STATE OF DELAWARE
OFFICE OF MANAGEMENT AND BUDGET
OFFICE OF STATE PLANNING COORDINATION

October 16, 2026

Bohler Engineering, LLC
Attn: Steve Fortunato, P.E.
18958 Coastal Highway
Suite D
Rehoboth Beach, DE 19971

RE: PLUS review – 2026-09-03; Ocean Sands

Dear Mr. Fortunato:

Thank you for meeting with State agency planners on September 30th, 2026 to discuss Ocean Sands. According to the information received, you are seeking review of a proposed rezoning and site plan for a multi-family residential development with approx. 248 townhouse units in an area currently zoned AR1 (Agricultural Residential) requesting to change to MR (medium residential).

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. Additionally, these comments reflect only issues that are the responsibility of the agencies represented at the meeting. **The developers will also need to comply with any Federal, State, and local regulations regarding this property. We also note that Sussex County is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the County.**

Strategies for State Policies and Spending

This project is mainly located in a Level 2 area according to the 2025 Strategies for State Policies and Spending with a small area of Level 3. Based on its location in a Level 2 and Level 3 investment area, this project may be consistent with the 2020 Strategies for State Policies and Spending. Investment Level 2 reflects areas where growth is anticipated by local, county, and state plans in the near-term future. Investment Level 3 reflects areas where growth is anticipated by local, county, and state plans in the longer-term future, or areas that may have environmental or other constraints to development.

With the presence of Level 3 on the site please note that if, based on the comments from State agencies below, there are environmental features on the site other constraints to development, the state requests that the applicant and the local jurisdiction work with state agencies to

design the site with respect to those environmental features which will help create a more sustainable development.

Special Note for this site
This project is located within the Millville Community Transportation Plan study area, which includes the section of SR 26 where the parcel has frontage. The Millville Community Transportation Plan will address concerns with the pedestrian and bicycle network, traffic congestion and safety, and connectivity in the area. The developer is encouraged to construct sidewalks or a shared use path along their SR 26 frontage to connect to any future improvements to the multimodal network in and around Millville, improving safety for those who may walk to destinations in the area, helping reduce vehicle trips. The developer is also encouraged to collaborate with DelDOT on any recommendations from the Millville Community Transportation Plan, once complete, that may be relevant to their site.

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Stephen Bayer 302-760-4834

- Atlantic Avenue is a state-owned and state-maintained road. As such, any access point must be designed in accordance with DelDOT's Development Coordination Manual, which is available at http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes

- Pursuant to Section 1.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017.

- Section 1.7 of the Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.

- In terms of traffic analysis, this project will qualify for the Area Wide Study Fee (AWSF).

- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Development Coordination Manual, DelDOT will require dedication of right-of-way along the site's frontage with all State maintained roads. By this regulation, this dedication is to provide a minimum of 40 feet of right-of-way from the physical centerline of all State maintained roads. The following right-of-way dedication note is required: "**A 40-foot**

wide strip of right-of-way from the centerline is hereby dedicated in fee simple to the State of Delaware, acting by and through the Delaware Department of Transportation."

- In accordance with Section 3.2.5.1.2 of the Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage with State maintained roadways. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site. The following note is required: "**A 15-foot wide permanent easement is hereby dedicated in fee simple to the State of Delaware, acting by and through the Delaware Department of Transportation."**

- In accordance with Section 3.8 of the Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along all State maintained roads.

- Referring to Section 3.4.2.1 of the Development Coordination Manual, the following items are required on the Record Plan:

    - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.

    - Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.

- In accordance with Section 5.4 of the Manual, sight distance triangles are required and shall be established in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards. A spreadsheet has been developed to assist with this task. It can be found at http://www.deldot.gov/Business/subdivisions/index.shtml.

- In accordance with Section 5.14 of the Manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.

- In accordance with Section 5.2.9 of the Development Coordination Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at http://www.deldot.gov/Business/subdivisions/index.shtml.

- Section 3.5.4.2 of the Development Coordination Manual addresses requirements for Shared Use Paths (SUP) and sidewalks. For projects in Level 2 Investment Areas, installation of paths or sidewalks along the frontage on State-maintained roads is

required. DelDOT will require a sidewalk with a crosswalk at the site entrance on to Atlantic Avenue.

Department of Natural Resources and Environmental Control – Contact Beth Krumrine 302-735-3480

Staff from the Delaware Department of Natural Resources and Environmental Control (DNREC) reviewed the project submitted for PLUS review. The absence of comments regarding specific resources does not indicate that there are not additional constraints or environmental issues on site, nor does it indicate DNREC support of a project.

Asbestos

The application proposes the demolition of existing building(s) on-site. Existing building materials may contain asbestos. Asbestos-containing materials were widely used in industrial and commercial facilities, as well as in homes, until the 1980s. When asbestos is disturbed, it can break down into microscopic fibers that may become airborne. Once airborne, these fibers can be inhaled and trapped in the lungs, posing a health threat. The greatest potential for exposure to asbestos fibers occurs when asbestos-containing building materials are disturbed during building renovations or demolitions.

- The applicant must comply with all applicable state requirements of 7 Del. C., §1121 Emission Standards for Hazardous Air Pollutants, 10.0 Emissions Standards for Asbestos.

- Prior to any demolition of existing buildings, thorough inspection for asbestos is required. Inspection must be performed by a licensed asbestos inspector. A list of licensed asbestos service professionals or abatement firms can be found at https://data.delaware.gov/Licenses-and-Certifications/Certified-Asbestos-Vendors/f677-ahd9/data.

- Per federal requirements, any building being demolished requires a certificate to confirm the absence of asbestos before demolition may occur. There are no exceptions, including the age of the facility.

- If the presence of asbestos-containing material is confirmed and said material is deteriorating or will be disturbed during renovation or demolition, it must be removed by a licensed asbestos contractor. More information on building renovation and demolition can be found at https://dnrec.delaware.gov/air/asbestos/renovation-demolition/.

- The applicant must comply with all applicable federal notification requirements related to the stripping and/or removal of asbestos-containing material. See contact information below for the US Environmental Protection Agency.

Contact: DNREC Asbestos Management Program at (302) 323-4542.
Website: https://dnrec.delaware.gov/air/asbestos/
Contact: US Environmental Protection Agency Asbestos Ombudsman at 1-800-368-5888.
Website: https://www.epa.gov/asbestos/information-owners-and-managers-buildings-contain-asbestos#renovations

Tax Ditches

Prong 4 of the St. Georges Tax Ditch lies on the southeastern portion of the site. The project lies within the St. Georges Tax Ditch Watershed. Tax ditches are man-made channels created to move normal water flow off agricultural lands. These channels have associated tax ditch Rights-of-Way (ROW) that are utilized for access as well as sediment and debris disposal during maintenance. Tax ditch ROWs vary by channel size and location. Prong 4 of the St. Georges Tax Ditch has an 80-foot to Top of Bank (TOB) and an 80-foot to Centerline (CL) ROW extending into the project boundary.

- Design proposes disturbances to Prong 4 of the St. Georges Tax Ditch for townhomes and an internal roadway. Permanent obstructions including, but not limited to, stormwater management facilities, buildings, sheds, streets, wells, and septic systems are not allowed within the tax ditch ROWs.

- Developer / Engineer must contact the Drainage Program before moving forward to discuss the on-site tax ditch ROWs. Contact prior to the project application meeting with the appropriate plan review agency.

- To reduce or change existing tax ditch ROWs, a Court Order Change must be submitted by the DNREC Drainage Program. The associated Land Development Project Review Request form is attached, as well as the aerial drainage map.

- The integrity of the tax ditch channel, bank, and right-of-way (ROW) access cannot be compromised by any proposed activities, and the right-of-way must remain traversable for large maintenance equipment and/or disposal of soil or debris. The DNREC Drainage Program considers a traversable an area that has a slope greater than 10:1.

- The tax ditch system must remain accessible for inspection and maintenance in accordance with DNREC Drainage Program requirements.

- If the southeastern stormwater management feature is designed to discharge into Prong 4 of the St. Georges Tax Ditch, design must consider existing conditions versus design specifications. Please consult with the DNREC Drainage Program for As-Built design information if necessary.

- Existing tax ditches on the property must be surveyed and compared to tax ditch design specifications for effective function. The channel should be cleared or excavated prior to the construction of the project if needed. Contact the DNREC Drainage Program for tax ditch as-built information (Email DNREC_Drainage@delaware.gov).

- All precautions should be taken to ensure the project does not hinder any off-site drainage upstream or create any off-site drainage problems downstream due to increases in stormwater.

- Because a wetland is co-located with this tax ditch, federal permits from the U.S. Army Corps of Engineers may be required prior to disturbance. See section on Wetlands for more information.

Contact: DNREC Drainage Program at (302) 855-1930.
Website: https://dnrec.delaware.gov/drainage-stormwater/
Tax Ditch Mapper: de.gov/taxditchmap
Tax Ditch guidelines:
https://documents.dnrec.delaware.gov/swc/Drainage/Documents/Tax-Ditch-Land-Development-Guidelines.pdf

Hydrologic Soils Group
Hydrologic Soil Group D, poorly drained soils, have been identified throughout the site. These soil types could worsen existing drainage issues if present and are typically not conducive to utilizing infiltration stormwater Best Management Practices such as bioretention and infiltration basins. These practices must meet minimum infiltration requirements.

- Any stormwater Best Management Practices that propose the use of infiltration or natural recharge shall include a soils investigation.

Contact: DNREC Sediment and Stormwater Program at (302) 739-9921.
E-mail: DNREC.Stormwater@delaware.gov.
Website: https://dnrec.delaware.gov/watershed-stewardship/sediment-stormwater/

Stormwater Management
The project proposes greater than 5,000 square feet of land disturbing activities and will be subject to Delaware's *Sediment and Stormwater Regulations*.

- A Sediment and Stormwater Plan must be developed, then approved by the appropriate plan review agency, prior to any land disturbing activity taking place on the site. For this project, the plan review agency is the Sussex Conservation District.

- Additionally, to address federal requirements, construction activities that exceed 1.0 acre of land disturbance require Construction General Permit coverage through submittal of an electronic Notice of Intent for Stormwater Discharges Associated with Construction Activity. This form must be submitted electronically https://enoi.dnrec.delaware.gov/, (select Construction Stormwater General Permit) to the DNREC Division of Watershed Stewardship, along with the $195 fee.
- Schedule a project application meeting with the appropriate plan review agency prior to moving forward with the stormwater and site design. As part of this process, you must submit a Stormwater Assessment Study.

Plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219. Website: https://www.sussexconservation.org/

General Stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.
E-mail: DNREC.Stormwater@delaware.gov.
Website: https://dnrec.delaware.gov/watershed-stewardship/sediment-stormwater/

Wetlands and Waterways

Maps from the Statewide Wetlands Mapping Project indicate the potential presence of non-tidal wetlands in the southeastern portion of the site, co-located with Prong 4 of the St. Georges tax ditch. The application indicates that wetlands have been delineated. The application proposes to disturb less than one acre of non-tidal wetlands.

State Requirements:

- The wetland is currently not considered to be jurisdictional to the Wetlands and Waterways Section.

State Contact: DNREC Wetlands and Waterways Section at (302) 739-9943.
Website: https://dnrec.delaware.gov/water/wetlands/

Federal Requirements:

- Federal permits from the U.S. Army Corps of Engineers may be necessary if dredge or fill is proposed in certain non-tidal wetlands. A delineation of waterways and wetlands may also be required. In certain cases, permits from the US Army Corps of Engineers may trigger additional certifications from DNREC (Coastal Zone Federal Consistency Certification and 401 Water Quality Certification). Work with the US Army Corps of Engineers to determine the appropriate federal permitting requirements.

Federal Contact: U.S. Army Corps of Engineers (Dover Office) at (267) 240-5278.
Website: https://www.nap.usace.army.mil/Missions/Regulatory/Contacts/

Coastal Zone Federal Consistency Certification (state contact): DNREC Coastal Management Program at (302) 739-9283.
Website: https://dnrec.delaware.gov/coastal-programs/coastal-management/

Wastewater Disposal Systems – Large Systems
For wastewater conveyance offsite by way of a new sewer connection, flow rates exceeding 2,500 gallons of liquid waste per day will require a Wastewater Pollution Collection and Conveyance (WPCC) permit from the Commercial and Government Services section.

Contact: DNREC Commercial and Government Services Section at (302) 739-9948.
Website: https://dnrec.delaware.gov/water/commercial-government/

Wastewater Disposal Systems – Small Systems
Two expired permits (permit # 362-89S on Parcel ID: 134-11.00-188.00 and permit # 332-94S on Parcel ID: 134-11.00-180.00) exist for this site in the Small System Branch database.

- Contact the DNREC Commercial and Government Services Section to discuss requirements for properly abandoning these systems.

Contact: DNREC Commercial and Government Services Section at (302) 739-9947.
Website: https://dnrec.delaware.gov/water/residential/septic-systems/

Air Quality – Particulate Emissions
Particulate emissions are regulated by DNREC's Division of Air Quality. To control particulate emissions from construction and materials handling operations, the following is required:

- The applicant must use dust suppressants and other measures during demolition activities, grading, land clearing, excavation of non-paved roads, material movement or storage, and sandblasting activities.

Contact: DNREC Division of Air Quality at (302) 739-9402.
Website: https://dnrec.delaware.gov/air/permitting/

Electric Vehicle Charging Requirements
Electric vehicle charging infrastructure is now required for new residential construction in Delaware under 7 DE Admin. Code 2101 *Regulations for State Energy Conservation Code*, which incorporates Appendix RE – Electric Vehicle Charging Infrastructure with amendments. This requirement is effective April 11, 2026 and supersedes 16 Del. C. § 8001- § 8006, which sunset upon DNREC's publication of notice that Appendix RE meets or exceeds its standards. County and municipal building and plumbing codes must incorporate the updated code by April 11, 2027.

Requirements are summarized below. Consult 7 DE Admin. Code 2101, Appendix RE, directly for further details.

- For multi-family dwellings classified as R-2 occupancies by the International Building Code (IBC): parking shall be provided with an electric vehicle-ready space or electric vehicle supply equipment space for 20% of the dwelling units or parking spaces, whichever is less.
- At least 1 electric vehicle equipment supply space must be in an area available for use by all residents of the R-2 occupancy. The electric vehicle equipment supply space must be accessible by an individual with a disability.
- Construction documents must indicate the location of proposed electric vehicle supply equipment spaces and electric vehicle-ready spaces.

Contact: DNREC Division of Climate, Coastal & Energy, Energy Section at (302) 735-3480.
Website: https://dnrec.delaware.gov/climate-coastal-energy/energy-office/

Delaware Emergency Management Agency – Contact Tara Wilbur 302-659-2325

Proposed Project Parcel Flood Concern

- This parcel is located within an area of **Minimal Flood Concern of 1000 years or greater**.

Parcel Status within County Evacuation Zone Location

- The parcel is located within Sussex County Evacuation Zone C and adjacent to Zone A.



Parcel Status within the 10-mile Emergency Planning Zone (EPZ) for the Salem Nuclear Power Plant

- The parcel **is not** located within the 10-mile EPZ for the Salem Nuclear Power Plant.

State Historic Preservation Office – Contact Carlton Hall 302-736-7400

- There are two known structures in the northeastern project area that have potential to be eligible. Please contact the SHPO office if future development is proposed in that area. While they are not within the direct project area, there may be a visual effect from the development. Therefore, SHPO is requesting updated architectural survey of these structures.

- Soils range from poorly drained to well drained. The closest natural body of water is Clarksville Branch to the west. There is some evidence of prior agricultural structures within the project area. These factors suggest a moderate to high potential for archaeological resources. The Delaware SHPO recommends archaeological survey for this project.

- Historic agricultural complexes are often associated with historic family cemeteries and unmarked graves. Delaware SWHPO requests that the applicant review the Delaware Unmarked Human Burials and Skeletal Remains Law (Delaware Code: Title 7, Chapter 54), which addresses the process around the treatment and disposition of unmarked human burials that are inadvertently discovered. The law also prohibits any failure to report their discovery.

- Because there is federal involvement, in the form of licenses, permits, or funds, the federal agency, often through its client, is responsible for complying with Section 106 of the National Historic Preservation Act (36 CFR 800) and must consider their project's effects on any known or potential cultural or historic resources. For further information or additional details pertaining to the Section 106 process and the Advisory Council's role; please review the Advisory Council's website at the following: https://www.achp.gov/protecting-historic-properties/section-106-process/introduction-section-106 If there are any questions, inquiries, or concerns, feel free to contact the Delaware State Historic Preservation Office for assistance at 302-736-7400.

Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394
At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulation (DSFPR):

Fire Protection Water Requirements:

- Water distribution system capable of delivering at least 1000 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers. (Apartments and Townhouses)

- One- and Two-Family dwellings, including townhouses, are required by law to offer the homeowner an automatic sprinkler system, therefore infrastructure should accommodate water needs.

- Where a water distribution system is proposed for the site, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

Fire Protection Features:

- All structures over 10,000 Sq. Ft. aggregate will require automatic sprinkler protection installed.

- Buildings greater than 10,000 sq.ft, 3-stories or more, over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements

- Show Fire Department Connection location (Must be within 300 feet of fire hydrant), and detail as shown in the DSFPR.

- Show Fire Lanes and Sign Detail as shown in DSFPR

- For townhouse buildings, provide a section / detail and the UL design number of the 2-hour fire rated separation wall on the Site plan.

Accessibility

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from Atlantic Avenue must be constructed so fire department apparatus may negotiate it.

- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.

- Any dead-end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.

- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.

- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

Gas Piping and System Information:

- Provide type of fuel proposed and show locations of bulk containers on plan.

Required Notes:

- Provide a note on the final plans submitted for review to read "All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations"

- Proposed Use

- Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units

- Square footage of each structure (Total of all Floors)

- National Fire Protection Association (NFPA) Construction Type

- Maximum Height of Buildings (including number of stories)

- Townhouse 2-hr separation wall details shall be shown on site plans

- Note indicating if building is to be sprinklered

- Name of Water Provider

- Letter from Water Provider approving the system layout

- Provide Lock Box Note (as detailed in DSFPR) if Building is to be sprinklered

- Provide Road Names, even for County Roads

Recommendations/Additional Information

This section includes a list of site-specific suggestions that are intended to enhance the project. These suggestions have been generated by the State Agencies based on their expertise and subject area knowledge. **These suggestions do not represent State code requirements.** They are offered here in order to provide proactive ideas to help the applicant enhance the site

design, and it is hoped **(but in no way required)** that the applicant will open a dialogue with the relevant agencies to discuss how these suggestions can benefit the project.

Department of Transportation – Contact Stephen Bayer 302-760-4834

- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.

- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 16, 2021. The notes can be found at https://www.deldot.gov/Business/subdivisions/

- This project will have access to Atlantic Avenue which has the functional classification of minor arterial. Minor arterial roadways serve to provide intra-community continuity and connect larger arterial roadways. This project will generally be in alignment with that functional classification.

- This project is located primarily in Investment Level 2according to the 2025 State Strategies for Policy and Spending. In Investment Level 2, DelDOT prioritizes improving safety; expanding access to transit, pedestrian, and bicycle facilities; supporting economic development; and improving connections among existing, redeveloping, and new neighborhoods, public facilities, and commercial areas, consistent with local growth forecasts. This project is in alignment with these priorities.

- This project is located within the Millville Community Transportation Plan study area, which includes the section of SR 26 where the parcel has frontage. The Millville Community Transportation Plan will address concerns with the pedestrian and bicycle network, traffic congestion and safety, and connectivity in the area. The developer is encouraged to construct sidewalks or a shared use path along their SR 26 frontage to connect to any future improvements to the multimodal network in and around Millville, improving safety for those who may walk to destinations in the area, helping reduce vehicle trips. The developer is also encouraged to collaborate with DelDOT on any recommendations from the Millville Community Transportation Plan, once complete, that may be relevant to their site.

Department of Natural Resources and Environmental Control – Contact Beth Krumrine 302-735-3480

Drainage Concerns and Poorly Drained Soils
Drainage issues have been documented on properties adjacent to this site. Where the project site approaches 84 Lumber, a sinkhole has been documented within the Tax Ditch and has been resolved. Several properties in the subdivision around Leona Drive have issues with poor drainage.

- Removing forested areas should be avoided to the greatest extent possible. Forest removal may exacerbate conditions on poorly drained soils.

Contact: DNREC Sediment and Stormwater Program at (302) 739-9921.
E-mail: DNREC.Stormwater@delaware.gov.
Website: https://dnrec.delaware.gov/watershed-stewardship/sediment-stormwater/

Tax Ditches

- All existing ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project.

- Environmental permits or exemptions may be required by the County Conservation District (Standard Plan), the DNREC Sediment and Stormwater Program (eNOI/NOT), Army Corp of Engineers, and/or DNREC Wetlands and Waterways Section prior to clearing and/or excavating ditch channels.

Contact: DNREC Drainage Program at (302) 855-1930.
Website: https://dnrec.delaware.gov/drainage-stormwater/
Tax Ditch Mapper: de.gov/taxditchmap
Tax Ditch guidelines:
https://documents.dnrec.delaware.gov/swc/Drainage/Documents/Tax-Ditch-Land-Development-Guidelines.pdf

Stormwater Management

- For improved stormwater management, preserve existing trees, wetlands, and passive open space.

Plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219. Website: https://www.sussexconservation.org/

General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.
E-mail: DNREC.Stormwater@delaware.gov.
Website: https://dnrec.delaware.gov/watershed-stewardship/sediment-stormwater/

Removal of Mature Forest/Key Wildlife Habitat

The preliminary plan proposes the elimination of approximately 16 of the 19 acres of presumably mature forest on the site, representing an 85% removal. An analysis of historical data indicates that the forest area covering most of the site has likely maintained some degree of forest cover since 1937 and could be considered mature forest. Mature forests possess the potential for rare, threatened, or endangered species that rely on this type of habitat. Forests filter water for improved water quality, provide habitat for wildlife, absorb nutrients, infiltrate stormwater, moderate temperatures, and store atmospheric carbon which would otherwise contribute to climate change.

- Removing forested areas for development, especially mature forests, should be avoided to the greatest extent possible.
- The forested area on the southeastern portion of the property considered to be Key Wildlife Habitat in the Delaware Wildlife Action Plan because it is part of a larger forest block that can support an array of plant and animal species across the landscape. Key Wildlife Habitat should be conserved to the maximum extent practicable and negative impacts should be minimized.
- In general, contiguous forest and connected areas of natural habitat are more beneficial to wildlife, allowing for safer movement from one area to another while reducing roadway mortality.
- To reduce impacts to nesting birds and other wildlife species that utilize forests for breeding, it is recommended that tree clearing not occur from April 1st to July 31st. Likewise, avoid mowing open space areas and grass filter strips during the same timeframe, as various species of birds utilize these areas for nesting sites.
- Scientists from the DNREC Division of Fish and Wildlife request a site visit to survey the project area and ensure wildlife and critical resources will not be impacted. Contact the Species Conservation and Research Program if the landowner will grant a site visit.

Contact: DNREC Division of Fish and Wildlife, Species Conservation and Research Program at (302) 735-3600. Website: https://dnrec.delaware.gov/fish-wildlife/contact-information/

Water Quality

This site lies within the Indian River Bay Watershed. Surface water quality in this watershed does not meet Federal and/or State Water Quality Standards and a Pollution Control Strategy is in place for this watershed.

- Reduce impervious surfaces on the project site by eliminating areas of impervious pavement and/or using pervious pavement where practicable.

- Reduce stormwater runoff by integrating infiltration basins, bioretention (rain gardens), filter strips, and by preserving existing trees, wetlands, and passive open space.
- Reduce the necessity for nutrient application by maintaining open space as meadow or forest planted exclusively with native plants. Native plants are well-suited to our climate and require limited maintenance.

Contact: DNREC Division of Watershed Stewardship's Watershed Assessment Section at (302) 739-9939. https://dnrec.alpha.delaware.gov/watershed-stewardship/

Air Quality – Design to Minimize Mobile Source Emissions
Mobile sources include a variety of motor vehicles and mobile equipment that generate air emissions, such as ozone, particle pollution, and air toxics. The DNREC Mobile Sources Control Program reduces motor vehicle-related pollution from both on-road vehicles and non-road vehicles.

- This site lies within Sussex County. Ambient air quality in this area may not meet Federal Air Quality Standards.
- Consider designing the project to connect to local pedestrian and bicycle networks. Designing for travel alternatives has the potential to minimize the overall tailpipe emissions associated with the use of this site.
- Consider designing the project for low maintenance green spaces. Designing green spaces to be less dependent on gas-powered lawn and garden equipment has the potential to minimize emissions associated with the on-going maintenance of this site.

Contact: DNREC Division of Air Quality's Mobile Sources Program at (302) 739-9402.
Website: https://dnrec.delaware.gov/air/mobile-sources/

Sustainable Practices
- Incorporate nonmotorized connectivity and install bicycle racks and covered bike storage where feasible to help facilitate non-vehicular travel modes.
- Use renewable energy infrastructure such as solar or geothermal to reduce energy costs and further reduce pollution created from offsite generation. Grant funds and incentives are available for Delmarva Power customers through the DNREC Green Energy Fund, which includes several funding types through the state's major electric utilities (https://dnrec.delaware.gov/climate-coastal-energy/renewable/assistance/).
- Use efficient Energy Star rated products and materials in construction and redevelopment. Energy efficient appliances use less energy over time. This saves consumers and businesses money, while also helping to reduce pollution from power generation.

- Consider planting select areas with native trees. Native trees improve air, water, and soil quality. Planting and nurturing trees is also a nature-based solution to reducing the greenhouse gases that drive climate change. In addition, native trees have an increasingly important role in the survival of native birds and beneficial insects whose habitat is shrinking due to development and climate change.

- Consider planting select areas with meadow comprised of native species. Native plants are well-suited to our climate and require limited maintenance. Mowing in these areas should not occur between April 1st to July 31st to reduce impacts to nesting birds and other wildlife species that utilize meadows and grasslands for breeding habitat.

- Use structural paint coatings that are low in Volatile Organic Compounds to help protect air quality. Air pollution from new construction is generated through the use of maintenance equipment, paints, and consumer products like roof coatings and primers.

- Use recycled materials, such as reclaimed asphalt pavement, to reduce heat island effects on paved surfaces, prevent landfill waste, and lower material costs.

- Include space for recycling dumpsters within the preliminary site design stage. These can be placed adjacent to trash dumpsters.

Contact: DNREC Division of Climate, Coastal & Energy at (302) 735-3480.
Website: https://dnrec.delaware.gov/climate-coastal-energy/

Delaware Emergency Management Agency – Contact Tara Wilbur 302-659-2325

Population

- The county has a population density of 265.60 per square mile based on the US 2020 Census report; an increase from 2010 at 208.90 persons per square mile.

- The specific census block(s) the project is located on has a total population of 45, though, with development, this will undoubtedly change. The 11 adjacent blocks aggregated bring the area to a total population of 715.

FEMA National Risk Index

- The FEMA National Risk Index is an online mapping application that identifies communities most at risk to 18 natural hazards: Avalanche, Coastal Flooding, Cold Wave, Drought, Earthquake, Hal, Heat Wave, Hurricane, Ice Storm, Landslide, Lightning, Riverine Flooding, Strong Wind, Tornado, Tsunami, Volcanic Activity, Wildfire, and Winter Weather. The FEMA National Risk Index is calculated by multiplying the Expected

Annual Loss times the Social Vulnerability and dividing that by the Community Resilience.



- According to FEMA's National Risk Index, the parcel is considered **relatively moderate** for overall natural hazards risks.

- Community Resilience is a consequence reduction risk component and a community risk factor that represents the ability of a community to prepare for anticipated natural hazards, adapt to changing conditions and withstand/recover rapidly from disruptions. Social Vulnerability is a consequence-enhancing risk factor that represents the susceptibility of social groups to the adverse impacts of natural hazards.

- Its community resilience is rated as **relatively moderate** whereas its social vulnerability is rated as **relatively high.**

Renewable Energy Commitment

- Regarding energy use and consumption, the census tract utilizes **electricity** as the predominant fuel type for heating purposes.

- DEMA strongly encourages the use of renewable energies and high-efficiency appliances and utilities. Regarding utilities, DEMA suggests incorporating 90% series furnaces/HVAC systems; the closer to 99%, the better, as well as A/C units of 20 Seer or greater. DEMA recommends using tankless water heaters, and battery backup systems for sump pumps to reduce potential water damage from power failure. Lastly, DEMA encourages the integration of modern and emerging technologies, such as the potential for electric vehicles in garages/parking lots, green roofs or solar panels where applicable and allowable, and the like.

- Lastly, in reference to the county evacuation zones, DEMA encourages this information be made readily available to any and all persons residing there. This can be done simply through pamphlets or a neighborhood sign.

Delaware State Housing Authority - Contact Cole Shultz (302) 739-4263

- DSHA supports the addition of missing-middle density to this area, as the nearby incorporated communities of Millville and Ocean View have a total of 62 such units within city limits as of the most recent 5-Year ACS estimate. DSHA also supports the addition of rental units intended for year-round occupancy, as those communities have just 127 rental-occupied units out of a total of 4,698 housing units. The addition of 248 rental units nearby thus represents a substantial improvement in housing accessibility for the working Delawareans who are essential to these beach communities. However, DSHA notes that the project is in a DSHA-designated 'Area of Opportunity' and there are currently no affordable housing sites nearby. We therefore recommend the applicant work with the Sussex County Department of Community Development to explore applying for the Sussex County Rental program and capitalizing on the incentives available and producing the affordable units this community needs.

- Given that this proposal is envisioned as a workforce housing development, we also recommend setting rents to be affordable at 80% of Area Median Income to truly meet the needs of working Delawareans and align with existing definitions of affordable rental housing. The United States Department of Housing and Urban Development recently announced that Sussex County's 2026 median household income was $103,200, dependent on household size. Rents are usually considered affordable if they are between 25-30% of a household's gross income. Please see the table below for a recommendation on how to use this to set workforce affordable rents.

Household Size/Unit Type	80% AMI	25% Gross Monthly Income	30% Gross Monthly Income
1: Studio/1-Bed	57,800	1,200	1,450
2: 1-2 Bed	66,050	1,375	1,650
3: 2-3 Bed	74,300	1,550	1,860
4: 2-4 Bed	82,550	1,720	2,070

- Lastly, DSHA warns against the use of these units for seasonal or short-term rental purposes. A previous proposal for 94 market-rate owner-occupied condos on this site was not recommended by DSHA over concerns that these units could be converted to short-term rentals, which would result in less supply and higher costs for long-term renters in the community. Finally, DSHA notes this project will require a rezoning from AR-1 (agricultural residential) to MR (medium residential, meaning this project is not eligible for by-right approval under SB23.

Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394
Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: www.statefiremarshal.delaware.gov, technical services link, plan review, applications or brochures.

Fire Department Comments:

- The volunteer fire department is obligated to provide Fire and EMS service to this property. In addition**,** new developments in their Fire and EMS district have put a financial strain on their volunteer fire service. As their call volume increases yearly due to the unprecedented growth within the service area, current funding does not keep up with development within the district. State, County, and Local funding does not keep up with the growth of the fire district, so the developer and future residents need to help financially support the Volunteer Fire Department. Future residents need to consider joining the fire department to serve their new community.

Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason, therefore.

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,

David L. Edgell, AICP
Director, Office of State Planning Coordination

Attachments:

- 2026-09-03 Aerial Drainage Map 134-11.00-180.00
- 2026-09-03 Aerial Drainage Map 134-11.00-188.00
- 2026-09-03 Aerial Drainage Map 134-11.00-188.02
- 2026-09-03 Tax-Ditch-Land-Development-Project-Review-Request-Form
- Sussex County Planning & Zoning Comments

- Sussex County Engineering Department Comments
- Sussex County Community Development & Housing Comments

Delaware Drainage Program Map



9/15/2026, 2:32:44 PM

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0 145 290 580 ft

0 40 80 160 m

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, DNREC

Drainage Concerns
- Pipe Size Documents
- Private Drainage
- Tax Ditch
- Roadside Drainage
- Construction, Permitting or Regulation
- Other
- Drainage Concerns - Not Concluded

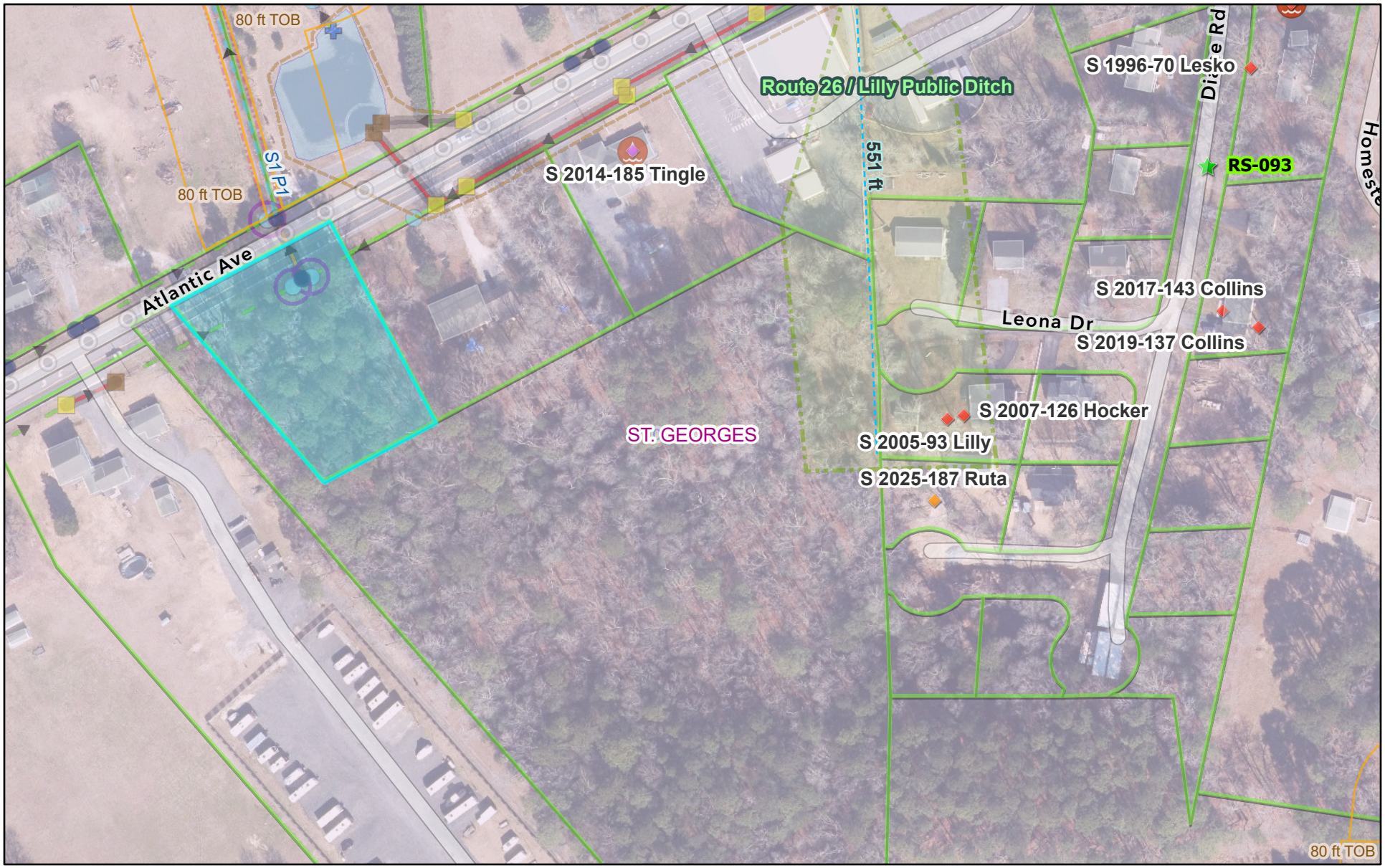
Tax Ditch Inspection Results
- Drainage Concerns_Site Visit
- Channel Concern
- ROW Obstruction

Quick Drainage Photos
- Channel & Bank Structures
- Green Infrastructure
- Channel and Bank Structures

- Channel Concern
- ROW Obstruction
- Green Infrastructure
- Other
- Project Locations
- Proposed Channels
- Benefitted Areas

Tax Ditch Channels -
- Drain
- Tax Ditch
- DITCHHOA
- DITCHTAX_NC
- Tax Ditch - Pond Feature

Delaware Drainage Program Map



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Drainage Concerns
- Pipe Size Documents
- Private Drainage
- Tax Ditch
- Roadside Drainage
- Construction, Permitting or Regulation
- Other
- Drainage Concerns - Not Concluded

Tax Ditch Inspection Results
- Drainage Concerns_Site Visit
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- Project Locations
- Proposed Channels
- Benefitted Areas

Tax Ditch Channels -
- Drain
- Tax Ditch
- DITCHHOA
- DITCHTAX_NC
- Tax Ditch - Pond Feature

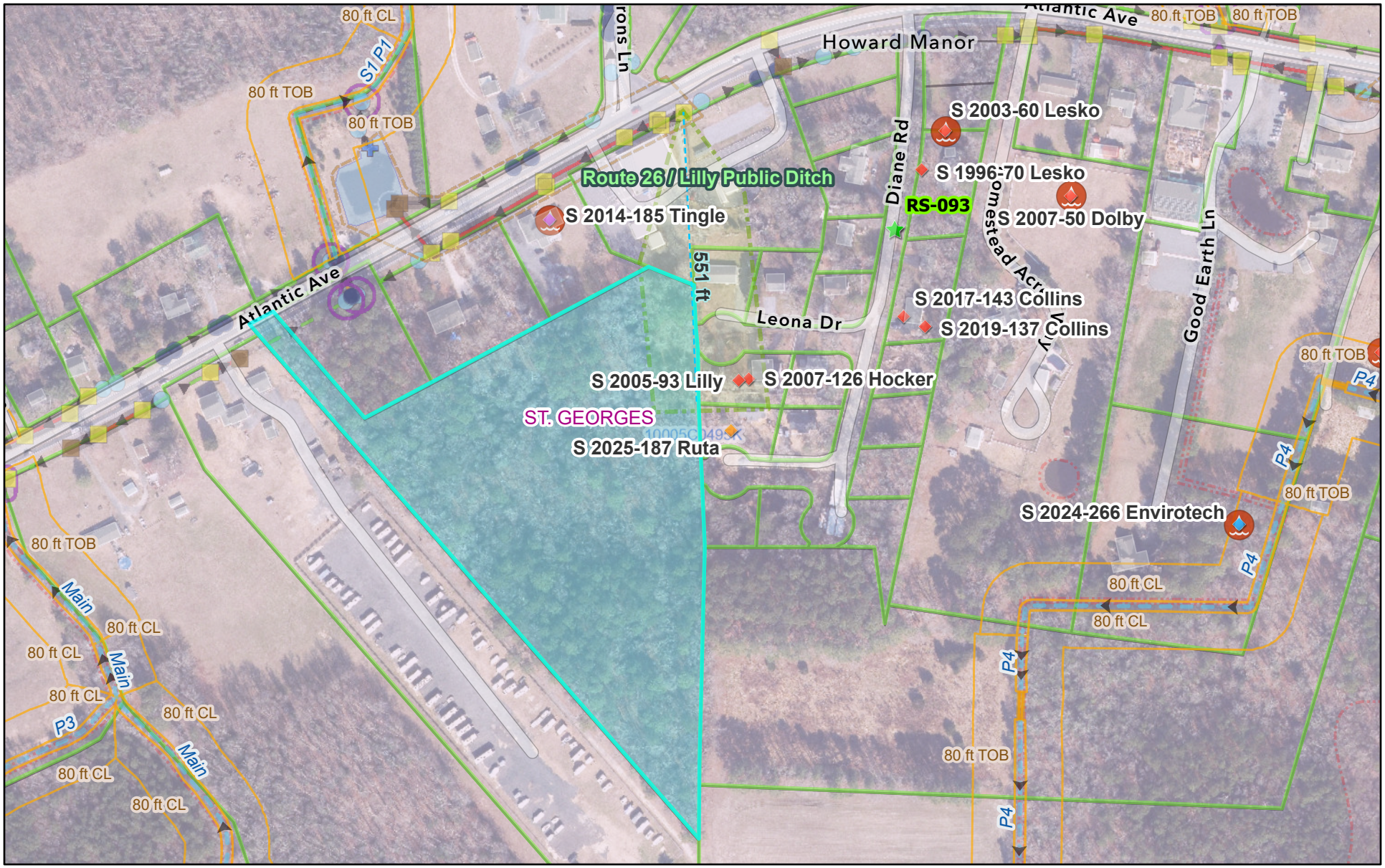
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Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, DNREC

Delaware Drainage Program Map



9/15/2026, 2:41:46 PM

Drainage Concerns
- Private Drainage
- Tax Ditch
- Pipe Size Documents
- Roadside Drainage
- Construction, Permitting or Regulation
- Other
- Drainage Concerns - Not Concluded

Drainage Concerns_Site Visit
Tax Ditch Inspection Results
- Channel Concern
- ROW Obstruction

Channel & Bank Structures
Green Infrastructure
Quick Drainage Photos
Channel and Bank Structures

Channel Concern
ROW Obstruction
Green Infrastructure
Other
Project Locations
Proposed Channels
Benefitted Areas

Drain
Tax Ditch Channels -
- Tax Ditch
- DITCHHOA
- DITCHTAX_NC
- Tax Ditch - Pond Feature

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0 40 80 160 m

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, DNREC

Division of Watershed Stewardship
Drainage Program
21309 Berlin Rd., Unit 6
Georgetown, DE 19947

Tax Ditch Land Development Project Review Request Form

Project Name: _____

Attach Site Plan of proposed request(s) and include all structures, easements, setbacks, etc. that make your proposal as requested necessary. Include and label existing tax ditch channel and rights-of-way for comparison.

Check out de.gov/taxditchmap to view tax ditch channels and rights-of-way from any web browser. To download the tax ditch GIS Feature Service layer to your own application, visit Delaware FirstMap. Don't forget to label all tax ditch features in all your plans!

Project Representative/Consultant Information:

Name(s): _____
Company: _____
Title(s): _____
Phone Number(s): _____
Email(s): _____

Owner(s) Contact Information:

Name: _____
Phone Number: _____
Email: _____

Authorized Signer(s) Contact Information (when applicable):

Name: _____
Title: _____
Phone Number: _____
Email: _____

For Internal Use Only
Date Received: _____
Tracking #: _____

Division of Watershed Stewardship
Drainage Program
21309 Berlin Rd., Unit 6
Georgetown, DE 19947

Property Information:

Tax Parcel(s) Affected: _____

Tax Ditch Organization(s) Affected: _____

Request(s) of / Proposed Impact(s) to Tax Ditch System (Check all that apply):

☐	Outfall/Discharge into Tax Ditch Channel(s)
☐	Pipe Crossing/Entrances in Tax Ditch Channel(s)
☐	Relocate/Eliminate Tax Ditch Channel(s)
☐	Reduce/Increase Tax Ditch Rights-of-Way
☐	Change Tax Ditch Watershed Boundary
☐	Alteration of Existing Tax Ditch Channel(s)
☐	Utility Crossing in Tax Ditch Channel
☐	Other Explain:

Based on the options selected above, additional information may be requested.

Please specify Tax Ditch Channel(s) affected, existing and requested tax ditch rights-of-way extents whenever applicable, using the space below. (REQUIRED)

Submit all forms to the DNREC Drainage Program
Via email: DNREC_drainage@delaware.gov
Subject Line: Tax Ditch- Land Development Request

For questions about this form please call the Tax Ditch Program at 302-855-1930.

For Internal Use Only
Date Received: _____
Tracking #: _____

JAMIE WHITEHOUSE, AICP MRTPI
PLANNING & ZONING DIRECTOR
(302) 855-7878 T
(302) 854-5079 F
jamie.whitehouse@sussexcountyde.gov

Sussex County
DELAWARE
sussexcountyde.gov

Preliminary Land Use Service (PLUS) Meeting

September 30, 2026

September PLUS Comments

Sussex County Department of Planning & Zoning

Review and Discussion: Ocean Sands (2026-09-03)
County: Sussex County
Municipality: Unincorporated Sussex County
Location: Atlantic Avenue 1,000-ft +/- east of Vines Creek Rd and Omar Rd intersection
Project: Proposed multi-family residential development with approximately 248 townhouse units on approximately 21.47 acres +/-.

Sussex County Department of Planning & Zoning Comments

The applicant is required to participate in a pre-application meeting with the County. Please contact the Planning and Zoning Department at (302) 855-7878 to schedule a meeting with staff to discuss the proposed project.

Following submission to the County, staff will review the Preliminary Site Plan and provide more detailed comments to the applicant. At the PLUS stage of review, staff comments are limited to high-level observations only.

Please note that the following are informal staff comments and do not prejudice any decision that the Sussex County Planning & Zoning Commission or County Council may make as part of any application submitted to the Department.

Tax Parcel ID: 134-11.00-180.00, 134-11.00-188.00, 134-11.00-188.02

Proposed: The Plan proposed is a multi-family residential development containing 248 townhouse units, parking, sidewalks, internal road, and stormwater management on three (3) parcels comprised of 21.47 acres.

Zoning: The Parcel is currently zoned Agricultural Residential (AR-1) District. The proposed zoning for this project is Medium Residential (MR) District, which will require a Change of Zone and Conditional Use approval from Sussex County.

Density: The Tax Parcels consist of 21.47acres +/- and the proposed Plan of 248units results in a density of 11.88 units per acre, the maximum allowable density for this parcel is 12 units per acre.

Applicability to Comprehensive Plan: The project lies within the Growth Area and is categorized as "Coastal Area" (per the 2018 Comprehensive Plan). Coastal Areas are growth areas that the County encourages only the appropriate forms of concentrated new development, especially when environmental features are in play. The Coastal Area designation is intended to recognize the characteristics of both anticipated growth and ecologically important and sensitive characteristics. The Plan notes, " A range of housing types should be permitted in Coastal Areas, including single-family homes, townhouses, and multi-family units" (2018 Sussex County Comprehensive Plan, 4-15).

Open Space Provisions: The proposed Open Space of 11.8 acres exceeds the required 3.22 acres of Open Space requirement.

Interconnectivity: The Plan shows an opportunity for interconnectivity to an adjacent parcel.

Transportation Improvement District (TID): The Plan is not in within a TID.

Agricultural Areas: Staff note that the proposal is within proximity of areas which appear to be actively farmed. In consideration of this, staff request that the Plans and copies of any subsequent Deeds or recordation for the property include the Agricultural Use Protection Notice found in (§99-6(G)(1)) of the Sussex County Code.

Forested Areas: The Applicant notes that there are 18.5 acres of existing forest on the site and that 2.7 acres of forest will remain.

Wetlands/Waterways: The Application indicates that 0.15 acres are in the Non-Tidal Wetlands.

Site Considerations (Flood Zones, Tax Ditches, Groundwater Recharge Potential etc.): Staff note that are Tax Ditch ROWs present on the site. Staff note the site is in Flood Zone "X".

Efficient. Data-Rich. Connected.

Visit de.gov/plus for updates

Preliminary Land Use Service (PLUS) Meeting
Meeting will be conducted on-line and in person
Room 133, Haslet Armory
122 Martin Luther King Jr. Blvd., South
Please see https://publicmeetings.delaware.gov/ for link to on-line access
September 30, 2026

Applicants should arrive at least 15 minutes before their appointed time. Times are approximate and are subject to change.

Public comment will be heard at the end of each PLUS application after the State Agencies have shared their comments with the applicants. Each person wishing to comment on the application under review will have up to 3 minutes.

I. 8:30 AM **Pre-Meeting Discussion – PLUS Reviewers**

II. 9:00 AM **Review and Discussion: NCC Gender Neutral Language Ord (2026-09-01)**
County: New Castle **Municipality: Unincorporated**
Location:
Project: Review of a proposed Local Government Ordinance to amend New Castle County Code relating to gender neutral language.

III. 9:15 AM **Review and Discussion: Coastal Passage (2026-09-02)**
County: Sussex **Municipality:** Unincorporated
Location: North of Milton-Ellendale Highway, west of Mulberry Street
Project: Review of a proposed site plan for a community consisting of 1,387 dwelling units featuring a mixture of approximately 1,099 sale units and approximately 288 apartments for rent. This project is an area classified as State Strategies Levels 1 through 3.

The proposed project is located within the City/Town/Growth and Annexation Area of the Town of Milton. The Sussex County Engineering Department does not have comments for this project.

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 855-7370.

IV. 9:45 AM **Review and Discussion: Ocean Sands (2026-09-03)**
County: Sussex **Municipality:** Unincorporated
Location: Atlantic Avenue, Clarksville, 19970
Project: Review of a proposed rezoning and site plan for a multi-family residential development with approximately 248 townhouse unts in an area currently zoned AR-1

(Agricultural Residential) requesting to change to MR (medium residential). This project is in an area categorized as State Strategies Levels 2 and 3.

The proposed project is located within a Tier 1 area within the Sussex County Unified Sanitary Sewer District and connection to the sewer system is mandatory.

A "Use of Existing Infrastructure Agreement" is required for new projects. Sussex County Code, Chapter 110, requires that the Engineer and/or Developer request a Sewer System Concept Evaluation (SSCE) from the Utility Planning & Design Review Department for the project by providing the parcel(s) estimated equivalent dwelling units (EDU) for the project, along with payment of a $1,000.00 fee for the evaluation and must be approved prior to approval of construction plans. The fee is to be payable to Sussex County Council. The Department will review the parcel(s) and EDU, confirm capacity, provide the connection point and define any additional parcels that must be served as part of the project. Should it be determined that a pump station is required for the project, additional information may be requested. This information will be conveyed to the engineer and/or developer. The Department will use this information when reviewing construction drawings to verify that the correct connection point is used, and all required parcels are served.

The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.

One-time system connection charges will apply. Please contact the Utility Permits Division at 302 855-7719 for additional information on charges.

The Sussex County Engineering Department recommends that all subdivision streets meet or exceed Sussex County Standards.

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 855-7370.

V. 10:15 AM **Review and Discussion: 22803 S. DuPont Hwy Rezoning (2026-09-04)**
County: Kent **Municipality:** Unincorporated
Location: 22803 S. DuPont Highway, Greenwood DE 19950
Project: Review of a proposed rezoning from AR to a commercial zoning, so the land can be used for parking tractor trailers, trucks, cars, etc.

VI. **10:30 AM Review and Discussion: Arslan Commercial Development (2026-09-05)**
County: Kent **Municipality:** Unincorporated
Location: 2271-2275 S. State Street, Dover DE 19901
Project: Review of a proposed rezoning from BG and RS1 to commercial and site plan for the development of retail shopping center with parking. This project is in an area categorized as State Strategies Level 1.

The agenda items times are approximate and subject to change. This agenda is subject to change to include additional items or the deletion of items, which arise at the time of the meeting.

BRANDY BENNETT NAUMAN
DIRECTOR OF COMMUNITY
DEVELOPMENT & HOUSING
(302) 855-7777 T
(302) 854-5397 F
bnauman@sussexcountyde.gov

Sussex County
DELAWARE
sussexcountyde.gov

October 1, 2026

Mr. Steve Fortunato
Bohler Engineering, LLC
18958 Coastal Hwy.
Rehoboth Beach, DE 19971

RE: PLUS Review (PLUS 2026-09-03) – Ocean Sands

Dear Mr. Fortunato,

Sussex County endeavors to promote non-discrimination and affordable housing whenever possible throughout the County. In this regard, the developer and associated financial institutions are encouraged to provide and finance affordable housing opportunities to Sussex County residents in all new developments, and affirmatively market those affordable housing units to diverse populations.

For questions about opportunities available for affordable housing projects within Sussex County, please consult Sussex County's "Affordable Housing Support Policy". The policy along with other resources are available on the County's Affordable & Fair Housing Resource Center website: www.sussexcountyde.gov/affordable-and-fair-housing-resource-center. The County's Community Development & Housing Department can advise about existing affordable housing opportunities in Sussex County and the appropriate County Department to contact regarding specific development issues concerning future affordable housing projects within Sussex County.

The Community Development & Housing Department can also explain and assist with any financial support or incentives that may be available to a project from federal, state, and county sources, as well as private funding sources that also promote affordable housing in Sussex County. **Please visit www.sussexcountyde.gov/housing-trust-fund for information on the County's Housing Trust Fund. This includes the County's Homebuyer Assistance Program,** which provides eligible homebuyers with down payment and closing cost assistance, structured as a deferred 0% interest second mortgage. Developers offering homeownership units are encouraged to make prospective buyers aware of this resource.

Further, Sussex County recently strengthened the Sussex County Rental Program (SCRP) through the adoption of Ordinance No. 4060, offering even greater incentives for developers who choose to participate. The SCRP continues to permit up to 12 units per acre, by right, in eligible areas that set aside 25% of the total units for affordable rentals. SCRP now also allows building heights of up to 60 feet with streamlined, more flexible setback standards for participating projects. Combined with the program's expedited review process, the SCRP

offers developers a meaningful opportunity to increase project density and marketability while helping meet the County's affordable housing goals. For more information on program details and compliance, please visit the Community Development & Housing website at www.sussexcountyde.gov/affordably-priced-rental-units. To learn more about project eligibility and design criteria, please review the Ordinance at https://sussexcountyde.gov/sites/default/files/ordinances/o4060.pdf. The application for SCRP can be found on the Planning & Zoning website at https://sussexcountyde.gov/sites/default/files/forms/SussexCountyRentalProgram_Application.pdf.

Please understand that all residential projects, including Affordable Housing Projects, are subject to the applicable provisions of the Sussex County Subdivision and Zoning Codes, and the approval processes set forth in those Codes.

On behalf of Sussex County, we look forward to cooperating with you and your project as it moves forward.

Thank you,

Brandy B. Nauman
Director