

- **DELAWARE SEA LEVEL RISE ADVISORY COMMITTEE** | To adapt to sea level rise, the Committee published *Preparing for Tomorrow's High Tide: Recommendations for Adapting to Sea Level Rise in Delaware* in 2013.
- **EXECUTIVE ORDER NUMBER FORTY-ONE** | *Preparing Delaware for Emerging Climate Impacts and Seizing Economic Opportunities from Reducing Emissions* was signed on September 12, 2013.
- **DETERMINATION OF FUTURE SEA LEVEL RISE PLANNING SCENARIOS** | The Delaware Geological Survey reviews scientific literature and assessments of sea level change in Delaware and identifies appropriate scenarios to use for planning purposes throughout the State. The release of the International Panel on Climate Change (IPCC) Fifth Assessment Report (AR5) in 2013 and the NOAA National Climate Assessment indicates that the rate of sea level rise is likely to increase. The project has developed new inundation maps along Delaware's coast that corresponds to the identified projections.
- **RESILIENT COMMUNITY PARTNERSHIP** | Delaware Coastal Programs (DCP) is continuing to repeat implementation of its "Resilient Community Partnership" program to assist communities with improving resilience to hazardous weather and climate change. Resilience planning improves a community's capacity to prepare for and recover from coastal and inland flooding, erosion, sea level rise, and other impacts. Through the partnership, DCP offers staff support, policy expertise, technical assistance, and funding to help communities through the resilience planning process. DCP provides the support necessary to further a community's efforts through assessment, planning, and implementation.
- **COASTAL TRAINING PROGRAM** | The Delaware National Estuarine Research Reserve's Coastal Training Program is serving on the Steering Committee for the Delaware Resilient and Sustainable Communities League (RASCL). RASCL is made up of practitioners from across the State who interface with community decision makers in order to help them create more sustainable and resilient communities. Members include representatives from several DNREC Divisions, DelDOT, DEMA, SeaGrant, Inland Bays, and the Office of State Planning Coordination.

Sea levels in Delaware have risen by about a foot over the past century. This rate of sea level rise is likely to accelerate in the coming decades as a result of global climate change and local subsidence. Accelerated sea level rise will result in the permanent flooding of low-lying coastal areas and increase risk of flood damage during storms. Portions of the Town and its surroundings will be subject to direct and permanent inundation from sea level rise, which can be seen on Map 11.

GOALS

GOALS

- 8-1 | CONTINUE TO EXPLORE INNOVATIVE WAYS TO PROTECT THE UNIQUE ENVIRONMENT FEATURES IN THE COMMUNITY.
- 8-2 | PROTECT AND PRESERVE ALL NATURAL RESOURCES AND AMENITIES FOUND THROUGHOUT THE TOWN.
- 8-3 | PRESERVE SIGNIFICANT ECOLOGICAL SYSTEMS THAT NATURALLY WORK TO REDUCE FLOODING, CONTROL RUNOFF AND EROSION, AND FILTER NON-POINT POLLUTANTS.
- 8-4 | ENSURE AN ONGOING ADEQUATE SUPPLY OF DRINKING WATER.
- 8-5 | IMPROVE WATERSHED QUALITY.

RECOMMENDATIONS

8-1 CONTINUE ENCOURAGING THE PLANTING OF NATIVE TREES, PLANTS, AND FLOWERS THROUGHOUT TOWN.

8-2 CREATE ORDINANCES THAT PROTECT ENVIRONMENTAL RESOURCES, SUCH AS TREES AND WOODLAND AREAS, WILDLIFE, ETC.

8-3 EDUCATE RESIDENTS ON THE NEEDS AND BENEFITS OF PROTECTING THE ENVIRONMENT AND NATURAL RESOURCES.

Continual coordination and ongoing educational workshops for the Town Officials and Community regarding Flood Hazard Areas and Sea Level Rise are important and will assist with establishing proactive measures that can reduce impacts and protect assets.

8-4 APPLY FOR CERTIFICATION AS A "TREE CITY."

8-5 ESTABLISH A TOWN WOODLANDS ORDINANCE TO PROTECT FORESTED WETLANDS FROM HARM.

8-6 CREATE A WELLHEAD PROTECTION ORDINANCE TO SAFEGUARD THE PUBLIC WATER SUPPLY.

8-7 THE TOWN SHOULD CONTINUE TO COORDINATE WITH THE SUSSEX CONSERVATION DISTRICT TO ENSURE NEW DEVELOPMENTS ADEQUATELY ADDRESS HOW STORMWATER QUANTITY AND QUALITY TREATMENT WILL BE ACHIEVED.

8-8 THE TOWN SHOULD INVESTIGATE THE NEED FOR A COUNTY/TOWN DRAINAGE STUDY THAT IDENTIFIES ANY ISSUES THAT NEED TO BE MITIGATED.

The drainage study will provide an inventory of facilities and locate problem areas, such as flooding, infrastructure decay, and lack of oversight and maintenance. Information from a study could be used to develop a capital improvement plan for specific improvements and would further identify sources of funding including, but not limited to, developer impact fees, grants, and loans.

8-9 DEPENDING ON STUDY RESULTS, THE TOWN SHOULD CONSIDER A STORMWATER MANAGEMENT PLAN THAT SETS PRIORITIZED GOALS AND SPECIFIC STRATEGIES TO ACHIEVE THESE GOALS.

Example strategies would be consistent with the environmental protection measures identified earlier. These include the preservation of large, continuous areas of open space, groundwater recharge areas, wellhead areas, and critical ecological areas, such as wetlands, floodplains, and riparian corridors. Strategies should also seek to minimize overall land disturbance and impervious surfaces.

A stormwater management plan would need to involve comprehensive and watershed level approaches. Stormwater management would need to be integrated with the land use, annexation, community facilities,

utilities, and natural resource components of this Comprehensive Plan. In addition, the process should ensure joint planning and coordination with the County and neighboring municipalities.

8-10 CONTINUE ENCOURAGING THE USE OF LOW IMPACT DEVELOPMENT (LID) AND STORMWATER BEST MANAGEMENT PRACTICES (BMPS) DURING THE SITE PLAN AND SUBDIVISION REVIEW PROCESS.

LID minimizes site alterations as much as possible by incorporating natural landscaping design techniques to control runoff both during and after development. The natural landscape can and should be used to reduce runoff from the site and to treat and filter the runoff that is discharged from the site. New developments that design, construct, and maintain BMPs would minimize impervious coverage and reduce the need for permanent stormwater management basins. BMPs further the impact of stormwater runoff, prevent erosion, and filter sediment, nutrients and pollutants. Example BMPs include, but are not limited to, bioretention facilities, filter strips and biofiltration swales.

8-11 CREATE BEST MANAGEMENT PRACTICES TECHNIQUES WITHIN A TOWN ORDINANCE TO PRESERVE AND PROTECT NATURAL RESOURCES DURING THE LAND DEVELOPMENT APPLICATION PROCESS.

These BMPs may include, but are not limited to, model lighting to reduce glare and light trespass, permeable surface specifications, long-term development conservation planning, and wildlife and habitat protection and preservation.

CHAPTER 9 | OPEN SPACE & RECREATION

OPEN SPACE & RECREATION FACILITIES

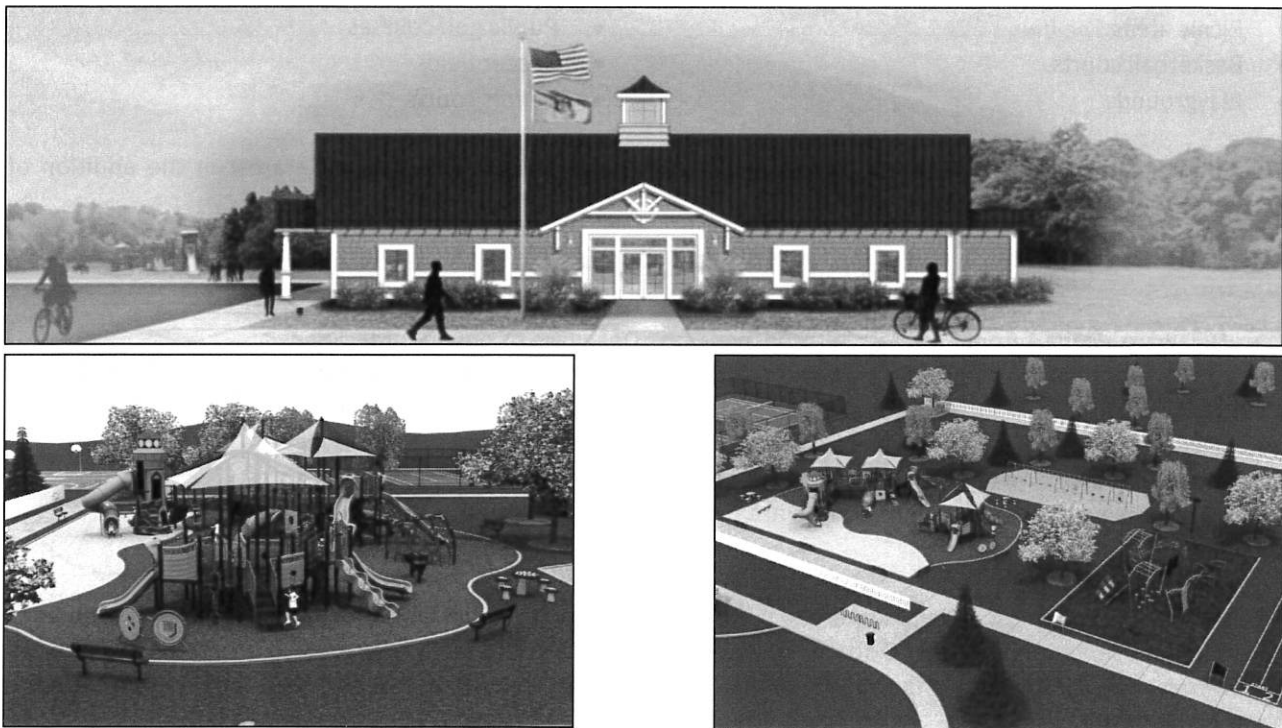
Residents of the Town have expressed interest in seeing future developments set aside land for the purpose of open space for public use. Future open space would include parks and recreation sites. Parks and recreation facilities in the vicinity include those identified in Table 27:

Table 27. Park & Recreational Facilities in Millville Vicinity

Name of Park/Recreation Facility	Location
Town Park	Town of Millville
West Park	Town of Ocean View
Holts Landing State Park	North of Millville
Delaware Seashore State Park	North of Bethany Beach
Fenwick Island State Park	South of South Bethany
Bethany Boardwalk	Bethany Beach
Lower Sussex Little League Facility	Roxanna Road
The River Soccer League	Roxanna Road

Source: Town of Millville (2018)

The Town has wanted a centrally located open space, easily accessible to the entire community, for a number of years. Plans to build the new Town Park have been approved, renderings of which can be seen below. Besides a centrally located park, there have also been discussions of creating smaller neighborhood parks that would be connected to the central park, possibly by bike paths, walkways, or greenway corridors. Along with the addition of parks and recreation sites, the community would like to see definable and accessible pedestrian walkways, as well as bike paths, that would lead to these open space areas.



STATEWIDE COMPREHENSIVE OUTDOOR RECREATION PLAN

In August of 2011, the Delaware Division of Parks and Recreation conducted a telephone survey of Delaware residents to gather information and trends on outdoor recreation patterns and preferences as well as other information on their landscape perception. These findings are the foundation of the 2013-2018 Statewide Comprehensive Outdoor Recreation Plan (SCORP), providing guidance for investments in needed outdoor recreation facilities and needs within county and municipal comprehensive plans. Delaware was divided into five planning regions. The Town is located within SCORP Region 5.

When looking at the findings from the 2011 telephone survey, it is apparent that Delawareans place a high importance on outdoor recreation. Statewide, 93% of Delaware residents indicated that outdoor recreation had some importance on their lives, while 67% said it was very important to them personally. These findings are very close to the results of the same question asked in the 2008 public opinion telephone survey, indicating a continued demand for outdoor recreation opportunities throughout the State.

Placing high importance on outdoor recreation resonates throughout the five SCORP regions. In Region 5 (Eastern Sussex County), 65% said it was very important to them personally.

Based on the public opinion survey, the most needed outdoor recreation facilities in Millville include:

HIGH FACILITY NEEDS

- Walking and jogging paths
- Bicycle paths
- Public swimming pools
- Community gardens
- Fishing areas
- Off-leash dog areas
- Picnic areas
- Basketball courts
- Playgrounds

MODERATE FACILITY NEEDS

- Hiking trails
- Boat access
- Canoe/kayak launches
- Camping areas
- Ball fields
- Football fields
- Public golf courses
- Soccer fields
- Tennis courts

In addition to the facilities noted in the SCORP, residents have also expressed an interest in the addition of pickleball courts within the community.

AGRICULTURAL PRESERVATION

The Delaware Department of Agriculture manages Delaware’s Agricultural Lands (Aglands) Preservation Program. This program, established in 1991, allows landowners to voluntarily preserve their farms through a two-phase process. The first phase, which does not include payment to the landowner, is known as an Agricultural Preservation District. In phase two, the landowner is paid to sell their farm’s development rights, known as an Agricultural Conservation Easement. These are discussed in more detail in the following sections.



Neither the Town nor its annexation areas currently have any Agricultural Preservation Districts, Easements, Forestland Preservation Areas, or Districts; however, it is important to be aware of these programs as there are both farmland and forestland in the vicinity of the Town that may wish to take advantage of the programs at some point in the future.

Additional information about the State's Agricultural Lands Preservation Program can be found on their website at: <https://agriculture.delaware.gov/agland-preservation-planning/the-preservation-program/>.

AGRICULTURAL PRESERVATION DISTRICTS

A Preservation District is a ten-year, voluntary agreement where landowners agree to continue to use their land for agricultural purposes only. Landowners with forested tracts are also eligible to enroll their properties as a Forestland Preservation Area through the Forestland Preservation Program, although as of this writing, it currently has no funding.

Prospective buyers of a property who wish to participate in the Aglands Preservation Program may enroll the property they wish to purchase in a Preservation District through a Contingent Sale Application, if the seller also agrees. The primary benefit of this application is that both buyer and seller are exempt from realty transfer tax on all unimproved land as long as the application is approved prior to settlement. If the settlement does not occur, the enrollment status becomes void.

To qualify as an Ag District, land must meet the farm income requirement for the State's Farmland Assessment Act, satisfy a scoring system standard, and undergo a review and approval process. Most farms in the State will qualify. There is no payment to the landowner for creating the district.

AGRICULTURAL CONSERVATION EASEMENTS

In the second phase of the Aglands Preservation Program, landowners can (if they choose) permanently preserve their farmland by selling its development rights. The ten-year district agreement is then replaced by a permanent agricultural conservation easement on the land. Each year, funding permitting, the Aglands Program selects one round of farms to preserve. Landowners are eligible to submit a bid to sell their farm's development rights the year after they enroll their farm into a District Agreement. Landowners bid against each other by offering a discount from the appraised development rights' value of their property.

FARM & TAX BENEFITS

There are several benefits to landowners in an Agricultural District or Conservation Easement. The unimproved land in the district is exempt from real estate transfer, county, and school taxes. There are significant protections against nuisance suits for land in the district. Landowners are permitted limited residential uses. Permitted agricultural uses include, but are not limited to, crop production, herd animal and poultry operations, horse operations, forest production, non-commercial hunting, trapping and fishing, and agricultural eco-tourism operations, as well as farm markets and roadside stands.

Congress has enacted laws that may benefit owners of preserved farmland. An easement that is either sold at less than appraised value or donated to the Foundation may qualify the owner for a deduction for income, gift or estate tax purposes. Rules governing taxes are complex and owners should consult competent tax advisors on these matters.

GOALS

GOALS

9-1 | ADD PARKS AND RECREATIONAL FACILITIES WITHIN THE TOWN.

9-2 | CREATE EASILY ACCESSIBLE SIDEWALKS, BIKEWAYS, AND GREENWAYS THAT LEAD TO SOME KIND OF OPEN SPACE.

9-3 | PROTECT THE EXISTING OPEN SPACE FOR PASSIVE USE.

RECOMMENDATIONS

9-1 THE TOWN SHOULD CONTINUE WITH PLANS OF INVESTING IN A RECREATION DEPARTMENT AS PART OF THEIR CAPITAL PLANNING IMPROVEMENTS.

9-2 CONSIDER BEGINNING NEGOTIATIONS WITH PROPERTY OWNERS FOR POSSIBLE OPEN SPACE SITES.

9-3 CONTINUE WORKING WITH DEVELOPERS TO ENSURE NEW DEVELOPMENT PROVIDES ADEQUATE RECREATION FACILITIES AND AMENITIES.

9-4 ENSURE AN APPROPRIATE MIX OF MUNICIPAL PARKS AND NEIGHBORHOOD/COMMUNITY PARKS.

9-5 CREATE A SEPARATE RECREATION PLAN.

9-6 CONSIDER DEVELOPING A STANDALONE COMMUNITY SURVEY TO DETERMINE RESIDENTS' OPEN SPACE PREFERENCES.

9-7 ENCOURAGE THE PLANTING OF NATIVE TREES, PLANTS, AND FLOWERS THROUGHOUT TOWN.

CHAPTER 10 | HISTORIC & CULTURAL RESOURCES

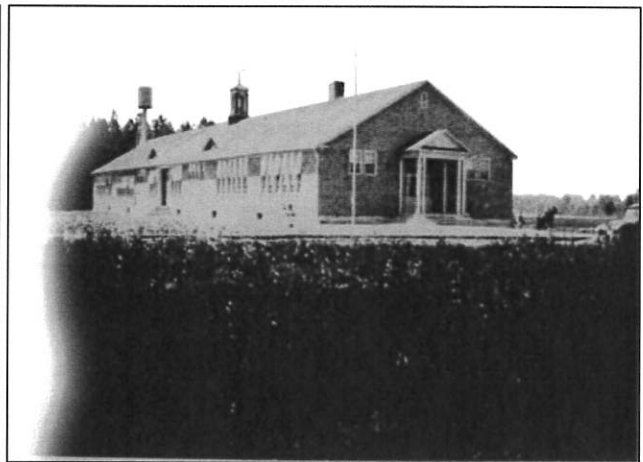
HISTORIC PRESERVATION

The Delaware State Historic Preservation Office completed an evaluation for the Town to qualify for a potential historic district in 2003. This evaluation concluded that the Town was not eligible for a nationally designated historic district, mainly due to construction along Atlantic Avenue where many of the older structures had either been demolished or relocated over the years, removing any sense of a specific historic area.

A later investigation was made to determine whether there were other opportunities to preserve historic sites or structures within the Town; however, it was determined that there were no longer any buildings that would qualify within Town limits. Photos of some historical properties previously located in Town are provided below.



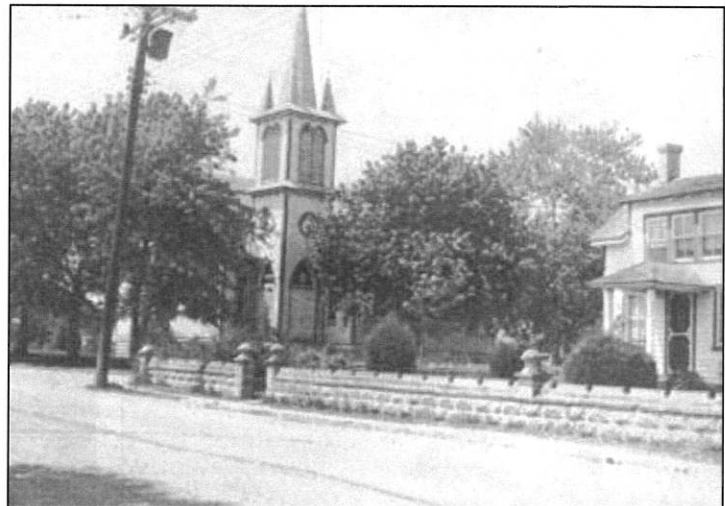
Banks Homestead



Millville High School



Millville Fire Company



Millville Methodist Church

CULTURAL EVENTS

The Town holds the Great Pumpkin Festival every year, in late September or early October.



The Town also holds the Holiday Market every year, on the second Saturday of December. The following photos of the event were provided by the Coastal Point Newspaper.

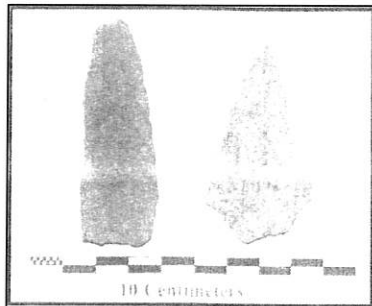


CULTURAL RESOURCES

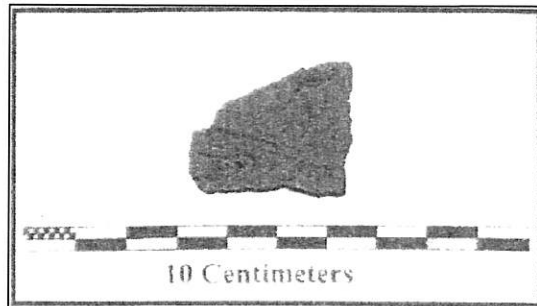
Millville by the Sea, LLC, requested an archaeological Phase I survey for their 700-acre planned development, which was conducted by Edward Otter, Inc. The land is largely agricultural with a few wooded areas. Fields were plowed and then subjected to thorough pedestrian reconnaissance. Wooded and grassy areas were tested using shovel test pits placed at 50-foot intervals.

A total of 30 archaeological sites were located. Prehistoric sites were mostly found near natural watercourses, especially the main branch of Beaverdam Creek. In all instances, sites were located in areas of higher elevation. A preliminary assessment of the sites was made based on age and function. Twentieth century chicken houses and relatively modern residences are not considered historically significant. Other sites are listed as potentially significant only because the level of work conducted was not sufficient to make a final determination of their importance.

The artifacts collected from this study along with a copy of the study were donated to the Town in September 2014.



Rhyolite points from Site 26



Incised Townsend ware shard from shovel test 100, level 1, Site 25

Source: Phase I Archaeological Study Millville By The Sea, Baltimore Hundred, Sussex County, DE (6/15/2007)

GOALS

GOALS

10-1 | MAINTAIN, PRESERVE AND IMPROVE THE UNIQUE SMALL TOWN CHARACTER OF MILLVILLE.

10-2 | PRESERVE THE PAST THROUGH THE PRESERVATION OF TANGIBLE ARTIFACTS THAT REFLECT MILLVILLE'S HERITAGE.

RECOMMENDATIONS

10-1 ENCOURAGE STABILIZATION AND REPAIR OF OLDER STRUCTURES.

The Town should continue to encourage and enable the stabilization, repair, and appropriate reuse of older structures if needed to bring them back into productive economic use. Some methods for accomplishing this may include increased code enforcement, use of CDBG funds for rehabilitation through Sussex County, or perhaps working with real estate or non-profit developers interested in repairing and reselling older homes.

10-2 CATALOG, PRESERVE, AND DISPLAY ARTIFACTS FOUND WITHIN THE TOWN.

The Town should consider formally cataloging artifacts and reports related to cultural resources within its borders. Items should be properly stored to preservation standards and consideration should be given to permanent educational displays.

CHAPTER 11 | LAND USE

The 2008 Comprehensive Plan noted that the Town's boundaries had expanded significantly with the annexation of lands for Millville by the Sea, a master-planned community development, and other large developments. For that Plan, the Town updated its existing land use percentages and baseline land use data through the use of a land use reconnaissance survey and public opinion surveys. The Town's annexation growth plan was evaluated and population and build-out analyses were completed, which helped to identify then-current and potential critical community development issues. The Town also conducted community-wide opinion surveys to obtain input on growth, land use issues, and public service needs. The following sections update and build on the information provided in the 2008 Plan, using current data and surveys completed in 2018, as well as aligning future land use and annexation plans with current State Strategies, the new Sussex County Comprehensive Plan, the Town of Ocean View Comprehensive Plan, the State Transportation Plan, and other relevant State programs and policies.

EXISTING LAND USE

The Town supports residential, commercial, agricultural, and institutional land uses. Commercial and institutional uses exist primarily along Atlantic Avenue/Route 26 and Roxana Road/Route 17, with residential uses making up the other areas of Town. Many changes in existing land use have occurred since the 2008 Plan was adopted. Table 28 shows existing land uses in 2008 and 2019 in both acreage and percent of the Town as a whole, as well as how the acreage and percentages have changed between the two periods. In addition, Table 29 shows a further breakdown of 2019 existing land use in both parcels and acreage. Map 4, Existing Land Use, also provides a different way of visualizing this information.

Table 28. Existing Land Use Change, 2008-2019

Existing Land Use	2008		2018		Composition Change	
	Acres	% of Total	Acres	% of Total	Acres	%
Vacant or Approved/Under Construction	1,195.3	78.1%	593.5	38.2%	-601.8	-50.3%
Agricultural	56.1	3.7%	333.2	21.5%	+277.1	+493.9%
Residential	155.2	10.1%	486.8	31.3%	+331.6	+213.7%
Commercial	102.6	6.7%	117.8	7.6%	+15.2	+14.8%
Institutional	13.8	0.9%	16.0	1.0%	+2.2	+15.9%
Utilities	7.3	0.5%	5.8	0.4%	-1.5	-20.5%
Total	1,530.3	100.0%	1,553.1	100.0%	+22.8	+1.5%

Source: 2008 Town Land Use Survey, Updated by KCI Technologies based on Town Input in 2019

Table 29. Existing Land Use, 2019

Existing Land Use	Parcels		Acres	
	No.	% of Total	No.	% of Total
Vacant or Approved/Under Construction	123	8.0%	593.5	38.2%
Agricultural	15	1.0%	333.2	21.5%
Residential	1,335	86.4%	486.8	31.3%
Commercial	58	3.8%	117.8	7.6%
Institutional	9	0.6%	16.0	1.0%
Utilities	5	0.3%	5.8	0.4%
Total	1,545	100.0%	1,553.1	100.0%

Source: Town of Millville 2008 Existing Land Use Map Information, Updated by KCI Technologies based on Town Input in 2019

Of the approximately 1,553 acres within the Town, the greatest percentage of land use is undeveloped land or land that has been approved for development or is under construction. Close to 600 acres of land falls within this

category. Table 17 lists residential developments that have been approved or are under development. Residential uses comprise over 31% of the land use with almost 490 acres. Agricultural uses make up almost 22% or 33 acres of land, while Commercial uses make up about 118 acres of land, or less than 8% of the Town. Other land uses include institutional uses (e.g., churches, Town Hall, fire department) and utilities.

The difference between the 1,553 acres included in the above land use table and the actual 1,609 acres of land area within the Town's boundary can be attributed to acreage associated with rights-of-way.

FUTURE LAND USE

Map 5, Future Land Use, illustrates proposed land uses within the existing Town boundary and generally depicts a continuation of existing land use policy. Future commercial uses are planned along Atlantic Avenue/Route 26, which is consistent with current land uses in Town and with the land uses and zoning in the neighboring Town of Ocean View. Commercial land uses are also proposed along Roxana Road/Route 17, supporting planned residential development along this corridor. The Future Land Use Categories align with the Town's zoning classifications as further defined in the Zoning section.

Table 30. Future Land Use, 2019

Future Land Use	Parcels		Acres	
	No.	% of Total	No.	% of Total
Commercial	127	8.2%	198.8	12.8%
Institutional	2	0.1%	1.5	0.1%
Master-Planned Community	516	33.4%	794.4	51.1%
Open Space / Recreational	1	0.1%	4.9	0.3%
Residential	897	58.1%	548.5	35.3%
Utility	2	0.1%	5.0	0.3%
Total	1,545	100.0%	1,553.1	100.0%

Source: Town of Millville 2008 Future Land Use Map Information, Updated by KCI Technologies based on Town Input in 2019

The community survey found that a majority of residents thought that there is an adequate supply of housing stock currently located and/or planned within municipal boundaries, including multi-family units/apartments, townhouses, single-family homes, and mixed-use. The majority of respondents were also satisfied with the mass and diversity of existing and planned commercial development, ranging from small single detached retail to large scale shopping complexes. Respondents also indicated their satisfaction with the existing level of industry, offices, and mixed-use development. On the other hand, the Town understands that a balance of residential and commercial properties need to exist in order to provide both community services and a robust revenue base.

ZONING

As recommended in prior Comprehensive Plan Updates, the Town amended its land development ordinances to provide for well planned development that maintains community character. Revisions to the Zoning and Subdivision Ordinances were made to properly address the type and rate of development being experienced. The Zoning Code was amended to include the Master Planned Community (MPC) zone, two commercial districts, and the Flood Hazard District. The zoning amendments also added site plan submission requirements, updated signage regulations, and added performance standards such as landscaping and buffering requirements, among others. The Town's flexibility to work with land development applications and updates to the Code as development trends occur allows the Town to encourage new uses and community growth. The Zoning Ordinance includes three zoning categories: Residential, Commercial, and Agricultural Residential.

RESIDENTIAL ZONING DISTRICTS

The three residential zoning districts (R Residential, RPC Residential Planned Community, and MPC Master Planned Community) account for the most land in Millville. These three districts make up approximately 1,286 acres (82.8%) of the zoning classifications.

The purpose of the R District is to provide for single-family residential developments along with churches, recreational facilities, and accessory uses. The District allows for minimum lot sizes of 7,500 square feet. This District makes up 136.9 acres, or 8.8%, of the Town.

The purpose of the RPC District is to encourage large-scale development as a means of creating a superior living environment through unified developments and to provide for the application of design ingenuity while protecting existing and future developments. It is a concept that encourages and permits variation in residential development by allowing deviation in lot size, bulk, or type of dwelling, lot coverage, and open space from what is required in any one district. It also encourages design flexibility and coordination of architectural styles of buildings, streets, lighting, signage, landscaping, and the existing neighborhood and historic land development patterns. In addition to the uses permitted in the Residential District, attached single-family dwellings, multi-family dwellings, offices, and public service facilities are also permitted. This District makes up 382.2 acres, or 24.6%, of the Town.

The objective of the MPC District is to establish procedures and standards for the implementation of master planned land use recommendations for comprehensively planned, multi-use projects. It is also intended that the District provide a more flexible approach to the comprehensive design and development under various conventional zoning categories so that existing public plans and policies can be utilized and implemented in a manner and to a degree that is more closely compatible than is possible in other zoning districts. In addition to all residential uses permitted in the Residential District, all uses in Commercial Zones are also permitted. This District makes up 766.5 acres, or 49.4%, of the Town.

AGRICULTURAL RESIDENTIAL ZONING DISTRICT

The purpose of the AR District is to provide for low-intensity agricultural activities and to protect agricultural lands, as one of the Town's most valuable natural resources, from the depreciating effect of objectionable, hazardous, and unsightly uses. This district will protect established agricultural operations and activities and is also intended for the protection of watersheds, water resources, forest areas, and scenic values and, at the same time, to provide for low-density, single-family residential development. This District makes up 95.1 acres, or 6.1%, of the Town.

COMMERCIAL ZONING DISTRICTS

Two zoning districts allow for commercial uses (C1 Town Center Commercial, C2 Town Commercial). These two districts make up approximately 172.4 acres (11.1%) of the zoning classifications.

The purpose of the C1 District is to provide for a mixed-use district, which functions as the historical hub of the Town and which provides a mixed residential, retail convenience shopping, and personal service use area. It is not intended as a district to accommodate regional shopping facilities. The District also permits business and professional offices, which can be compatible with residential uses. Permitted uses include all uses in the Residential District that conform to that District's requirements, apartments above businesses, small-scale shopping centers, retail sales, personal service establishments, and professional services. This District makes up 148.7 acres, or 9.6%, of the Town.

The purpose of the C2 District is to provide for well-planned and attractive larger-scale commercial and shopping facilities. Permitted uses include uses permitted in the C1 District; restaurants housed in a permanent building;

supermarkets; shopping centers; motels/hotels; home improvement stores; nursery, garden, and farm supply sales; clinics, hospitals, and urgent care facilities; car washes; and conference centers. This District makes up 23.7 acres, or 1.5%, of the Town.

OVERLAY ZONES

In addition to the standard zoning districts outlined above, the Town also has one overlay zone: the Flood Hazard District (FH). The purpose of the FH District is to protect human life, health, and welfare and to encourage the utilization of appropriate construction practices in order to prevent or minimize flood damage in the future. Special flood hazard areas are subject to periodic inundation that may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary 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. Development that is inadequately elevated, improperly flood proofed, or otherwise unprotected from flood damage also contributes to the flood loss.

In order to minimize those losses, Millville adopted these regulations, which apply to all development and new construction within special flood hazard areas. Ordinance 15-01 adopted a new Chapter 155 designating a Floodplain Administrator, criteria for development in the Flood Hazard Areas and procedures that took effect on March 16, 2015. Maps and studies that establish the special flood hazard areas are on file in Town Hall.

ZONING MAP

Map 2, Zoning, is included in the Appendix as a reference. It is understood that the Official Zoning Map is on file at the Town Hall and may change without changing the current adopted Comprehensive Plan.

Table 31. 2019 Zoning Composition

ID	Classification	Parcels		Acres	
		No.	%	No.	%
AR	Agricultural Residential	10	0.6%	95.1	6.1%
C1	Town Center Commercial	105	6.8%	148.7	9.6%
C2	Town Commercial	6	0.4%	23.7	1.5%
MPC	Master Planned Community	514	33.3%	766.5	49.4%
R	Residential	214	13.9%	136.9	8.8%
RPC	Residential Planned Community	696	45.0%	382.2	24.6%
TOTALS		1,545	100.0%	1,553.1	100.0%

Source: Town of Millville 2012 Zoning Map Information, Updated by KCI Technologies based on Town Input in 2019

ANNEXATIONS

The Town is located in the midst of very rapidly developing coastal Sussex County. Millville neighbors the Town of Ocean View, which has been rapidly growing in recent years. There are a number of recent development projects in Sussex County between Atlantic Avenue, Route 20, and the coastline. The Town has a strong interest in the development of adjacent areas, and with new development comes effects on the Town’s cultural, economic, and physical environments.

STRATEGIES FOR STATE POLICIES & SPENDING

On April 14, 2016, Governor Markell signed Executive Order 59, adopting the 2015 Delaware Strategies for State Policies and Spending. Originally approved in 1999 and updated in 2004 and 2010, the 2015 document is the third iteration and is now available online.

The purpose of this document, as with previous Strategies for State Policies and Spending documents, is to coordinate land use decision making with the provision of infrastructure and services in a manner that makes the best use of natural and fiscal resources. The importance of this coordination lies in the fact that land use decisions are made at the local level, while the bulk of infrastructure and services that support land use decisions are funded by the State. The development of the State Strategies document with local governments and citizens helps to create a unified view toward growth and preservation priorities that all levels of government can use to allocate resources.

The Strategies for State Policies and Spending document uses the following area designations:

- **INVESTMENT LEVEL 1 AREAS** are often municipalities, towns, or urban/urbanizing places in counties. Density is generally higher than in the surrounding areas. There are a variety of transportation opportunities available. Buildings may have mixed uses, such as businesses on the first floor and apartments above. In these areas, State investments and policies should support and encourage a wide range of uses and densities, promote a variety of transportation options, foster efficient use of existing public and private investments, and enhance community identity and integrity. Overall, it is the State's intent to use its spending and management tools to maintain and enhance community character, to promote well-designed and efficient new growth, and to facilitate redevelopment in these areas. These areas are also thought to be where both local government and citizens are most prepared to accept growth.
- **INVESTMENT LEVEL 2 AREAS** can be composed on less developed areas within municipalities, rapidly growing areas in the counties that have or will have public water and wastewater services and utilities, areas that are generally adjacent to or near Investment Level 1 Areas, smaller towns and rural villages that should grow consistently with their historic character, and suburban areas with public water, wastewater, and utility services. These areas have shown to be the most active portions of Delaware's developed landscape and serve as transition areas between Level 1 and the state's more open, less populated areas. They generally contain a limited variety of housing types, predominantly detached single-family dwellings. In these areas, State investments and policies should support and encourage a wide range of uses and densities, promote other transportation options, foster efficient use of existing public and private investments, and enhance community identity and integrity. Investments should encourage departure from the typical single-family dwelling developments and promote a broader mix of housing types and commercial sites encouraging compact, mixed-use development, where applicable.
- **INVESTMENT LEVEL 3 AREAS** fall into two categories, generally. The first covers lands that are in the long-term growth plans of counties or municipalities where development is not necessary to accommodate expected population growth. The second category includes land that are adjacent to or intermingled with fast-growing areas within counties or municipalities that are otherwise classified as Levels 1 or 2. Environmentally sensitive features, agricultural preservation issues, or other infrastructure issues most often impact these lands. Development and growth may be appropriate in the near term, but resources on the site and in the surrounding area should be carefully considered and accommodated. This level is further characterized by areas with leapfrog development that is not contiguous with existing infrastructure; areas that are experiencing some development pressure; areas with existing but disconnected development; and possible lack of adequate infrastructure. Due to the limits of finite financial resources, State infrastructure spending on infrastructure such as roads, sewer, water, and public facilities in Level 3 areas will generally be considered once the Investment Level 1 and 2 areas are built out, or when the infrastructure or facilities are logical extensions of existing systems and deemed appropriate to serve a particular area.

- **INVESTMENT LEVEL 4 AREAS** are rural in nature and are where the bulk of the State's open space/natural areas and agricultural industry are located. These areas contain agribusiness activities, farm complexes, and small settlements. They typically include historic crossroads or points of trade, often with rich cultural ties. These areas also boast undeveloped natural areas, such as forestlands, and large recreational uses, such as state and county parks and fish and wildlife preserves. They may also include natural habitats that are important for providing ecosystem services such as water quality and reducing flood risk. Sometimes, private recreational facilities, such as campgrounds or golf courses, are also situated in these areas, in addition to limited institutional uses. Level 4 Areas may be the location for certain uses that, because of their specific requirements, are not appropriate for location elsewhere. The State's investments and policies should retain the rural landscape and preserve open spaces and farmlands, support farmland-related industries, and establish defined edges to more concentrated development.
- **Out of Play Areas** are those land areas that are not available for private development, including publicly-owned lands, private conservation lands, lands for which serious legal and/or environmental constraints on development are identified, and lands in some form of permanent open space protection (e.g., agricultural preservation easements, conservation easements). These areas are generally not expected to be the location of private development activities; however, government entities, private property owners, and conservation organizations are still expected to invest in these areas.

Map 3 reflects the Strategies for State Policies and Spending designations for the Town. The Town falls into Levels 2 and 3 with a small area of Level 1 toward the eastern end of Cedar Road, along with scattered pockets of Out of Play areas. There are no areas of Level 4 within Town Boundaries.

Full documentation on the 2015 Delaware Strategies for State Policies and Spending can be found at www.stateplanning.delaware.gov/strategies/.

SUSSEX COUNTY COMPREHENSIVE PLAN

The Sussex County Comprehensive Plan was adopted on December 4, 2018 and is currently awaiting certification by the Governor. It can be found on the County's Planning & Zoning website: <https://sussexcountyde.gov/planning-zoning>.

The following information was pulled from the document's Chapter 4.4 Future Land Use Plan. This Chapter's goals are as follows:

- Direct development to areas that have existing infrastructure or where it can be secured cost-effectively.
- Conserve the County's agricultural economy by promoting farming and preserving agricultural land values and agribusiness.
- Protect critical natural resources, such as the inland bays and others, by guarding against over-development and permanently preserving selected lands.
- Encourage tourism and other responsible commercial and industrial job providers to locate and invest in the County.
- Expand affordable housing opportunities, particularly in areas near job centers and Delaware State Housing Authority (DSHA) Areas of Opportunity.
- Ensure that new developments incorporate best practices in subdivision design.
- Make Sussex County's growth and conservation policies clear to relevant Delaware State agencies, neighboring counties, and Sussex County's incorporated municipalities.

The County's Future Land Use Plan divided Sussex County into two types of planning areas: Growth Areas and Rural Areas.

GROWTH AREAS

The Sussex County Comprehensive Plan sought to direct the County's most concentrated forms of development to Growth Areas, including higher density residential development and most commercial development. The County's Future Land Use Plan is based on seven guidelines to help determine where Growth Areas should be located:

- Proximity to an incorporated municipality or to a municipal annexation area;
- Presence of existing public sewer and public water service nearby;
- Plans by the County to provide public sewage service within five years;
- Location on or near a major road or intersection;
- Character and intensity of surrounding development, including proposed development;
- Location relative to major preserved lands;
- Location of water bodies;
- Location of agricultural and other protected easements;
- The area's environmental character; and
- How the area ranks according to the Delaware Strategies for State Policies and Spending document.

The County further defined the Structure of the Future Land Use Plan in Chapter 4.4.2 by identifying two types of planning areas: Growth Areas and Rural Areas, each include sub-categories.

According to these guidelines, Millville and its surrounding areas were given the following County Growth Area designation, as indicated on Figure 4.5-1 Sussex County 2045 Future Land Use Map:

- **MUNICIPALITY** | Sussex County strongly favors directing development toward the municipalities that desire it. With exceptions, these are some of the County's most densely developed areas and the areas most fully served by public sewer and public water facilities. The specific permitted uses and densities governing new construction within an incorporated municipality will continue to be governed by that municipality's zoning ordinance, its public water and sewer capacities, and its comprehensive planning policies.
- **COASTAL AREA** | This designation is intended to recognize two characteristics. First, this region is among the most desirable locations in Sussex County for new housing, as is reflected in new construction data and real estate prices. Second, this region contains ecologically important and sensitive characteristics as well as other coastal lands that help to absorb floodwaters and provide extensive habitat for native flora and fauna. This area also has significant impact upon water quality within the adjacent bays and inlets as well as upon natural the region's various habitats. These factors are part of the reason that this Area is so desirable, making the protection of them important to both the environment and the economy. The County has significant initiatives to extend public sewer service to replace inadequate on-site systems. Careful control of stormwater runoff is also an important concern in keeping sediment and other pollutants out of the Inland Bays. The challenge in this region is to safeguard genuine natural areas and mitigate roadway congestion without stifling the tourism and real estate markets, which provide many jobs, create business for local entrepreneurs, and help keep local tax rates low.

COUNTY DEVELOPMENT

When planning for development near the edges of Millville's borders, it is important to consider what development is possible under the County's current zoning. This is because the land may be developed under County zoning without being annexed by the Town. A developer may be less likely to request annexation unless he/she is able to achieve more flexible zoning than is currently offered by the County or unless he/she is seeking to connect to the Town's sewer or water system.

MILLVILLE ANNEXATION PROCESS

The Town's annexation process appears in the Town's charter and is further governed by Title 22, Chapter 1, Section 101 of the Delaware Code. Millville's Town charter provides three methods for an annexation to occur. First, if all the property owners of an area adjacent to Millville's limits petition the Town for annexation, then the Mayor will appoint a committee to investigate the possibility of annexation. If the committee finds the annexation to be advantageous to the Town and the petitioners, then the Town Council may, with a 2/3 vote, pass a resolution to annex the territory. The second method for annexation occurs when less than all the property owners (but more than five) of an area adjacent to Millville petition the Town for annexation or when a potential annexation under the first method is found to be disadvantageous. Again, the Mayor appoints a committee to study the proposed annexation. If the annexation is found to be disadvantageous then the Council may, with a 2/3 vote, schedule a public hearing on the annexation. If the annexation is determined to be advantageous then a public hearing is scheduled. The public hearing is followed by a special election to vote on the approval of the annexation. A majority vote in favor of the annexation results in the annexation of the proposed area into the Town. The final method of annexation applies to territory exempt from taxation. Upon petition of the property owner, the Town Council may approve the annexation with a 2/3 vote if the annexation is determined to be advantageous or with a 3/4 vote if the annexation is determined to be disadvantageous.

Title 22, Chapter 1, Section 101 of the Delaware Code requires that annexations conform to four additional provisions. First, the annexation must be consistent with the Town's most recently adopted comprehensive plan, meaning that the potential annexation area must be shown as an area for future annexation in the adopted plan. Next, the Town must prepare a plan of services that will be provided to the annexed area detailing how these services will be provided and the capabilities of the Town to provide such services. Also, the annexed area must be rezoned to a classification consistent with the Town's adopted comprehensive plan. Finally, the Town must notify the State and all affected jurisdictions of the proposed annexation, conduct a public hearing, and allow for a comment period of at least 30 days before formal annexation.

RECENT ANNEXATIONS

Since adoption of the 2008 Comprehensive Plan Update, the Town has annexed one piece of property, totaling approximately 30.8 acres. Table 32 displays this information.

Table 32. Recent Annexations (2008 – 2018)

Parcel ID	Property Reference	OSPC ID	Town Zoning	Annexation Status	Acres
134-12.00-394.00	Dukes Drive Property	2017-06	R	Annexed	30.8
TOTAL					30.8

Source: Office of State Planning Coordination (12/2018); Town of Millville (2/2019)

In addition to this annexation, the Town also de-annexed three properties during this same period.

FUTURE ANNEXATIONS

The Town desires phased, planned, and balanced growth. The Town has identified an annexation area shown on Map 6, Future Land Use and Annexations, which offers the following advantages:

- Rationalizes the Town boundaries;
- Curtails any jurisdictional confusion that may be caused by parcels split by municipal boundaries and enclaves within Town and between Millville and Ocean View;
- Maintains the Town identity in the midst of the rapid growth occurring around Town and of the recent expansion of the neighboring Ocean View;

- Implement the visions, goals; and recommendations provided throughout this Plan relevant to community character, environmental protection, and phased, balanced growth;
- Ensures that new development and redevelopment meshes with the Town's existing community character; and
- Ensures an adequate tax base providing sufficient public services to residents.

The Town views annexation as an important tool to help shape land use in the area surrounding its current boundary. It is also within this area that the Town expects to coordinate actively with the County on any land use decisions under the County's jurisdiction.

The Town has also identified an area of concern where annexation may be appropriate under the correct circumstances. The area of concern is also significant in that it is an area that the Town would like to coordinate with the County on any land use decisions under the County's jurisdiction.

GOALS

GOALS

- 11-1 | ENABLE THE ADEQUATE PROVISION OF SERVICES SUCH AS CENTRAL WATER AND WASTEWATER SYSTEMS, AS WELL AS FIRE, EMS, AND POLICE SERVICES.
- 11-2 | MANAGE FUTURE DEVELOPMENT IN A MANNER THAT PROMOTES THE SMALL TOWN CHARACTER DESIRED BY THE RESIDENTS.
- 11-3 | PROMOTE FUTURE DEVELOPMENT THAT SEEKS TO MINIMIZE ADVERSE AFFECTS ON THE INDIAN RIVER BAY WATERSHED, FOREST LANDS, AND OTHER NEARBY ENVIRONMENTAL FEATURES.
- 11-4 | PROMOTE THE CONTINUED EXISTENCE OF CURRENT OPEN SPACES IN TOWN AND IN FUTURE DEVELOPMENTS FOR RECREATIONAL, ENVIRONMENTAL, AND AESTHETIC PURPOSES.
- 11-5 | TARGET AND PHASE DEVELOPMENT IN AREAS WHERE SERVICES CAN BE PROVIDED AT THE LEAST COST AND IN THE SHORTEST TIME POSSIBLE.
- 11-6 | PROMOTE THE ANNEXATION OF APPROPRIATE AREAS ADJACENT TO EXISTING TOWN BOUNDARIES THAT WILL BE SERVICED BY CENTRAL WATER AND WASTEWATER SYSTEMS.

RECOMMENDATIONS

- 11-1 CONTINUE TO WORK WITH SUSSEX COUNTY AND THE TOWN OF OCEAN VIEW TO ENSURE THAT DEVELOPMENT WITHIN THE AREA OF CONCERN IS COMPATIBLE WITH MILLVILLE'S CHARACTER.

The Town should participate in the land use decision processes in Sussex County and neighboring Ocean View to stay informed on development surrounding the Town and to provide input where issues impact its residents.

- 11-2 WORK WITH SUSSEX COUNTY, THE TOWN OF OCEAN VIEW, AND PROPERTY OWNERS TO ROUND OUT MUNICIPAL BOUNDARIES.

In areas where the municipal boundaries of Millville and Ocean View create enclaves and other areas of jurisdictional confusion, the Towns should work together with Sussex County and relevant property owners to adjust the municipal boundaries to eliminate such confusion.

11-3 REGULARLY REVIEW ORDINANCES AND SERVICES TO REFLECT GROWING NEEDS.

As Millville grows, it will be important for the Town to review its ordinances and to review the services it provides to ensure that the Town keeps pace with services demanded by growth.

11-4 COORDINATE WITH SUSSEX COUNTY AND OCEAN VIEW REGARDING ANNEXATION AND DEVELOPMENT PROPOSALS WITHIN THE ANNEXATION AREA.

Continue coordination and communication with Millville and Ocean View defining how the towns will coordinate with each other on annexation and development requests in annexation areas. An agreement with Sussex County would define coordination on development activity within the area of concern, as well as sewer issues.

11-5 ENSURE THAT NECESSARY SERVICES CAN BE PROVIDED TO ANNEXED LANDS.

According to Title 22, Section 101, Delaware Code, the Town must complete a plan of services prior to annexation of land. Because the Town does not provide most of the utilities and services necessary to serve the annexed land, it is important that the Town notify service providers about annexation and allow for comment from these providers. Providers include water, sewer, electric, fire protection, police protection, emergency medical services, schools, and other services. As a part of the plan of services, the Town is required to obtain letters from Sussex County regarding sewer, Tidewater Utilities regarding water, and the relevant electric provider, stating their ability to provide service to the annexed land.

CHAPTER 12 | IMPLEMENTATION

ACCOMPLISHMENTS

The following provides a summary of accomplishments of the 2008 Comprehensive Plan recommendations:

- Regularly review ordinances and services to reflect growing needs;
- Ensure that necessary services can be provided to annexed lands;
- Adopted design standards and guidelines for the Atlantic Avenue/Route 26 corridor;
- Investigated opportunities to provide historic sites and structures;
- Worked to expand the sewer system;
- Initiated discussions to develop stormwater management practices to address stormwater runoff impacts;
- Coordinated with the Sussex Conservation District to ensure new developments address how stormwater quantity and quality treatment are achieved;
- Encouraged the use of Low Impact Development and stormwater best management practices;
- Continued relationships with the Delaware State Police;
- Continued support of the Millville Volunteer Fire Company
- Coordinated efforts with Beebe Medical;
- Established incentives for medical intensive development;
- Worked with DelDOT on issues related to Atlantic Avenue/Route 26;
- Integrated new and old streets, sidewalks, and bike paths;
- Worked with developers to ensure new development provides adequate recreation facilities; and
- Encouraged the planting of native trees, plants, and flowers throughout Town.

IMPLEMENTATION PLAN

The Implementation section will assist Town officials in making decisions to help shape the way Millville functions, grows and develops. Such decisions involve the location of land uses, the character and form of development, the improvement of community infrastructure and services, and the protection of environmental quality. This section summarizes the recommendations provided throughout the Plan. These recommendations have been identified by priority level, but should be addressed as funding and resources become available as well as consideration as a potential components of another project.

No.	Recommendation	Priority
2-1	Continue to pursue the Atlantic Avenue/Route 26 streetscape improvements.	High
2-2	Establish a gateway for Atlantic Avenue (Rt. 26).	High
3-1	Conduct a study regarding the feasibility of establishing a municipal police department.	Medium
3-2	Continue relationships with the Delaware State Police.	Ongoing
3-3	Continue supporting the Millville Volunteer Fire Company.	Ongoing
3-4	Work with federal, state, and county governments to locate service delivery centers in "downtown" Millville.	High
3-5	Work with Sussex County to plan for an additional library in Millville as the population increases.	Low
6-1	Continue to work with DelDOT on issues related to Atlantic Avenue/Route 26 and other State roads in and around Millville.	High
6-2	Continue to pursue the Atlantic Avenue/Route 26 streetscape improvements.	High
6-3	Develop a Capital Improvements Plan for Town maintained streets & sidewalks.	Low

No.	Recommendation	Priority
6-4	Continue integrating new and old streets, sidewalks, and bike paths.	Ongoing
6-5	Investigate the need and feasibility for public transportation.	High
6-6	Develop parking strategies for the Atlantic Avenue business district.	Medium
7-1	Inventory current water services to identify where wells can be converted to central water.	High
7-2	Continue to work at the Town and County level to expand the sewer system, especially as new development is proposed.	Ongoing
8-1	Continue Encouraging the planting of native trees, plants, and flowers throughout Town.	High
8-2	Create ordinances that protect environmental resources, such as trees and woodland areas, wildlife, etc.	Medium
8-3	Educate residents on the needs and benefits of protecting the environment and natural resources.	Ongoing
8-4	Apply for certification as a "Tree City."	Low
8-5	Establish a Town woodlands ordinance to protect forested wetlands from harm.	Medium
8-6	Create a wellhead protection ordinance to safeguard the public water supply.	Medium
8-7	The Town should continue to coordinate with the Sussex Conservation District to ensure new developments adequately address how stormwater quantity and quality treatment will be achieved.	High
8-8	The Town should investigate the need for a County/Town drainage study that identifies any issues that need to be mitigated.	Medium
8-9	Depending on study results, the Town should consider a stormwater management plan that sets prioritized goals and specific strategies to achieve these goals.	Low
8-10	Continue encouraging the use of Low Impact Development (LID) and Stormwater Best Management Practices (BMPs) during the site plan and subdivision review process.	High
8-11	Create Best Management Practices techniques within a Town Ordinance to preserve and protect natural resources during the land development application process.	Medium
9-1	The Town should continue with plans of investing in a recreation department as part of their capital planning improvements.	Low
9-2	Consider beginning negotiations with property owners for possible open space sites.	High
9-3	Continue working with developers to ensure new development provides adequate recreation facilities and amenities.	Ongoing
9-4	Ensure an appropriate mix of municipal parks and neighborhood/community parks.	Medium
9-5	Create a separate recreation plan.	Medium
9-6	Consider developing a standalone community survey to determine residents' open space preferences.	High
10-1	Encourage Stabilization and Repair of Older Structures.	Medium
11-1	Continue to work with Sussex County and the Town of Ocean View to ensure that development within the area of concern is compatible with Millville's character.	Ongoing
11-2	Work with Sussex County, the Town of Ocean View, and property owners to round out municipal boundaries.	High
11-3	Regularly review ordinances and services to reflect growing needs.	Ongoing
11-4	Coordinate with Sussex County and Ocean View regarding annexation and development proposals within the annexation area.	Ongoing
11-5	Ensure that necessary services can be provided to annexed lands.	Ongoing

APPENDIX

A. MAPS

1. Town Boundary
2. Zoning
3. State Strategies for Policies & Spending
4. Existing Land Use
5. Future Land Use
6. Future Land Use & Annexations
7. Transportation
8. Water Service Areas
9. Wastewater Service Areas
10. Environmental Features
11. Sea Level Rise
12. Tax Ditches

B. SWOT ANALYSIS

C. SURVEYS

1. Community Survey
2. Business Survey
3. Results

D. DATA INVENTORY

E. PLUS COMMENTS & TOWN RESPONSE

F. PUBLIC COMMENTS

G. ADOPTION ORDINANCE

APPENDIX A

MAPS (SEE SEPARATE APPENDIX DUE LARGE FILE SIZE)

1. Town Boundary
2. Zoning
3. State Strategies for Policies & Spending
4. Existing Land Use
5. Future Land Use
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12. Tax Ditches

TOWN OF MILLVILLE 2019 COMPREHENSIVE PLAN UPDATE

TO: Dorothy Morris, Office of State Planning
FROM: Debbie Pfeil, KCI Technologies Inc.
CC: Debbie Botchie, Millville Town Manager
DATE: October 3, 2019
RE: PLUS review 2019-04-06; Town of Millville Comprehensive Plan

Listed below you will find the Town's responses and changes made to the draft Comprehensive Plan for your consideration and approval. The Town Council is voting next Tuesday, October 8 for potential adoption.

Certification Comments: These comments must be addressed in order for our office to consider the plan update consistent with the requirements of Title 22, § 702 and Title 29, § 9103 of the Del. Code.

- According to the 2010 Census, the population of the Town of Millville was 544 people. The 2017 ACS 5 year population estimates reflect a population of 1,709 people. The ACS estimates are used on page 28 for the population profile. On page 39 the population projections from the Delaware Population Consortium are used to discuss the Housing and population projections. These projections list an estimated population in 2050 as 1,012, which is well under the ACS data projected. The plan should discuss these differences and determine the most accurate population data for the plan. If the DPC projection are underestimated, the town should set a goal to work with DPC to reconfigure this data so the town can accurately plan for the future population.

TOWN RESPONSE-The Town's goal is to capture the most current data regarding population from credible sources. While obtaining the data, one of the variables that could change the outcome would be the timing of the information and the methodology used. The Town acknowledges the differences; however, the majority of funding agencies will require use of the Census/ACS for supportive data. The Town will work with DPC once the new Census numbers become available and coordinate in future local calculations.

PLAN CHANGE, PAGE 29 FIRST PARAGRAPH:

The following chapter offers a population and housing profile for the Town. Most of the data from in this chapter has been drawn from U.S. Census products, unless otherwise noted. It should be noted that, due to possible sampling and surveying error, the data contained in this chapter cannot be construed as an irrefutable measure of existing population or housing conditions. The Town recognizes the differences in the population estimates from the 2010 Census, 2017 American Community Survey and the Delaware Population Consortium based on methodology and actual dates of data collection. At this time, the Town would follow the 2017 ACS data as it is the most recent and acceptable source for funding agency applications. The Town will continue to work with DPC on future population projections.

- According to Title 22, Section 702 Del C., towns with a population of less than 2,000 are required to state their position on housing growth within the municipality. DSHA reviewed the draft Comprehensive Plan and has the following certification concern:
 - It does not contain a housing position. In fact, it is troubling that the other eight chapters contain thought-out goals and recommendations while the housing chapter ends with a chart.

Facilitating affordable housing for current and future residents is a federal, state and local

issue. At a time when Federal resources for housing are diminishing, it is important that all levels of governments be engaged, bringing their resources and abilities to the table. The local role is most critical for towns where the need for housing, affordable to the many residents who work in the coastal resort economy, is acute and well documented. In addition, the Town of Millville is located within a OSHA-defined "Areas of Opportunity" which are strong, high value markets, offering economic opportunity, high performing schools, and supportive infrastructure that help household succeed. While the Town of Millville is small and market forces do present challenges, being a municipality carries with it the responsibility to allow all citizens the opportunity to live within the Town to the extent possible through land use regulations, policies and programs. At a minimum, the Town of Millville's position on housing should reflect a *willingness* to permit affordable housing opportunities for people of all income levels so they can live and work in Millville and gain access to the resources and benefits this area provides.

Recommendations: Our office strongly recommends that the Town consider these recommendations from the various State agencies as you review your plan for final approval. The following recommendations will, we feel, enhance the proposed plan. We ask that the town consider these recommendations before finalizing the plan.

TOWN RESPONSE-It appears that it is assumed the Town does not promote nor accommodate affordable housing, where is this derived from at this time. It is troubling that this item is a certification issues as this is a Community under the 2,000 population requirement. The Department could have provided the opportunity, need and resources information as the other State agencies for consideration in the Plan.

PLAN CHANGE, PAGE 41 GOALS:

Added- Goals Section

4-1 | The town is located within an osha-defined "areas of opportunity" which are strong, high value markets, offering economic opportunity, high performing schools, and supportive infrastructure that help households succeed. The town will continue to encourage and support a variety of housing types where people of all income levels and ages should be able to afford quality housing.

4-2 | The town will continue to work with developers, non-profit organizations and the Delaware State Housing Authority to support housing for all income levels.

Office of State Planning Coordination - Contact: Dorothy Morris 739-3090

Congratulations to the Town of Millville on a very well written plan which will guide the town through the upcoming years. Please consider the following recommendations:

The Town of Ocean View is currently updating their plan. One of their goals is the redevelopment of Route 26. At the time of the review of their comprehensive plan Pre- Update review, it was recommended to the Town of Ocean View that they work with Millville to create a master plan for the Route 26 corridor. It is recommended that Millville include a recommendation to work with Ocean View on the redevelopment of Route 26 in your comprehensive plan as well.

PLAN CHANGE, PAGE 50 UNDER 5-2:

ADDED-The Town should coordinate ongoing gateway development with all annexation activities and continue to work with the Town of Ocean View on the redevelopment of the Route 26 Corridor.

Page 74 lays out the reasons for an Overlay Zone. This zone is not on any map. Recommend it gets included in a map, possibly Map 2.

PLAN CHANGE, Page 75 UNDER OVERLAY ZONE 2 PARAGRAPH-

ADDED-In order to minimize those losses, Millville adopted these regulations, which apply to all development and new construction within special flood hazard areas. Ordinance 15-01 adopted a new Chapter 155 designating a Floodplain Administrator, criteria for development in the Flood Hazard Areas and procedures that took effect on March 16, 2015. Maps and studies that establish the special flood hazard areas are on file in Town Hall.

If you have not already done so, please verify boundaries from email sent to you last month. The Office of State Planning is, at this time, working to determine if the municipal boundaries we have on file are correct. If you have already done this, please send me an email verifying that the boundaries we show are correct. Also verify if the boundaries should match the parcel lines for those that are close and how you charter defines annexations with regards to the centerline of the road or all the way across.

TOWN RESPONSE-

The Town will continue to work with the State and County regarding Annexations and the Municipal Boundaries. The Town has initiated and attended multiple meetings over the years with Sussex County to complete this initiative. The Town is committed to and is moving forward with parcel based zoning; however, several of the partial in town limits parcels are valid and the Town will need to work with each property owner to address the issue.

The town has put together over 35 implementation items over the next 10 years that they would like to accomplish. While prioritizing is good, the town should identify 3-5 that are most important to them and make a plan to tackle them over the next 2 years.

TOWN RESPONSE-

The implementation items are reviewed on an annual basis during the budget process and updated in the Annual report to OSPC in July. Implementation items are also enacted based on available grant and loan funding through several program, when available. The Town is committed to moving forward with the implementation items and will have additional initiatives to complete before the next ten year Comprehensive Plan update as well.

Department of Transportation -Contact: Bill Brockenbrough 760-2109

DelDOT asks that the Town review Chapter 13, Mobility, in the adopted Sussex County Comprehensive Plan 2018 in order to ensure alignment with the County's goals and objectives.

DelDOT applauds the Town for including connectivity in Recommendation 6-4 and encourages them to continue to work with DelDOT and first responders to ensure a safe and easily navigated connected road system.

Ms. Jenn Cinelli is a DelDOT long range planner assigned both to support Comprehensive Plan writing in Sussex County and to help connect the Town to DelDOT resources that can support implementation of the plan recommendations. She can help address DelDOT's comments from PLUS as well as any other questions the Town may have. She can be reached at (302) 760-2549 or Jennifer.Cinelli@delaware.gov.

TOWN RESPONSE-

The Town will continue to work with the assigned personnel for continual coordination and implementation of specific tasks in the Plan.

The Department of Natural Resources and Environmental Control - Contact: Michael Tholstrup 739-9071

Page 48 Redevelopment

Brownfields are real property the redevelopment, reuse, or expansion of which may be hindered as a result of a reasonably-held belief that they may be environmentally contaminated (7 Del.C. §9103(3)). Productive use of these idle properties provides "new" areas for economic development, primarily in former industrial/urban areas with existing utilities, roads and other infrastructure. DNREC encourages the development of Brownfields and offers assistance and may be able to provide grant funding when investigating and remediating Brownfield sites.

The Delaware Brownfields Marketplace is an interactive database that contains a list of potential Brownfield sites throughout Delaware. The inventory is designed to make it easier for buyers and developers to locate potential Brownfield properties. Cleaning up and reinvesting in these properties protects the environment, reduces blight, and helps to create jobs for Delaware citizens, while preserving Delaware's precious green space and natural resources.

To add sites in your municipality to the Marketplace (with owner approval) please contact Melissa Leckie at

DNREC's Site Investigation and Restoration Section at (302) 395-2600 or by email at Melissa.Leckie@delaware.gov.

For information on the Brownfields Program or to determine if any sites in your municipality are currently enrolled in the Brownfields Development Program, please contact Jill Williams-Hall at DNREC's Site Investigation and Restoration Section at (302) 395-2600 or by email at Jill.Hall@delaware.gov or visit: <http://www.dnrec.delaware.gov/dwhs/SIRB/Pages/Brownfields.aspx>.

The Site Investigation and Restoration Section has noted that the Millville Mobil (site DE-1227) has completed remediation and is administratively closed with the program. Tank Management Section facility #5-000316

Recommendations: Consider adding any known contaminated sites to the Brownfields Program. PLAN CHANGE, PAGE 49 UNDER REDEVELOPMENT:

ADD-The Delaware Brownfield Marketplace is an interactive database that contains a list of potential Brownfield sites throughout Delaware. This is maintained by DNREC's Site Investigation and Restoration Section and further information can be located at: <http://www.dnrec.delaware.gov/dwhs/SIRB/Pages/Brownfields.aspx>.

Page 59-60 Climate Change and Sea Level Rise

The plan discusses and identifies a Flood Hazard District which incorporates zoning requirements to "prevent or minimize flood damage in the future," which corresponds to FEMA Flood Insurance Rate Maps.

DNREC has recently developed specific guidance for flood avoidance in future sea level rise scenarios. These resources are being utilized by State agencies and are non-regulatory, but can assist in municipal planning efforts (www.de.gov/floodavoidance).

Recommendations: The plan goals in this section should include discussion of proactive measures to avoid impacts from future sea level rise inundation/storm surge

PLAN CHANGE, PAGE 62 UNDER 8-3:

ADDED- Continual coordination and ongoing educational workshops for the Town Officials and Community regarding Flood Hazard Areas and Sea Level Rise are important and will assist with establishing proactive measures that can reduce impacts and protect assets.

Pages 58, 59, & 61 Source Water Protection

Source water protection areas include surface water water-supply watersheds, wellhead protection areas, and excellent groundwater recharge potential areas. The north eastern portion of the Town of Millville has an excellent recharge area which extends into adjacent Ocean View, in the vicinity of Frontier Drive as shown in Figure 1, below. There is also an excellent recharge area within the Plan's northern future annexation area as identified on Map 6, Future Land Use and Annexations.

Delaware's Source Water Protection Law of 2001 (7 Del C. §6081-6084) requires that all municipalities with greater than 2,000 residents adopt and enforce a source water protection ordinance. However, the Town of Millville currently has fewer than 2000 persons.

Recommendations: Because the Town has fewer than 2000 persons, there is no statutory requirement for Millville to implement a source water protection ordinance.

However the Town is encouraged to consider adopting a source water protection ordinance that is protective of both wellhead and excellent recharge areas. The Plan's Goal 8-6 should be amended to include the excellent recharge area protections in the proposed source water protection ordinance. Should you have any questions regarding the requirements of the source water protection law, the source water protection program, or want technical assistance to develop the language, please contact Doug Rambo of the DNREC Division of Water, at (302) 739-9945.



Figure 1. Excellent Recharge Potential areas are identified with diagonal blue stripe

TOWN RESPONSE – Since this is in the annexation growth area and noted on a map, this will assist with discussions regarding the land development of the property. The Town Officials can introduce and adopt language for Town regulations at any time during the course of the year and may consider this in the future.

Pages 59-60 Climate Change and Sea Level Rise

The DNREC Division of Climate, Coastal, & Energy administers a Sustainable Communities Planning Grant program, which may be included in the list of Climate Change resources/funding (www.de.gov/sustainablecommunities).

The Division also offers incentives for clean transportation and energy efficiency which may be included in the list. These programs address climate change goals of reducing greenhouse gas emissions and improve overall air quality (www.de.gov/cleantransportation, www.de.gov/eeit).

PLAN CHANGE, PAGE 60 UNDER 8-3:

ADDED- DNREC's Division of Climate, Coastal and Energy administers grant programs and incentives, come of which can be found here:

- www.de.gov/sustainablecommunities
- www.de.gov/cleantransportation
- www.de.gov/eeit

Page 60 Environmental Protection- Goals

Recommendations: The following strategies may be included as "proposals for ordinance" in the Town of Millville's Comprehensive plan:

- Implement regulations to protect freshwater wetlands including a 100-foot upland buffer width from all streams, wetlands, and waterbodies.
- Create an impervious surface mitigation plan for all parking areas.