



**Sussex Preservation Coalition –  
Recommendations on  
Proposed Amendments to 99-9 C.  
& Open Space**

# Sussex Preservation Coalition – SPC Recommendations on Proposed Amendments to 99-9 C. & Open Space

- **Chapter 99 is referred to as the "Subdivision Ordinance"**
- **The P&Z Commission reviews either tentatively approves or disapproves or conditionally approves an applicants subdivision preliminary plan as part of the overall application approval process**
- **Part of the Development Design Initiative, 99-9 was on the list of codes /ordinances to be reviewed**
- **Current provisions range from to vague, to subjective, lack criteria and standards and obviously open for interpretation**

## 99-9 C.

In addition to the other provisions contained within this article, the approval of a subdivision shall include consideration of the following:[Added 7-8-1997 by Ord. No. 1152]

(1) Integration of the proposed subdivision into existing terrain and surrounding landscape.

(2) Minimal use of wetlands and floodplains.

(3) Preservation of natural and historical features.

(4) Preservation of open space and scenic views.

(5) Minimization of tree, vegetation and soil removal and grade changes.

(6) Screening of objectionable features from neighboring properties and roadways.

(7) Provision for water supply.

(8) Provision for sewage disposal.

(9) Prevention of pollution of surface and groundwater.

**10) Minimization of erosion and sedimentation, minimization of changes in groundwater levels, minimization of increased rates of runoff, minimization of potential for flooding and design of drainage so that groundwater recharge is maximized.**

**(11) Provision for safe vehicular and pedestrian movement within the site and to adjacent ways.**

**(12) Effect on area property values.**

**(13) Preservation and conservation of farmland.**

**(14) Effect on schools, public buildings and community facilities.**

**(15) Effect on area roadways and public transportation.**

**(16) Compatibility with other area land uses.**

**(17) Effect on area waterways.**

# Proposed Amendments

In addition to the other provisions contained within this article, the approval of a subdivision ~~shall include consideration~~ **must satisfy** the following:

Proposed	Limitation	Recommendation
<b>County Proposed Amendments</b>	<i>SPC opinion on how the proposed change is potentially limiting in the County's ability to clearly define intent and the ability to ensure compliance</i>	SPC recommendations are focused on reducing subjectivity and establishing more measurable criteria where possible and incorporating best practices from other jurisdictions

## 9/13/24 Public Hearing Take aways

- The degree in which word change from “consideration” to satisfying was encouraging to SPC it was terrifying to the developer community represented at the hearing.
- Several expressed that if they were going to be held accountable they felt more objectivity was way better than less.
- Bottom Line:
  - Where the County thought making minor cosmetic changes would allow a vote for the amendments, it is likely a more extensive review and rewrite is needed
  - Stay tuned!