

## Report of the Observer Corps May 2024

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### Highlights

- Council passes cannabis bill
  - Buffer Ordinance under consideration
  - Cool Springs Alternative Plan B Introduced
  - County FY 2025 Operating Budget introduced
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### REPORT

#### **Cannabis Bill**

Under state law legalizing cannabis, towns are given the option to ban establishments from town limits, but the county must allow for retail, manufacturing, testing, and cultivating facilities under established zoning regulations. Although three Council Members spoke out against the state law, the Council, as required by state law, enacted an ordinance providing for the cultivation and manufacturing facilities as permitted use in AR-1, C-1, CR-2, C-3, LI and LI-2, zones. These uses would not require a public hearing. Retail stores will only be permitted in C-3 zoning districts and would require a conditional-use application filed with the county, which is subject to planning & zoning and county council public hearings. No retail store is permitted within three miles of a town or city boundary, within three miles of another marijuana retail store or within three miles of a church, school, college, or substance-abuse treatment facility. Proposed hours would be compliant with state law from 9 a.m. to 10 p.m.

#### **Buffer Ordinance**

At its May 17th meeting, Council unanimously adopted an ordinance that overhauls the county's environmental safeguards for critical waterways and wetland areas. The action represents the most significant update to the county's environmental protection laws in more than 30 years. The ordinance sets new rules – including greater distances between development and natural resources – for protecting and preserving some of the county's most critical environmental areas. Among the changes, the ordinance doubles from 50 feet to 100 feet, the size of buffering along and around new residential communities that adjoin tidal wetlands and waterways and adds a 30-foot buffer requirement. for new developments along non-tidal wetlands and intermittent streams. The ordinance will take effect in six months.

#### **Cool Springs**

State agencies are reviewing the latest plans for Cool Spring Crossing near Lewes. The parcel borders Route 9, Cool Spring Road, Log Cabin Hill Road, and Hudson Road west of Lewes. Under consideration is Plan B for a cluster subdivision, as a backup to the original plan which is now being designated as Plan A. Plan B can be developed by right under county zoning because the parcel is zoned AR-1 (agricultural-residential with two single-family homes per acre). It is the second application for the property. Public PLUS hearings were May 22. Plan B is planned for the 637-acre with a mix of 1,260 single-family homes, including entry level, market rate, second homes and age-restricted. No workforce housing is included, which was proposed under the original application. Projected traffic would be approximately 12,600 vehicle trips per day.

Plan A includes 1,922 mixed-use dwellings, 411,000 square feet of mixed retail, commercial, and office space. Projected traffic would be more than 32,000 vehicle trips per day. One difference between the two plans is that Plan B requires only a public hearing before the Planning & Zoning Commission. Plan A requires Planning & Zoning and County Council approval, and a change to the county comprehensive land use map.



## **County FY 25 Budget**

The County will hold a public hearing on June 10<sup>th</sup> in Council Chambers. The County Administrator's Budget Letter is found in the packet of materials for the May 21 meeting: <http://sussexcountyde.gov>