

February 15, 2024
Mr. Jamie Whitehouse
Planning Director, Sussex County
2 The Circle
P.O. Box 589
Georgetown, DE 19947
RE: PLUS 2021-12-12, Sussex County Comprehensive Plan Amendment, Objection

Dear Jamie,

In December of 2021, Sussex County proposed an amendment to the future land use map(s) of the 2018 Sussex County Comprehensive Plan that would change approximately 600 acres from the future land use classification of "Low Density" to "Coastal." Our office reviewed this amendment as Preliminary Land Use Service (PLUS) application 2021-12-12. In our comment letter dated January 13, 2021 we indicated that this change was inconsistent with the State Strategies for Policies and Spending due to its location in Investment Level 4. The State agencies noted a number of other concerns related to the change in land use, including potential archeological and environmental issues. In addition, the letter noted that the Delaware Department of Transportation (DelDOT) was, at that time, poised to begin the Coastal Corridors Study. That study was to consider improvements to the Route 9 corridor upon which these lands adjoin, and we advised that it would be premature to amend the comprehensive plan before this transportation study was complete. Our PLUS comments from 2021 concluded by stating: "We look forward to working with the County on a process that will evaluate this application in conjunction with the Coastal Corridor Study through a robust community planning effort led by the County."

Since 2021 we have reviewed three different versions of a land development plan for these lands through PLUS (now known as "Cool Spring Crossing") that presuppose that this plan amendment has been adopted by the County. The Coastal Corridors study is still ongoing, and any proposed improvements for the Route 9 corridor are incomplete and not finalized. Our office has not heard back from the County regarding the status of the comprehensive plan amendment that we reviewed as PLUS 2021-12-12. And, to our knowledge, there has been no "robust community planning effort led by the County" to holistically consider the benefits and impacts of this plan amendment.

It is for these reasons that I am writing today to formally object to the Sussex County comprehensive plan amendment that was reviewed as PLUS 2021-12-12 as per the provisions of Title 29, Section 9103 (d) of the Delaware Code. Our objection will begin a 45-day period of negotiations intended to solicit agreement and resolution of our concerns about this plan amendment. I look forward to learning more about the County's approach to the review and consideration of this plan amendment, and how we can collaborate to address the issues identified in our PLUS review of the amendment and also in the three PLUS reviews of the proposed land development. The timetable for the negotiations will be for our office to meet with you and relevant County staff by no later than March 1, 2024 to discuss the process, and other steps necessary during the negotiation phase. In any event, our negotiations must conclude no later than March 31, 2024. I am hopeful that our discussions will result in an agreement on a path forward to resolve our concerns and achieve consistency with the State's land use goals, policies, and strategies.

I look forward to meeting with you within the next two weeks to begin these negotiations.

Sincerely,
David L. Edgell, AICP
Director

cc: Todd Lawson, Sussex County Administrator
Michael Vincent, President, Sussex County Council

Dorothy Morris, Principal Planner, OSPC
Mary Page Bailey, Deputy Attorney General, OMB