<sup>th</sup> District  
Constance C. Holland, AICP, Office of State Planning  
Coordination, Director  
Dorothy Morris, AICP, Office of State Planning  
Coordination, Sussex County Circuit Rider

**NOTE: TO BE REVISED WHEN TEXT / MAPS FINALIZED**

## **Tables, Figures and Appendix**

### **Tables**

**Table 1:** Fenwick Island Population Projection  
Scenarios

**Table 2:** Racial Composition by Place

**Table 3:** Age Groups by Place

**Table 4:** Fenwick Island Population Age Profile

**Table 5:** Educational Attainment

**Table 6:** Median Household Income by Place

**Table 7:** Fenwick Island Resident Income Sources

**Table 8:** Poverty Status by Age Group and Place

**Table 9:** Type of Housing Units

**Table 10:** Age of Regional Housing Stock

**Table 11:** Traffic Counts by Place Along SR 1

**Map 1:** Aerial Photo

**Map 2:** Roads and Boundaries

**Map 3:** State Strategies for Policies and Spending

**Map 4:** Existing Land Use

**Map 5:** Existing Zoning

**Map 6:** Future Land Use

### **Figures**

**Figure 1:** Fenwick Island Total Population

**Figure 2:** Fenwick Island Population Projection  
Scenarios

**Figure 3:** Ownership and Vacancy Rates

**Figure 4:** Median House Value

**Figure 5:** Civic Spaces Diagram

**Figure 6:** Streets, Lots and Buildings

### **Appendix**

**Section 1:** Existing SR 1 Section

**Section 2:** SR 1 Section- Minor Planning Influence

**Section 3:** SR 1 Section- Major Planning Influence

**NOTE: SECTION 1 TO BE UPDATED WHEN TEXT IS FINALIZED**

## Section 1 Introduction

The Town of Fenwick Island Comprehensive Plan provides the framework for planning, design and development decision making. It has been completed in keeping with Delaware Code 22 Section 9 and the intent that every municipality throughout the state should prepare or update a comprehensive plan. This plan successfully integrates the Delaware Code's five key principles of how communities should grow.

### **1) Guide growth to areas that are most prepared to accept it in terms of infrastructure and thoughtful planning.**

The majority of Fenwick Island is identified as most appropriate and appropriate for development according to the current State Strategies for Policy and Spending. The Town does not intend to annex areas outside of its municipal boundaries and prefers to influence potential development and growth in nearby unincorporated Sussex County through an Area of Concern.

Relevant documents were reviewed and analyzed for applicability to the Town for opportunities for consideration. Such documents included any updated materials in support of the update of the Sussex County Comprehensive Plan, the updated DelDOT / Sussex County Transportation Plan, the updated Bethany Beach Comprehensive Plan and the Office of State Planning Coordination's Strategies for Policies and Spending. The details of each document are contained within Section 3 – Municipal Development Strategy.

To further support the development of the Comprehensive Plan, the Town expanded upon the Future Land Use and Area of Concern elements within this document to be compatible with the State's Strategies for Policy and Spending. This State document identifies and categorizes lands within the state that are most supportive of future growth. These categories include Level 1 (the most appropriate area for development); Level 2 (appropriate for development); Level 3 (where long-term growth is expected); and Level 4 (areas which should not be developed). Fenwick Island recognizes that much of the town is within the Level 1 and Level 2 areas, as shown on Map 3. The Town requests that all areas within the town's boundary be designated as Level 1. A proposed map

illustrating this requested designation is included in this document as Map 4. The Town recognizes the regional impact of future development to the local community. Due to these influences the town has identified its Area of Concern for the community as the Little Assawoman Watershed which includes a mix of all State Investment Levels 1, 2, 3 and 4. In addition, this area is defined by the Sussex County Comprehensive Land Use Plan as an environmentally sensitive developing area which the County feels is an area of ecological importance. Based upon this information, the town does not propose to grow outside of its current boundaries.

### **2) Preserve open space.**

The preservation and enhancement of the natural environment is an essential theme that runs through all sections of this document. The Town intends to establish itself as a leader in environmental stewardship among the state's coastal communities. This plan builds on past successes in open space preservation and environmental efforts to create a Green Infrastructure that protects the beach and bay and areas in between.

### **3) Promote infill and redevelopment.**

Planned growth will result from the development of the few remaining vacant properties and the redevelopment of existing properties within its compact block and lot grid. This plan contains a multi-pronged approach to ensure that infill and redevelopment efforts achieve multiple community goals. Site-sensitive and sustainable design within the context of a quiet and family-oriented community is considered vital.

### **4) Facilitate attractive attainable housing.**

Recognition of the high costs of development and the lack of available land in the resort areas led this plan to include more than one approach to facilitating attainable housing. The Town intends to cooperate in regional efforts to provide attainable housing which could include partnerships with other resort and inland municipalities. The Town will also explore methods of providing employee-occupied housing within commercial developments and redevelopments.

### **5) Spend taxpayer money effectively while curtailing sprawl.**

This plan makes the most of the unique opportunity to leverage taxpayer money to solve many community



Location Map: Google Earth 2007

concerns. Planned pedestrian and bicyclist safety improvements through DelDOT are being combined into a broader plan to create a walkable, desirable and sustainable mixed use area.

### 1.1 The Authority to Plan

The State of Delaware requires that towns participate in comprehensive planning for the purpose of encouraging the most appropriate uses of the physical and fiscal resources of the municipality and the coordination of municipal growth, development, and infrastructure investment actions with those of other towns, Sussex County and the State. This plan was written to comply with the requirements of a municipal strategy as described in the Delaware Code for towns with a population of 2,000 or fewer.

The comprehensive plan for small communities such as Fenwick Island is to be a “document in text and maps, containing at a minimum, a municipal development strategy setting forth the jurisdiction’s position on population and housing growth within the jurisdiction, expansion of its boundaries, development of adjacent areas, redevelopment potential, community character, and the general uses of land within the community, and critical community development and infrastructure issues.” The Town’s comprehensive planning process must demonstrate coordination with other towns, Sussex County, and the State during the plan’s creation. (22 Del. C. 1953, subsection 702: 49 Del. Laws, c. 415, subsection 1)

Delaware law also states that planning be an ongoing process and that towns identify future planning activities. This plan is the Town of Fenwick Island’s Comprehensive Plan as required by state law. It is intended to cover a 10-year planning window and be reviewed at least every five years.

#### Why Plan?

A comprehensive plan is an official document intended to guide future development or redevelopment of a community in order to create and maintain a desirable environment and to promote health, safety, and welfare. The State of Delaware has enabled municipalities such as Fenwick Island to produce comprehensive plans. But what’s so important about planning?

Planning enables a community to understand and articulate its future. Even if that future is to stay the same as the town is today, planning is an important process to undertake. This process involves many steps, culminating in the preparation of a plan document with maps and text. The plan contains all the elements that address the interrelationships between the physical layout of a community, the services provided, and the economic and fiscal demands pressuring the town. The plan establishes the framework for identifying the community attributes to be protected and enhanced, understanding the community’s shortcomings to be addressed, and preparing a strategy for managing potential change in a manner that preserves quality of life while fostering a sustainable economy.

### 1.2 Community Overview

#### Location

The Town of Fenwick Island is a small incorporated community located in Sussex County with a population of 270. At its closest point, it is approximately one-quarter mile from the Maryland/Delaware border at the southeastern edge of the state. Fenwick Island is the southernmost Delaware incorporated community located on the Assawoman Bay barrier island. The Town is bounded by the Fenwick Island State Park to the north, the Atlantic Ocean to the east, unincorporated Sussex County to the south and the Assawoman Bay to the west.

The Town encompasses an area of approximately one-third of a square mile. Bisected by State Route 1—the primary north-south arterial through the state—and located approximately one-quarter mile from State Route 54—a key east-west arterial connecting the coastal communities with the state’s inland areas, Fenwick Island is very accessible.

#### History

The first traces of settlement on the land now known as Fenwick Island can be traced to colonial times. On March 23, 1680, Lord Baltimore granted an area of land known as “Fishing Harbor” to Col. William Stevens, who later conveyed the land to Thomas Fenwick in 1692.

Though Thomas Fenwick lived in Sussex County for quite some time, he never actually resided on the island. It is believed that Fenwick Island’s name actually hails from

William Fasset, the husband of Thomas Fenwick's daughter, Mary, who claimed Fenwick Island for himself.

Between 1750 and 1751, the Trans-Peninsular line was laid out by surveyors to denote the boundary between land claimed by the Penn family to the north and land claimed by the Calvert family of Maryland to the south. The first survey stone was set on a tract of land later purchased for the Fenwick Island Lighthouse and is considered the oldest standing man-made object on the coast between the Indian River and Ocean City."

With the exception of tales of pirates patrolling the waters of Assawoman Bay throughout the late 1600s into the mid-1700s, human habitation on Fenwick Island appears to have been quite limited. By the mid-1800s, increasing numbers of shipwrecks near the shoals to the east of Fenwick Island garnered the attention of the U.S. Lighthouse Board. The United States Congress authorized the construction of a new lighthouse on Fenwick Island in 1856, and in 1858 the government purchased a ten acre tract of high land to build the 87-foot-tall lighthouse and a two-story keeper's dwelling.

Two families lived in the keeper's house in relative isolation throughout the late 1800s. Improvements on the island were mostly limited to a bridge to the mainland constructed in 1880 and new keeper's house in 1881. The first bridge was destroyed by the strong ocean currents. A second bridge to the mainland was built in 1892, a third built in 1934, and eventually the current bridge was constructed in 1958.

The first cottages began to dot Fenwick Island in the early 1930s. These first cottages were of simple construction, with no running water or electricity, and many were built on State land. The State of Delaware recognized the "squatting" and in 1941 offered cottage owners the opportunity to buy lots from the State at a price of \$200 for beachfront lots or \$100 for street lots.

With increasing development surrounding Fenwick Island, residents sought to incorporate the land to protect it from surrounding development pressure. The Act to Incorporate the Town was passed in July of 1953.

Fenwick Island has become a year-round town that prides itself on its reputation as being one of "The Quiet Resorts"

who, along with Bethany Beach and South Bethany to the north of Fenwick Island, remain quieter and less populated than nearby Ocean City.

### 1.3 Executive Summary

#### How to Use this Plan

This document is highly user friendly in its organization. Section 3 contains the Municipal Development Strategy and is a key component of this plan. It documents the issues and opportunities identified through the planning process. For each issue goals and objectives for addressing that issue are described. The following is an example of how a "Population and Demographics" issue is addressed in the document:

**Issue:** It is difficult to determine the Town's demographics and population given its small size and seasonal character.

**Goal:** Create a method by which the Town can estimate its permanent and seasonal population, including peak seasonal population. This method should also enable the Town to better understand community demographics.

#### Objectives:

- 1.1 Use the US Census and Delaware Population Consortium estimates as a starting point for determining the Town's makeup.
  - Supplement the US Census and Delaware Population Consortium estimates with Town-derived information.
  - Coordinate with the US Census Bureau, prior to the 2010 census taking, to reduce the potential for error to the extent possible.

Section 4 describes the Implementation steps to be taken for the plan to be put into action. Each objective documented in the Municipal Development Strategy is turned into a recommendation. For each recommendation, a three-tier priority system is employed:



The first cottages began to appear in the 1930s.



Source: Delaware Geological Survey DataMIL (1936)



Working group members staffing a general public meeting.

IO—Immediate or on-going current to first year timeframe  
ST—Short-term with a one to two-year timeframe LT—  
Longer-term with a two to five-year timeframe

The resources available for implementation are also identified by primary responsibility and partnering opportunities. The following is an example of how the same “Population and Demographics” objective becomes a recommendation:

*Recommendation 1.1—Use the US Census and Delaware Population Consortium estimates as a starting point for determining the Town’s makeup.*

Timeframe: IO

Primary Responsibility: Planning Commission

Partners: State Office of Planning Coordination

Population Consortium

Delaware Economic Development Office

US Census Bureau, Local Coordinator

Local Real Estate Brokers

Sections 1 and 2, plus the appendix items, provide support for these two key sections.

### Section 1 Introduction

The Town of Fenwick Island Comprehensive Plan provides the framework for planning, design and development decision making. It has been completed in keeping with the State of Delaware’s Code 22 Section 9 and the intent that every municipality throughout the state should prepare or update a comprehensive plan. This plan successfully integrates the Delaware Code’s five key principles of how communities should grow.

The State requires that towns participate in comprehensive planning for the purpose of encouraging the most appropriate uses of the physical and fiscal resources of the municipality and the coordination of municipal growth, development, and infrastructure investment actions with those of other towns, Sussex County and the State. This plan was written to comply with the requirements of a municipal strategy as described in the Delaware Code for towns with a population of 2,000 or fewer.

### Section 2 Planning Process

The Town of Fenwick Island took a unique approach with the preparation of their comprehensive plan. The plan is a working document reflecting and responding to changing conditions as they occur. The plan married the attributes of a policy plan with important design and physical considerations to create a guiding framework for future development. A working group was used to help shape the plan and to take advantage of the expertise of the Town’s many volunteer boards. The process to create the plan was divided into three distinct phases and was guided by a strong mission statement:

*“To be a quiet, family-oriented and walkable community that protects its natural beach and bay environment while including a desirable and sustainable primary residential area as well as a mixed residential and commercial use area per zoning.”*

A community based process is at the heart of this comprehensive plan. Through the Working Group meetings and homework, Planning Commission meetings, general and focused public meetings, planning advisors, the Town website and on-line message board, the local media and direct electronic and regular mailings, the Town was able to reach a broad cross-section of interested parties including:

- Full-time residents
- Part-time, or seasonal, residents
- Visitors
- Employees
- Business owners
- Town officials and staff
- County staff
- State staff

The first phase of the process is about figuring out what is going on in the community. It involved gathering existing conditions data from a variety of sources, reviewing previous planning efforts and current planning documents and gaining hands-on experience. This was also when the Working Group became oriented to the process and their roles and responsibilities. The analysis of this extensive collection of existing conditions and the summary and communication of the information resulted in ‘snapshots’ of the community.

The second phase is when ideas were generated and possible options started to emerge. The planning team used an in-house charrette to explore various scenarios and imagine potential solutions. (Note: A charrette is an intense brainstorming session used by design professionals to generate ideas.) In the case of Fenwick Island's comprehensive plan, two distinct physical planning scenarios emerged representing the range of planning influence the Town could consider.

The third phase was when everything that was learned during the first two phases was used to hone in on the preferred physical plan and the comprehensive plan was assembled. After a series of public meetings, the Major Influence physical plan was determined to be the preferred scenario. It best met the intentions of the community mission statement but was recognized as an "ideal" vision towards which the community could aspire. It was understood that it would take time and further discussions to enable its implementation. The Major Influence physical plan represented a shift in the Town's current planning direction and introduced new planning tools to achieve identified opportunities. Key features of the Major Influence physical plan included:

- Single-family detached residential was the primary land use, however, the commercial zone district was preserved for commercial and mixed uses. A distinct and clearly identifiable commercial area was maintained and reinforced as properties redeveloped.
- Residential development continued within the residential zone district as single-family detached units. Newly constructed homes were considered appropriate in scale to the Town's block and lot dimensions. The maximum size of homes was further controlled by limiting lot mergers. Additional residential zoning regulations and design guidelines further articulated desired residential scale and massing. A diversity of architectural styles continued to be encouraged. All vacant lots were built-out by 2013, assuming the current pace of development.
- The Fenwick Island Pedestrian Plan was combined with additional opportunities to ensure its full implementation. Traffic and parking improvements were

achieved and people were encouraged to safely walk and bike.

The commercial subarea of the Major Influence physical plan was studied in greater detail for good reason. The commercial subarea had been the focus of the *Fenwick Island Pedestrian Plan*. During the preparation of the comprehensive plan it became clear that many opportunities existed to build upon the Pedestrian Plan, which was primarily focused on improvements within the right-of-way of SR 1. Essentially DeIDOT was limited to only solving half of the puzzle. The Town had the ability, through the comprehensive plan and a proposed overlay district, to expand the improvements and solve the puzzle's second half. This scenario envisioned Fenwick Island working in partnership with DeIDOT to implement an updated Pedestrian Plan. In this manner the Town can increase the likelihood the Pedestrian Plan will remain in DeIDOT's budget.

The commercial subarea plan included the following elements. (It is important to stress that this plan represents a vision for the area and not necessarily the specifics of what can and/or should be put in place. Many of the elements will require further study and discussion through zoning code revisions and detailed design.)

- A safe bicycle- and pedestrian-friendly character is created along SR 1 with continuous sidewalks, outdoor dining and "dwell" opportunities.
- Traffic calming techniques are used along SR 1, such as reducing the width of travel lanes and minimizing the visual width of the highway by locating buildings and street trees closer to the road.
- Traffic flow and safety improvements include synchronized traffic signals and closing curb cuts.
- Locally generated vehicle trips are reduced and parking efficiency is maximized through a comprehensive shared parking strategy.
- The architectural and built environment character of the properties is enhanced, including signage and landscape improvements.

- A successful streetfront retail environment with opportunities for small-scale shops, services, and restaurants is created along SR 1.
- Reinvestment in commercial properties and their ongoing upkeep and maintenance is encouraged. State and other agency investments are leveraged to advance community goals, including DelDOT's planned pedestrian improvements project.
- The Town is a leader in resource and energy conservation through the implementation of storm water treatment practices

The proposed overlay district brings together a group of planning tools to achieve many of the desired goals articulated through the comprehensive planning process. Use of the overlay district allows the Town greater flexibility in promoting alternative development designs as commercial properties develop and redevelop over time. Currently, many Town code provisions serve as barriers to achieving the desired family-oriented, small town and quiet resort character.

### **Section 3 Municipal Development Strategy**

#### *Population and Demographics*

Given the popularity of coastal Sussex County and Fenwick Island, the population of Fenwick Island is projected to increase; however it is expected that population increases will be limited to seasonal residents that transition to full-time residents, and residents that move into new houses built on existing vacant lots. Demographics indicate that Fenwick Island is predominantly white, upper middle class, and over the age of 55, pointing to the Town's desirable living conditions among retirees. These same desirable living conditions attract large numbers of seasonal residents and visitors to Fenwick Island as well. While the permanent population is estimated by the Town to be 270 residents, it is estimated that the Town's bed base can accommodate over 5,000 people during peak summer seasons.

#### *Housing*

The rate of new home construction has not kept pace with Fenwick Island's significant population increase over the past several decades. This suggests that new construction is occurring on previously vacant lots, and that historically

seasonal or part-time residents are transitioning to full-time Fenwick Island residents. Likewise, as demand has outpaced supply, Fenwick Island has seen rapid increases in property values. At the current pace, it is estimated that Fenwick Island's vacant residential lots will be built out by roughly 2013. This full buildout condition will most likely slow population growth, but continue to fuel an increase in property values and demand as the market dictates.

#### *Land Use and Annexation*

The Town contains two primary land uses, residential and commercial. Residential uses are organized around a commercial strip that fronts State Route 1 (SR 1). Other less prevalent land uses are institutional, office, utility/transportation, parks and open space, and vacant.

Residential land makes up most of Fenwick Island. Most residential uses are located on lots 50 feet wide by 100 feet long organized into distinct compact blocks 300 feet wide by 400 feet long. This strong organization of lots and blocks gives Fenwick Island a traditional community form. The resulting street grid makes the Town highly walkable.

The Town is nearly built out within its existing municipal boundary. There are just 56 vacant residential lots and 10 vacant commercial lots available for development. Given the Town's development trends it is projected that the Town's vacant residential lots will be developed by 2013. Vacant commercial lots, which can also be developed with single-family detached residences, are today's highest and best use and will likely be developed with a mix of residential and commercial uses.

There is a Town desire that SR 1, including the commercial area, be enhanced to become a more walkable and inviting area of town. As a result, an overlay district is proposed to include a majority of the properties located along SR 1. While there is a strong community voice to let market forces prevail, the Town's desire to create an improved commercial area cannot be realized without a level of attention to the existing land use regulations and zoning code.

Although there is conflicting information, it is believed that the Town's boundary has remained the same since its incorporation in 1953. The driving force behind the incorporation was to protect the Town from outside development pressures. Town residents were not happy

with the pattern of development in adjacent areas to the south, especially Ocean City, Maryland.

Current residents are similarly concerned with today's development patterns in the unincorporated portions of Fenwick Island and along SR 54 to the intersection of SR 20 and the Bearhole Ditch. In recent years several large developments have been approved in the County, including Bayside, that Town residents believe directly impact their community.

The community believes that the biggest advantage to the Town in an annexation is the ability to have ultimate control in future decisions. The Town, at this time, does not wish to pursue annexation but recognizes the importance of this tool and may choose to use this at a later date.

The community wishes to establish an Area of Concern encompassing the Little Assawoman Bay Watershed. An Area of Concern, as defined by the State Office of Planning Coordination, is an area created by a municipality where a formal review process is followed to ensure that the Town is notified of proposed land use applications for properties within the Area of Concern. The County is obligated to engage the Town in the review and discussion of potential developments.

#### *Redevelopment*

As a result of its popularity as both a tourist and residential destination, and the associated increase in property values that has followed, Fenwick Island has seen a significant amount of redevelopment over the past couple decades. Much of this redevelopment has occurred on residential lots, but there have been recent indicators that commercial properties may be redeveloped in the near future as well. In many instances, redevelopment projects have created new structures that often do not meld with the Town's cultural and historic character. The Town has taken steps to guide future redevelopment projects, however, it is suggested that additional guidelines and regulations be developed to help both residential and commercial redevelopment projects enhance Fenwick Island's community character and its atmosphere as a "quiet resort".

#### *Infrastructure*

The Town is an incorporated municipality chartered by the State of Delaware. The Town Charter states that all powers are vested in a seven-member town council with one member also serving as President and Mayor. Fenwick Island's first planning commission was recently appointed by Town Council. This seven-member board is initially responsible for the drafting and review of the comprehensive plan. The Town has also established a number of committees.

The Town benefits from a dedicated staff. Most Town employees have been with the Town for a long period of time. This institutional knowledge and commitment is invaluable to a small organization. The Town also hired its first town manager, Anthony Carson, in March of 2007.

Emergency service is provided throughout Fenwick Island from a centralized center located in Georgetown. The Town participates in the regional system for emergency services. The Center is also located in Georgetown and is the headquarters for natural and technical disasters.

The Fenwick Island Police Department is located in the Town Hall and employs five full-time officers, a police chief and a police secretary. The police department provides 24 hours a day service, and performs home inspections during the winter months to make sure that unoccupied properties are overseen while owners are away. The police department is also responsible for parking enforcement and other municipal code regulations. The Delaware State Police and the Town have an agreement of shared responses between the entities.

The Town is served by the Bethany Beach Volunteer Fire Company (Company), which is not affiliated with the Town or Bethany Beach. The fire company is an all-volunteer force that includes both volunteer and live-in firefighters stationed at two locations including Station 70 in Bethany Beach and Station 2 in Fenwick Island. Fenwick Island operates a paid, 30-person coed beach patrol consisting of 28 lifeguards, one first lieutenant, and a captain.

A recent reorganization of animal control services has left some gaps, according to Town staff. As of July 2006, the Society for the Prevention of Cruelty to Animals (SPCA) Sussex Chapter no longer provides animal control services

but instead focuses on animal adoptions, the humane treatment of animals and the spaying and neutering of dogs and cats. The Marine Education, Research, and Rehabilitation Institute (MERR) based in Nassau, Delaware responds to stranded marine mammals and sea turtles throughout the State.

Fenwick Island has no educational institutions within its municipal boundaries. Public education services are provided by the Indian River School District. The South Coastal Library in Bethany Beach is one of three county-operated branches in the Sussex County Library System and is Fenwick Island's closest major library. While no hospital services are available in Fenwick Island, there are several hospitals within a 40-mile radius of town, including Atlantic General Hospital in Berlin, Maryland.

The Town indicated in 2007 that it has an interest in seeking out opportunities to increase its park and open space lands; however, funds are limited for purchases of land at current market rates. Possibilities may exist to acquire land through fundraising efforts, conservation easements, grants, transfer of development rights, and various means other than direct purchase.

Fenwick Island operates its own Public Works Department out of the Town Hall building on SR 1. The department has a full-time staff and is responsible for a number of services. The majority of residential solid waste pick-up is conducted by the Public Works Department. Some residents, including multi-family properties, contract with private haulers. The Public Works Department also handles recyclables at beach dune crossing locations. Additional recycling bins in Town are owned and operated by the privately held Delaware Solid Waste Authority.

Primarily a surface open watercourse drainage system is operated throughout the Town, with the exception of underground pipe to facilitate road and driveway crossings and minimal piping within private easements.

Potable water in Fenwick Island is provided either by the Artesian Water Company or by a few remaining private wells. Artesian Water Company has the capacity to supply water for two-hour fire protection for the Town at its buildout.

Wastewater service is provided by Sussex County's South Coastal Regional Wastewater Facility. The facility was recently upgraded to handle a capacity of 9 million gallons per day with a peak capacity of 14 million gallons per day. Regional demand in July of 2006 hit a peak of 4.37 million gallons per day. Fenwick Island, unincorporated Fenwick Island and the areas adjacent to SR 54 are included in the Fenwick Island Sewer District. While the wastewater facility has adequate capacity for projected growth, several line upgrades were identified as a part of a recent study.

Fenwick Island faces several unique transportation-related challenges which promise to have a strong impact on the future planning decisions made by the Town. First, Fenwick Island is a popular seasonal destination attracting large numbers of residents and visitors in the summer months, taxing a relatively small network of municipal roads and parking areas. Second, Fenwick Island is experiencing part of the surge in population growth of the coastal Sussex County area, including an increase in overall population and a transition from seasonal use to permanent use. Both of these factors increase vehicle miles traveled on the existing road infrastructure system. Similarly, an increase in population also increases pedestrian and bicycle use, which consequently raises the need for pedestrian and bicycle safety amidst heavy vehicular traffic.

In addition Fenwick Island is bisected by SR 1, the state's major regional transportation corridor stretching from north to south through Town. This arterial road connects vehicular traffic not only within Fenwick Island, but also between the larger resort destinations of Rehoboth Beach to the north and Ocean City, Maryland to the south.

Determining the appropriate level of transportation infrastructure is crucial to preserving the Town's character and quality of life. Understanding the Town's transportation needs, as well as the needs of the larger region, in a comprehensive manner will uncover multi-modal solutions and strategies for mitigating potential impacts.

The Town is potentially very walkable, given the compact form of its blocks and its narrow streets. The municipal streets have the potential to be successful pedestrian ways, where pedestrians and vehicles share the road. Conflicts between pedestrians, bicycles and vehicles on Bunting Avenue are becoming more prevalent, especially during the



Homes located in unincorporated Fenwick Island.



The beach is a key asset.

summer season. The pedestrian network along SR 1 is not successful despite a dedicated pedestrian and bicycle lane. There are gaps in the sidewalk system, relatively narrow widths that do not accommodate pedestrians walking side-by-side or in passing directions, utilities and signs located within the sidewalks, and numerous parking lot curb cuts which create dangerous conflicts.

#### *Community Character-Built Environment*

Residents and visitors are attracted to Fenwick Island because of its unique built environment. The Town has a rich history dating back to the late 1600s and continuing through the establishment of the Town's block and lot configuration in 1953. For the most part, the Town's community form creates an easily negotiated system of narrow streets and a small-scaled pattern of development.

Fenwick Island's two primary land uses—residential and commercial—are organized in a compact and clearly identifiable traditional town pattern. Many communities strive to artificially create this pattern through the introduction of "New Urbanism" principles. New Urbanism is a recent urban design movement, codified in 1996, that seeks to employ a set of 27 planning and design principles to engender traditional town elements in new communities. Fenwick Island is fortunate to already have the key elements that make up a traditional town.

The diverse styles of the residential architecture provide interest. The commercial area offers a mix of retail, services, and restaurants and eateries. There is an opportunity to enhance the entertainment shopping types of retail to create a unique experience. There are significant opportunities to reinforce the community's form through SR 1 improvements, additional zoning regulations and design guidelines.

The visitor bed base is at risk of being diminished by redevelopment and the loss of rental homes in the available pool. While most commercial uses serve both permanent residents and visitors, there are some uses that are more seasonal in nature and market. The loss of visitor accommodations may affect these businesses.

#### *Community Character—Natural Environment*

Since settlement began in Fenwick Island, residents and visitors have been attracted to its unique natural amenities.

Fenwick Island markets itself as "the best beach in Southern Delaware." Unlike Ocean City, Maryland to the south and Rehoboth Beach to the north, Fenwick is known for its quiet atmosphere, unique location between Little Assawoman Bay and the Atlantic Ocean, and its abundance of recreational opportunities from bird watching, to fishing, to simply relaxing on the beach. Today, Fenwick Island remains a popular tourist destination, seasonal resident destination, and place of full-time residence.

At the same time, the same resources that draw people to Fenwick Island face enormous pressure and the threat of destruction from human and natural forces. Over time, development activity has filled natural inlets to create developable land, dredged riparian areas to create waterways, reduced beaches to a relatively narrow strip of land, and introduced non-native vegetation that has replaced natural habitats. Natural habitats have also been reduced by bulkheading and bank armoring efforts. These efforts, though required by Town to protect property from erosion in bay and riparian areas, have had unintended consequences by eliminating the natural flooding and erosion processes. Despite these conditions, there are ample opportunities to enhance, re-create, and protect the natural amenities that continue to draw people to the Town and support its economy.

In the winter of 2005, a significant beach replenishment project was completed to combat the natural beach erosion. The project included widening the beach, constructing a sizable dune system, and planting grasses to stabilize the dune line. The wider beach acts as a buffer to absorb wave energy during storm events and also provides a reservoir of sand that may be transported to an offshore bar. The offshore bar helps to reduce damage as the first line of defense. In addition to being a vital tourism amenity, the beach and dune network also helps to protect man-made structures during storm events. Pedestrian dune crossings were created at the ends of east to west streets nearest the beach, and fencing was erected to protect the remainder of the dunes from destructive foot traffic.

On the bay side of Town, several vacant, undevelopable lots still exist near the end of Schultz Road and near the end of Bay Street. These areas of land, though small, provide habitat similar to historic habitat patterns that would have been seen along the bay side of town. Residents in Town

have taken up efforts to protect these and similar areas and have formed the South Schulz Wetland Association and the Glenn Avenue Bird Sanctuary.

Most of the threats to the Fenwick Island ecosystem and its wildlife are caused by humans. Litter, especially plastic, not only obstructs the natural beauty of the area, but also is harmful to wildlife. Similarly, curious people, even if well intentioned, can cause serious harm to birds by disturbing nests.

Clean water is essential not only to wildlife and the fragile ecosystems surrounding Fenwick Island, but it is also essential to the Town's residents and to the Town's tourism economy. Unfortunately, the Inland Bays area has suffered from past neglect. DNREC and the Center for Inland Bays have studied the waters and ecosystems of the Inland Bays area extensively. Both have developed significant research and made the results available to the public to guide future land use decisions. A variety of funding resources and programs available to encourage positive changes, educate the public, restore damaged resources, and protect undamaged resources for future generations.

As a result of decades of development, very little undisturbed native vegetation currently exists within town limits. In beach and dune areas, ongoing restoration efforts have utilized native vegetation and beach grasses to restore and support the primary dunes. In areas throughout Town, native vegetation has been planted by home and business owners. The recently proposed Tree Triage program was started with the intention of increasing tree coverage within the Town. Currently, less than one percent of the Town's land surface is covered with tree canopy.

The overall health of the Inland Bays Ecosystem is an important issue to the residents of Fenwick Island. The community recognizes that submerged aquatic vegetation is the best living indicator of the nutrient conditions of the Little Assawoman Bay.

Fenwick Island is susceptible to two types of storms capable of producing serious damage. These storms are either hurricanes that occur predominantly in the summer and fall months or nor'easters, most often with strong easterly or north easterly winds, that occur most often throughout the late fall and winter months. Fenwick Island is the only town

in Delaware that lies entirely in the "100-Year Special Flood Hazard Area," meaning that any location in Town is subject to a one percent chance of flooding each year. With water bodies on both sides of town, topographic elevations ranging from sea level to about 15 feet, and land that slopes generally less than one percent, the chance of flooding in Fenwick Island is often greater.

Much of the Bay side of Fenwick Island was constructed around a unique series of canals. Running east to west, these canals provide recreational boat access to residences bordering the waterways. The canals are an important part of Fenwick Island's character, but also create several unique challenges.

Protected lands in Town include the beach area, lands located on Glenn Avenue and Schulz Road, and the wetlands bordering the Bay. In all, these protected areas account for approximately two percent of Fenwick Island's total land area. Just off of the bay side of Town is Seal Island, which is another unique natural resource area, owned by DNREC.

#### **Section 4 Implementation**

A comprehensive plan can only be as good as its direction for implementation. This plan contains 42 recommendations for addressing issues and achieving community goals. For this plan to be successful, a strategy for implementing these recommendations must be created. The strategy must provide clear and achievable direction. It must be rooted in the staff, volunteer, partnership and financial resources available to the Town. Primary responsibilities must be identified and understood. The Town is fortunate to have many dedicated citizens who have volunteered in this comprehensive planning effort and/or as members of the numerous committees and other volunteer efforts. The Town has also made a commitment to create a comprehensive plan by dedicating staff time and resources. An effective implementation strategy is one that builds upon these efforts.

#### **1.4 Priority Implementation Actions**

The following are overarching themes that point to several of the main focus areas of this document. Specific goals and objectives, including proposed timelines for implementation actions, are addressed in Sections 3 and 4.



*Canals are an important feature of the Town's character.*

- Coordinate with DelDOT to implement the proposed Pedestrian Plan.
- Reconcile Town zoning code to promote goals for growth.
- Set a standard for environmental stewardship by “leading by example.”
- Strengthen inter-agency and intergovernmental coordination and relationships.
- Maintain Fenwick Island’s reputation as a Quiet Resort town.

## Section 2 Planning Process

### 2.1 Approach

The Town of Fenwick Island took a different approach for this comprehensive plan update compared to the planning process for the last plan. A great deal of time and work was put into the preparation of the 2007 plan because it was the Town's first comprehensive plan. The end result was a user-friendly planning tool that clearly identified the Town's existing conditions and put forth recommendations to solve issues and achieve community goals. Since completed, the plan has been used by Town Council, Planning Commission, Town staff, residents and business owners as a guide for numerous planning efforts. Ten years later the comprehensive plan is still on point due to the hard work put into the first plan.

#### 2007 Comprehensive Plan

The goal of the 2007 comprehensive plan was to marry attributes of a policy plan with important design and physical considerations to create a guiding framework for future development. Knowing that the plan would need to be updated in the future, it was important for the document to be flexible in order to respond to the Town's changing conditions and opportunities.

A 12-member working group was used to help shape the plan and to take advantage of the expertise of the Town's many volunteer boards. In a parallel effort the first planning commission was formed and took over for the working group to further refine the draft plan, as well as see the final plan adopted and certified.

The process to create the plan was guided by a strong mission statement and divided into three distinct phases - Understanding What's Going On, Exploring and Imagining Futures and Deciding What to Do. The Town found that this approach provided for the widest range of participation, the greatest opportunities for generating thoughtful and creative ideas, and the strongest likelihood for success. Each phase consisted of several steps described in more detail below.

#### *Phase One – Understanding What's Going On*

The first phase of the process was about figuring out what was going on in the community. It involved gathering existing conditions data from a variety of sources, reviewing previous planning efforts and current planning documents and gaining hands-on experience.

#### *Phase Two – Exploring and Imagining*

The second phase was when ideas were generated and possible options started to emerge. The planning team used an in house charrette to explore various scenarios and imagine potential solutions.

#### *Phase Three – Deciding What to Do*

The third phase was when everything that was learned during the first two phases was used to hone in on the preferred physical plan and the comprehensive plan was assembled. The Major Influence plan was chosen as the preferred scenario and is detailed in Section 2.3.

#### 2017 Comprehensive Plan

The Town started the comprehensive plan update process in January 2016. During the initial review the Town decided the majority of the plan was still valid and only needed minor updates; therefore the Town did not need to repeat the same process as the 2007 plan. The Planning Commission did decide to submit a Pre-PLUS application with the Office of State Planning Coordination which allowed the Town to receive comments back from state agencies regarding the 2007 comprehensive plan. The Town received minor comments, many of which the Town knew needed to be addressed in the updated plan.

The Planning Commission reviewed the plan over the course of five meetings, focusing on one section of the plan at each meeting. Each section was reviewed prior to a meeting, and was discussed page by page noting needed updates, additions and general edits. When the review was complete a list of needed updates was drafted to use later as a guide when working on redline versions the plan. The following are some of the items the Planning Commission recommended be updated or added:

- Update data using 2010 US Census
- Address sea level rise
- Discuss impacts from development on Route 54 and throughout Sussex County
- Include list of accomplishments since 2007 plan

It was important to the Planning Commission that the public be informed of the process and status of updating the



*Working group members staffing a general public meeting.*

comprehensive plan. The public engagement process is detailed further in Section 2.2.

**ADD INFO ON REDLINE PROCESS – DRAFTED IN SECTIONS FOR PLANNING COMMISSION TO REVIEW, AVAILABLE TO PUBLIC FOR REVIEW**

#### **Mission Statement**

A mission statement was created for the 2007 plan that was constantly evolving. As the touchstone for the plan's progress, the statement was revisited at each general public meeting. It was modified and honed to clearly articulate the common goal:

*"To be a quiet, family-oriented and walkable community that protects its natural beach and bay environment while including a desirable and sustainable primary residential area as well as a mixed residential and commercial use area per zoning."*

## **2.2 Public Engagement**

A community based process was at the heart of developing the 2007 comprehensive plan. Even though the Town did not repeat the same planning process for this plan update, it was still important to keep residents and business owners informed. Public meetings and review of redline versions of the comprehensive plan were all part of the public engagement process.

#### **Planning Commission**

As mentioned earlier, the Planning Commission reviewed the comprehensive plan and discussed needed updates over the course of five meetings. All meetings were open to the public to listed and ask question as Planning Commission members reviewed the plan. For those not able to attend meetings, agendas and meeting minutes were posted on the Town's website.

#### **General Public Meetings**

The Planning Commission decided to hold multiple public meetings throughout the plan update process to facilitate engagement and discussion. The first round of public meetings was held during the Summer 2016, which consisted of two workshops with a presentation and comments / questions session afterwards. The presentation provided a general overview of what a comprehensive plan is and why towns create them, highlights of the 2007 plan, process for updated the plan and the Planning Commission's recommendations for needed updates. Those that attended the meeting received a handout with more detail on the Planning Commission's recommended updates, as well as a comment sheet. The public was given an opportunity to as questions about the plan and comment on what they thought needed to be addressed in the plan.

**ADD INFORMATION ON PUBLIC MEETINGS REVIEWEING REDLINE VERSIONS OF PLAN & PUBLIC MEETING**

#### **Town Website and Message Board**

The planning process used the Town's website for public engagement. Presentations from public meetings, meeting notes, and other work products were posted to the site. A message board facilitated comment and discussion for site visitors. The site also helped to advertise upcoming meetings and other project milestones. This was an important tool given the seasonal nature of the beach community. The website and message board were invaluable to engage these members of the public.

#### **Local Media**

The local newspapers—the *Coastal Point* and the *Wave*—were also key components in the public engagement strategy. Both newspapers published articles relating to the Town's comprehensive plan update process. The two papers enabled interested citizens in the region, seasonal residents and visitors to track the progress of the plan.

#### **Additional Public Engagement**

Comment forms were made available and collected at all public workshops. Any additional information about the planning process was mailed upon request. The Town newsletter was an additional opportunity to make residents aware of the updates to the Comprehensive Plan.

### 2.3 Preferred Scenario

After a series of public meetings held throughout the 2007 planning process, the Major Influence physical plan was determined to be the preferred scenario. It best met the intentions of the community mission statement but was recognized as an “ideal” vision towards which the community could aspire. It was understood that it would take time and further discussions to enable its implementation. While some elements of this scenario no longer apply, many aspects still reflect how the Town envisions the future. The preferred scenario included the following:

#### *Population and Demographics*

The population was projected to grow through the transition of seasonally occupied homes to homes used year-round. There were also a small number of vacant lots which were projected to build-out with residential uses, further adding to the permanent population.

#### *Housing*

The Town maintained its character as a primarily residential community, consisting mostly of single-family detached homes. The current stock of multi-family and single-family attached units was expected to remain. A small number of multi-family units could be added to the Town’s inventory as commercial properties developed and redeveloped with a mix of uses—residences located above stores, restaurants and other commercial uses.

#### *Land Use and Annexation*

The existing municipal boundary did not change in the preferred scenario. The general pattern of land uses—commercial uses fronting SR1 and residential uses on the majority of remaining properties—also continued. The recent trend of vacant commercial properties developing with single-family detached homes was mitigated through incentives for property owners to develop commercial or mixed-use uses.

#### *Redevelopment*

Commercial properties were redeveloped over time. As properties aged and owners considered redevelopment, the district offered an alternative to the current highest and best use of single-family detached homes. The district combined solutions to traffic, parking, and aesthetic concerns with incentives for commercial or mixed-use redevelopment.

The redevelopment of older beach cottages was mitigated through new historic and cultural resource preservation measures and residential design guidelines. Incentives were created to preserve the cottages as a part of residential redevelopments. The design of new residences was also influenced to minimize their bulk and mass, along with other considerations.

#### *Infrastructure*

This scenario also included additional improvements to SR 1 for pedestrian and bicycle safety, through an updated Fenwick Island Pedestrian Plan. Eliminating curb cuts along SR 1, improving parking efficiencies, reducing vehicle miles traveled for local trips and locating new buildings closer to SR 1 effectively calmed traffic. This created a more comfortable and enjoyable pedestrian and bicycle experience.

Additional parks located within Town ensured that one is always located within a reasonable walking distance. The existing Town Park was expanded to include additional amenities. Town Hall was also expanded in its current location to include additional space for staff and community purposes. The details of these community facilities will be determined during the implementation of the comprehensive plan.

The DART stops remained in their existing locations near Essex Street but were improved to include seating and shelter. Shuttles from several inland developments continue to stop at the State Park facilities north and south of Town. Traffic and parking improvements have been made to ease previous design and operational issues.

#### *Community Character-Built Environment*

The compact and clearly identifiable traditional form of Town was maintained. The street grid and system of blocks and lots was a valuable asset that was reinforced in the preferred plan. Some development patterns that compromised this pattern, such as combined lots, and other improvements, such as widening of streets over time, were mitigated. The role of SR 1 was changed from a barrier between the east and west portions of town to an important civic space with a boulevard design.

Residential design guidelines affected the design of new homes to help them fit into the town's traditional form and reinforce the block and lot rhythm. The historic pattern of cottages located a consistent distance from the street was re-established. The size and height of homes continued to be regulated but with more detail to encourage creative and diverse designs. Site improvements and landscapes were also influenced by the design guidelines. Pervious materials were still encouraged, as well as other sustainable or green practices, such as minimizing the use of exterior lighting, irrigation, fertilizers and pesticides.

The character of the commercial area was greatly improved by the pedestrian plan. A sustainable and diverse mix of commercial uses existed and was supported by Town residents and visitors. Additional retail businesses were added to the mix, improving the entertainment shopping opportunities. As more property owners became full-time residents more businesses tended to stay open year-round. Incentives and physical improvements resulted from the overlay district and pedestrian plan encouraged property owners to reinvest in their properties.

*Community Character—Natural Environment*

The Town's most important assets—its beach and bay—were preserved and enhanced through the community's leadership. Fenwick Island emerged as the leading environmental steward among the state's coastal communities. Beach replenishment continued as needed by using methods that were even more environmentally sensitive. The Tree Triage Program was fully implemented with street tree and other plantings installed throughout town. On the bayside, the additional vegetation cleansed storm water before it reached the bay. On the oceanside, the additional vegetation created important wildlife habitat. Other new sustainable, or "green," practices initiated by the Town gained wide acceptance by residents, visitors, businesses and contractors. The community's actions created a model for establishing a "green infrastructure" network.

## Section 3 Municipal Development Strategy

### 3.1 Demographics and Population

*Important Note: The data and statistics in this section were derived from the 2010 US Census, 2010-2014 American Community Survey 5-year estimates, the Delaware Population Consortium, and verified with the Town of Fenwick Island. While this information is regarded as the primary source, it is important to note that Fenwick Island is a unique resort destination comprised of full-time residents, seasonal residents, and seasonal visitors. Thus, population numbers vary throughout the year. Similarly, with a small full-time resident population base, any change in population numbers has a potentially large effect on trend predictions because of small sample sizes and potentially increased margins of error.*

#### Total Population

The 2000 US Census reported a total population of 342 full-time residents in Fenwick Island. According to Census information, from 1990 to 2000, Fenwick Island's population increased 84 percent from 186 to 342. In contrast, Sussex County grew from 113,847 people in 1990 to 157,430 in 2000, an increase of 38 percent. Similarly, the State of Delaware grew from a population of 669,069 in 1990 to 786,448 in 2000, an increase of 18 percent.

Those figures can be compared to the 2010 US Census which reported a total population of 379 full-time residents. Since 2000 the Town's population has increased 11 percent, which is far less than the growth rate of the previous 10 years. In Sussex County the population has grown by 25 percent and Delaware by 14 percent.

In the period from 1990 to 2000, Fenwick's growth rate was more than double the County's, and more than four times the State's growth rate. While the entire region continues to grow, Fenwick Island's remarkable growth rate during that time period exhibited the desirable living conditions of the coastal Sussex County area. While the growth rate has since declined, Fenwick is still a very popular retirement and tourist destination. As growth continues in the region, housing, cultural, and environmental resources will face mounting pressure.

The Town estimates its primary resident population as 270 residents in 2016 according to tax records. This number is significantly lower than the Census information provided in 2010. It is not believed that Fenwick Island lost residents

over this time period. Rather, it is thought that the 2010 US Census information may have included populations outside of the Town's municipal boundaries.

#### Varying Seasonal Populations

The Town is similar to other Atlantic resort communities in that it is heavily influenced by its role as a resort community.

Seasonal population fluctuates greatly, and many residences are vacation homes with property owners living elsewhere, and thus are not counted as part of Fenwick Island's year-round permanent population.

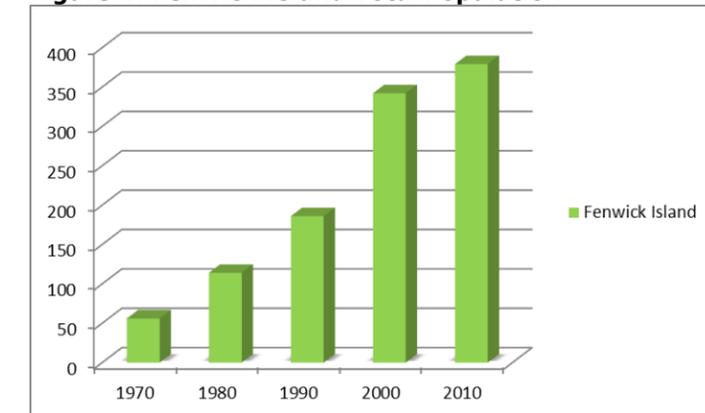
Based upon information provided by the Town, the number of people residing in or staying in Town at a given time can be estimated. The Town lists its full-time population in 2006 as 270 residents, a number that forms a base population for "off-season" months. During the peak summer season, the number of people staying in Town is significantly higher and is often dictated by the Town's "bed base" or the number of beds that can accommodate overnight guests or residents with each bed equating to one person. There are 697 residential units, 46 of which are condominiums in Fenwick Island, with an average of 3.5 bedrooms per home. If two adults stay in each bedroom during peak summer periods, the Town is accommodating up to 4,879 people in residential units. In addition, the three motels in Town have an estimated total of 187 rooms, with an average of two double beds per room. With four people per room, it is estimated that an additional 748 people may be able to stay in overnight accommodations, bringing Fenwick Island's total peak season bed base to over 5,627 people.

#### Population Projections

When dealing with small permanent populations such as Fenwick Island's, population projections are potentially unreliable because of a large margin of error. With this in mind, three methods of projection were determined to demonstrate potential population projection scenarios over the next several decades. The following information is derived from US Census information, and adjusted to reflect information provided by Town sources.

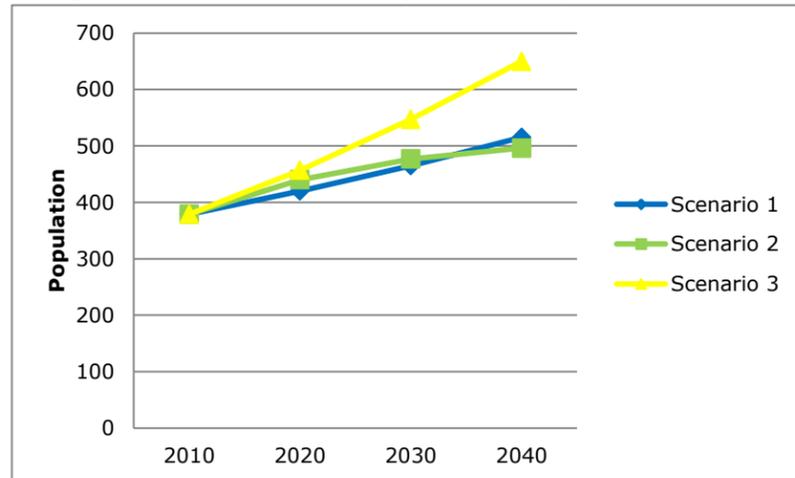
The first method—Scenario 1: Trend Projection of Decadal Growth—uses an average percentage of population increase

Figure 1: Fenwick Island Total Population



Source: 2010 US Census

**Figure 2: Fenwick Island Population Projection Scenarios**



Source: US Census 2000 & 2010, Delaware Population Consortium

specifically for Fenwick Island based on actual percentages for the past three decades starting in 1980 according to the US Census, but using the Town’s current population estimate as a base line. The second method—Scenario 2: Portion of Projected Sussex County Growth—uses Fenwick Island’s portion of Sussex County’s overall population increase over the past three decades according to the US Census, while using the Town’s current population estimate as a base line. This number will generate a more conservative population projection than the prior method. Finally, the third method—Scenario 3: Transition from Seasonal to Full-Time Residents and Vacant Lands Buildout—demonstrates the population increase based on the transition of seasonal to full-time residents plus the increase in additional residential units through full build out of the existing municipal area. There are approximately 636 occupied residential lots in Fenwick Island, and approximately 63 remaining buildable lots that are currently vacant. It is estimated that Scenario 3 represents the most likely growth scenario.

**Table 1: Fenwick Island Population Projection Scenarios**

Growth Scenario	2010	2020	2030	2040
Scenario 1: Trend Projection of Decadal Growth	379	420 (+10.8)	465 (+10.8)	515 (+10.8)
Scenario 2: Portion of Projected Sussex County Population	379	440 (+16.0%)	477 (+8.4%)	496 (+4.0%)
Scenario 3: Transition of Seasonal to Full- time Residents Plus Increase in Population due to New Construction (through build out)	379	457 (+20.6%)	547 (+19.7%)	650 (+18.8%)

Source: US Census 2010, Delaware Population Consortium

**Racial Composition**

The table below exhibits the racial composition of Fenwick Island compared with Sussex County and the State according to the 2010 US Census. Fenwick Island’s population is comprised mainly of white, non-minority citizens—a trend common among many of Delaware’s coastal resort towns. While this information does not specifically imply the need for policy changes on behalf of the Town, it is an important element of the overall town profile.

**Table 2: Racial Composition by Place**

Race	Fenwick Island	Sussex County	Delaware
White	97.6%	79.0%	68.9%
Black	0.5%	12.7%	21.4%
Latino	1.1%	8.6%	8.2%
Other	1.6%	6.0%	7.1%

Source: US Census 2010

**Age**

The population of Fenwick Island tends to be older than the relative populations of Sussex County and the State. Approximately 46 percent of Fenwick Island’s residents are over the age of 65, a percentage that is more than triple and double that of both State and County averages respectively. Similarly, Fenwick Island’s percentage of children and young adults is about a third of the percentage of children and young adults in Sussex County and Delaware. Both of these facts point to the belief that Fenwick Island is a popular destination for retirees.

**Table 3: Age Groups by Place**

Age Range	Fenwick Island	Sussex County	Delaware
0-19 years	8.5%	22.5%	26.0%
18-64 years	45.3%	56.7%	59.5%
65+ years	46.2%	20.8%	14.5%

Source: US Census 2010

Fenwick Island’s low percentage of children suggests a lower requirement of educational, day care, and child-related amenities than State and County needs might reflect. Similarly, the percentage of people of prime working age, namely 18 to 55 years old, is relatively low compared to surrounding and inland towns, suggesting that Fenwick Island may have a small labor pool to pull from to fill service and employment needs. The majority of Fenwick Island’s population—almost 70 percent—are over the age of 55. This number is significantly higher than the State and County average percentages, and suggests that Fenwick Island has a higher need for senior services and amenities as compared with neighboring towns.

**Table 4: Fenwick Island Population Age Profile**

Age	Number	Percentage of Total Population
under 5	4	1.1%
5 to 14 years	13	3.4%
15 to 24 years	20	5.3%
25 to 34 years	11	2.9%
35 to 44 years	25	6.6%
45 to 54 years	41	10.8%
55 to 64 years	90	23.7%
65 to 74 years	107	28.3%
75 to 84 years	50	13.2%
85+	18	4.7%
<b>Total</b>	379	100.00%
<b>Median Age</b>	63.9	

Source: US Census 2010

**Education**

The table below illustrates information comparing the educational attainment of Fenwick Island’s population compared to State and County averages. Over 90 percent of Fenwick Island’s residents hold a high school diploma, a number that is 7 to 10 percent higher than State and County averages respectively. Similarly, 55 percent of Fenwick Islanders hold a college degree, a number 26 and 19 percent higher than County and State averages, respectively.

**Table 5: Educational Attainment**

Highest Level Achieved	Fenwick Island	Sussex County	Delaware
No High School	1.1%	5.2%	4.1%
Some High School	3.7%	9.5%	7.9%
High School Diploma	19.9%	36.7%	31.5%
Some College	19.9%	18.8%	19.7%
Associate Degree	3.7%	7.9%	7.3%
Bachelor's Degree	23.0%	12.9%	17.5%
Graduate or Professional Degree	28.7%	9.0%	11.9%

Source: US Census 2010

**Income and Poverty**

The level of education attainment in Fenwick Island correlates with the tendency of residents to maintain a relatively high median income as compared with the State and the County. On average, residents of Fenwick Island make an average of \$10,000 per year more than the majority of Sussex County residents.

**Table 6: Median Household Income by Place**

Fenwick Island	Sussex County	Delaware
\$63,516	\$53,505	\$60,231

Source: US Census 2010

**Table 7: Fenwick Island Resident Income Sources**

Households	Number	Percent
With Earnings	113	54.6
Mean Earnings (dollars)	78,654	
With Social Security Income	136	65.7
Mean Social Security Income (dollars)	25,007	
With Supplemental Security Income	0	0
Mean Supplemental Security Income (dollars)	0	
With Public Assistance Income	2	1.0
Mean Public Assistance Income (dollars)	600	
With Retirement Income	90	43.5
Mean Retirement Income (dollars)	36,827	
With Food Stamps / SNAP Benefits	4	1.9

Source: US Census 2010

**Table 8: Poverty Status by Age Group and Place**

Age Group	Fenwick Island	Sussex County	Delaware
All ages	3.5%	13.3%	12.0%
0-17 years	0%	23.1%	17.4%
18-64 years	1.3%	12.5%	11.3%
65+ years	5.5%	6.6%	7.1%

Source: US Census 2010

In general, the Town’s poverty status has decreased over the past 10 years for all age groups. As exhibited, Fenwick Island has a zero poverty level among children and teens as compared to State and County averages; however, poverty status among adults and seniors is similar in percentage to Sussex County and Delaware averages. A high percentage of Fenwick Islanders receive Social Security and retirement incomes, but these averages correlate with Fenwick Island’s higher numbers of residents over the age of 55. With the Town’s small size, it may not be feasible to provide public services and facilities to lower income residents; however, this does not preclude the idea that such amenities should be identified by the Town and supported on a regional level.

**Summary**

Given the popularity of coastal Sussex County and Fenwick Island, the population of Fenwick Island is projected to continue to increase; however it is expected that population increases will be limited to seasonal residents that transition to full- time residents, and residents that move into new houses built on existing vacant lots. Demographics indicate that Fenwick Island is predominantly white, upper middle class, and over the age of 55, pointing to the Town’s desirable living conditions among retirees. These same desirable living conditions attract large numbers of seasonal residents and visitors to Fenwick Island as well. While the permanent population is estimated by the Town to be 270 residents, it is estimated that the Town’s bed base can accommodate over 5,000 people during peak summer seasons.

**Demographics and Population Recommendations**

- Issue:* It is difficult to determine the Town’s demographics and population given its small size and seasonal character.
- Goal:* Create a method by which the Town can estimate its permanent and seasonal population, including peak seasonal population. This method should also enable the Town to better understand community demographics.

*Objectives:*

- 1.1 Use the US Census and Delaware Population Consortium estimates as a starting point for determining the Town’s demographics.
- Supplement the US Census and Delaware Population Consortium estimates with Town derived information.
  - Coordinate with the US Census Bureau, prior to the 2010 census taking, to reduce the potential for error to the extent possible.

- 1.2 Update the estimates on an annual basis using a standard method.
- Incorporate this information into future updates of the comprehensive plan.

*Issue:* Population increases with mirror growth trends in Fenwick Island since 1970 are unlikely due to the limited supply of undeveloped land.

*Goal:* Accommodate population growth within the existing and redeveloped housing stock and the future build out of undeveloped lots.

*Objectives:*

- 1.3 Maintain current orderly growth pattern.

*Issue:* In the future, there may be a concern that the Town’s existing infrastructure may not keep pace with planned population growth and a potential increase in demand for services from residents and visitors.

*Goal:* Ensure that the planned growth in population is closely tied to infrastructure and service improvements, if needed.

*Objectives:*

- 1.4 Mitigate potential impacts of planned population growth through improving efficiencies in the existing infrastructure and services.
- Capacity improvements should be a last resort and considered as a part of a capital improvements program.

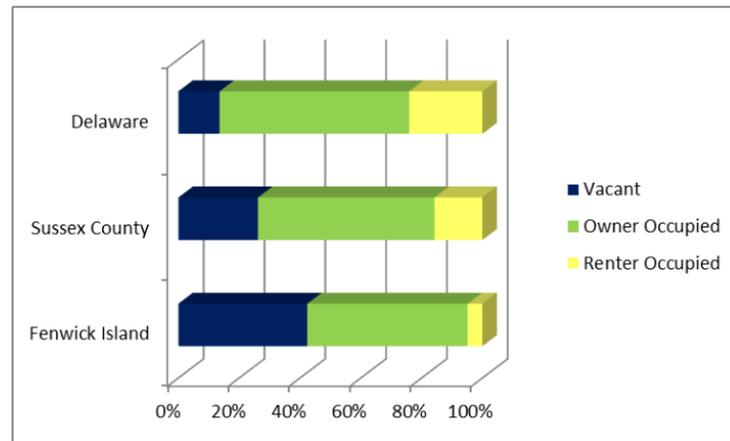
*Issue:* Population increase over what exists today could negatively impact the Town’s quiet resort character.

*Goal:* Commit to identify ways in which planned growth can be accommodated without compromising the Town's character.

*Objectives:*

- 1.5 Balance the potential impacts of planned growth with the potential benefits of additional community members.

Figure 3: Ownership and Vacancy Rates



Source: US Census 2010

### 3.2 Housing

#### General Housing Issues

The 2010 US Census indicates that Fenwick Island had a total of 826 residential housing units, up 134 units from the 2000 Census figure of 692, and an increase of approximately 19 percent. Interestingly, during this same period of time, the population of Fenwick Island increased by 11 percent.

Also, the Town records indicate some slightly different numbers. As of 2016, the Town estimates that there were 697 residential housing units in town, up 21 units from 2006. This number is lower than US Census estimates, although it is believed that the Census counted mobile home units, which are located outside of the municipal boundaries, as part of the estimates. The Town, however, still notes that between 2001 and 2006 housing units increased by 46 percent, only half of the pace of increasing population.

It is important to note that compared to the 2000 Census data the number of housing units compared to population growth has since leveled out. However, there is still an uneven balance of vacant homes that are seasonally occupied versus occupied. The figure below exhibits the proportions of vacant, owner-occupied and renter-occupied housing in Fenwick Island, Sussex County and Delaware. The graph shows that the majority of housing within Fenwick Island is considered "vacant." At 74 percent, Fenwick Island has a significantly higher vacancy rate than both the State (16%) and the County (36%). This high vacancy rate can be attributed to the high rate of seasonal, recreational, or occasional-use housing which the US Census includes under its "vacant" classification. Of the 563 units listed in the estimate as vacant, 510 are also classified as seasonal, recreational, or occasional use. Interestingly housing has stayed at a consistent 73 to 74 percent over the past 10 years.

With population increasing at a much faster rate than the construction of new units from 1990 to 2000, the disproportion seen between these two growth rates indicates that many seasonal homes were becoming permanent residences. Based on the major decrease in growth rate and increase in construction of new units from 2000 to 2010, it can be assumed that people are now investing in additional properties either to rent or as a vacation home.

While full-time residents contribute to a more active year-round economy, there are several side effects of disproportionate population growth to housing growth. First, the increase in full-time residents will create increased demand on public utilities, schools, health care, and services provided by the Town. Second, the disproportion of housing demand to housing supply will tend to increase both real estate values and rental costs, thus making "attainable" housing for local employees and young families harder to find.

Of Fenwick Island's 826 residential units as according to the US Census, the Town is predominately comprised of single family units which account for 94 percent of the overall housing stock (including both attached and detached units). This percentage is significantly higher than the percentage of single family units making up the housing stock of Sussex County (70%) and the State (73%). The dominance of single family units in Fenwick Island speaks to the Town's overall character as a low-density, primarily residential community. This type of development pattern is similarly seen in neighboring coastal Sussex County towns.

Table 9: Type of Housing Units

Housing Type	Fenwick Island	%	Sussex County	%	Delaware	%
Single Family, Detached	718	86.9	77849	61.8	240246	58.4
Single Family, Attached	58	7.0	10328	8.2	60677	14.8
* Multi-Family	48	5.8	14438	11.4	73024	17.7
Mobile Homes	2	0.2	23349	18.5	37202	9.0
Other	0	0	45	0	101	0
Total	826	100	126009	100	411250	100

Source: US Census 2010

Note: Mobile home units are an estimate error and are located outside Fenwick Island's municipal boundary.

\*For the purpose of this table, multi-family housing units are defined by U.S. Census Bureau data as a structure comprised of two or more housing units.

**Age of Housing Stock**

Table 10 compares the age of Fenwick Island’s housing stock to the ages of both Sussex County’s and Delaware’s overall housing inventory. It can be assumed that because of difficult living conditions and lack of access and infrastructure, Fenwick Island remained largely undeveloped into the early 1900s and experienced a significantly lower construction rate than both the County and the State through the 1930s. However, as the Town’s popularity increased into the 1940s, the percentage of new house construction began to match or exceed the State and County percentages, and continued to do so through the late 1980s. During that period, Fenwick Island was essentially built out within its municipal boundaries. In the past decade, the new home construction pace has slowed to 17.2 percent, less than both the State and County percentages according to the 2010 US Census. It can be assumed that this slowdown is attributed to a lack of buildable area remaining within Town boundaries. Similarly, it could be anticipated that a slower building rate than earlier decades will prevail into the future unless additional non-developed land is annexed into the current municipal area.

**Table 10: Age of Regional Housing Stock**

Year Built	Fenwick Island	Sussex County	Delaware
1939 or earlier	1.9%	5.4%	9.1%
1940 to 1959	6.3%	6.3%	14.9%
1960 to 1979	27.4%	19.2%	23.6%
1980 to 1989	30.4%	18.6%	15.0%
1990 to 1999	16.8%	19.2%	16.3%
2000 to 2010+	17.2%	31.4%	21.2%

Source: US Census 2010

Another possible scenario suggests that developers will be looking to acquire older, low-density properties in order to replace them with larger structures and higher density configurations, thus maximizing the value and return on investment of the lot. Examples of this practice can be seen in Town in the form of large structures built to the maximum size allowed by zoning. While this practice raises home values and positively contributes to the economy, it begins to change the scale of historic town development patterns while also changing the overall community character. The 2010 US Census notes that approximately 8 percent of Fenwick Island’s housing stock was constructed before 1960, making these houses eligible for consideration as historic structures. This is a significant decrease compared to the 2000 Census which noted 25 percent of homes were built prior to 1960. In 2007, the Town estimated this same number at 16 percent. While the US Census may have been slightly inaccurate, this decrease in older homes may also be a sign that redevelopment of residential lots is replacing aging structures. A historic structures inventory has not been completed by the State Historic Preservation Office.

### Housing Value

The value of Fenwick Island’s housing stock speaks to its relatively higher income, upper middle to upper class population. In 2010, the US Census listed Fenwick Island’s median house value at \$733,700, more than triple the average for both the County and the State. Property values have continued to jump dramatically in the past several years. Based on homes sold in the past two years, the Town estimates that current prices for houses in Fenwick Island varied from \$300,000 for bayside houses without water access to more than \$2 million for oceanfront houses.

The Town estimates over the past two years, interior bayside homes were selling for no less than \$300,000; bayside canal frontage homes were selling for approximately \$450,000 to \$975,000; and bay frontage homes were selling for approximately \$1 million. It was estimated that ocean side homes were selling for almost \$1 million however some homes are listed much higher; and ocean front homes were selling for upwards of \$2 million.

Figure 2 exhibits the proportions of vacant, owner-occupied and renter-occupied housing between Fenwick Island, Sussex County, and Delaware as exhibited in the 2010 US Census. The graph shows the majority of housing within Fenwick Island as “vacant.” At 73.7 percent, Fenwick Island has a significantly higher vacancy rate than both the State (15.7%) and the County (35.5%). This high vacancy rate can be attributed to the high rate of seasonal, recreational, or occasional use housing which the US Census includes under its “vacant” classification. Of the 563 units listed in the 2010 Census as vacant, 510 were also classified as seasonal, recreational, or occasional use.

### Ownership and Vacancy Rates by Place

While the Town no longer provides trash service, the Town can still estimate full-time residences versus seasonal residences based on trash pick-up service. The Town reported that 673 homes were contracted for year-round service in 2016, though only 168 homes utilized trash service year-round. During that same year, 141 rental homes utilized the service seasonally. This equates to 364 homes that, only had trash picked up during the summer months.

While the numbers derived from the breakdown vary from the US Census numbers, the information continues to indicate that Fenwick Island is comprised of a majority of units owned by seasonal or part-time residents.

### Summary

Over the past decade, Fenwick Island’s population has increased only slightly while new units being built has steadily increased. With little inventory of developable land, new construction is more than likely occurring on vacant lots. It could also be lots with older homes are being acquired to replace them with new structures. Fenwick Island saw an influx of full-time residents in the 90s but it now appears people are shifting to buying homes in Town to rent or use as vacation homes. It is difficult to say when the Town could be built out, but nearing full buildout will slow population growth yet continue to fuel an increase in property values and demand as the market dictates.

### Housing Recommendations

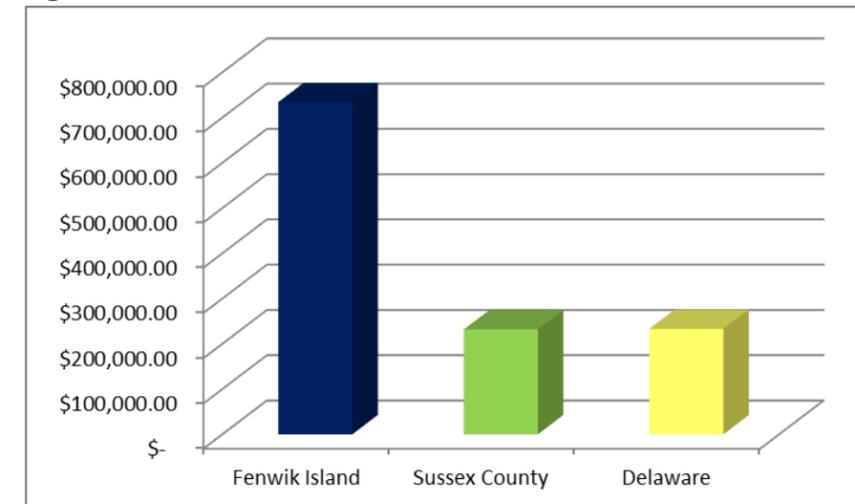
**Issue:** The majority of the Town’s housing stock was built before 1990, according to the US Census. The Town’s housing stock is older than that of Sussex County but is very similar in age to housing found in the entire State. The older homes are likely to be redeveloped to better meet current trends in residential design.

**Goal:** Ensure that, as existing residences are redeveloped, the design of new residences is in keeping with the Town’s desired community character.

#### Objectives:

- 2.1 Strengthen the existing residential zoning code provisions.
  - Build on the recent floor area ratio and lot area coverage amendments to further articulate mass and scale.
  - Maintain the 32 foot maximum building height but consider amending how height is determined (measured from crown of street, highest point of building).
- 2.2 Review residential design standards.
  - Amend code or create stand-alone guiding document that is administered by Planning Commission or Building Committee.

Figure 4: Median House Value



Source: US Census 2010

<p><i>Issue:</i> Single-family detached housing units comprise approximately 90 percent of the Town’s housing stock. The composition of housing types within the County and State is more diverse with approximately 50 percent of the total units being single-family detached.</p> <p><i>Goal:</i> Preserve the single-family detached unit type as the dominant residential type. This unit type contributes to the Town’s character as a family-oriented community and sets Fenwick Island apart from the other resort towns.</p> <p><i>Objectives:</i></p> <p>2.3 Maintain the single-family detached use as the permitted use within the residential zone district.</p> <p><i>Issue:</i> The significant majority of residential units are occupied seasonally. This reinforces the Town’s history as a resort community. National trends indicate that as baby boomers reach retirement age they seek out resort communities for their primary homes. Currently, approximately 35 percent of Fenwick Island’s population is between the age of 45 and 65. If Fenwick Island follows current national trends, it can be assumed that the population of the Town will increase with the transition of seasonal residences to full-time residences occupied by the baby boomer generation.</p> <p><i>Goal:</i> Plan for a possible increased demand in services, and a reduction in rental tax income, as the permanent population increases.</p> <p><i>Objectives:</i></p> <p>2.4 Review the Town’s existing services and potential demand increases to determine year-round needs.</p> <ul style="list-style-type: none"> <li>• Police protection</li> <li>• Trash and recycling</li> <li>• Road and drainage maintenance</li> </ul> <p><i>Issue:</i> The median home price doubled in Fenwick Island since the 2010 US Census. This high cost of housing in Town makes it very difficult for Town staff, emergency service providers and employees of local businesses to live close to their place of employment. This will likely</p>	<p>become a serious issue for employee retention and recruitment in the future.</p> <p><i>Goal:</i> Participate in the preparation of a comprehensive strategy to provide attainable housing outside of the Town’s existing residential area. High land costs relative to land costs in other areas of Sussex County and the lack of developable land preclude the Town’s ability to provide a significant number of attainable housing units within its municipal limits.</p> <p><i>Objectives:</i></p> <p>2.5 Cooperate with regional efforts to provide attainable housing.</p> <ul style="list-style-type: none"> <li>• Work with other like-minded resort towns such as Bethany Beach (which has identified in their comprehensive plan the desire to work cooperatively) and the County to identify potential solutions.</li> <li>• Research how other seaside communities have provided for attainable housing.</li> </ul> <p>2.6 Explore methods of providing employee-occupied rental units on commercial properties and/or participate in a regional attainable housing program.</p> <ul style="list-style-type: none"> <li>• Collaborate with local businesses to evaluate the need for attainable housing.</li> <li>• Maintain the current code provision allowing residential units above commercial buildings.</li> <li>• Facilitate a small number of these units within the Bethany Beach Fire District for emergency service providers.</li> </ul> <p><i>Issue:</i> Approximately 20 percent of the Town’s housing stock was built before 1970, making several houses eligible for historic structure review.</p> <p><i>Goal:</i> Residential structures are an important contribution to the Town’s character. Residences constructed before 1967, if deemed to have historical significance, should be preserved.</p> <p><i>Objectives:</i></p> <p>2.7 Continue to work on a Historic and Cultural Resources Inventory.</p> <ul style="list-style-type: none"> <li>• Work with the State Historic Preservation Office to update inventory review for state and local significance of potential Town resources.</li> </ul>
--	--

### 3.3 Land Use and Annexation

#### Existing Land Use

The Town of Fenwick Island contains two primary land uses, residential and commercial. Residential uses are organized around a commercial strip that fronts State Route 1 (SR 1). Other less prevalent land uses are institutional, office, utility/transportation, parks and open space, and vacant. The existing land uses are illustrated on Map 5.

Residential land makes up most of Fenwick Island. Most residential uses are located on lots 50 feet wide by 100 feet long organized into distinct compact blocks 300 feet wide by 400 feet long. This strong organization of lots and blocks gives Fenwick Island a traditional community form. The resulting street grid makes the Town highly walkable.

There are two distinct residential neighborhood characters. The residential area on the oceanside of SR 1 is more regularly organized in the block and lot town form. Bunting Avenue and the relationship houses have to the street is unique within town. The character of the landscape is also distinct in that it is a more naturalized landscape with very few pockets of manicured lawn. Black pine and other drought tolerant species, such as bayberry, are prevalent in this neighborhood.

The second distinct neighborhood is the bayside of SR 1 north of Atlantic Street. This bayside residential area is characterized primarily by the traditional town lot size but has more variety as some lots have been combined in the past and other lots have irregular shapes based on the topographic conditions. A natural and man-made system of waterways, lagoons and canals are a significant feature of this neighborhood. Although the street widths are the same as those found in the oceanside neighborhood the street character changes dramatically. Houses are set back from the street in varying dimensions and are all the more obvious than in other parts of town because there are far fewer trees located adjacent to the street. The landscape is typically manicured with lawns and other ornamental plantings.

Commercial land makes up the majority of lots facing SR 1. These lots are typically 150 feet in depth on the west side and 130 feet deep on the east side, and vary in width up to the block width of 300 feet. The commercial block width is

derived from the residential lot 50-foot width module and equals an aggregation of six residential lots. The commercial district includes a few distinct strip retail centers and several freestanding buildings. The commercial area is primarily served by the automobile with numerous curb cuts on SR 1 and the adjacent side streets, and parking located to the front of the businesses. The Fenwick Village is unique in that it is internally oriented and has its parking located to the side of the shopping center.

Institutional land uses are found in discrete locations along SR 1. The Town Hall, located at Bayard Street, is the community's center and is immediately adjacent to the Fenwick Island Community Park. One church is also located in Town along SR 1. A wastewater lift station is located adjacent to the Town Park on Cannon Street.

The Community Park was the first developed park in Fenwick Island. More recently, a second park has been developed, Cannon Street Park, which includes an ADA canoe/kayak launch, half basketball court and picnic area. The public beach is located along the Town's eastern boundary and extends to two State Parks located north and south of Town. Seal Island, located just outside the Town's municipal boundary, is used by residents for sailing events and is a popular bird-watching area. There are also two protected natural wildlife areas in Town—including the Schultz Road Wetlands and the Glenn Avenue Bird Sanctuary.

#### Future Land Use

The Town is nearly built out within its existing municipal boundary. There are just 56 vacant residential lots and 7 vacant commercial lots that are candidates for redevelopment. Vacant commercial lots, which can also be developed with single-family detached residences, are today's highest and best use and will likely be developed with a mix of residential and commercial uses.

There is a Town desire that SR 1, including the commercial area, be enhanced to become a more walkable and inviting area of town. As a result, a possible overlay district could include a majority of the properties located along SR 1. While there is a strong community voice to let market forces prevail, the Town's desire to create an improved commercial area cannot be realized without a level of attention to the existing land use regulations and zoning code.



Home located on Bunting Avenue.



Homes located in the bayside residential areas.

Other land use changes are illustrated on the Future Land Use Plan, Map 7. Since this is a view of the Town at its buildout, the vacant land use classification is not used.

### Annexation

Although there is conflicting information, it is believed that the Town's boundary has remained the same since its incorporation in 1953. The driving force behind the incorporation was to protect the Town from outside development pressures. Town residents were not happy with the pattern of development in adjacent areas to the south, especially Ocean City, Maryland.

Current residents are similarly concerned with today's development patterns in the unincorporated portions of Fenwick Island and along SR 54 to the intersection of SR 20 and the Bearhole Ditch. In recent years several large developments have been approved in the County, including Bayside, that Town residents believe directly impact their community.

Areas outside of incorporated Fenwick Island are identified on the County's zoning plan as Environmentally Sensitive Areas. This designation acknowledges that the County recognizes the Inland Bays as a major resource and one that must be protected from insensitive development. These areas are required to receive special design considerations for preserving water quality and open space. The majority of vacant lands are zoned Agricultural Residential (AR-1). This zone districts allows residential development up to 2 units/acre. Residential planned communities and village-style developments are encouraged to provide opens space and habitat while not increasing the underlying density. Infrastructure improvements within this area are focused on upgrading wastewater systems to protect the Inland Bays from excessive amounts of nutrients.

The unincorporated area is served by existing major utilities. The South Coastal Regional Wastewater Facility covers the Fenwick Island Regional Sewer District encompassing both the unincorporated area under discussion and the Town. Recent improvements to the facility increased its capacity to accommodate future buildout, as identified on the County's 2003 Future Land Use Plan. The Artesian Water Company provides potable water to this area and also has the capacity to serve future

developments as contemplated in the County's 2003 Future Land Use Plan. The County is currently in the process of updating its Comprehensive Plan. In conversations with County planners the potential development anticipated for this area is not expected to be increased through the plan update.

The unincorporated area is served by Town police service through an agreement with the State Police. This agreement provides that the Fenwick Island Police Department will respond provided the Delaware State Police are unable to dispatch personnel within a reasonable response time.

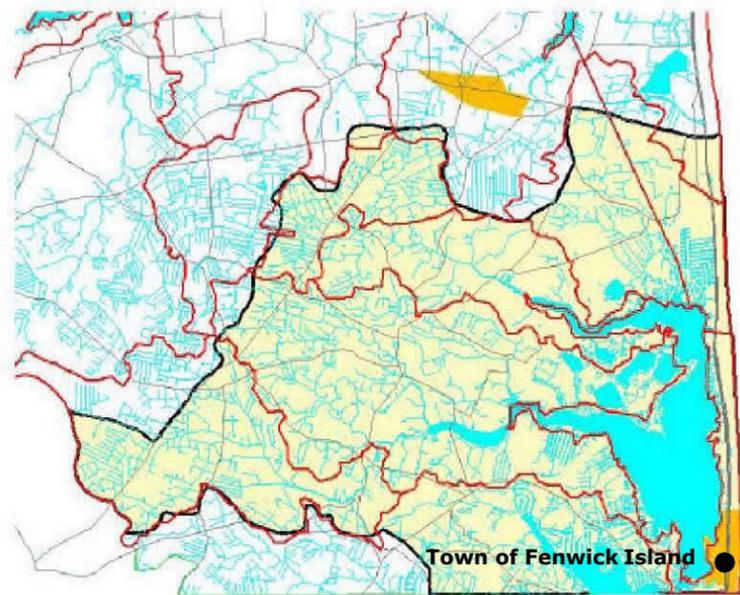
When considering the annexation of these adjacent areas, the community discussed a cursory review of potential costs and benefits. From a taxation consideration, there is no tax advantage to County residents if they are annexed by the Town as their rates are much lower. In addition to County taxes, Town taxes would also be due for those annexed. The property tax rate in the County is \$.445 per \$100 of total assessed value for residential and commercial property, while the Town's is nearly five times that at \$1.92 per \$100 of total assessed value for residential and commercial property. In addition, the Town charges a rental receipt tax calculated at 7.5 percent of the rental charge for most single-family residences and 3 percent for hotel/motel rooms. A Realty Transfer Tax of 1.5 percent is also levied on all conveyed property.

From a town services consideration, the Town already provides a certain level of police protection through the agreement with the State. Increased level of police service would be provided to the unincorporated areas if they were annexed. The Town's Public Works Department is responsible for municipal road and storm water system maintenance and again it is expected that this service would be extended into any annexed area. The potential cost of providing these services was not calculated as a part of this cursory review.

Another consideration for annexation is the Town's fiscal condition. The latest Town budget information (as of the end of January 2017) indicates that the Town is fiscally sound. It is on track to meet or exceed its budgeted



Homes located in unincorporated Fenwick Island.



Little Assawoman Bay Watershed



1 0 1 2 Miles

- Watershed Model Segmentation
- Roads
- Towns
- Water
- Watershed Outline

Source: Center for Inland Bays

revenue goals by the end of its fiscal year on July 31. Expenditures are broken out by Police Department, Lifeguard, Public Works, Administration and General. Town staff indicates that this fiscal condition is a trend that is expected to continue.

Given these considerations, the community believes that the biggest advantage to the Town in an annexation is the ability to have ultimate control in future decisions. The Town, at this time, does not wish to pursue annexation but recognizes the importance of this tool and may choose to use this at a later date.

The community wishes to establish an Area of Concern encompassing the entire Little Assawoman Bay Watershed area to the north, west, and south of the municipal limits of Fenwick Island. An Area of Concern, as defined by the State Office of Planning Coordination, is an area created by a municipality where a formal review process is followed to ensure that the Town is notified of proposed land use applications for properties within the Area of Concern. The County is obligated to engage the Town in the review and discussion of potential developments.

**Land Use and Annexation Recommendations**

*Issue:* The Town is concerned with the current and potential impacts from approved and proposed developments along Route 54 and throughout Sussex County.

*Goal:* The Town wants to have a stronger role in reviewing and discussing land use applications proposed for properties located in the Little Assawoman Bay Watershed.

*Objectives:*

- 3.1 Reinforce the determination of an Area of Concern.
  - Work with the State and County to define and prioritize the specific actions to be taken within the area of concern

surrounding Fenwick Island in the Little Assawoman Bay Watershed.

- 3.2 Work with Sussex County as their Comprehensive Plan is updated.
  - Encourage the County to include additional incentives to property owners to pursue better design that promotes and preserves the local environment.
  - Encourage the County to create stricter sign and lighting ordinances.

*Issue:* The Town is nearly built-out within its existing municipal boundaries. The community has also determined that the current size of the Town reinforces its desired quiet resort character.

*Goal:* Continue the general pattern of land uses as they exist today.

*Objectives:*

- 3.3 Reinforce the current general land use pattern of commercial and public uses along SR1 and residential use throughout the remainder of Town.
  - Work to identify and establish public open space.
  - Maintain the current use of only single-family detached dwellings within the residential area.

### 3.4 Redevelopment

#### Overview

The first residential cottages began to dot Fenwick Island in the 1930s, and with infrastructure and access improvements, development of the Town has increased ever since. Like the entire coastal Sussex County region, Fenwick Island continues to see growth.

As a result of its popularity as both a tourist and residential destination, and the associated increase in property values that has followed, Fenwick Island has seen a significant amount of redevelopment over the past couple decades. Much of this redevelopment has occurred on residential lots, but there have been recent indicators that commercial properties may be redeveloped in the near future as well.

#### Residential Redevelopment

In the past decade, housing demand has outpaced supply and the number of vacant lots available for development is decreasing. This trend has raised property values and has led many land and homeowners to maximize the value of their land and the return on their property investment.

In some cases, aging structures have been replaced with new homes that use lot coverage and square footage allotments in ways that speak to the historic development patterns. In other cases, beach cottages which were once the essence of Fenwick Island's community character have been replaced by large homes that maximize lot area coverage, building height and allowable square footage.

During the Visioning effort and proposed code amendments discussion during the 2007 plan process, residents expressed concern with the size of new homes that have been constructed in Town. It was noted at the time that "over a third of the more than 100 new houses built have been over 4,000 square feet in total area, with three houses over 5,500 square feet. In a number of instances, these homes have been built out to the full limits of the current front, rear, and side lot setbacks. Houses of this size are two to three times, or more, the size of many of Fenwick Island's existing residential structures."

As a result of these discussions, the Town implemented floor area and lot area restrictions in an effort to better

control house sizes. The new floor area provisions cap house size at 7500 square feet, or 70 percent of the total lot area, whichever is less. While the desire to maximize financial gain through redevelopment is certainly understandable, the impact of redevelopment projects on Fenwick Island's overall character can be detrimental. Redevelopment projects should continue to be closely monitored for their consideration of community character and impact on cultural and historic resources, and additional building design restrictions may be a tool to further preserve community character through redevelopment.

Given rising property values and the age of the Town's housing stock, it is anticipated that residential redevelopment will continue. Many residents have expressed their ideas that the market should control real estate values, but that they also value their small town atmosphere and "quiet resort" environment. It should be an outcome of future land use decisions to balance these community goals.

#### Commercial Redevelopment

Fenwick Island's commercial core forms the heart of Town. It is bisected by SR 1, giving it maximum exposure to vehicular traffic. The commercial area is comprised mainly of dining, lodging and small retail establishments that cater to local residents and visitors. Many of the Town's commercial uses draw from the larger coastal towns and inland region.

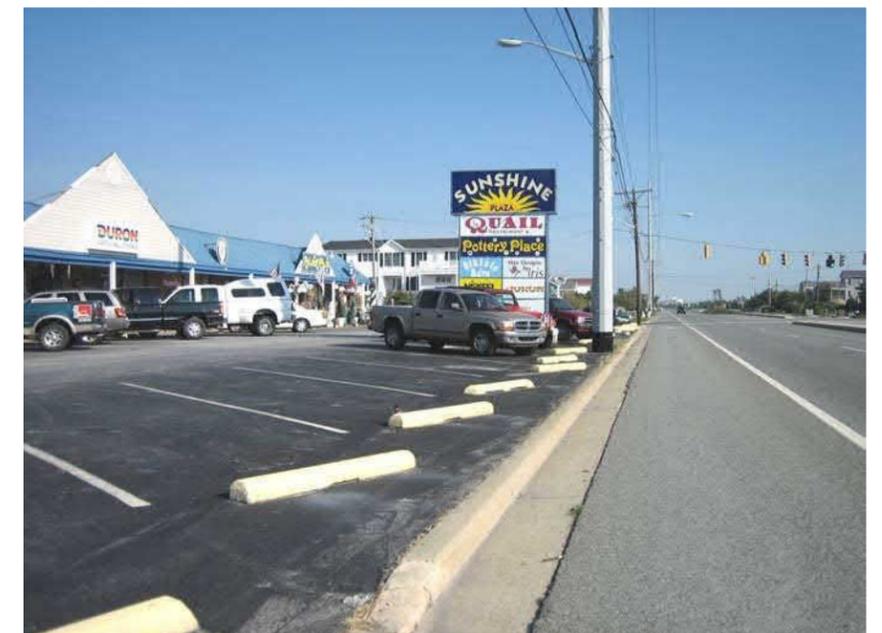
Architecturally, the commercial district is dominated by strip-style development that caters to vehicles, with parking fronting the street and large signs intending to attract the attention of drivers along SR 1. Several residents have commented that they would like to see commercial development with better "curb appeal" and development styles that are more in tune with Fenwick Island's overall character as a "quiet resort" town.

Unlike the residential areas of Fenwick Island, the commercial core has not witnessed a significant amount of redevelopment. However, as structures age, the commercial area will be prime for redevelopment. Some key parcels in Town include the former Libby's Restaurant site which has been redeveloped as a bank, and the Sands Motel which is scheduled for redevelopment as a hotel.

The commercial zone district allows for commercial and/or residential development. With the market success of



Residential redevelopment adjacent to a smaller, original structure.



Commercial development along SR 1.



The Sands Motel has been sold and prime for redevelopment.

residential properties in the area, several previously vacant lots within the existing commercial area have been developed as single-family detached residential units. There have been mixed reactions to this type of residential development within the commercial core. Some believe that the market should be the determining factor of development types, while others believe that the commercial core should be kept intact and enhanced with interesting and unique commercial uses.

Many in Town have also voiced their concerns that the existing commercial core is not a safe, welcoming environment for pedestrians and bicyclists. Opportunities exist through redevelopment to close curb cuts, improve crosswalks, synchronize stop light timing and create better, more welcoming streetscape patterns to promote pedestrian and bicyclist safety.

Fenwick Island has a unique opportunity to mold the image of the commercial core into one that better represents Town goals. The Town is off to a positive start with beautification projects, median enhancement projects, and pedestrian and bicycle improvement projects. Before redevelopment of this area begins in earnest, Fenwick Island has the opportunity to create a strategy that looks at these enhancements in a holistic way.

**Summary**

Within the past decade, property values have increased dramatically in Fenwick Island spurring residential redevelopment and potential commercial redevelopment. In many instances, redevelopment projects have created new structures that often do not meld with the Town’s cultural and historic character. The Town has taken steps to guide future redevelopment projects, however, it is suggested that additional guidelines and regulations be developed to help both residential and commercial redevelopment projects enhance Fenwick Island’s community character and its atmosphere as a “quiet resort”.

**Redevelopment Recommendations**

*Issue:* As structures age, vacant properties are developed and property values increase, there is an increasing demand to redevelop residential and commercial properties.

*Goal:* Leverage the trend towards redevelopment to achieve desired community benefits such as an improved SR 1 corridor and more sensitively designed residences.

*Objectives:*

- 4.1 Consider an optional overlay district for the SR 1 commercial area.
- Create design standards for architecture, site and landscape considerations.
  - Create maintenance standards and mechanisms to ensure long-term success.
  - Encourage property owner participation through incentives.
  - Leverage new development activity to fulfill goals of creating a safer and more aesthetically pleasing pedestrian environment.
  - Create signage guidelines that complement an overall Town signage plan.

*Issue:* The Town participated with DeIDOT to prepare a pedestrian plan for SR 1. The plan includes elements that enhance pedestrian safety but does not take into account other opportunities that could result from commercial redevelopment. This effort was completed before the Town adopted its comprehensive plan.

*Goal:* Use the comprehensive planning process to update the pedestrian plan to incorporate a broader range of Town goals and to employ a variety of mechanisms to enable the plan’s implementation.

*Objectives:*

- 4.2 Provide direction to DeIDOT regarding an update of the proposed Pedestrian Plan.

*Issue:* The community is at risk of losing potential historic and cultural resources as redevelopment becomes more prevalent.

*Goal:* Certain structures, such as the older beach cottages, are an important component of the Town's character and should be considered in redevelopment scenarios.

*Objectives:*

4.3 Create incentives to preserve the older beach cottages and other historic and cultural resources.

*Issue:* The larger community is also at risk of losing potential historic and cultural resources as redevelopment becomes more prevalent in unincorporated Fenwick Island.

*Goal:* Potential resources that contribute to the Town's character, but are located outside the municipal boundary, should be protected and enhanced.

*Objectives:*

4.4 Establish intergovernmental agreements to enable joint planning for the area surrounding incorporated Fenwick Island.

- Create a historic overlay district with incentives to protect and enhance the Fenwick Island Lighthouse in any potential redevelopment.
- Initiate redevelopment by engaging the property owners in a collaborative and open planning process.

4.5 Cooperate with Sussex County to work with the State Historic Preservation Office to review and update its list of potential resources in both unincorporated and incorporated Fenwick Island.

*Issue:* Redevelopment generates significant amounts of debris and waste from the demolition of existing structures and other property

improvements. This debris and waste typically makes its way to the local landfill.

*Goal:* Minimize impacts to the environment by encouraging the salvaging, reuse and recycling of existing structures and improvements.

*Objectives:*

4.6 Create green building guidelines that provide resources, methods and strategies to property owners, architects, and builders.

- Determine incentives for structures to be moved and reused on-site or in new locations as a first priority.
- Prepare a list of agencies and non-profits, such as Habitat for Humanity, who can salvage furniture, cabinets, appliances and fixtures and other intact building materials before demolition.
- Sort building materials during demolition for those that can be recycled and used on site or transported for off-site recycling.
- Ensure that hazardous building materials are disposed of properly.

4.7 Create design guidelines for architecture that employ green building considerations.

4.8 Create design guidelines for site and landscape improvements that employ green building considerations.

4.9 Develop an improved sidewalk and parking plan that reduces vehicle miles traveled. A revised plan should include a sidewalk gap inventory to better analyze where there are deficiencies.

### 3.5 Infrastructure

#### Town Governance

The Town is an incorporated municipality chartered by the State of Delaware. The Town Charter states that all powers are vested in a seven-member town council with one member also serving as President and Mayor. Fenwick Island's town council meets on the fourth Friday of each month and elections are held annually. The Town Charter and Municipal Code, including the Subdivision Regulations and Zoning and Building Ordinances, contain the rules which direct land use planning and development activities. Every person who owns property in Town can vote in elections.

Fenwick Island's first planning commission was appointed by Town Council during the previous plan process. This seven-member board is responsible for the drafting and review of the comprehensive plan. The Town has also established a number of committees including: Audit Committee; Beach Committee; Budget Committee; Building Committee; Business Development; Charter and Ordinance Committee;; Emergency Management Committee; Environmental Committee; Technology.

The government offices, as well as the police and public works departments are located in the Town Hall building complex on the bayside of SR 1 between Bayard and Cannon Streets. The existing Town Hall has a 60 kilowatt automated generator system which was purchased with Department of Homeland Security funds.

The Town completed a study to determine space and programming needs for Town administration and other services. The study, completed in November 2005, recommended additional space to house current and planned needs. The proposed Town Hall renovation includes some new elements including a conference room and a multi-purpose room, additional office space including space for the Town Manager and the Beach Patrol, and public safety improvements such as women's and men's locker rooms and equipment storage. There is money earmarked in the Town's budget for road improvements and beach replenishment.

The Town benefits from a dedicated staff. Most Town employees have been with the Town for a long period of time. This institutional knowledge and commitment is invaluable to a small organization. The Town also hired its first town manager in March of 2007.

#### Community Services

##### *911 Service*

Emergency service is provided throughout Fenwick Island from a centralized center located in Georgetown. House numbers and mailbox numbers have been updated to the standard postal service numbers instead of the older rural route delivery format.

##### *Emergency Operations Center*

The Town participates in the regional system for emergency services. The Center is located in Georgetown and is the headquarters for natural and technical disasters. The Center is a member of the Delmarva Emergency Task Force which meets quarterly to address the needs of the entire peninsula. There are no formal interagency agreements between Ocean City, Maryland and the Town, however, a system is in place to share information.

As of October 2006, communities are required to be in compliance with the National Incident Management System (NIMS) to receive funding available through the Department of Homeland Security. The Town is in compliance and this allows the Town to be a part of a unified approach to incident management and to better work with other jurisdictions to respond to natural disasters and emergencies. According to Town staff, while the framework exists for a unified approach there is still a need to marry many the fragmented plans that exist within the region.

The Delaware Department of Transportation's Transportation Management Team is in the process of creating evacuation route plans for the region. SR 1 and 54 are the most proximate routes to Fenwick Island.

According to Town staff, there is also a need to evaluate current Town personnel, training and equipment to ensure the Town's ability for emergency response.

#### *Police*

The Fenwick Island Police Department was formally located in the Town Hall. A new police facility was built next to Town Hall in 2012, and also serves as an operations center and lifeguard facility. The Police Department employs five full-time officers, a police chief and a police secretary. The police department provides 24 hours a day service, and performs home inspections during the winter months to make sure that unoccupied properties are overseen while owners are away. The police department is also responsible for parking enforcement and other municipal code regulations.

*Source: Town of Fenwick Island*

No members of the Town's force currently live in Town. Town staff believes the difficulty of finding housing within Town will become an issue for employee retention and recruitment.

The Delaware State Police and the Town have an agreement of shared responses between the entities. The Town police respond to calls in the immediate area such as unincorporated Fenwick Island and along SR 54. The Police Department would be interested in pursuing grants to help cover added expenses incurred by the Fenwick Island Police Department for this service, however, reimbursement is not always guaranteed. The State of Delaware also mandates a Statewide Mutual Aid Law by which the Fenwick Island Police Department responds to calls outside of the Town's municipal area and receives outside assistance if necessary.

#### *Fire and Rescue*

The Town is served by the Bethany Beach Volunteer Fire Company (Company), which is not affiliated with the Town or Bethany Beach. The fire company is an all-volunteer force that includes both volunteer and live-in firefighters stationed at two locations including Station 70 in Bethany Beach and Station 2 in Fenwick Island. It consists of over 60 members and a Ladies Auxiliary of over 20 members. There is a statewide Mutual Aid Compact between the Delaware fire and rescue services to assist each other. There is no requirement to reimburse the services.

The district's boundary covers approximately 16 square miles stretching from south of the Indian River Bridge, along the Atlantic Ocean south to the Maryland state line, west to the Fenwick Island Bridge, and north to the South Shore Marina at the Indian River Bridge. The Company is well equipped to provide extensive fire and rescue services including fire fighting, hazardous waste containment and disposal, emergency medical response, vehicle extraction, and search and rescue.

The Company relies on state funding and private donations. They have difficulty recruiting and retaining volunteers. In an effort to incentivize their program, a residential unit is being included within the substation located behind Town Hall. The current ambulance service provider, Millville Volunteer Fire Department, notified the Town that it was discontinuing service to the area beginning January 2009.

*Source: Bethany Beach Volunteer Fire Company, Town of Fenwick Island*

#### *Animal Control*

Currently, the State provides animal control services to the Town. The Society for the Prevention of Cruelty to Animals (SPCA) Sussex Chapter was the previous provider for animal control services. There are no intergovernmental agreements between the Delaware and Maryland to provide animal control services on beach.

The Marine Education, Research, and Rehabilitation Institute (MERR) based in Nassau, Delaware responds to stranded marine mammals and sea turtles throughout the State. The MERR Institute is authorized by the National Marine Fisheries Service and the State of Delaware to be the official stranding respondents for the Marine Mammals and Sea Turtles of Delaware. MERR also conducts research on marine species and conducts education and outreach programs for school and groups.

*Source: Marine Education, Research, and Rehabilitation Institute*



The Town Park is an important civic space.

#### *Fenwick Island Beach Patrol*

Fenwick Island operates a paid, 30-person coed beach patrol consisting of 23 lifeguards, three first lieutenants, and a captain. The beach patrol is on duty along the Fenwick Island beachfront weekends from Memorial Day to the first week in June, full-time through Labor Day, and then weekends through approximately the second weekend in September. Normal operating hours are from 10am to 5pm.

They are also contracted by the State to patrol the unincorporated beaches. There is a Town concern that an increase in beach population will stretch the capabilities of the present patrol to provide safe conditions.

*Source: Town of Fenwick Island*

#### *Educational Services*

Fenwick Island has no educational institutions within its municipal boundaries. Public education services are provided by the Indian River School District. Professional training services and post-secondary educational services are available through the Delaware Technical and Community College at their Georgetown campus located approximately 27 miles to the northwest.

*Source: Town of Fenwick Island*

#### *Library*

The South Coastal Library in Bethany Beach is one of three county-operated branches in the Sussex County Library System and is Fenwick Island's closest major library. The Library was expanded and renovated in 2009, doubling its size. It houses 50,385 titles with a circulation of 177,743 items per year. Also nearby is the Selbyville Public Library, located in the historic home of Senator John G. Townsend, Jr. Both libraries provide access to not only their own collections, but also to the Delaware Library Catalog.

While Fenwick Island does not host an official library, the Town Hall does have a small "bring one, take one" library system in place where books can be borrowed in exchange for a new book added to the shelf.

*Source: Town of Fenwick Island, South Coastal Library, Selbyville Public Library*

#### *Health Care*

While no hospital services are available in Fenwick Island, there are several hospitals within a 40-mile radius of town:

Atlantic General Hospital (AGH) in Berlin, Maryland, 17 miles south of Fenwick Island is a 162-bed acute and trauma care facility with 163 physicians. The hospital has satellite care offices in Berlin, Ocean City, Ocean Pines, Pocomoke City, and Snow Hill.

The Beebe Medical Center in Lewes, approximately 25 miles to the north, provides inpatient, outpatient, emergency, and diagnostic services. Beebe is a 158-bed, not-for-profit seaside community hospital that specializes in cardiovascular, oncology, women's health, and orthopedics.

The medical center also operates the Beebe Health Campus on SR 24, the 89-bed Lewes Convalescent Center, Beebe Lab Express, Wound Care and Diabetes Management Services, Sleep Disorders Center, Gull House Adult Activities Center, Home Health Agency, a Nursing School, and satellite imaging and lab services throughout Sussex County.

*Source: Beebe Medical Center*

Beebe Walk-In Care centers are located 9 miles north of Fenwick Island in Millville and 30 miles north in Rehoboth Beach. There is also a Beebe Walk-In Care center in Millsboro which is also approximately 18 miles northwest of Town. Atlantic ImmediCare is another walk-in clinic about 9 miles south in Maryland.

#### *Parks and Recreation*

Historically, parks and recreation needs in Fenwick Island were handled by two different committees, the Parks and Recreation Committee and the Beautification Committee. The Parks and Recreation Committee was originally charged with the task of developing a small community park for gathering and activities. The fruits of this effort are exhibited in the Town's park, just to the north of Town Hall. Constructed with State grant money, the park and pavilion are the focal points for a variety of Town activities and events including the holiday tree lighting, summer musical events, Memorial Day ceremony, and a summer reading program for children. The park also features a Butterfly

Garden developed by the Barefoot Gardeners Club, a shuffleboard area, children's playground equipment, a basketball court, and a volleyball setup.

The two committees were combined in August 2006 to form an eleven-member Beautification, Parks and Recreation Committee. This committee purchased new playground equipment for the Town using State grant money and money raised through a brick purchasing fundraiser. These bricks form a walkway within the park.

Among its goals, the Beautification, Park and Recreation Committee replaced the old Fenwick Island sign north of Town along SR 1 and added a new flagpole in the park. The committee is now an adhoc committee and meets when necessary.

The Town indicated in 2007 that it had an interest in seeking out opportunities to increase its park and open space lands; however, funds were limited for purchases of land at current market rates. In 2014 the Town was able to develop a second park which is named Cannon Street Park. The park includes a half-basketball court, picnic area and an ADA accessible canoe/kayak launch. The Town continues to make efforts to improve both parks.

#### *Public Works*

Fenwick Island operates its own Public Works Department out of the Town Hall building on SR 1. The department has a full-time staff and is responsible for a number of services including, but not limited to: landscape maintenance, sign maintenance, beach maintenance, road maintenance, town vehicle and facilities maintenance, and drainage system maintenance and repair.

A five-year road improvement plan is in place, which will be mostly paid for with Town funds, with the remainder to be covered by the State.

*Source: Town of Fenwick Island*

#### *Trash and Recycling*

Solid waste pick-up was previously handled by the Town's Public Works Department but is now contracted. The Town had noted in the last plan that there was limited manpower and equipment to handle the trash pick-up. Some residents, including multi-family properties, contract with private haulers.

The Public Works Department also handles recyclables at beach dune crossing locations. Additional recycling bins in Town are owned and operated by the privately held Delaware Solid Waste Authority. These bins are located at Town Hall

and provide a centralized recycling service. The Town is currently discussing options to provide curbside recycling to encourage more extensive participation in the program. While no final decision has been reached, ideas such as rewards and coupon systems and the benefits of co-mingled processes versus single stream processes have been discussed.

*Source: Town of Fenwick Island*

#### *Signage*

The Public Works Department maintains existing Town owned signs within Fenwick Island's municipal boundaries but outside of the SR 1 right of way. The Fenwick Island Department of Public Safety coordinates with DelDOT to maintain signs within the right of way.

#### **Utilities**

The ocean side of Fenwick Island drains via a surface open water course system with approximately five feet of fall between the ocean front and SR 1. The drainage system for SR 1 is the only primarily closed drainage system in town. This system picks up most of the storm water from the ocean side of Town and outfalls within drainage easements to the canals at Virginia/West Virginia Avenue, and South Carolina, Essex, Farmington, James, and Georgetown Streets.

Fenwick Island operates a primarily surface open water course drainage system throughout the Town, with the exception of underground pipe to facilitate road and driveway crossings and minimal piping within private easements. Of the 40,000 linear feet of drainage in town, only 6,500 linear feet are piped. Due to relatively flat topography, smooth bore pipe is usually used with a desired 1/16" of fall per linear foot of pipe. The Public Works staff is trained in best management practices for drainage based upon Total Maximum Daily Load strategies to reduce point source drainage in favor of open water courses that allow infiltration and purification before returning water to ground sources and Little Assawoman Bay.



The Town's Five-Year Road Damage Improvement Plan addresses drainage concerns.

The Public Works Department is responsible for maintaining the Town's drainage system and often maintains the SR 1 drainage system when needed. Many improvements to the Town's drainage system were part of Fenwick Island's Five Year Road Drainage Improvement Plan. This plan identified existing drainage issues. Approximately 95 percent of the drainage improvements were paid for using Municipal Street Aid Funds from the State of Delaware.

Source: Town of Fenwick Island

In 2013 the Town completed an inventory of the Town's stormwater infrastructure and open watercourse drainage system. The project was funded through DNREC's Surface Water Matching Grant program. The project included mapping the existing storm drain system within Town limits, including manholes, inlets, culverts and open channel systems. Global Positioning System (GPS) was used to identify the existing system, which was then translated into a Geographic Information System (GIS) inventory map. The map was used to start to identify problem areas and prioritize which areas are in need of improvements.

West Dagsboro Street was identified as one of the problem areas when the inventory map was completed. Drainage improvements to West Dagsboro Street were completed in 2016 which incorporated floating saltwater wetlands to improve water quality, the first in the State of Delaware.

The Town has also installed rain gardens within the parking lot at Town Hall and is planning several others in Town to help cleanse parking lot and street run-off before drainage into the Town's canals and Bay.

#### Water

Potable water in Fenwick Island is provided either by the Artesian Water Company or by a few remaining private wells. Artesian Water Company currently operates a 16-inch HDPE main on the eastern shoulder of SR 1 from the northern town boundary south to Maryland Avenue where the main is routed west. The water main was installed with 36 inches of cover. Side streets and properties west of SR 1 are fed by 8-inch mains on the cross streets. A water main has also been installed west of SR 1 between James Street and Lewes Street.

Source: Town of Fenwick Island Pedestrian Plan - 2002

Artesian Water Company has the capacity to supply water for two-hour fire protection for the Town at its buildout. Water supply can be provided at 1500 gallons per minute for commercial properties and 500 gallons per minute for residential properties. Capacity also exists to serve densities higher than what exists currently in Town. Artesian Water

Company can also serve all properties along and accessed by SR 54 under the County's current zoning and future land use plan. For redundancy, an emergency backup agreement exists with the Town of Bethany Beach.

Source: Artesian Water Company - 2007

The Safe Drinking Water Act Amendments of 1996 mandate that the State develop a Source Water Assessment and Protection Program (SWAPP) to better protect public drinking water. This program is administered by DNREC and requires that areas most important to providing public water be delineated, potential sources of contamination be identified and the extent of threat from these sources be determined. While communities of less than 2,000 population are not required to implement source-water protection measures, they are strongly encouraged to do so. Town residents have agreed that protecting the community's water supply is an important consideration.

#### Wastewater

Wastewater service is provided by Sussex County's South Coastal Regional Wastewater Facility. The facility was recently upgraded to handle a capacity of 9 million gallons per day with a peak capacity of 14 million gallons per day. Regional demand in July of 2006 hit a peak of 4.37 million gallons per day. Fenwick Island, unincorporated Fenwick Island and the areas adjacent to SR 54 are included in the Fenwick Island Sewer District.

Source: South Coastal Regional Wastewater Facility - 2007

The sanitary sewer is conveyed by 8-inch and 12-inch gravity lines along both sides of the right-of-way for most of SR 1. The gravity lines start at the Maryland line to the south and Lewes Street to the north, both flowing to a pump station located on Cannon Street. Flows from outside the town limits enter the system via 6-inch and 2.5-inch force mains along the northern limit of Town. Depths vary from about four feet at the terminal ends to 10-15 feet at Cannon Street. From Cannon Street, a 10-inch PVC force main conveys wastewater along the west side of SR 1 to Maryland Avenue.

While the wastewater facility has adequate capacity for projected growth, several line upgrades were identified as a part of a recent study. Within the Town, the 8-inch gravity line is determined to be potentially over capacity. Along SR 54, the entire length of line is also determined to be potentially over capacity.

Source: Fenwick Island Sanitary Sewer District: SR 54 Sewer Study - 2006, Fenwick Island Pedestrian Plan - 2002

*Additional Utilities*

Aboveground and some underground utilities are operated by Comcast (cable and internet), Verizon (phone), the Delaware Department of Transportation, and Delmarva Power (electric). Underground utilities are operated by Artesian Water. Above ground utility poles are operated by Delmarva Power and are located on the west side of SR 1. These poles were installed between 1997 and 1998 and are 24"-36" in diameter. They were constructed within the SR 1 right of way maintained by the State, and thus Fenwick Island had little to no say in their placement or visual impact. Delmarva Power recently completed an underground utility demonstration project on West Essex Street. It is part of Delmarva Power's long range plan to underground all utilities. It was determined that sleeved underground utilities were not affected by groundwater, but rather, cost was the prohibiting factor for locating utilities underground.

All utility companies are required to obtain a Utilities Placement Permit from the Town prior to installation or construction. Permit requests are reviewed by the Public Works Department for compliance and compatibility with existing conditions.

All utility providers except Comcast pay real estate taxes to the town for their utility locations. Comcast pays franchise fees.

**Transportation**

*Overview*

Fenwick Island faces several unique transportation-related challenges which promise to have a strong impact on the future planning decisions made by the Town. First, Fenwick Island is a popular seasonal destination attracting large numbers of residents and visitors in the summer months, taxing a relatively small network of municipal roads and parking areas. Second, Fenwick Island is experiencing part of the surge in population growth of the coastal Sussex County area, including an increase in overall population and a transition from seasonal use to permanent use. Both of these factors increase vehicle miles traveled on the existing road infrastructure system. Similarly, an increase in population also increases pedestrian and bicycle use, which consequently raises the need for pedestrian and bicycle safety amidst heavy vehicular traffic.

In addition Fenwick Island is bisected by SR 1, the state's major regional transportation corridor stretching from north to south through Town. This arterial road connects vehicular traffic not only within Fenwick Island, but also between the larger resort destinations of Rehoboth Beach to the north and Ocean City, Maryland to the south.

Determining the appropriate level of transportation infrastructure is crucial to preserving the Town's character and quality of life. Understanding the Town's transportation needs, as well as the needs of the larger region, in a comprehensive manner will uncover multi-modal solutions and strategies for mitigating potential impacts.

**Roadway Infrastructure**

Fenwick Island is bisected by State Route 1 (SR 1), also known as Coastal Highway, the primary north to south connector for the region extending north to Dover and south to Maryland. Within the municipal boundary of Town, streets are arranged in a general grid pattern running east to west and north to south. West of SR 1, streets run generally parallel to a series of natural and manmade waterways. Just south of town, SR 54, or Lighthouse Road, intersects with SR 1 and offers a regional connector to the west.

*State Route 1*

State Route 1 (SR 1) is a four-lane arterial road extending almost the entire length of the State. It originates at the state line just south of Fenwick Island and runs north parallel to the ocean until it reaches Rehoboth Beach. Here, it turns inland and northwest continuing toward Dover. Approximately one mile of SR 1 bisects the Town. In today's configuration SR 1 acts as a divider between the ocean side and bayside portions of Town.

The table below illustrates recent DelDOT traffic counts for the stretch of SR 1 through Fenwick Island from the Maryland state line to Fenwick Island's southern municipal boundary (.1 miles) and from the southern municipal boundary to the northern municipal boundary (1.13 miles). The numbers shown are representative of vehicles per day (vpd) based on annual average daily traffic (aadt) counts.

**Table 11: Traffic Counts by Place Along SR 1**

	<b>MD Line to S. Fenwick Line</b>	<b>% change</b>	<b>S. Fenwick Line to N. Line</b>	<b>% change</b>
<b>2005</b>	11068	-0.40%	11360	1.20%
<b>2006</b>	11131	0.60%	11166	-1.70%
<b>2007</b>	11342	1.90%	11378	1.90%
<b>2008</b>	9211	-23.10%	10831	-5.10%
<b>2009</b>	11201	17.80%	11203	3.30%
<b>2010</b>	10977	-2.0%	10979	-2.0%
<b>2011</b>	11701	6.20%	11539	4.90%
<b>2012</b>	13900	15.80%	11574	0.30%
<b>2013</b>	16709	16.80%	11759	1.60%
<b>2014</b>	19295	13.40%	11888	1.10%
<b>2015</b>	20105	4.0%	12387	4.0%

Source: DelDOT



SR 1 has been improved to include landscaping, medians and crosswalks.



Beach parking at street ends is enforced through a parking permit program during summer.

There is not a strong correlation between the rate at which the Town's population is increasing and the increase in vehicle counts. Rather, the results of the traffic counts are a bit inconclusive. In particular, the traffic counts indicate a drop in traffic between 2001 and 2002 of over 7 percent. It is important to note that travel throughout the country was reduced during this time period because of the economic slump caused by the September 11 terrorist attacks. Similarly, construction of SR 54 road improvements during this same time period may have had an effect on average traffic counts. There are some trends however, that can be derived from the results above, both of which indicate an increase in traffic.

#### *Municipal Streets*

In addition to SR 1, Fenwick Island has approximately 5.5 miles of improved municipal local streets and .4 miles of unimproved streets serving mostly residential areas.

Source: *Town of Fenwick Island Parking Study - 1999*

#### *Parking*

The most recent parking count in Fenwick Island estimated that there are currently 295 on-street parking spaces were the maximum number of spaces available along the Town's public roads. There are currently no public parking lots in Fenwick Island and parking is prohibited along the entire length of SR 1. The majority of town streets are restricted to parking on one side only.

Source: *Town of Fenwick Island*

Property owners are issued three parking permits per household per year. A summer parking permit is required for visitors to park on town streets between May 15 and September 15 between the hours of 9am to 4pm. Visitors can purchase permits for daily, weekend, weekly, monthly and summer rates.

Source: *Town of Fenwick Island*

#### *Public Transportation*

During the summer season, DeIDOT operates DART bus service through Fenwick Island with a stop near Essex Street. The service runs from Rehoboth Beach to Ocean City, MD and buses are equipped with bike racks. No east-west connections between Fenwick Island and the inland areas exist.

Source: <http://www.beachbus.com/>

#### *Private Shuttles*

Several inland developments provide shuttle service for their residents as conditions of their land use approvals. The shuttles pick up and discharge passengers at the Fenwick Island State Park parking area immediately across SR 1 from SR 54. Recent proposals to improve the existing entry and

parking area at the larger State Park facility north of Town are still in the planning stages of the State Parks Department.

#### *Pedestrian Ways and Amenities*

The Town is potentially very walkable, given the compact form of its blocks and its narrow streets. The municipal streets have the potential to be successful pedestrian ways, where pedestrians and vehicles share the road. Conflicts between pedestrians, bicycles and vehicles on Bunting Avenue are becoming more prevalent, especially during the summer season.

The pedestrian network along SR 1 is not successful despite a dedicated pedestrian and bicycle lane. There are gaps in the sidewalk system, relatively narrow widths that do not accommodate pedestrians walking side-by-side or in passing directions, utilities and signs located within the sidewalks, and numerous parking lot curb cuts which create dangerous conflicts. To help reduce the number of gaps in the sidewalk system the Town updated their code requiring all new commercial sites to have sidewalks along SR 1. This requirement not only enhances the look of SR 1 but also provides safe access for pedestrians.

A study completed by DeIDOT identified potential pedestrian improvements within SR 1's right-of-way. The Town implemented the median enhancements which addressed two Town goals—improving pedestrian safety and enhancing the streetscape. The new medians provide refuge for pedestrians crossing SR 1 and clearly mark the pedestrian zone for vehicles.

Marked pedestrian crossings are limited on the side streets along SR 1, and where crossings currently exist, they are often faded or have been removed from paving repair. At a limited number of intersections, traffic and pedestrian crossing signals exist, although the time of the crossing cycle is not always adequate for families or large groups. There are also very few handicapped accessible curb ramps in Town.

*Bicycle Amenities*

SR 1 has continuous shoulders measuring approximately 11 feet in width. Both shoulders are marked as bike lanes through Town, except for the southbound shoulder from Maryland Avenue to SR 54. It is at this point where the lane is used exclusively for right turns onto SR 54. The shoulders are also used as vehicle deceleration and acceleration lanes for the Town’s side streets. Conflicts between bicycles and vehicles at these intersections, as well as at the numerous curb cuts, create safety issues. Conflicts between different users, such as recreational cyclists, road cyclists, pedestrians and joggers, also exist.

The DART bus system is equipped with bike racks and offers free bike transportation along its routes to encourage multi-modal transportation.

Source: Fenwick Island Pedestrian Plan - 2002

**Infrastructure Recommendations**

*Issue:* Residents are concerned that traffic and growth in adjoining areas could negatively impact safety.

*Goal:* Prioritize planning and actions that create a pedestrian and bicycle friendly environment throughout Town.

*Objectives:*

- 5.1 Take proactive steps to improve roadway safety.
- Evaluate and pursue traffic control solutions, including traffic calming.
  - Address summer traffic issues.
    - Shoulder riding.
    - Close curb cuts.
    - Traffic calming measures throughout the community
  - Prioritize law enforcement practices to promote pedestrian and bicycle safety.
  - Review local police reports for areas in need of pedestrian and roadway safety.
  - Implement solutions to improve summer traffic flow.
    - Light synchronization.
  - Work closely with DelDOT to add and/or enhance sidewalks to improve safe pedestrian flow along both sides of SR 1.

- 5.2 Promote a safety-oriented culture.
- Place appropriate signage stating the Town’s priority on safety.
  - Provide regular communications emphasizing actions to promote and enhance safety.
  - Target summer guests with reminders to support safe behavior and practices while vacationing.

- 5.3 Fold the transportation goals of DelDOT’s Pedestrian Plan into comprehensive improvements for the SR1 corridor.
- Leverage Pedestrian Plan budgeted monies from DelDOT to achieve multiple Town goals.
  - Combine Town initiated efforts, such as code changes, into the detailed designs of the Pedestrian Plan.
  - Overcome the proposed Pedestrian Plan’s largest hurdle—real estate acquisition—by modifying the plan to work within the existing SR1 right of way.
  - Ensure that the proposed Pedestrian Plan remains in the current DelDOT capital budget.

*Issue:* The level, pace and type of growth in adjoining areas could negatively impact the Town’s desired “quiet resort” atmosphere.

*Goal:* Implement measures to control the impact on infrastructure demand from growth outside Town limits.

*Objectives:*

- 5.4 Enact appropriate regulations and ensure an adequate enforcement capability.
- Work with communities who are required to provide drop-offs at the beach to provide efficient service to designated beach front areas.
  - Work with the State Parks Department to complete entrance and shuttle circulation,

	drop off and pickup improvements at the Fenwick Island State Park parking area north of Town.		
	<ul style="list-style-type: none"> <li>• Ensure active enforcement of parking regulations.</li> </ul>		<ul style="list-style-type: none"> <li>• Identify potential recreation uses and programs.</li> <li>• Locate sites for new facilities.</li> </ul>
5.5	<p>Establish strong intergovernmental relationships to manage recreational desires of non-residents without impact to the Town.</p> <ul style="list-style-type: none"> <li>• Work collaboratively to ensure that State beaches adequately manage growth from surrounding areas.</li> <li>• Establish transportation practices that do not impede traffic flow on SR 1 or burden Fenwick Island with additional parking requirements.</li> <li>• Create a provision for recreation on adjacent waterways that is compatible with the desired Town character.</li> </ul>	5.8	<p>Identify funding sources to acquire, improve and maintain new recreational amenities.</p> <p><i>Issue:</i> As population grows and shifts from seasonal to year-round the existing infrastructure may reach and exceed capacity.</p> <p><i>Goal:</i> Manage demand on infrastructure to ensure ongoing capacity to meet community needs.</p> <p><i>Objectives:</i></p>
5.6	<p>Establish strong intergovernmental and interagency relationships to ensure that the aquifer system is protected and that a backup plan for potential contamination is in place.</p> <ul style="list-style-type: none"> <li>• Work collaboratively with DNREC, the County and the Artesian Water Company to establish a plan for system redundancy.</li> <li>• Ensure that the recommendations from the public water assessment are put in place and supported by local land use codes.</li> <li>• Identify and mark conduits that drain to the Little Assawoman Bay.</li> <li>• Coordinate with State agencies to install green technology filters on storm drains on SR 1.</li> </ul>	5.9	<p>Establish plans and manage their implementation to maintain appropriate service levels.</p> <ul style="list-style-type: none"> <li>• Sustain adequate size and capabilities of professional ocean rescue personnel to maximize beach safety.</li> <li>• Ensure adequate size, enforcement capability and priorities of police department to sustain desired Town character.</li> <li>• Maintain ability to ensure safety of pedestrians, bicyclists and vehicles within Town limits, including beach access points.</li> <li>• Establish plans to continuously monitor demand, capacity and targeted service levels.</li> <li>• Develop and plan for utility infrastructure.</li> <li>• Collaborate with all utility providers for undergrounding of wires and cables.</li> </ul>
	<i>Issue:</i> Ensure that the relatively high quality of life is sustained and thoughtfully enhanced.		<i>Issue:</i> While the Town is a strong participant in County and regional emergency services, there is still work to be done to ensure a coordinated and effective emergency response.
	<i>Goal:</i> Take opportunistic approach to enhance "quiet resort" compatible recreation.		<i>Goal:</i> The Town will be a leader in incorporating the National Incident Management System (NIMS).
	<i>Objectives:</i>		
5.7	Develop a plan to determine and prioritize recreational improvements.		

*Objectives:*

- 5.10 Support the Emergency Operations Center to better coordinate the diverse jurisdictional plans.
- Consider initiating earlier evacuations.
  - Consider mandatory evacuations, including a system for notifying renters and visitors.
  - Explore evacuation incentives for renters and visitors including “sunshine insurance.”
  - Ensure appropriate shelters are in place.

- 5.11 Evaluate the Town’s policies, staff and equipment preparedness for emergency response and determine recommendations.
- Additional personnel/specialized training.
  - Additional equipment identified or as needed by Town emergency services.

*Issue:* The Town has had some success in promoting sustainable and green practices. There are still opportunities for improvement in solid waste and recycling.

*Goal:* Expand the solid waste and recycling program which encourages broad participation and ownership.

*Objectives:*

- 5.12 Support the Town’s efforts in continuing the expansion of the existing recycling program.
- Make recycling as user-friendly as possible by promoting curbside service, if practical.
  - Promote the use of curbside container bins to include space for trash and recycling containers.
  - Coordinate with rental property managers to promote the program and to ensure that trash and recycling materials are contained or removed immediately.

*Issue:* The Town currently has two Town-owned parks but has the desire to acquire additional land for parks and open space. Town budget requirements and high current market rates, however, prohibit the direct purchase of existing land for such a use.

*Goal:* Develop a long term plan for preserving, protecting, and in some cases, acquiring critical open space throughout Town.

*Objectives:*

- 5.13 Create an open space master plan for acquiring or protecting these lands.
- Create a public information process to determine which open space lands the public wishes to see preserved.
  - Research funding and preservation options through grants, conservation easements, fundraising, etc. and create a long term acquisition and preservation plan.
  - Utilize citizen participation for maintenance of open space land. This participation could come from garden clubs, non-profit organizations, educational institutions, or other organizations geared toward civic-minded endeavors.



The first cottages began to appear in the 1930s.



An original cottage.

### 3.6 Community Character-Built Environment

#### Historic Overview

The first traces of settlement on the land now known as Fenwick Island can be traced to colonial times. On March 23, 1680, Lord Baltimore granted an area of land known as "Fishing Harbor" to Col. William Stevens, who later conveyed the land to Thomas Fenwick in 1692. Though Thomas Fenwick lived in Sussex County for quite some time, he never resided on the island. It is believed that Fenwick Island's name hails from William Fasset, the husband of Thomas Fenwick's daughter, Mary, who claimed Fenwick Island for himself.

Between 1750 and 1751, the Trans-Peninsular line was laid out by surveyors to denote the boundary between land claimed by the Penn family to the north and land claimed by the Calvert family of Maryland to the south. The first survey stone was set on a tract of land later purchased for the Fenwick Island Lighthouse and is considered the "oldest standing man-made object on the coast between the Indian River and Ocean City."

With the exception of tales of pirates patrolling the waters of Little Assawoman Bay throughout the late 1600s into the mid-1700s, human habitation on Fenwick Island was quite limited. By the mid-1800s, increasing numbers of shipwrecks near the Shoals to the east of Fenwick Island garnered the attention of the US Lighthouse Board. The United States Congress authorized the construction of a new lighthouse on Fenwick Island in 1856, and in 1858, the government purchased a ten-acre tract of high land to build the 87-foot tall lighthouse and a two-story keeper's dwelling.

Two families lived in the keeper's house in relative isolation throughout the late 1800s. Improvements on the island were mostly limited to a bridge to the mainland constructed in 1880 and new keeper's house in 1881. The first bridge was destroyed by the strong ocean currents. A second bridge to the mainland was built in 1892, a third built in 1934, and eventually the current bridge was constructed in 1958.

The first cottages began to dot Fenwick Island in the early 1930s. These first cottages were of simple wood-frame construction with no running water or electricity and many were built on state land. The State of Delaware recognized the "squatting" and in 1941 offered cottage owners the opportunity to buy lots from the State at a price of \$200 for beachfront lots and \$100 for interior lots.

An aerial photo taken in 1937 shows the first cottages on the beach strand. Access is provided from early alignments of SR 1 and SR 54. The beach strand extends in a series of dunes to SR 1. The bayside area is undeveloped and is comprised of back bay marshes, wetlands and drainages.

An aerial photo taken in 1968 illustrates a more developed Fenwick Island. The natural drainages are improved to become the canal system with dredged material used to fill in low lying areas. The Town's street grid is established and the hierarchy of blocks and lots is evident on the ocean side of SR 1. Most of the lots on the ocean side are developed, as are many of the bayside lots. The bayside area south of South Carolina Street was recently improved for development. Highway-oriented commercial development, including the Sands Motel, is also evident.

*Source: Delaware Geological Survey DataMIL*

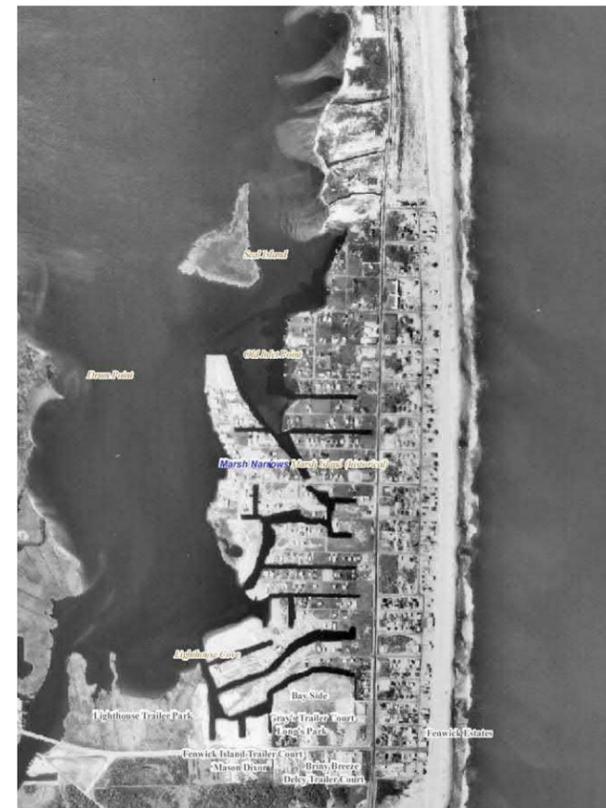
With increasing development and commercialism approaching from the south of Town, the residents sought to incorporate the land to protect it from surrounding development pressure. The Act to Incorporate the Town was passed in July of 1953.

*Source: Town of Fenwick Island Website*

Today, with modern infrastructure and utility upgrades, Fenwick Island has become a town that prides itself on its reputation as being one of the "Quiet Resorts," who, along with Bethany Beach and South Bethany to the north of Fenwick Island, remain quieter and less populated than nearby Ocean City, Maryland located to the south.



Source: Delaware Geological Survey DataMIL (1936)



Source: Delaware Geological Survey DataMIL (1968)

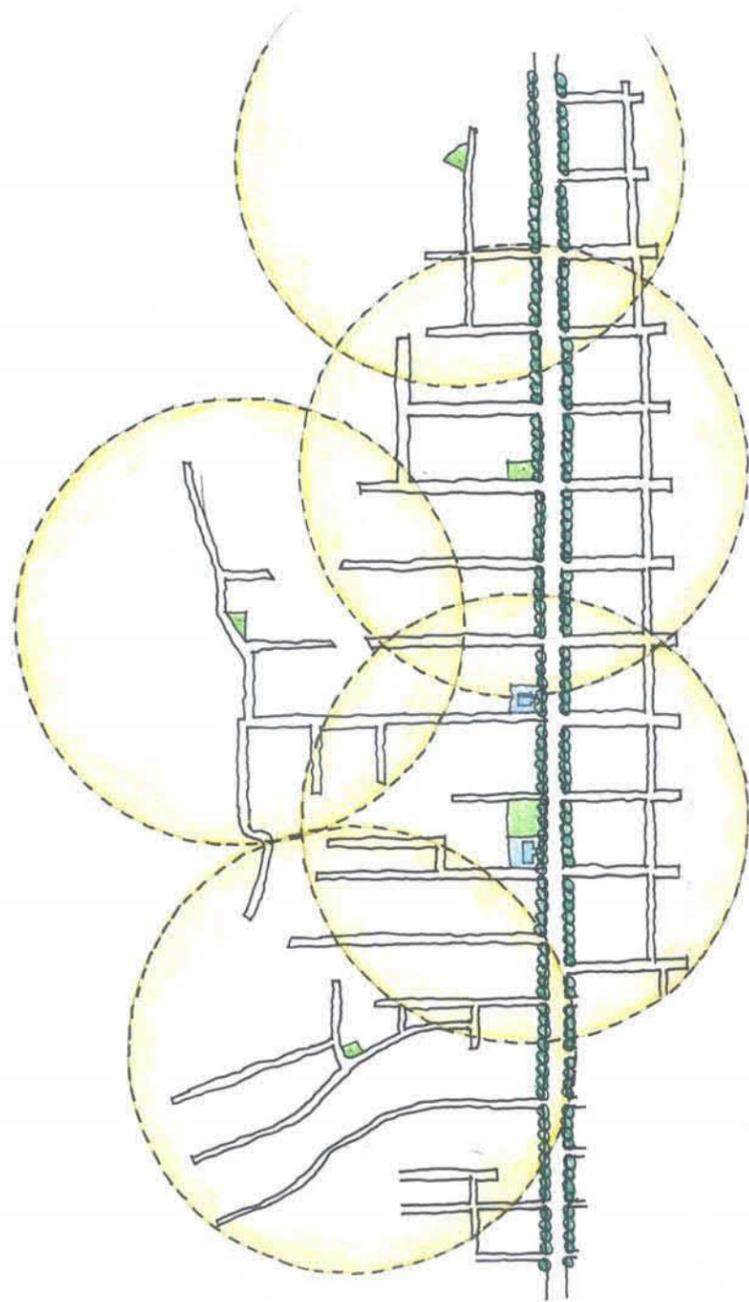


Source: Delaware Geological Survey DataMIL (2002)



Source: USDA NAIP (2015)

Aerial photographs illustrate the development of Fenwick Island and adjacent areas at four points in time – 1936, 1968, 2002 and 2015.



**Figure 5: Civic Spaces Diagram**



**Figure 6: Streets, Lots and Buildings**

**Community Form**

Fenwick Island is made up of two primary land uses residential and commercial. The residential areas are generally organized around a central commercial core fronting SR 1 between James Street to the north and Delaware Avenue to the south. Single-family detached residential uses stretch east and west of the commercial area before reaching Little Assawoman Bay to the west and the Atlantic Ocean beach strand to the east.

These primary land uses are organized in a compact and clearly identifiable traditional town pattern. Many communities strive to artificially create this pattern through the introduction of “New Urbanism” principles. New Urbanism is a recent urban design movement, codified in 1996, that seeks to employ a set of 27 planning and design principles to engender traditional town elements in new communities. Fenwick Island is fortunate to already have the key elements that make up a traditional town. These elements are a hierarchy of gridded streets and a system of blocks and lots. The relatively narrow dimension of the municipal streets and the small scale of the blocks make the Town inherently pedestrian-friendly. However, interventions since the Town was originally laid out, including the widening of SR 1 and the combining of lots, have compromised Fenwick Island’s town pattern.

Another key element for reinforcing a traditional town pattern is to create neighborhoods within the town. Parks and open spaces are important principles that can be used to create neighborhoods. Fenwick Island has one park located adjacent to Town Hall. The beach strand along the Town’s eastern boundary is the major recreational area during the summer. There are opportunities for additional park and open spaces to create a system of civic spaces. Each civic space should be located within an easily walkable distance. Figure 5 illustrates the Town’s potential for additional civic spaces located within five walking radii.

The role of SR 1 in Town is as a high-level transportation corridor and an effective barrier between the east and west portions of Town. In traditional towns the primary transportation corridor serves an important civic purpose as a main street or boulevard. These streets can accommodate high volumes of traffic while still providing spaces for people to shop, dine, stroll and congregate. By employing certain design tools, such as widening and

planting the median, locating buildings closer to the street, establishing a rhythm of street trees, incorporating sidewalks and other pedestrian amenities and locating parking to the side and rear of buildings, SR 1 can be made less expansive.

The use of small-scale buildings that reflect the block and lot pattern is another key element that reinforces a traditional town. The older cottages and how they were placed within their lot is more in keeping with the historic 50-foot lot width. Along with their consistent setback from the street, almost a build-to line rather than a minimum setback, establishes a rhythm of structures that echoes the rhythm established in the block and lot layout. As development in Town has strayed from these principles—with combined lots, larger structures and buildings set far from the street—this rhythm is being lost.

### **Residential Architectural Character**

The residential areas are characterized by a mix of architectural styles. Small beach cottages were built during the early years and modified over time to reflect changing use patterns and style trends. Later homes—one- to one and one half-stories with simple rectangular forms—were constructed between 1950 and 1980. The 1980s and 1990s saw the construction of many two- to three-story custom homes with articulated forms reflecting the post-modern and neo-traditional architectural styles. Many homes constructed more recently include commissioned designs.

Older homes built before 1960 are eligible for review by the State Historic Preservation Office (SHPO). Currently no structure within Town is listed on the State or National Registers. The SHPO has not conducted a recent review of the Town; however, a review of nearby Bethany Beach was completed in 2002. A strong concern of residents is the loss of the older structures as properties are redeveloped. To address this concern the Town is in the process of completing an inventory of historic homes. The Town also established a group that is focused on preserving Fenwick Island's heritage.

Residential building heights vary but recently constructed homes can maximize the allowed 32-foot building height. The result is often a mansard-style flat roof to allow three stories. Building regulations that result from the Town's adoption of the Flood Insurance Rate Map, as a part of the National Flood Insurance Program, require that the elevation of the building's lowest floor be elevated to at least the 100-year flood plain level. This also affects the

Town's architectural character. There are also varying design results from how maximum building height is measured—from the crown of the fronting street to the top of the roof. With revisions of the State's floodplain ordinance and revised FEMA Flood Elevation Maps, the Town held numerous public hearings to discuss changing the building height and eventually voted to increase the maximum building height from 30 feet to 32 feet.

Limiting allowed floor area and lot coverage is a strong step towards addressing concerns regarding residential architectural design. Limiting the maximum house size to 7,500 square feet or .70 floor area ratio, whichever is less, sets parameters on the fundamental design considerations of bulk and scale. Additional parameters can be set to further direct residential design including mass and fenestration. Design guidelines that provide recommendations on primary and secondary massing; lot coverage; roofs; porches and decks; windows and doors; architectural details and materials; and streetscape, site and landscape can continue to alleviate concerns about future residential design.

Built site elements are also evident within the residential areas. Detached garages, storage buildings, and boat houses are a part of the historic development of Town. In some instances these buildings have been improved and retrofitted for use as living space.

The locations and design of utilities, signs, trash enclosures, exterior lighting and other smaller site elements also contribute to the overall residential character. Improving views by burying overhead utilities, visually screening pedestals and mitigating noise from heating and air conditioning units (HVAC) to the extent possible is recommended. Strengthening Town ordinances which manage trash and recyclables storage and pickup practices are encouraged, especially for properties in the rental pool. A review of the outdoor lighting regulations to identify opportunities to encourage good lighting design while reducing potential nuisances should be undertaken. A comprehensive review of the Town's signage plan—identity, directional, informational, and traffic signs—should be taken to ensure that all signs represent the Town's brand and that redundant or unnecessary signs are removed. In most cases, sensitive and appropriate site design, as directed by good design guidelines, will eliminate most of these issues.



*Accessory buildings incorporated into a residence.*



The Seaside Country Store is an example of iconic architectural character.

### Commercial Architectural Character

The commercial area of Town generally consists of one- to two-story masonry structures oriented towards SR 1. The earliest buildings were constructed in the late 1950s and early 1960s. Several buildings of architectural significance exist. While they may or may not be eligible for historic resource inventory, they are iconic and contribute to the Town's diverse architectural character. Examples include: Warren's Station (located between Indian and Houston Streets), the Sands Motel (located between James and Indian Streets), the Fenwick Medical Center and Seaside Country Store (located between Georgetown and Farmington Streets), and the Fenwick Village (located between West Virginia Avenue and Maryland Avenue).

The early businesses, such as the current Sands Motel and the former Libby's Restaurant, catered to the seasonal resident population and summer visitors. Today's businesses also realize a relatively strong off-season market as the population of full-time residents has increased and part-time residents and tourists visit more frequently during the spring, fall and winter. Many of the Town's businesses remain open for much if not all of the year and draw shoppers and diners from the larger region.

### Accommodations

The economy of resort communities is dependent on the quality of their bed base, or accommodations. The Town has three hotel/motels—the Sands Motel, which is being redeveloped (65 rooms), the Fenwick Islander (62 rooms), and the Seaside Inn (60 rooms)—with a total of 159 rooms. The hotel/motels offer mid-priced accommodations during the peak season. There is mixed opinion in Town regarding the importance of maintaining or expanding upon the present bed base.

Many single-family detached homes are also available for short-term and seasonal rental. There are approximately 200 homes available in the rental pool last year, according to Town rental license records. They range from older beach cottages to very new homes. The newer homes, with a full range of amenities such as air conditioning and full kitchens, rent most quickly according to local realtors. The most popular rental house type and location is the single-family detached home located on the oceanside. The next preferred location is bayside with water access. During the peak summer weeks, nearly all rental properties are occupied.

Many summer renters come back to Fenwick Island repeatedly. Oftentimes these families span multiple generations and include extended family members. According to local realtors, the reason many choose to vacation in Fenwick Island over other resort communities is because they can park their car and leave it for the week. Shops, restaurants and the beach are all within an easy walking distance. They also appreciate the quiet Town character.

### Arts, Entertainment and Recreation, and Community Events

Fenwick Island's primary recreational draws are the beach and the bayside water access. There are no commercial recreation activities located within the Town. Entertainment is limited by Town regulations. While the Town sponsors live music, non-Town related live music is allowed only in conjunction with restaurants to help maintain the Town's quiet character. Unique shops provide shopping entertainment and contribute to the Town's interesting atmosphere. Opportunities can be taken in the proposed SR 1 improvements to build upon these successes.

The Town hosts numerous events throughout the year. Events include movie nights, kids' reading, Seas the Day, Turkey Trot and Christmas lighting ceremony. The Town is working on creating a Fenwick Friday's event, as well as a Harvest Festival which would be an annual fall festival. The Garden Club is also involved in hosting activities and events such as a kid's garden and vegetable garden.

### Restaurants and Eateries

The Town has a mix of upscale restaurants and eating establishments which draw from the local population and also the coastal region. Seafood and Italian restaurants are examples of establishments that have a regional draw. The Town also has a diverse mix of restaurants serving breakfast and lunch. Other eateries provide quick food served informally throughout the day and night. Many of these restaurants and eateries are open most of the year.

### Retail

Women's apparel is a primary component of the Town's retail environment. Other specialty retail stores include sports equipment shops (bicycle, surfing, and fishing), and book sellers. These types of retail are found in areas with a leisure-oriented population. A growing component of the retail mix is home furnishings/improvements. These stores include mattress retailers, paint stores, blinds and window coverings and electrical supply. The presence of this retail segment corresponds with the extent of residential construction. Many of these businesses are open most of the year.

*Professional Services*

Communities with a large number of professional services tend to have strong growing or stable year-round economies, depending on the service focus. Fenwick Island has a small portion of professional services geared towards the real estate and construction industry. A consideration why there are not more services located in Town is probably due to the high real estate values and lease rates compared to inland locations. Personal services, such as hair and nail salons and day spas, are more prevalent. There is a medical center providing health services and a bank for banking services. The Town lacks a post office and other professional services that are typically found in mature communities. As the year-round population increases these services may find the demand to locate in Town. However, the high real estate prices and lease rates are likely to discourage the presence of these uses.

**Built Environment Summary**

Residents and visitors are attracted to Fenwick Island because of its unique built environment. The Town has a rich history dating back to the late 1600s and continuing through the establishment of the Town’s block and lot configuration in 1953. For the most part, the Town’s community form creates an easily negotiated system of narrow streets and a small-scaled pattern of development. The diverse styles of the residential architecture provide interest. The commercial area offers a mix of retail, services, and restaurants and eateries. There is an opportunity to enhance the entertainment shopping types of retail to create a unique experience. There are significant opportunities to reinforce the community’s form through SR 1 improvements, additional zoning regulations and design guidelines.

The visitor bed base is at risk of being diminished by redevelopment and the loss of rental homes in the available pool. While most commercial uses serve both permanent residents and visitors, there are some uses that are more seasonal in nature and market. The loss of visitor accommodations may affect these businesses.

**Built Environment Recommendations**

*Issue:* The Town’s rich history is not apparent to residents and visitors.

*Goal:* Incorporate the Town’s history into all elements of its built environment.

*Objectives:*

6.1 Continue to inventory historic and cultural resources.

6.2 Develop a comprehensive signage program that draws, in part, upon and reinforces Town history.

*Issue:* The character of the Town’s built environment is being compromised by some recent development patterns.

*Goal:* Allow zoning code provisions to preserve and reinforce the Town’s community form.

*Objectives:*

6.3 Ensure that houses are reasonably sized.

- Consider additional regulations and design guidelines to further meet community goals.
- Review current regulations for unintended consequences.

6.4 Develop additional standards for site development.

- Improve visual screening opportunities.
- Strengthen outdoor lighting regulations.
- Create landscape design guidelines.
- Improve parking and driveway standards.



The beach is a key asset.

### 3.7 Community Character-Natural Environment

Since settlement began in Fenwick Island, residents and visitors have been attracted to its unique natural amenities. Fenwick Island markets itself as “the best beach in Southern Delaware.” Unlike Ocean City, Maryland to the south and Rehoboth Beach to the north, Fenwick is known for its quiet atmosphere, unique location between Little Assawoman Bay and the Atlantic Ocean, and its abundance of recreational opportunities from bird watching, to fishing, to simply relaxing on the beach. Today, Fenwick Island remains a popular tourist destination, seasonal resident destination, and place of full-time residence.

At the same time, the same resources that draw people to Fenwick Island face enormous pressure and the threat of destruction from human and natural forces. Over time, development activity has filled natural inlets to create developable land, dredged riparian areas to create waterways, reduced beaches to a relatively narrow strip of land, and introduced non-native vegetation that has replaced natural habitats. Natural habitats have also been reduced by bulkheading and bank armoring efforts. These efforts, though required by Town to protect property from erosion in bay and riparian areas, have had unintended consequences by eliminating the natural flooding and erosion processes. Despite these conditions, there are ample opportunities to enhance, re-create, and protect the natural amenities that continue to draw people to the Town and support its economy.

#### Beaches

The beach areas of Fenwick Island are one of the Town’s biggest tourism assets. From State Line Beach to the south and north to the boundary of Fenwick Island State Park, the entire eastern edge of Town is maintained as a public beach. The beach area is regionally accessible via the DART bus system, and locally accessible by foot via dune crossings at the end of west to east streets throughout town. Beachgoers are kept safe by the Fenwick Island Beach Patrol, and the beaches are kept clean by both the Beach Patrol and the Department of Public Works.

The beaches have historically faced development pressure from human encroachment, though, more recently development boundaries and property lines have halted

development along the beachfront. The biggest threat to the beaches today exists from the forces of nature. It is estimated by the Delaware Department of Natural Resources (DNREC) that the beaches in the Fenwick Island area erode at a rate of four feet per year, one of the highest erosion rates along the entire Atlantic Coast. Geologists estimate that sea levels have been on the rise since the continental ice sheet began to melt 14,000 years ago. In fact, it is estimated that sea level was 440 feet below its present location 14,000 years ago. Today these same ancient processes continue to act on Fenwick Island’s beaches, but it is thought that global climate changes are accelerating nature’s erosion forces.

*Source: Surfrider Foundation – State of the Beach Report, 2006*

In the winter of 2005, a significant beach replenishment project was completed to combat the natural beach erosion. According to a 2004 report published by DNREC, this is the primary method by which the State restores dry beach lost to erosion. The project was successful in part because of State support to secure federal funding. Beach replenishment projects will continue to be supported by the State as long as the total benefits outweigh the economic costs. When determining the potential for a project, the Town’s economy, tax base and real estate value are considered and weighed against the project’s costs.

The project included widening the beach, constructing a sizable dune system, and planting grasses to stabilize the dune line. The wider beach acts as a buffer to absorb wave energy during storm events and also provides a reservoir of sand that may be transported to an offshore bar. The offshore bar helps to reduce damage as the first line of defense. In addition to being a vital tourism amenity, the beach and dune network also helps to protect man-made structures during storm events. Pedestrian dune crossings were created at the ends of east to west streets nearest the beach, and fencing was erected to protect the remainder of the dunes from destructive foot traffic.

Although widely used, the beach replenishment method has certain negative impacts. If not properly designed and constructed the improvements can be temporary. The process of borrowing and placing sand can disrupt biological communities. Marine habitat is significantly altered as dredging removes sand deposits, increases water temperature and creates turbidity. Less mobile animals,

such as the mollusk, are affected when sand is placed in the surf zone. Existing bird nesting areas can also be disrupted as dunes are created.

In cooperation with the Army Corps of Engineers, the Town is on a 5-year cycle over a 50 year life span for beach replenishment. The project began in 2007 and will end in 2057, with the Corps of Engineers coming back every five years. All beaches were replenished after Hurricane Sandy in 2012 which would put the Town on schedule for beach replenishment in FY 17.

Due to beach replenishment, the dune line within the Town limits is healthy and has protected the Town from major ocean side flooding during recent storms, including Hurricane Sandy. The Town has also installed mobi-mats at several dune crossings to prevent dune erosion as well as improve beach access for senior citizens.

Another method to protect the beach and used on a smaller scale by DNREC is strategic retreat. Through the Beach Preservation Act (1972 and 1983), a building line is established that is used to delineate a seaward boundary for construction activities. Beyond this boundary is a protected dune zone. The building line in Town is 100 feet landward of the seaward most 10-foot elevation contour. As properties redevelop, new construction is to be located behind the building line. This requirement is not applied when properties are remodeled.

#### **Wildlife**

Though Fenwick Island is known for its quaint town and beautiful beaches, its living resources cannot be overlooked. Little Assawoman Bay, along with Indian River Bay and Rehoboth Bay, make up the Inland Bays Ecosystem. Little Assawoman Bay averages three to eight feet deep, and is comprised of a mix of both fresh and salt water. This unique environment offers a wide array of habitats that support many species of wildlife, including white-tailed deer, wild turkeys, beavers, osprey, bald eagles, and numerous species of shellfish.

*Source: Center for the Inland Bays*

On the bay side of Town, several vacant, undevelopable lots still exist near the end of Schultz Road and near the end of Bay Street. These areas of land, though small, provide habitat similar to historic habitat patterns that would have been seen along the bay side of town. Residents in Town have taken up efforts to protect these and similar areas and have formed the South Schulz Wetland Association and the Glenn Avenue Bird Sanctuary.

Most of the threats to the Fenwick Island ecosystem and its wildlife are caused by humans. Litter, especially plastic, not only obstructs the natural beauty of the area, but also is harmful to wildlife. Similarly, curious people, even if well intentioned, can cause serious harm to birds by disturbing nests. Pollution from development can also disrupt the natural balance of these fragile estuarine ecosystems and species. Inappropriate boating practices, such as traveling outside channels and/or at excessive speeds, not maintaining engines and marine sanitation devices, also adversely affect the environment. The Town took the additional step in protecting their wildlife by adopting an ordinance in 2016 that makes it "unlawful for any person to hunt any game bird or game animal within the incorporated limits of the Town of Fenwick Island with any type of weapon."

In all, the ecosystems and wildlife surrounding Fenwick Island are dependent upon the town for protection and preservation. Local efforts, as well as intergovernmental coordination and coordination with regional, state, and federal environmental agencies can help to monitor these ecosystems, keep them clean and viable, and educate the public about their importance.

#### **Water Quality**

Clean water is essential not only to wildlife and the fragile ecosystems surrounding Fenwick Island, but it is also essential to the Town's residents and to the Town's tourism economy. Unfortunately, the Inland Bays area has suffered from past neglect. Phytoplankton blooms caused by over-application of fertilizers from area farming operations have clouded the water. Failing septic systems and holding tanks in the Little Assawoman Bay area have resulted in excessive amounts of nitrogen in the ground water. Excessive phosphorous discharges from area sewage treatment plants have led to the domination of invasive macro algae which grows and collects along shore lines. The decay of these algae blooms depletes the water of oxygen and causes fish kills.

*Source: Center for the Inland Bays*

These practices and others can lead to poor water quality, the closure of beaches and shellfish growing areas, the loss of wildlife habitat, and adverse economic impacts to the essential tourism economy of Fenwick Island. The good news is that regional entities, such as the Center for Inland Bays, work to promote awareness of the damaging effects of certain activities and promote educational outreach to repair the effects of past neglect.

DNREC and the Center for Inland bays have studied the



Undeveloped bay edge provides wildlife habitat.

waters and ecosystems of the Inland Bays area extensively. Both have developed significant research and made the results available to the public to guide future land use decisions. A variety of funding resources and programs available to encourage positive changes, educate the public, restore damaged resources, and protect undamaged resources for future generations.

Under Section 303(d) of the 1972 Federal Clean Water Act (CWA), states are required to identify all impaired waters and establish total maximum daily loads (TMDLs) to restore their beneficial uses. A TMDL defines the amount of non-point and point source pollutants a water body can absorb on a daily basis without violating State water quality standards. A Pollution Control Strategy (PCS) provides the regulatory framework for achieving the TMDL reductions necessary for meeting the State water quality standards.

The Town of Fenwick Island is located within the low TMDL nutrient reduction area of the Little Assawoman watershed. The TMDL for the low nutrient reduction area of the Little Assawoman Bay watershed requires a nutrient reduction of 40% for total nitrogen and total phosphorus from baseline conditions. Additionally, the TMDL for bacteria requires a 40% (17% for marine waters) reduction from baseline conditions.

#### **Vegetation**

As a result of decades of development, very little undisturbed native vegetation currently exists within town limits. The bayside of Fenwick Island's northern boundary is comprised tidal riparian vegetation, consisting of sedges and rushes, interspersed by small upland areas consisting of species such as black pine, prickly pear, creeping junipers, bayberry, and native grasses. Pockets of both upland and riparian vegetation can also be found on some larger bayside properties. Though limited, very small pockets of upland vegetation can still be found on some oceanside properties.

In beach and dune areas, ongoing restoration efforts have utilized native vegetation and beach grasses to restore and support the primary dunes. In areas throughout Town, native vegetation has been planted by home and business owners. Overall, the oceanside of Fenwick Island is characterized by vegetation that is more natural in appearance with black pines as canopy, bayberry shrubs as understory, and native grasses and prickly pear as groundcover with perennial/annual planting beds surrounding and interspersed. On the bayside of Town, the general landscape character is more manicured in appearance with ornamental, deciduous trees combined with a few black pines for canopy, ornamental shrubs and bayberry shrubs as understory, and manicured lawns

highlighted by perennial/annual planting beds for groundcover.

Currently, less than one percent of the Town's land surface is covered with tree canopy. With available grant monies, the Town could purchase trees for planting on both private and public lands. The program recognizes the value of trees to filter impurities before water enters the groundwater, to prevent erosion through an extensive root system, and to improve air quality by absorbing carbon dioxide.

The overall health of the Inland Bays Ecosystem is an important issue to the residents of Fenwick Island. The community recognizes that submerged aquatic vegetation is the best living indicator of the nutrient conditions of the Little Assawoman Bay. These grasses require relatively clear water with low nutrient levels. Often found below low tide lines to about three to six foot depths, they play an important role in the overall bay environment by providing food and habitat for waterfowl, fish, shellfish, and invertebrates. In addition, this vegetation protects shorelines from wave action erosion and filters and traps sediment that can cloud water and bury bottom-dwelling organisms such as oysters. Since the late 1970's, DNREC has operated a restoration program to grow and reproduce eelgrass, just one of the many types of grasses found within the watershed. More recently, the Town has begun to work with the Center for Inland Bays to provide and create the Oyster Grow Program that reintroduces oysters into the watershed. The oysters, in turn, help to filter the waters of the bays for nutrients and sediment allowing for improved habitat and bay grasses.

#### **Flood Plain and Storm Threats**

Though normally a calm and tranquil environment, Fenwick Island is susceptible to two types of storms capable of producing serious damage. These storms are either tropical (hurricanes) that occur predominantly in the summer and fall months or extra-tropical (nor'easters), most often with strong easterly or north easterly winds, that occur most often throughout the late fall and winter months.

According to DNREC, no hurricane has made direct landfall in Delaware, though severe, damaging storms have been known to occur frequently. Two major storms of note, the Hurricane of 1933 and the March storm of 1962 caused considerable damage up and down the Delaware coast. The March storm of 1962, a nor'easter, caused \$21.8 million or \$134.8 million in today's dollars, and seven deaths in coastal Delaware areas. Interestingly, 75 percent of Fenwick Island's houses have been built since that time, and its population has increased by over six times its 1962 population. These figures increase the potential for property damage and potential loss of human life exponentially. These types of storms have occurred historically and will occur again.

*Source: Heinz Center - 2000*

In more recent years there have been numerous back to back major weather events, including hurricanes and severe storms that have impacted the Town. The topic of sea level rise also became important when discussing potential impacts from future severe weather. It was the extensive damage due to Hurricane Sandy (October 2012) that led the Town to make resiliency planning a top priority. In 2014 the Town received a grant through Delaware's Coastal Management Assistance Grant program to complete a sea level rise vulnerability study. The study was completed the following year and included an assessment of general impacts to the Town, recommendations for mitigation, and a series of maps showing inundation from sea level rise. While the Town can only rely on recent patterns in weather events and sea level rise, this study has provided the Town a path forward in long term planning to protect its current and future residents.

Fenwick Island is the only town in Delaware that lies entirely in the "100-Year Special Flood Hazard Area," meaning that any location in Town is subject to a one percent chance of flooding each year. With water bodies on both sides of town, topographic elevations ranging from sea level to about 15 feet, and land that slopes generally less than one percent, the chance of flooding in Fenwick Island is often greater.

*Source: Town of Fenwick Island Flood Information Guide*

The Town is a member of the National Flood Insurance Program (NIFP) and maintains a Class 8 Community Safety Rating. This rating, obtained through various floodplain management activities, provides the residents of Fenwick Island with a ten percent discount on flood insurance.

*Source: National Flood Insurance Program and Town of Fenwick Island*

Adding to the flooding threat in Town is the fact that much of the natural flood plain has been developed. Marsh and wetland areas that would have historically taken on and stored flood waters have now been filled, forcing flood waters to other places and resulting in increased flood damage and higher flood velocities.

Nationally, development standards and forecasting technology have improved. Fenwick Island is partially protected by systems of dunes along its Atlantic Coast that provide a protective barrier for beach areas and inland development.

### **Canals and Channels**

Construction on the bayside has resulted in the creation of a series of canals. The majority of these canals run east to

west and provide recreational boat access to residences bordering the waterways. These canals are an important part of Fenwick Island's character, but also create several unique challenges. First, homeowners must bulkhead their properties to prevent erosion. Second, the relatively still water of the canals tends to have lower water quality levels than the adjacent bay. Over time, these channels and canals have filled with silt, making water depths more shallow and boat navigation more difficult. Town officials have in the past met with State officials to discuss the channels and canals being included in DNREC dredging projects. No definitive resolution has been reached. One proposal of note includes the idea of dredging the channels and using the by-products of the dredging to raise the level of Seal Island. This idea has both environmental merits and consequences that continue to be debated. In 2016, Bill 261 was passed which allocates revenue from the State's boat registration to the Waterway Management Fund which supports the State's waterway management operations to keep channels open and safe. This legislation becomes effective January 1, 2017.

### **Protected Lands**

Over 25 percent of the Inland Bays area of Sussex County is protected from development. This land is held by local and state governments, conservancy groups such as the Center for Inland Bays, the Delaware Natural Society, and the Delaware Wildlife Society, and in agricultural preservation districts. In Town, the protected lands, other than the beach area, are located on Glenn Avenue, Shultz Road, Bay Street and the wetlands bordering the Bay. In all, these protected areas account for approximately 2 percent of Fenwick Island's total land area.

### **Seal Island**

Just off of the bay side of Town is Seal Island, which is another unique natural resource area owned by DNREC. The island has felt the effects of significant wildlife and human impact over the past several decades and there is a continuing and strong interest in restoring the island. Seal Island should be rebuilt and then preserved and protected as an important natural, cultural, and wildlife resource for the area. The Town itself would also benefit by the restoration of Seal Island as it is well positioned to protect the Town during storm events and lessen the potential for flooding.



*Canals are an important feature of the Town's character.*

**Natural Environment Summary**

Fenwick Island’s natural amenities are the draw that brings both residents and tourists to the town. These amenities, especially drinking water, wildlife species, and natural ecosystems are susceptible to and threatened by development and human activity. Fenwick Island’s unique location between the Atlantic Ocean and Little Assawoman Bay makes it a unique destination, but also leaves it vulnerable to natural forces such as beach erosion and strong coastal storms capable of causing flooding, property damage, and potential loss of life. The Town has already made important strides toward protecting its natural assets; however, the Town cannot act alone as its natural amenities are part of a much bigger, regional natural system. Intergovernmental coordination, as well as coordination with local, state, and federal organizations, is the key to success on a regional scale.

**Natural Environment Recommendations**

*Issue:* Fenwick Island is a unique coastal community because it is located entirely within the 100-year floodplain. This unique location has residents concerned that the natural environment is not well protected or maintained, and is not free from pollution.

*Goal:* Establish Fenwick Island as the leader in environmental stewardship among the Delaware coastal communities. Promote, protect and improve the environmental integrity of the Little Assawoman Bay Watershed Area.

*Objectives:*

7.1 Educate all residents, visitors, town employees, businesses and contractors as to the area’s special environmental protection, preservation and restoration needs.

- Distribute informative posters and brochures.
- Encourage attendance at environmental workshops/activities.
- Establish regulations that are based on successful environmental practices.

7.2 Provide “leadership-by-example” in all Town government activities that impact the environment by reducing the Town’s Ecological Footprint through methods such as incorporating green business practices.

7.3 Preserve, protect and restore the dunes, beach and ocean.

7.4

Preserve, protect and restore the bay and canals.

- Partner with State, County, and other jurisdictions to research better alternatives to standard beach replenishment methods.
- Continue to take a strong role in intergovernmental and interagency efforts to protect and enhance the area.
- Improve and enforce beach rules even during lifeguard off-duty hours and off- season months to provide maximum protection.
- Partner with State, County, and other jurisdictions to research and encourage possible alternatives to standard bulk heading practices at the water’s edge to prevent erosion and silting.
- Expand and encourage methods of water cleansing, such as oyster farming and Better Management Practices (BMP) in land use.
- Enact strict regulations to prevent run off of non-biodegradables, trash, lawn clippings, fertilizers, etc. to other properties, canals and bay waters.
- Time-limit “grandfathering” for environmental compliance.
- Partner with State, County and other jurisdictions to pursue the “Clean Marina” program and other regional efforts for the Little Assawoman Bay with surrounding communities.
- Seek opportunities to partner with the Center for the Inland Bays, including mapping, assessing and protecting the extent of submerged aquatic vegetation.

*Issue:* Fenwick Island expects a long-term trend of continued new construction, redevelopment and significant renovations.

*Goal:* Improve building codes for residential, commercial and government structures to support “green” living designs.

*Objectives:*

7.5 Influence design, materials, methods, energy systems and on-going operations to promote resource efficiencies.

*Issue:* Other considerations in the built environment adversely affect the Town’s natural environment. Visual clutter, noise, light and other pollutants need to be minimized and mitigated

*Goal:* Strengthen existing regulations designed to reduce and mitigate these concerns.

## Section 4 Implementation

A comprehensive plan can only be as good as its direction for implementation. This plan contains more than 40 recommendations for addressing issues and achieving community goals. For this plan to be successful, a strategy for implementing these recommendations must be created. The strategy must provide clear and achievable direction. It must be rooted in the staff, volunteer, partnership and financial resources available to the Town. Primary responsibilities must be identified and understood. The Town is fortunate to have many dedicated citizens who have volunteered in this comprehensive planning effort and/or as members of the numerous committees and other volunteer efforts. The Town has also made a commitment to create a comprehensive plan by dedicating staff time and resources. An effective implementation strategy is one that builds upon these efforts.

### 4.1 Implementation Strategy

#### Step 1: Set Initial Priorities

Identify as high priorities those recommendations that are considered to be critically important. Also include as high priorities those recommendations that must be completed prior to completion of critically important recommendations. And finally include those recommendations that are currently underway and identified as critically important to continue.

#### Step 2: Identify Resources

After the initial priorities are identified it is time to understand the resources that are available to help implement each recommendation. It is important to note that all recommendations involving changes to the laws of Fenwick Island will include input from the Town-appointed Charter and Ordinance Committee. The experiences of other coastal resort communities, including those in Delaware, will be valuable resources as recommendations move towards implementation. Resources will certainly include Town staff members who can implement certain recommendations with direction from Town Council and Town Manager. Resources will also include volunteers serving on the various boards and committees. The Town has relied and benefited from the hard work of volunteers in

the past to accomplish solutions. The comprehensive plan now provides the framework for focusing these various efforts towards achieving the high priorities. Financial resources must be identified so that consultants with specialized experience can be retained and funding can be made available for capital expenditures. Financial resources should not only include Town funds but also grants and other monies available through potential partners. Partnering with like-minded governments, agencies, non-profits and organizations also provides information resources in addition to funding.

#### Step 3: Maximize Leveraging

Once high priority recommendations are identified and available resources determined, the last step is to leverage these available resources to the maximum extent possible. Many of the high priority recommendations include single solutions that accomplish multiple goals. Identifying these recommendations as the highest priority allows the Town to get the most value from the effort and funding spent in order to implement the recommendations.

#### Step 4: Identifying Accomplishments

Periodically and during every comprehensive plan review the Implementation section should be reviewed to identify items that have been addressed. Below is a list of items the Town has completed since adopting the 2007 plan.

List of Accomplishments:

- Maximum persons for overnight occupancy have been established at 12 people for rentals.
- To provide more affordable housing, the number of apartments permitted above commercial buildings has expanded.
- An organization dedicated to the historic preservation of the Town has been established. A historic preservation inventory is being completed.
- Improvements have been made to the Town Park as well as the development of a second park. A park fund has been established and receives funds through the 5% realty transfer tax.
- The Town has received recycling grants to purchase new containers for the beach and is actively pursuing additional grants for new containers for residential properties.
- New signage has been installed along Route 1 to enhance the sense of arrival and place.
- Town Code has been revised to require a maximum floor area ratio of 70% and maximum floor area of 7,500 SF.
- Revisions have been made to the Code regarding

- building height and freeboard.
- Charter and Ordinance Committee continues to review the charter and code for needed updates.
- Sidewalks have been added to Fenwick Island Community Park.
- Promoting connectivity, 5 ft. sidewalks were added along Route 1 in front of Town Hall and West Cannon Street.
- Received DNREC grants to improve water quality through stormwater management techniques. The Town also added a floating wetland, the first in the State.
- A stormwater infrastructure inventory was completed. The Town is considering adding upgrades to stormwater infrastructure when developing a capital improvement budget.
- Vegetative stormwater buffers for new construction are now required.
- Sidewalks that are ADA compliant are now required for new construction and substantial renovations of 50% or more in the Commercial District.
- Chapter 88 Floodplain Ordinance has been revised and adopted.
- An updated Town website is now more user-friendly.

### **Recommendations Summary**

Each recommendation from the Municipal Development Strategy contained in Section 3 is listed below. A three-tier priority system is employed:

IO—Immediate or on-going current to first year timeframe  
ST—Short-term with a one to two-year timeframe  
LT—Longer-term with a two to five-year timeframe

For each recommendation, the resources available for implementation are identified by primary responsibility and partnering opportunities.

### **1.0 Demographics and Population**

*Recommendation 1.1*—Use the US Census and Delaware Population Consortium estimates as a starting point for determining the Town’s demographics.

Timeframe: IO

Primary Responsibility: Planning Commission

Partners: State Office of Planning Coordination

Population Consortium

Delaware Economic Development Office

US Census Bureau, Local Coordinator

Local Real Estate Brokers

*Recommendation 1.2*—Update the estimates on an annual basis using a standard method.

Timeframe: IO ST

Primary Responsibility: Staff

Partners: State Office of Planning Coordination  
Population Consortium  
Delaware Economic Development Office  
Local Real Estate Brokers

*Recommendation 1.3*—Maintain the current orderly growth pattern.

Timeframe: IO

Primary Responsibility: Town Council

Partners: Sussex County  
TOFI Planning Commission

*Recommendation 1.4*—Influence peak seasonal population through limits on occupants per bedroom for rental properties.

Timeframe: IO

Primary Responsibility: Town Council

Partners: Bethany-Fenwick Chamber of Commerce  
Local Real Estate Brokers

*Recommendation 1.5*—Mitigate potential impacts of planned population growth through improving efficiencies in existing infrastructure and services.

Timeframe: LT

Primary Responsibility: Staff

Partners: Sussex County  
Artesian Water Company  
DeIDOT

*Recommendation 1.6*—Balance potential impacts of planned population growth with potential benefits of additional community members.

Timeframe: LT

Primary Responsibility: Town Council

Partners: State Office of Planning Coordination  
TOFI Planning Commission

## **2.0 Housing**

*Recommendation 2.1*—Strengthen the existing residential zoning code provisions.

Timeframe: IO

Primary Responsibility: Planning Commission

Partners: State Office of Planning Coordination  
Sussex County  
TOFI Charter and Ordinance Committee  
TOFI Building Committee  
Planning/Design Consultant(s)

*Recommendation 2.2*—Review residential design standards.

Timeframe: ST

Primary Responsibility: Planning Commission

Partners: State Office of Planning Coordination  
Sussex County  
Planning/Design Consultant(s)

*Recommendation 2.3*—Maintain the single-family detached use as a permitted use within the residential zone district.

Timeframe: IO

Primary Responsibility: Town Council

Partners: State Office of Planning Coordination  
Sussex County  
Planning/Design Consultant(s)

*Recommendation 2.4*—Review Town’s existing services and potential demand increases to determine year-round needs.

Timeframe: IO

Primary Responsibility: Staff

Partners: State Office of Planning Coordination  
Other State, County, or Town organizations as necessary

*Recommendation 2.5*—Cooperate with regional efforts to provide attainable housing.

Timeframe: LT

Primary Responsibility: Town Council

Partners: State Office of Planning Coordination  
Delaware State Housing Authority  
Sussex County  
Bethany Beach

## **3.0 Land Use and Annexation**

*Recommendation 3.1*—Reinforce the determination of an Area of Concern.

Timeframe: ST

Primary Responsibility: Planning Commission

Partners: Sussex County  
State Office of Planning Coordination  
Center for Inland Bays

*Recommendation 3.2*—Work with Sussex County as its Comprehensive Plan is updated.

Timeframe: IO

Primary Responsibility: Staff

Partners: Sussex County  
State Office of Planning Coordination

*Recommendation 3.3*—Reinforce the current general land use pattern of commercial and public uses along SR 1 and residential use throughout the remainder of Town.  
Timeframe: IO  
Primary Responsibility: Town Council  
Partners: State Office of Planning Coordination  
Sussex County  
TOFI Planning Commission

#### **4.0 Redevelopment**

*Recommendation 4.1*—Consider an optional overlay district for the SR 1 commercial area.  
Timeframe: LT  
Primary Responsibility: Planning Commission  
Partners: State Office of Planning Coordination  
Planning/Design Consultant(s)  
TOFI Business Development Committee  
Bethany Beach Chamber of Commerce

*Recommendation 4.2*—Provide direction to DelDOT regarding and update of the proposed Pedestrian Plan.  
Timeframe: L T  
Primary Responsibility: Planning Commission  
Partners: DelDOT  
State Office of Planning Coordination

*Recommendation 4.3*—Create incentives to preserve older beach cottages and other historic and cultural resources.  
Timeframe: LT  
Primary Responsibility: Planning Commission  
Partners: State Historic Preservation Office  
TOFI Historical Group

*Recommendation 4.4*—Establish intergovernmental agreements to enable joint planning for the area surrounding incorporated Fenwick Island.  
Timeframe: ST  
Primary Responsibility: Planning Commission  
Partners: Sussex County  
Adjacent Property Owner(s)  
Planning/Design Consultant(s)  
Town of South Bethany  
Town of Bethany Beach  
Town of Selbyville  
Town of Millville  
Town of Ocean View  
Town of Ocean City, MD

*Recommendation 4.5*—Cooperate with Sussex County to work with the State Historic Preservation Office to review and update its list of potential resources in both unincorporated and incorporated Fenwick Island.  
Timeframe: ST  
Primary Responsibility: Staff  
Partners: Sussex County  
State Historic Preservation Office  
TOFI Historical Group

*Recommendation 4.6*—Create green building guidelines, methods and strategies.  
Timeframe: ST  
Primary Responsibility: Planning Commission  
Partners: State Office of Planning Coordination  
Department of Natural Resources and Environmental Control

*Recommendation 4.7*—Create design guidelines for architecture that employ green building considerations.  
Timeframe: LT  
Primary Responsibility: Planning Commission  
Partners: State Office of Planning Coordination  
TOFI Building Committee  
Planning/Design Consultant(s)

*Recommendation 4.8*—Create design guidelines for site and landscape improvements that employ green building considerations.  
Timeframe: ST  
Primary Responsibility: Planning Commission  
Partners: State Office of Planning Coordination  
TOFI Building Committee  
Planning/Design Consultant(s)

*Recommendation 4.9*—Develop an improved sidewalk and parking plan that reduces vehicle miles traveled.  
Timeframe: LT  
Primary Responsibility: Planning Commission  
Partners: DelDOT  
Planning/Design Consultant(s)  
Bethany-Fenwick Area Chamber of Commerce

## 5.0 Infrastructure

*Recommendation 5.1*—Take proactive steps to improve roadway safety.

Timeframe: IO

Primary Responsibility: Town Council

Partners: DeIDOT

TOFI Public Works Department  
Fenwick Island Police Department

*Recommendation 5.2*—Promote a safety-oriented culture.

Timeframe: IO

Primary Responsibility: Town Council

Partners: DeIDOT

Department of Natural Resources and  
Environmental Control  
Bethany-Fenwick Chamber of Commerce  
Local Real Estate Brokers  
Local Hotels/Motels  
TOFI Planning Commission  
Fenwick Island Police Department  
Bethany Beach Volunteer Fire Company

*Recommendation 5.3*—Fold the transportation goals of DeIDOT's Pedestrian Plan into comprehensive improvements for the SR 1 corridor through a possible Overlay District.

Timeframe: ST

Primary Responsibility: Planning Commission

Partners: DeIDOT

TOFI Building Committee  
TOFI Board of Adjustment  
Planning/Design Consultant(s)  
State Office of Planning Coordination

*Recommendation 5.4*—Enact appropriate regulations and ensure adequate enforcement capability.

Timeframe: ST

Primary Responsibility: Town Council

Partners: DeIDOT

Department of Natural Resources and  
Environmental Control  
Delaware State Police  
Fenwick Island Police Department

*Recommendation 5.5*—Establish strong intergovernmental relationships to manage recreational desires of non-residents without impact to the Town.

Timeframe: ST

Primary Responsibility: Town Council

Partners: State Parks

Department of Natural Resources and  
Environmental Control  
Sussex County US Army Corps of Engineers

*Recommendation 5.6*—Establish strong intergovernmental and interagency relationships to ensure aquifer system protection and the establishment of a backup system.

Timeframe: IO

Primary Responsibility: Town Council

Partners: Artesian Water Company

Department of Natural Resources and Environmental Control  
Sussex County

*Recommendation 5.7*—Develop a plan to determine and prioritize recreational improvements.

Timeframe: LT

Primary Responsibility: Planning Commission

Partners: State Office of Planning Coordination  
State Parks

*Recommendation 5.8*—Identify funding sources to acquire, improve and maintain new recreational amenities.

Timeframe: IO

Primary Responsibility: Staff

Partners: State Office of Planning Coordination

Department of Natural Resources and Environmental  
Control

*Recommendation 5.9*—Establish service plans and manage their implementation.

Timeframe: IO

Primary Responsibility: Staff

Partners: Bethany Beach Volunteer Fire Company

Fenwick Island Police Department  
Delaware State Police  
Delaware Emergency Management Agency

*Recommendation 5.10*—Support the Emergency Operations Center to better coordinate the diverse jurisdictional plans.

Timeframe: IO

Primary Responsibility: Town Council

Partners: Federal Emergency Management Agency

Delaware Emergency Management Agency Delmarva Emergency  
Task Force  
Sussex County Worcester County  
Bethany Beach Volunteer Fire Company Fenwick Island  
Police Department

*Recommendation 5.11*—Evaluate the Town’s preparedness for emergency response.

Timeframe: IO

Primary Responsibility: Staff

Partners: Bethany Beach Volunteer Fire Company  
Fenwick Island Police Department  
Delaware State Police  
Delaware Emergency Management Agency

*Recommendation 5.12* —Create an open space master plan for acquiring and/or protecting these lands.

Timeframe: IO

Primary Responsibility: Planning Commission

Partners: Department of Natural Resources and Environmental Control

### **6.0 Community Character-Built Environment**

*Recommendation 6.1* – Inventory historic and cultural resources.

Timeframe: IO

Primary Responsibility:

Partners: State Historic Preservation Office  
State Office of Planning Coordination  
Sussex County  
TOFI Historical Group

*Recommendation 6.2*—Develop a comprehensive interpretive / historic signage program that draws upon and reinforces Town history.

Timeframe: LT

Primary Responsibility: Planning Commission

Partners: State Office of Planning Coordination  
DelDOT  
Planning/Design Consultant(s)  
TOFI Historical Group  
Bethany-Fenwick Area Chamber of Commerce

*Recommendation 6.3*— Continue to ensure that houses are reasonably sized.

Timeframe: LT

Primary Responsibility: Planning Commission

Partners: State Office of Planning Coordination  
TOFI Charter and Ordinance Committee  
TOFI Building Committee  
Planning/Design Consultant(s)

*Recommendation 6.4*—Develop additional standards for site development and drainage requirements.

Timeframe: IO

Primary Responsibility: Planning Commission

Partners: State Office of Planning Coordination  
TOFI Building Committee  
Planning/Design Consultant(s)  
Fire Marshall and Local Fire Chiefs

### **7.0 Community Character-Natural Environment**

*Recommendation 7.1*—Educate all those residing, visiting and doing business within the Town as to the area’s special environmental protection, preservation and restoration needs.

Timeframe: ST

Primary Responsibility: Town Council

Partners: Bethany-Fenwick Area Chamber of Commerce DNREC  
TOFI Environment Committee  
TOFI Cultural and Historic Commission

*Recommendation 7.2*—Provide “leadership-by-example” in all Town government activities by reducing the Town’s Ecological Footprint.

Timeframe: IO

Primary Responsibility: Town Council  
Partners: TOFI Environment Committee  
Center for Inland Bays

*Recommendation 7.3*—Preserve, protect and restore the dunes, beach and ocean.

Timeframe: IO

Primary Responsibility: Town Council

Partners: Department of Natural Resources and Environmental Control  
US Army Corps of Engineers  
TOFI Parks/Recreation/Beach Committee

*Recommendation 7.4*—Preserve, protect and restore the bay and canals.

Timeframe: IO

Primary Responsibility: Town Council

Partners: Department of Natural Resources and Environmental Control  
US Army Corps of Engineers Center for Inland Bays Delaware Nature Society  
TOFI Environment Committee

### **Organized by Timeframe**

#### **IO—Immediate or on-going**

*Recommendation 1.1*— Use the US Census and Delaware Population Consortium estimates as a starting point for determining the Town’s demographics.

*Recommendation 1.2*— Update the estimates on an annual basis using a standard method.

*Recommendation 1.3*—Maintain the current orderly growth pattern.

*Recommendation 2.1*—Strengthen the existing residential zoning code provisions.

*Recommendation 2.3*—Maintain the single-family detached use as a permitted use within the residential zone district.

*Recommendation 2.4*—Review Town’s existing services and potential demand increases to determine year-round needs.

*Recommendation 3.2*—Work with Sussex County as their Comprehensive Plan is updated.

*Recommendation 3.3*—Reinforce the current general land use pattern of commercial and public uses along SR 1 and residential use throughout the remainder of Town.

*Recommendation 5.1*—Take proactive steps to improve roadway safety.

*Recommendation 5.2*—Promote a safety-oriented culture.

*Recommendation 5.6*—Establish strong intergovernmental and interagency relationships to ensure aquifer system protection and the establishment of a backup system.

*Recommendation 5.8*—Identify funding sources to acquire, improve and maintain new recreational amenities.

*Recommendation 5.9*—Establish service plans and manage their implementation.

*Recommendation 5.10*—Support the Emergency Operations Center to better coordinate the diverse jurisdictional plans.

*Recommendation 5.11*—Evaluate the Town’s preparedness for emergency response.

*Recommendation 5.12* —Create an open space master plan and a process for acquiring and/or protecting these lands.

*Recommendation 6.1*—Inventory historic and cultural resources.

*Recommendation 6.4*—Develop additional standards for site development. (ST/Planning Commission)

*Recommendation 7.2*—Provide “leadership-by-example” in all Town government activities by reducing the Town’s Ecological Footprint.

*Recommendation 7.3*—Preserve, protect and restore the dunes, beach and ocean.

*Recommendation 7.4*—Preserve, protect and restore the bay and canals.

**ST—Short term**

*Recommendation 2.2*—Review residential design standards.

*Recommendation 3.1*—Reinforce the determination of an Area of Concern.

*Recommendation 4.4*—Establish intergovernmental agreements to enable joint planning for the area surrounding incorporated Fenwick Island.

*Recommendation 4.5*—Cooperate with Sussex County to work with the State Historic Preservation Office to review and update their list of potential resources.

*Recommendation 4.6*—Create green building guidelines, methods and strategies.

*Recommendation 4.8*—Create design guidelines for site and landscape improvements that employ green building considerations.

*Recommendation 5.3*—Fold the transportation goals of DelDOT’s Pedestrian Plan into comprehensive improvements for the SR 1 corridor through an Overlay District.

*Recommendation 5.4*—Enact appropriate regulations and ensure an adequate enforcement capabilities.

*Recommendation 5.5*—Establish strong intergovernmental relationships to manage recreational desires of non-residents without impact to the Town.

*Recommendation 7.1*—Educate all residing, visiting and doing business within the Town as to the area’s special environmental protection, preservation and restoration needs.

**LT—Longer term**

*Recommendation 1.4* —Mitigate potential impacts of planned population growth through improving efficiencies in existing infrastructure and services.

*Recommendation 1.5* —Balance potential impacts of planned population growth with potential benefits of additional community members. (LT/Town Council)

*Recommendation 2.5*—Cooperate with regional efforts to provide attainable housing.

*Recommendation 4.1*—Consider an optional overlay district for the SR 1 commercial area.

*Recommendation 4.2*—Provide direction to DelDOT regarding and update of the proposed Pedestrian Plan.

*Recommendation 4.3*—Create incentives to preserve older beach cottages and other historic and cultural resources.

*Recommendation 4.7*—Create design guidelines for architecture that employ green building considerations.

*Recommendation 4.9*—Develop an improved sidewalk and parking plan that reduces vehicle miles traveled.

*Recommendation 5.7*—Develop plan to determine and prioritize recreational improvements.

*Recommendation 6.2*—Develop a comprehensive signage program that draws, in part, upon and reinforces Town history. (LT/Planning Commission)

*Recommendation 6.3*—Ensure that houses are reasonably sized.

## 4.2 Intergovernmental Coordination

Intergovernmental coordination is critical to the successful implementation of this plan's recommendations. Not only is coordination with the State of Delaware, Sussex County and the neighboring municipalities of Ocean City, Maryland and Bethany Beach required but it sets in motion the formation of relationships and ultimately partnerships that will be necessary for implementation.

Several recommendations include establishing intergovernmental agreements. These are:

*Recommendation 2.5*—Cooperate with regional efforts to provide attainable housing. (LT/Town Council)

*Recommendation 3.1*—Reinforce the determination of an Area of Concern. (ST/Planning Commission)

*Recommendation 4.5*—Establish intergovernmental agreements to enable joint planning for the area around the Fenwick Island Lighthouse. (ST/Planning Commission)

*Recommendation 5.5*—Establish strong intergovernmental relationships to manage recreational desires of non-residents without impact to the Town. (ST/Town Council)

*Recommendation 5.6*—Establish strong intergovernmental and interagency relationships to ensure aquifer system protection and the establishment of a backup system. (IO/Town Council)

*Recommendation 5.10*—Support the Emergency Operations Center to better coordinate the diverse jurisdictional plans. (IO/Staff)

Relevant documents were reviewed and analyzed for applicability to the Town for opportunities for consideration. Such documents included any updated materials in support of the update of the Sussex County Comprehensive Plan, the updated DelDOT / Sussex County Transportation Plan, the updated Bethany Beach Comprehensive Plan and the Office of State Planning Coordination's Strategies for Policies and Spending. The details of each document are contained within Section 3 – Municipal Development Strategy.

To further support the development of the Comprehensive Plan, the Town expanded upon the Future Land Use and Area of Concern elements within this document to be compatible with the State's Strategies for Policy and Spending. This State document identifies and categorizes lands within the state that are most supportive of future growth. These categories include Level 1 (the most appropriate area for development); Level 2 (appropriate for development); Level 3 (where long-term growth is expected); and Level 4 (areas which should not be developed). Fenwick Island recognizes that the entire town is within the Level 2 area, as illustrated on Map 3. The Town requests that the area within the town boundaries be redesignated as Level 1. This proposed designation is illustrated on Map 4. The Town recognizes the regional impact of future development to the local community. Due to these influences the Town has identified its Area of Concern for the community as the Little Assawoman Watershed which includes a mix of all State Investment Levels 1, 2, 3 and 4. In addition, this area is defined by the Sussex County Comprehensive Land Use Plan as an environmentally sensitive developing area which the County feels is an area of ecological importance. Based upon this information, the Town does not propose to grow outside of its current boundaries.

## Glossary

**Annexation:** To append, attach, or incorporate a given area into a larger existing political unit.

**Area of Concern:** An area created by a municipality where a formal review process is followed to ensure that the Town is notified of proposed land use applications for properties within the Area of Concern. The County is obligated to engage the Town in the review and discussion of potential developments.

**Attainable Housing:** Housing affordable to essential workers and first responders.

**Bed Base:** Number of beds available for residents and overnight visitors including those in residences, hotels and motels. (Method used to estimate population.)

**Best Management Practices (BMPs):** Common sense practices designed to limit negative effects on the environment. These methods focus on improving water quality, limiting soil erosion and decreasing pollution on existing and proposed development.

**Carrying Capacity:** The maximum number of individuals that can be supported by a given environment without causing detrimental effects on that environment.

**Cultural Resources:** Tangible and intangible assets that help make a given community special. These resources range from events, organizations, historical elements, districts, people and specific sites.

**Dwell Opportunity:** Improvements and amenities that cause users to spend time in a public and/or semi-public space with a spin-off benefit of increasing commercial revenue. These typically include comfortable seating, outdoor food and beverage, window shopping and people watching.

**Energy Star Rating:** A system that qualifies certain products as better for the environment. These products use less energy, save money and limit negative effects on the environment.

**Essential Workers:** Workforce to support Town of Fenwick Island life, safety and public welfare needs, such as Town employees and first responders.

**First Responders:** Professional individuals who provide immediate support in response to an incident. First responders are responsible for the protection and preservation of life, property, evidence, and the environment, including emergency response providers as defined in section 2 of the Homeland Security Act of 2002. i.e. Firefighters, EMS, Police Officers, Coast Guard, etc.

**Full-time Population:** Residents with permanent address in a given area.

**Grandfathering:** An approved exemption from a new regulation or code.

**Green Building Practices:** Methods of planning, design and construction that promote sustainable/environmentally sensitive buildings, landscapes, construction practices and maintenance techniques.

**Highest and Best Use:** The most reasonable and probable use that supports the highest present value. Alternatively, that use, from among reasonably probable and legal alternative uses, found to be physically possible, appropriately supported, financially feasible, and which results in highest land value (as defined by *"Real Estate Appraisal Terminology"*).

**Historic Resources:** Tangible and intangible assets of historical value. These resources range from events, organizations, historical elements, districts and specific sites.

**Incentives:** Motivators that attract individuals to comply with certain guidelines. Incentives can be utilized to attract developers and ensure they comply with certain development guidelines as required by a governing body.

**Infill:** A development pattern that entails the redevelopment of previously disturbed sites within an existing town fabric.

**Intergovernmental Coordination:** Partnerships and coordination between government agencies from the federal, state and local levels.

**LEED Guidelines:** The Leadership in Energy and Environmental Design (LEED) Green Building Rating System™ is the nationally accepted benchmark for the design, construction, and operation of high performance green buildings. LEED gives building owners and operators the tools they need to have an immediate and measurable impact on their buildings' performance. LEED promotes a whole-building approach to sustainability by recognizing performance in five key areas of human and environmental health: sustainable site development, water savings, energy efficiency, materials selection, and indoor environmental quality (as defined by the US Green Building Council). Applies to sites, landscapes and buildings.

**Leverage:** The practice of using available resources and/or tools to maximize the potential benefits derived from a given action. Examples include financial leveraging such as seed money used to obtain matching grants, code leveraging such as a single land use provision that addresses multiple issues and action leveraging such as providing leadership-by-example which spurs others to take action.

**Mixed-Use Development:** Development or project that contains a variety of uses on a single parcel or lot. Typically the uses include a mix that is compatible in use patterns and provides activity throughout the day and evening. Most frequently consists of retail, food and beverage, and entertainment uses at the ground level of a building(s) and office and residential uses at the upper levels.

**Multi-Family:** Unit(s) considered as apartments and condominiums and associated with other uses within a building, such as other similar residential units, office, retail, food and beverage and entertainment. As in a mixed-use development described above.

**Multi-modal Transportation:** A system of transportation that provides multiple options and alternative solutions for the movement of people. The system relieves individual automobile congestion by offering mass transportation options, which include expanded bus services, express

buses, light rail, carpooling, non-motorized path systems and pedestrian corridors.

**Off-season:** A period in a community when the influx of visitors is significantly lower than other periods of the year.

**One-hundred Year Special Flood Hazard Area:** An area that is subject to partial or complete inundation from tidal waters or from rapid accumulation of rainfall or runoff expected to occur on average once every one-hundred years, or has a one percent chance of occurring each year. The result can be loss of property, danger to life, damage to structures, injury to people, disruption of public and private activities and services, burdensome public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare (as defined by FEMA).

**Open Space:** Undeveloped land or public land reserved for parks, non-motorized paths, recreation, natural uses and/or preservation from any future development.

**Overlay District:** Additional zoning provisions placed over a specific area in addition to the underlying zone district. An overlay district enables planning flexibilities to encourage more creative designs and developments.

**Point Source Discharge:** Any discernible confined and discrete conveyance including but not limited to a pipe, ditch, channel, or conduit from which pollutants are or may be discharged (as defined by EPA).

**Redevelopment:** Rebuilding a declining or otherwise outdated residential, commercial, or public area or site that was developed in the past.

**Right of Way:** Public or private land dedicated as easements for roads, highways and utilities.

**Sea Level Rise:** Long term increases of mean sea level. At a coastal site, sea level rise can occur both as a consequence of worldwide increases in sea level due to an increased volume of water in the oceans and due to local sinking of land surfaces.

**Seasonal Population:** An annual influx of people who reside or visit an area for a short period of time, typically in the high or tourist season.

**Single Family:** Unit suitable to accommodate the use of one family.

**Single Family Attached:** Fireproof party wall units suitable to accommodate the use of two or more families, i.e. duplex or town home.

**Single Family Detached:** A separate unit suitable to accommodate the use of one family.

**Total Maximum Daily Load (TMDL):** A calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources (as defined by the EPA).

**Traffic Calming:** A design measure used to slow vehicle traffic such as raised crosswalks, reduced lane widths, street trees, and buildings located close to the street.

## Bibliography

Association of Coastal Towns, 2004. *Preliminary Study – Parking Availability, Public Transit Availability, State of Delaware Department of Transportation (DelDot) Maintained Roadways in The Six Incorporated Municipalities of City of Lewes, City of Rehoboth Beach, Town of Dewey Beach, Town of Bethany Beach, Town of South Bethany and Town of Fenwick Island.*

Bethany Beach Volunteer Fire Company.  
<http://www.bethanybeachfire.com>

Bethany-Fenwick Area Chamber of Commerce.  
<http://www.bethany-fenwick.org>

Center for Inland Bays. <http://www.inlandbays.org>

DART First State Resort Bus Service. [www.beachbus.com](http://www.beachbus.com)

Delaware Department of Natural Resources & Environmental Control. [www.dnrec.delaware.gov](http://www.dnrec.delaware.gov)

Delaware Geological Survey Data and Implementation Laboratory (datamil). <http://datamil.delaware.gov>

Delaware Municipal Boundary Office of State Planning Coordination. [www.stateplanning.delaware.gov](http://www.stateplanning.delaware.gov)

Delaware State Office of Planning Coordination. 2015. *State Strategies for Policies and Spending.*  
<http://stateplanning.delaware.gov>

Fenwick Island Sanitary Sewer District. 2006. *SR 54 Sewer Study.*

Heinz Center. 2000. *Evaluation of Erosion Hazards.*  
Washington, DC: H. John Heinz III Center for Science, Economics and the Environment.

Kyle, Mary Pat, 1995. *Fenwick Island Ice Age to Jet Age.*

Landmark Engineering, 2003. *Fenwick Island, DE Bicycle and Pedestrian Study Phase 3.*

Marine Education, Research and Rehabilitation Institute.  
[www.merrinstitute.org](http://www.merrinstitute.org)

McMahon, Edward, 2004. *Better Models for Development in Delaware.* Dover: Office of State Planning Coordination.

Shafer Consulting, 2003. *Sussex County Comprehensive Plan Update.*

Selbyville Public Library. [www.selbyvillelibrary.org](http://www.selbyvillelibrary.org)

South Coastal Library. [www.southcoastal.lib.de.us](http://www.southcoastal.lib.de.us)

South Coastal Regional Wastewater Facility.  
December 2001 – December 2006. *Monthly Flow Reports.*

Sussex County Mapping and Addressing Department.  
<http://www.sussexcountyde.gov>

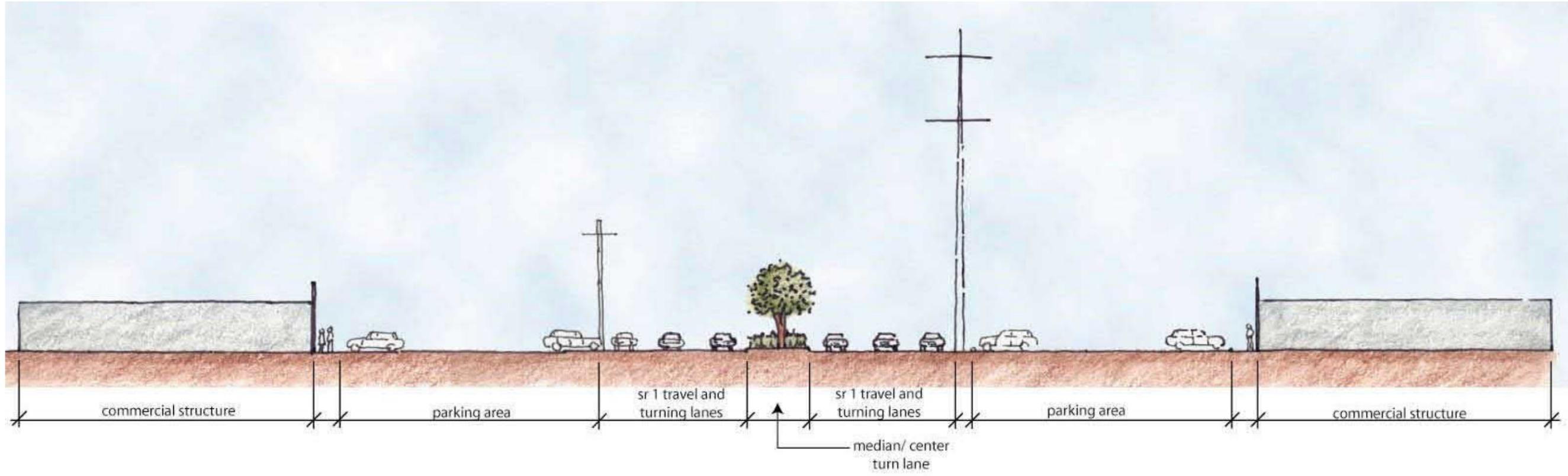
Town of Fenwick Island, 2006. *Town of Fenwick Island Flood Information Guide.*

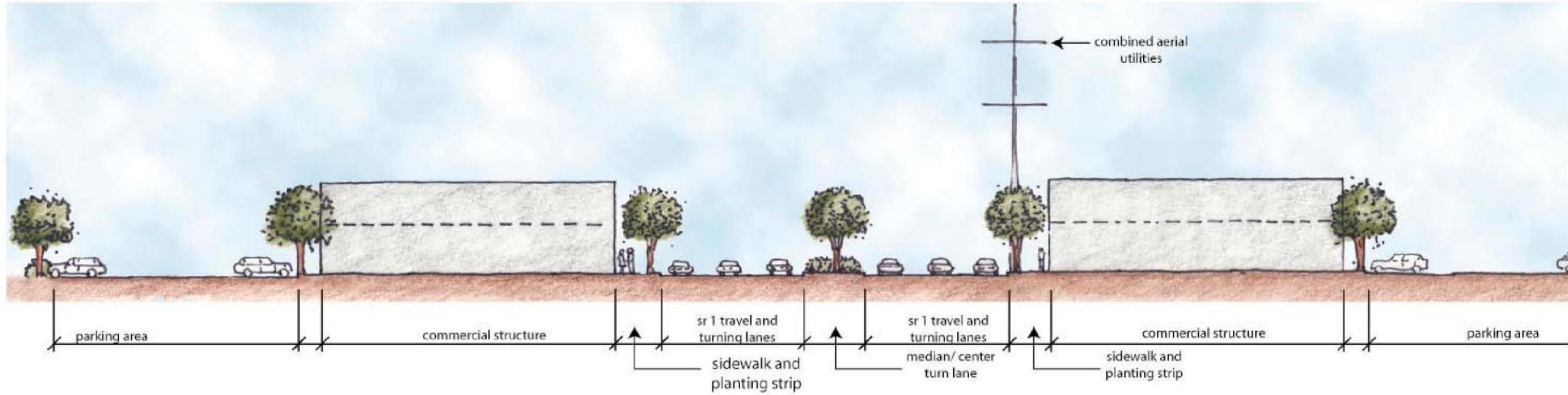
Town of Fenwick Island. *Code of the Town of Fenwick Island.* <http://www.ecodes.generalcode.com>

Town of Fenwick Island Interviews. October 2006 – April 2007.

Town of Fenwick Island. [www.fenwickisland.delaware.gov](http://www.fenwickisland.delaware.gov)

United States Census Bureau, 2000 and 2010. *Profile of General Demographic Characteristics: 2000 Geographic Area: Fenwick Island, Delaware.*



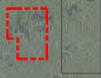


The Town continues to encourage commercial buildings to front Route 1 with parking behind the buildings. Sidewalks along Route 1 will allow for better connectivity and walkability.



Town Boundary

Parcels



1 inch = 600 feet

Atlantic Ocean

Seal Island

Little Assawoman Bay

Lighthouse Cove



**MAP 1. AERIAL**  
COMPREHENSIVE PLAN UPDATE 2017  
TOWN OF FENWICK ISLAND



State Strategies 2015

- Level 1
- Level 2
- Level 3
- Level 4
- Out of Play



1 inch = 600 feet



**MAP 3. STATE STRATEGIES FOR POLICIES AND SPENDING**  
 COMPREHENSIVE PLAN UPDATE 2017  
 TOWN OF FENWICK ISLAND

**AECOM**

January 2017



Existing Land Use

- Residential
- Commercial
- Institutional
- Parks and Recreation
- Vacant



**MAP 4. EXISTING LAND USE**  
 COMPREHENSIVE PLAN UPDATE 2017  
 TOWN OF FENWICK ISLAND

Note: Vacant parcels based on 2015 USDA NAI P aeriels



Future Land Use

- Residential
- Commercial
- Institutional
- Parks and Recreation



**MAP 6. FUTURE LAND USE**  
 COMPREHENSIVE PLAN UPDATE 2017  
 TOWN OF FENWICK ISLAND