



TOWN OF OCEAN VIEW

Sussex County, Delaware

2015 COMPREHENSIVE PLAN AMENDMENT

Adopted February 14, 2017
Ordinance 335

Prepared by

Institute for Public Administration
School of Public Policy & Administration
College of Arts & Sciences
University of Delaware



www.ipa.udel.edu
institute for Public Administration

ABOUT THIS DOCUMENT

This Plan Amendment must be read together with the 2010 Comprehensive Plan Update and the 2013 Plan Amendment. The maps and text in this document supersede the maps and text contained in all previous comprehensive plan documents including the 2010 Comprehensive Plan Update and the 2013 Plan Amendment. Where there appears to be conflicts or contradictions between this Plan Amendment and prior comprehensive plan updates or amendments, this Plan Amendment shall govern.

SEVERABILITY CLAUSE

Should a court decide that any section or provision of this comprehensive land use plan is unconstitutional or invalid, it is the legislative intent that such decision shall not affect the validity of this comprehensive land use plan as a whole or any part other than the part judged unconstitutional or invalid.

ORDINANCE NO.: 335

**AN ORDINANCE ADOPTING THE
2015 COMPREHENSIVE LAND USE PLAN AMENDMENT
FOR THE TOWN OF OCEAN VIEW**

WHEREAS, the Town Council has, as required by Section 702, Chapter 7 of Title 22, of the Delaware Code, as amended, adopted a comprehensive development plan for the purposes set out therein; and

WHEREAS, the Town Council is required to periodically update its comprehensive land use plan; and

WHEREAS, the Town Council has revised and updated its comprehensive plan; and

WHEREAS, the Town Council of Ocean View is of the opinion that it promotes the health, safety, morals, beauty and good appearance of the Town and provides for the orderly growth and future annexations to the Town by amending the comprehensive plan;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF OCEAN VIEW:

Section 1. The 2015 Comprehensive Land Use Plan Amendment, including the text, maps, as amended, and other exhibits, all of which are attached hereto and made a part hereof as if more fully set out herein, is adopted as the comprehensive land use plan in the Town of Ocean View.

Section 2. All prior comprehensive land use plans and updates are hereby repealed.

Section 3. If any provision of this ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions or applications of the other provisions or applications of this Ordinance which can be a given effect

without the invalid provision or application.

Section 4. This Ordinance shall be effective upon its adoption by a majority of all members elected to the Town Council of Ocean View.



TOWN OF OCEAN VIEW

By: Walter
Mayor

Attest: Donna M. Schwartz
Town Clerk

Adopted: 2/14/2017

[DLS Draft 10-12-16]

[DLS Rev. 10-18-16]

[LCF-final, 02-24-17]

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TOWN, COUNTY AND STATE OFFICIALS

Town of Ocean View

Town Council

Walter F. Curran, Mayor
William Olsen, Mayor Pro Temp— District 1
Frank Twardzik – District 2
Thomas A. Maly – District 3
Carol Bodine – District 4

Planning & Zoning Commission

Gary Meredith, Chair
Bill Wichmann, Vice Chair
Pat Sharpe, Secretary
Ron Smith, Commissioner
Baptiste Damiano, Commissioner

Town Manager

Dianne L. Vogel

Administrative Official

Charles F. McMullen

Town Clerk

Donna Schwartz, CMC

Chief of Police

Kenneth McLaughlin

Finance Director

Lee Brubaker

Town Solicitor

Dennis L. Schrader, Esq.

Sussex County

County Council

Michael H. Vincent, President, District 1
Samuel R. Wilson, Jr., Vice President, District 2
Irwin G. Burton III, District 3
George B. Cole, District 4
Robert B. Arlett, District 5

County Administrator

Todd Lawson

Planning & Zoning Director

Janelle Cornwell

State of Delaware

Governor

John C. Carney, Jr.

Senate

Gerald R. Hocker, District 20

House of Representatives

Ronald E. Gray, District 38

Office of State Planning Coordination

Constance C. Holland, AICP, Director

INSTITUTE FOR PUBLIC ADMINISTRATION

This Comprehensive Plan Amendment was prepared by the Town of Ocean View Planning and Zoning Committee Commission with assistance from the Institute for Public Administration (IPA), a unit within the University of Delaware's School of Public Policy & Administration. IPA links the research and resources of the University of Delaware with the management and information needs of local, state, and regional governments in the Delaware Valley. IPA provides assistance to agencies and local governments through direct staff assistance and research projects as well as training programs and policy forums.

Institute Director

Jerome R. Lewis, Ph.D.

Ocean View Plan Amendment Team

Linda Raab, AICP, Project Manager

Nicole Minni, GISP, Mapping and GIS Support

Martin Wollaston, Planning Services Manager

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INTRODUCTION

On March 13, 2010 by Ordinance 266, The Town of Ocean View adopted a complete update of its comprehensive plan. This plan was certified by the governor on October 21, 2010.

Following adoption of the 2010 complete plan update, the Town adopted a plan amendment that changed the future land use for a few parcels in the State Route (SR) 26 corridor. This amendment was adopted on April 9, 2013 by Ordinance 301.

Section 702(e) of the *Delaware Code* requires that comprehensive plans be reviewed every five years and completely updated every 10 years.

The required five-year review began in 2015, the fifth year following the 2010 complete plan update. In accordance with Section 702(e), the Town has reviewed the 2010 plan (including the 2013 amendment) and has determined that generally its provisions are still relevant, but that several changes to existing land use, future land use, and the annexation area are needed. This Plan Amendment presents these changes.

PLAN AMENDMENT ADOPTION PROCESS

This section describes the Plan Amendment's adoption process. It includes plan preparation by the Ocean View Planning & Zoning Commission, state review under the PLUS process, public outreach, and Town Council adoption.

Planning & Zoning Commission Recommendation

Title 22, Section 702(a) of the *Delaware Code* assigns responsibility for comprehensive plan preparation to municipal planning commissions. On October 15, 2015, the Ocean View Planning & Zoning Commission initiated preparation of this Plan Amendment by holding a public hearing. At that hearing, Commissioners reviewed maps depicting current land use, future land use, annexation areas. The consensus of the Commission was that:

- Generally, the 2010 plan and 2013 amendment is adequate and will guide Ocean View for the next five years.
- The plan text and maps dealing with land use should be amended to reflect development within Town and the annexations that occurred since 2010.

The Commission directed Town staff and IPA consultants to draft a Plan Amendment document.

On February 8, 2016, the Commission continued its review of maps depicting current land use, future land use, annexation areas at a second public hearing. Commissioners provided additional guidance to Town staff and IPA.

On December 15, 2016, a third public hearing was held at which the Planning & Zoning Commission considered the comments resulting from the state review (see next section). By a 5-0 vote, the Commission recommended that the Town Council adopt this Plan Amendment.

State Review

Title 29, Section 9103 of the *Delaware Code* requires review of and comment on county and municipal comprehensive plans, including plan amendments, prior to adoption. The Office of State Planning Coordination (OSPC) organizes the comment process and works with each jurisdiction on items recommended for inclusion in the adopted document.

The state review is based on statewide land development goals, policies and criteria established by the Governor, the Cabinet Committee on State Planning Issues, state laws or regulations, or the State's most recent capital budget. It is not intended to preempt, replace, or override local planning efforts. Its primary focus is the "... potential fiscal impacts of the proposed county or municipal comprehensive plan as they relate to State-funded infrastructure and services, including but not limited to transportation, water and sewer systems, public schools, affordable housing, and public safety."

On October 26, 2016, OSPC and the state agencies involved in the PLUS process reviewed the draft Plan Amendment. In a letter dated November 29, 2016, OSPC transmitted comments from the state agencies involved in the PLUS review.

Town Council Adoption

On November 8, 2016, Ordinance 335 was introduced at the Town Council meeting.

On January 10, 2017, Ordinance 335 was read for the first time at the Town Council meeting.

On February 14, 2017, a public hearing was held, and Ordinance 335 was read for the second time. A summary of the Plan Amendment and the PLUS comments was presented by the Administrative Official. It was noted that the Planning & Zoning Commission voted to recommend approval of this Plan Amendment. It also was noted that this document is not a full plan update, but makes changes to the future land-use map and adjusts the boundaries of Ocean View's annexation area.

All interested citizens and parties were given an opportunity to be heard. A motion was made by Council Member Maly, seconded by Council Member Twardzik, to approve the amendment to the Comprehensive Plan. The motion carried unanimously 5-0.

LAND USE CHANGES IN TOWN

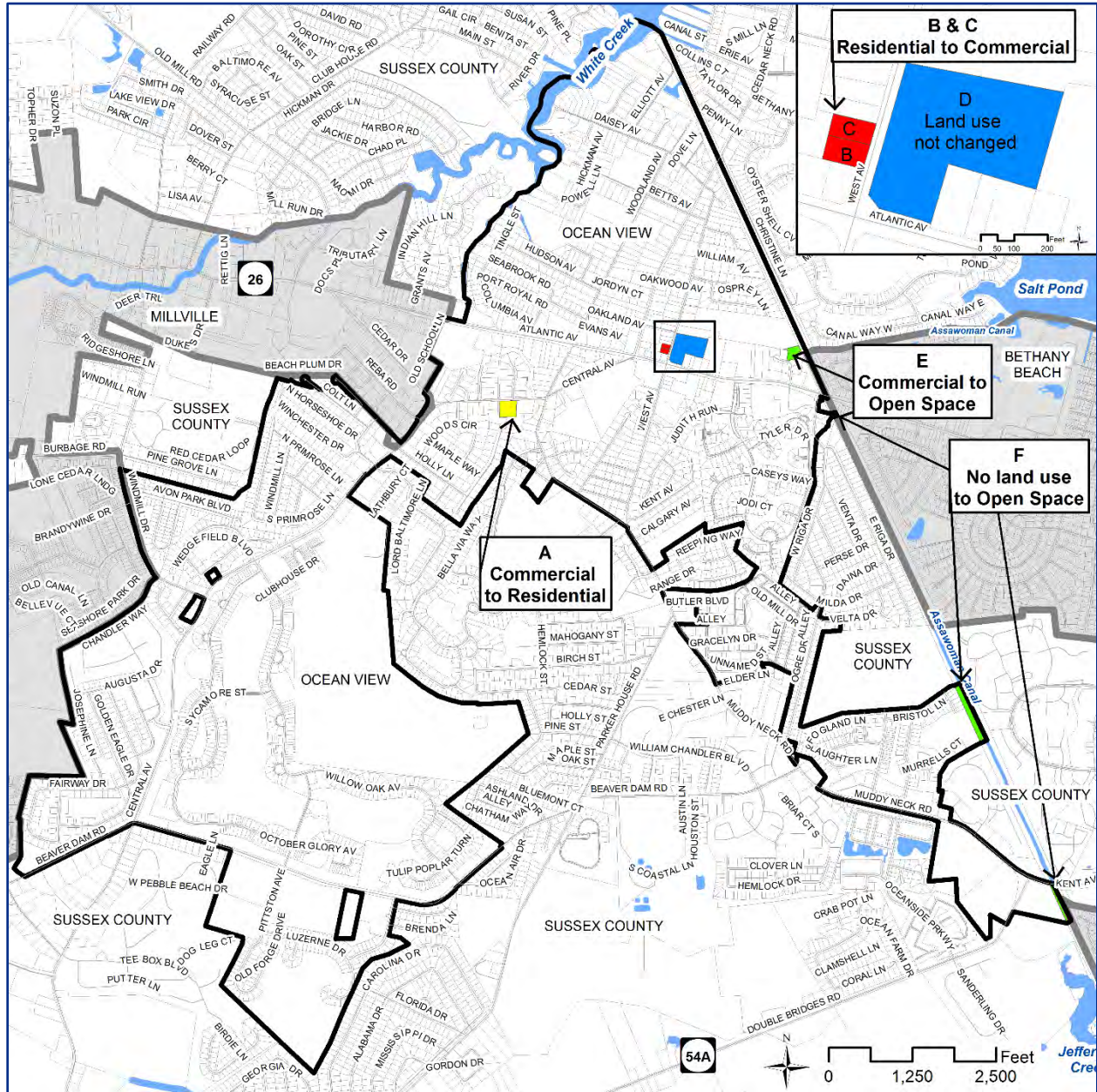
Table 1 provides information about the parcels within the town boundary whose land use is changed by this Plan Amendment from their designations in the 2010 plan as amended in 2013. It also indicates whether a change in zoning would be needed to maintain consistency between land use and zoning as the *Delaware Code* requires. Figure 1 shows their locations.

Table 1. Land Use Changes in Town

Map Ref	Property Location Parcel ID Owner Name(s) Owner Address State Investment Level	Existing Land Use 2015	2010/2013 Future Land Use	New Future Land Use	Land Use Change ?	Existing Zoning	Zoning Change Needed ?
A	129 Central Avenue 134-12.00-446.00 Gomlick, Louis William & Jane Gomlick 81 Andover Ln, Matawan, NJ 07747 Level 1	Commercial	Commercial	Residential	YES	GB-1	YES
B	62 West Avenue 134-12.00-637.00 Flint, Brian & Judith Flint PO Box 1753 Pine Bush, NY 12566 Level 2	Residential	Residential	Commercial	YES	R-1	YES
C	60 West Avenue 134-12.00-636.00 Smith, Duncan G & Cynthia R Smith 8 Daisey Ave Ocean View, DE 19970 Level 2	Unimproved	Residential	Commercial	YES	R-1	YES
D	51 & 55 West Avenue 134-13.00-16.00 Church of Christ at Ocean View 45 West Ave Ocean View, DE 19970 Levels 1 & 2	Community Facility	Community Facility	Community Facility	NO	R-1	YES
E	5 Town Road 134-13.00-1099.00 State of Delaware, DNREC 89 Kings Hwy Dover, DE Level 1	Open Space	Commercial	Open Space	YES	GB-1	YES
F	Assawoman Canal adjacent to Savannah's Landing, Beach Club & Berzins 134-13.00-94.00 State of Delaware Open Space & Out-of-Play	Open Space	None	Open Space	YES	None	YES

Note: Table 2 provides guidance regarding the match-up between future land uses depicted on the future land use map and zoning districts.

Figure 1. Land Use Change Locations



GROWTH AND ANNEXATION

Annexation is a process where land outside of Ocean View becomes incorporated into the Town. This section outlines the annexation process and discusses the items for consideration areas suitable for annexation into the town.

Annexation Process

The annexation process involves complying with the state code and Ocean View's charter.

State Law

Title 22, Section 101 of the *Delaware Code* outlines the state provisions governing municipal annexations.

1. Areas proposed for annexation must be identified in the comprehensive plan.
2. Any parcel proposed for annexation must be contiguous to the existing municipal boundary. "Contiguous" means that some part of a parcel proposed for annexation must be co-terminus with the boundaries of the annexing municipality and roads or rights-of way cannot be used to create "corridor" annexations.
3. Before a municipality can approve an annexation, a plan outlining how public services will be provided must be approved by the state. This review is conducted by the Office of State Planning Coordination.
4. At the time of annexation, the municipality must enact an ordinance placing the newly annexed area in a zoning district that is consistent with the comprehensive plan.
5. As part of the annexation process, a municipality must provide public notice to affected parties and hold public hearings in a manner that complies with state and local statutes. The public outreach must include at least a 30-day comment period.

Ocean View Town Charter

Section 4.101 of the Ocean View Town Charter outlines the Town's annexation process. It authorizes alteration of the town boundaries and, like the *Delaware Code*, states that properties proposed for annexation must be contiguous to the Town. The section goes on to specify the annexation procedure, including filing an annexation petition, review by the Planning and Zoning Commission, public input, and recording with the Sussex County Recorder of Deeds. It also outlines procedures for a town-wide referendum when at least 33 percent of the Town's qualified voters present a petition for referendum.

Annexation Considerations

This section identifies three key considerations for annexation decisions.

Strategies for State Policies and Spending

The first key annexation consideration is the *Strategies for State Policies and Spending*. The *Strategies* were adopted in 1999 and updated in 2004, 2010, and 2015.

Consisting of text and maps, the *Strategies* document classifies the entire state into four investment levels based on the predominant type of current development. These levels form the basis for

determining where state-supported growth should occur and establishes guidelines for state investment in those areas. The state is most prepared for growth and state-spending to occur in Levels 1 and 2. In Level 3 areas, development is not anticipated in the immediate future, but is not precluded, since these areas are adjacent to, and sometimes within, built-up areas in Levels 1 or 2. In Level 3 areas, development is not anticipated in the immediate future, but is not precluded, since these areas are most often adjacent to, and sometimes within, built-up areas in Levels 1 or 2. In Level 4 areas, development is generally not expected; and limited infrastructure expenditures are envisioned except to address public health, safety, or welfare.

“Out of Play” areas are lands not available for development. They include publicly owned land, land having serious legal and/or environmental constraints, and lands with permanent open-space protection.

Map 2 shows the 2015 strategies areas in the Ocean View vicinity. As the map shows, most of the area is in Investment Level 1, 2, or 3. There are some Level 4 areas east of Bayard/Peppers Corner Road. A significant “Out-of-Play” area is the Little Assawoman Bay Natural Area located south of Double Bridges Road. Other “Out-of-Play” areas include the Fresh Pond State Park north of Fred Hudson Road, the Bethany Beach Nature Center and a conservation easement east of the Assawoman Canal near the Salt Pond, the Assawoman Canal, the tidal wetlands associated with White Creek and the Assawoman Canal, and the Ocean View town park.

Public Facilities & Services

A second important factor to consider when identifying properties for annexation is the economic feasibility of providing public services. Ocean View should give high priority to areas where Town services can be extended easily and economically. When considering annexation of a developed area, Ocean View also must evaluate the condition of the area’s existing infrastructure. In some cases, the costs of bringing roads, street lighting, and stormwater-management facilities into compliance with Ocean View’s standards may exceed the revenues and other benefits of annexation.

Enclaves

A third annexation consideration is whether an enclave would be created. An enclave is an area in a county that is completely surrounded by a municipality. There are three enclaves within Ocean View. Two are located on the west side of Central Avenue at the edge of the Wedgefield planned community. A third is on the south side of Beaver Dam Road within the recently annexed Silverwoods subdivision.

This Plan Amendment continues to recommend pursuing the annexation of existing enclaves and avoiding the creation of new enclaves.

Annexations Since 2010

Since adoption of the 2010 Plan, Ocean View has annexed approximately 155 acres. Most of this acreage is located in the south of Beaver Dam Road and includes the Silverwoods subdivision totaling 115 acres and the Berzins properties consisting of about 39 acres. Two, quarter-acre parcels in the Country Estates Subdivision were also annexed.

Annexation Area 2015

Map 3 shows Ocean View's annexation area boundaries in this Plan Amendment, and Appendix A shows Ocean View's 2010 and 2013 annexation areas. As Map 3 indicates, Ocean View's annexation area extends west generally along Double Bridges Road to Peppers Corner Road. Peppers Corner Road is the western boundary for the annexation area because it is the dividing line between the State Investment Level 3 area, where development is anticipated albeit not immediately, and Level 4 where development is generally not expected. Beaver Dam Road is roughly the northern extent of this extension because it adjoins Millville's current boundary and territories that might be considered logical extensions of Millville's town limits rather than additions to Ocean View.

This Plan Amendment's annexation area continues Double Bridges Road as the logical southern boundary. Some areas south of Double Bridges Road are included because they are platted, slated for development, or are not within the state protected areas or the Little Assawoman Bay Wildlife Area.

The eastern annexation boundary is unchanged from the 2013 plan amendment. It includes properties between the Assawoman Canal and Ocean View's existing town limits and extends roughly from the vicinity of Kent Avenue/Double Bridges Road north along the canal to Route 26. One development in this area is the existing Ocean Way Estates subdivision. A second is the Waterside subdivision. A third is the Lighthipe property. This property was rezoned from AR-1 to MR-RPC to permit the development of 120 single-unit homes and 44 townhouses on August 15, 2015 (County Ordinance 2411). These properties are logical additions to Ocean View's town limits because the Town can more easily provide services, especially police protection, to these areas than can Sussex County. In addition, the sole access road to the Lighthipe subdivision runs through Ocean View.

This Plan Amendment also identifies for annexation several parcels within the County Estates subdivision in the vicinity of Colt Lane and Frontier Drive. These parcels are logical candidates for annexation to Ocean View because they are partially in Ocean View and partially in Sussex County and because the majority of the Country Estates community is with Ocean View's town boundary. Since 2010, two property owners in Country Estates have annexed the Sussex County portions of their parcels to Ocean View.

Finally, this Plan Amendment continues to identify three enclaves for annexation. Two of these areas are located on the west side of Central Avenue near its intersection with Windmill Drive. The third is on the south side of Beaver Dam Road and is surrounded by the Silverwoods subdivision.

Map 4 identifies land uses for the "2015 Annexation Area" depicted on Map 3. These land uses represent a departure from the land uses in the 2010 plan and 2013 amendment. Rather than designate the entire annexation area as "Residential/Commercial," the annexation area land uses in this Plan Amendment draw heavily on existing or planned development. Land uses for vacant or unimproved areas considered surrounding development and the possibility for planned communities. Unimproved parcels with at least 20 contiguous acres, which is the minimum tract area for a planned community (Ocean View Code, Chapter 140, Section 140-49), are identified as suitable for Planned Communities. Unimproved parcels with fewer than 20 acres generally are classified Residential.

Map 5 combines the future land uses portrayed on Maps 1 and 4.

IMPLEMENTATION

This section identifies the provisions of the Delaware Code that Ocean must comply with following adoption of this Plan Amendment.

Comprehensive Rezoning

Title 22, Section 702(c) of the Delaware Code requires that municipalities must:

... within 18 months of the adoption of a comprehensive development plan or revision thereof, amend its official zoning map to rezone all lands within the municipality in accordance with the uses of land provided for in the comprehensive development plan.

Table 2 describes how Ocean View's zoning districts might match up with the land uses recommended on the future land use map. They are not intended to preclude the development of new zoning districts or revisions to the Land Use and Development Code or any other land use regulation.

Table 2. Land Use and Zoning Link

Land Use	Zoning District(s)
Open Space	OS, Open Space
Residential	R-1, Residential, Single-Family R-2, Residential, 1- & 2-Family R-3, Residential, Townhouse & Multi-Family
Planned Community	RPC, Residential, Planned Community MXPC, Mixed-Use, Planned Community
Commercial	GB-1, General Business-1 GB-2, General Business-2
Community Facility	All Zoning Districts
All Land Uses	HPOZ, Historic, Preservation Overlay

Sources: Town of Ocean View Code of Ordinances, Chapter 140, Land Use and Development, Article III, adopted 09/21/2010 by Ordinance 268 as amended through 01/05/2015 by Ordinance 320.

Plan Update

Section 702(e) of the *Delaware Code* also requires that;

At least every 5 years a municipality shall review its adopted comprehensive plan to determine if its provisions are still relevant given changing conditions in the municipality or in the surrounding areas. The adopted comprehensive plan shall be revised, updated and amended as necessary, and readopted at least every 10 years ...

Since this document is an amendment, not a complete re-vamping of the 2010 plan, Ocean View must fully update the entire comprehensive plan by 2020.

Annual Reports

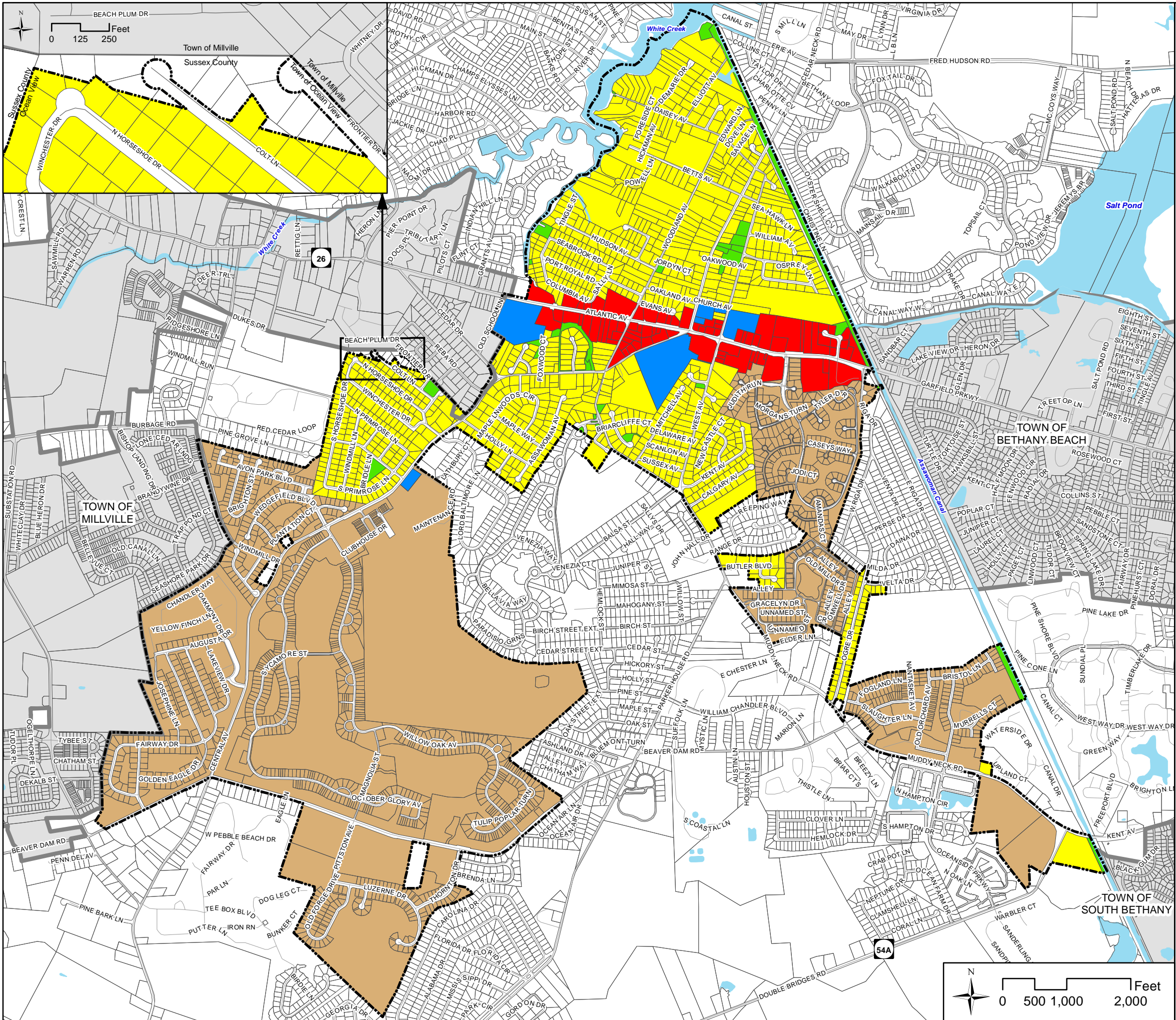
Section 702(f) requires the submission of annual reports to OSPC each July 1.

MAPS

Table 3 lists the maps adopted in the 2010 Plan Update as amended in 2013 that are superseded by this Plan Amendment.

Table 3. Maps Superseded by this Plan Amendment

Map in this Plan Amendment	Action	Previous Maps
Map 1. Future Land Use in Town	Supersedes	Map 6a. Future Land Use Map 6b. Future Land Use
Map 2. Strategies for State Policies & Spending Ocean View & Vicinity 2015	Supersedes	Map 3. Strategies for State Policies and Spending
Map 3. Annexation Area Boundary	Supersedes	Map 6a. Future Land Use Map 6b. Future Land Use
Map 4. Annexation Area Future Land Uses	Supersedes	Map 6a. Future Land Use Map 6b. Future Land Use
Map 5. Future Land Use In Town and Annexation Area	Supersedes	Map 6a. Future Land Use Map 6b. Future Land Use






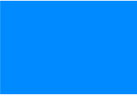

TOWN OF OCEAN VIEW Sussex County, Delaware

2015 Comprehensive Plan Amendment





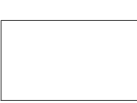

Map 1. Future Land Use In Town

**SUPERSEDES MAPS 6a AND 6b IN THE
2010 PLAN AND 2013 AMENDMENT**

Future Land Use

- | | | | |
|---|-------------|---|--------------------|
|  | Open Space |  | Planned Community |
|  | Residential |  | Community Facility |
|  | Commercial | | |

Base Map Data

- | | | | |
|---|----------------------|---|-----------------|
|  | Ocean View Boundary |  | Streets & Roads |
|  | Other Municipalities |  | Water Bodies |
|  | Parcel Boundaries |  | Major Streams |

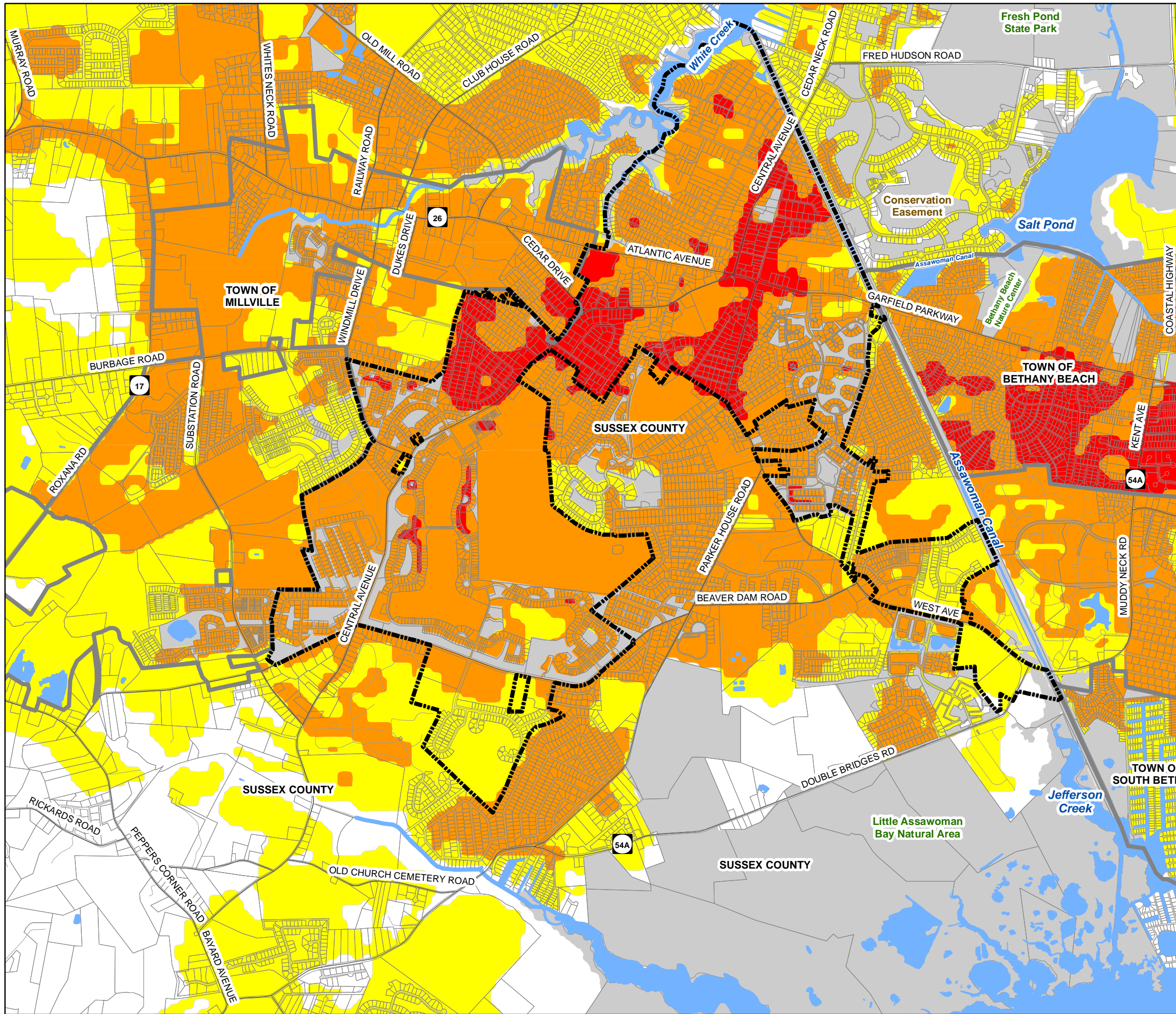
Sources

Municipal Boundaries - Bethany Beach & South Bethany downloaded from FirstMap, 05/19/2015; Millville from FirstMap amended per memo from County Planning Director, 12/04/2012; Ocean View from FirstMap amended to reflect corrections at Country Estates, Elder Lane, Canal Landing, and Berzins tract.
Parcel Boundaries - FirstMap, downloaded 03/10/2017
Streets & Roads - FirstMap, downloaded 03/13/2017.
Streets - Sussex County Mapping & Addressing, 05/23/2016.
Water Bodies & Streams - FirstMap, downloaded 05/19/2015.

Note

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TOWN OF OCEAN VIEW Sussex County, Delaware

2015 Comprehensive Plan Amendment






Map 2. Strategies for State Policies & Spending Ocean View & Vicinity 2015

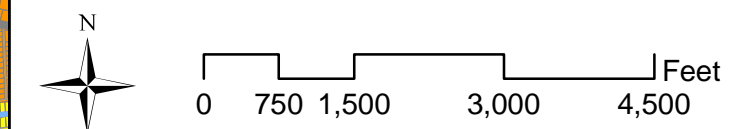
**SUPERSEDES MAP 3 IN THE
2010 PLAN AND 2013 AMENDMENT**

Investment Levels

	Level 1		Level 4
	Level 2		Out of Play
	Level 3		

Base Map Data

	Ocean View Boundary		Major Roads
	Other Municipalities		Water Bodies
	Parcel Boundaries		Major Streams



Sources

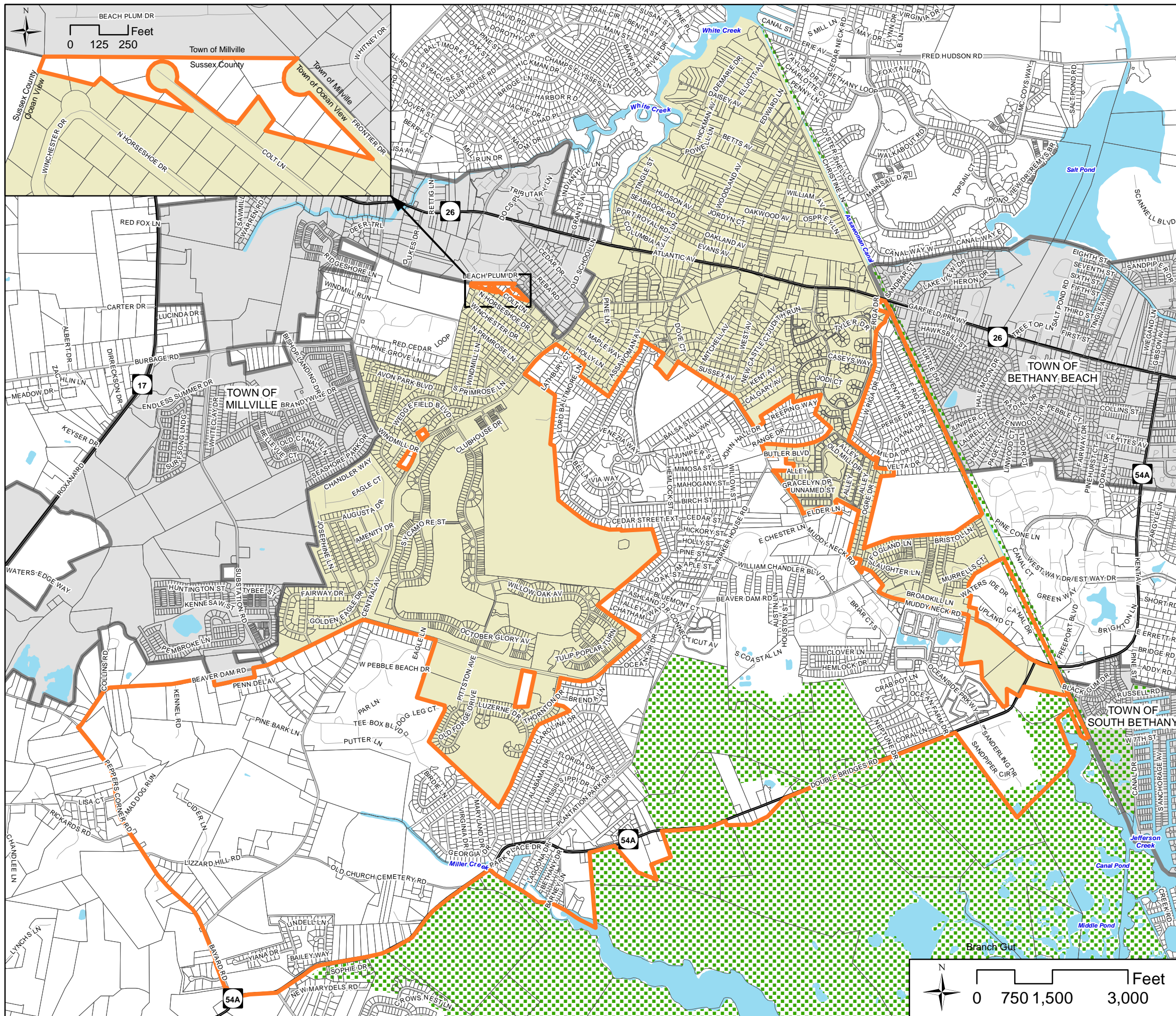
State Strategies - Office of State Planning Coordination on FirstMap, 2015.
Municipal Boundaries - Bethany Beach & South Bethany downloaded from FirstMap, 05/19/2015; Millville from FirstMap amended per memo from County Planning Director, 12/04/2012; Ocean View from FirstMap amended to reflect corrections at Country Estates, Elder Lane, Canal Landing, and Berzins tract.
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Adopted 02/14/2017, Ordinance 335



TOWN OF OCEAN VIEW
Sussex County, Delaware

2015 Comprehensive Plan Amendment

Map 3. Annexation Area Boundary

**SUPERSEDES MAPS 6a AND 6b IN THE
2010 PLAN AND 2013 AMENDMENT**

Annexation Area



Annexation Area Boundary

Municipal Boundaries

Town of
Ocean View

Other
Municipalities

Base Map Data



Parcel Boundaries



Streets & Roads



Water Bodies



- Major Streams



Little Assawoman Bay Natural
Area and State Protected Lands

Sources

Municipal Boundaries - Bethany Beach & South Bethany downloaded from FirstMap, 05/19/2015; Millville from FirstMap amended per memo from County Planning Director, 12/04/2012; Ocean View from FirstMap amended to reflect corrections at Country Estates, Elder Lane, Canal Landing, and Berzins tract.

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Streets & Roads - Sussex County Mapping & Addressing, 05/23/2016.

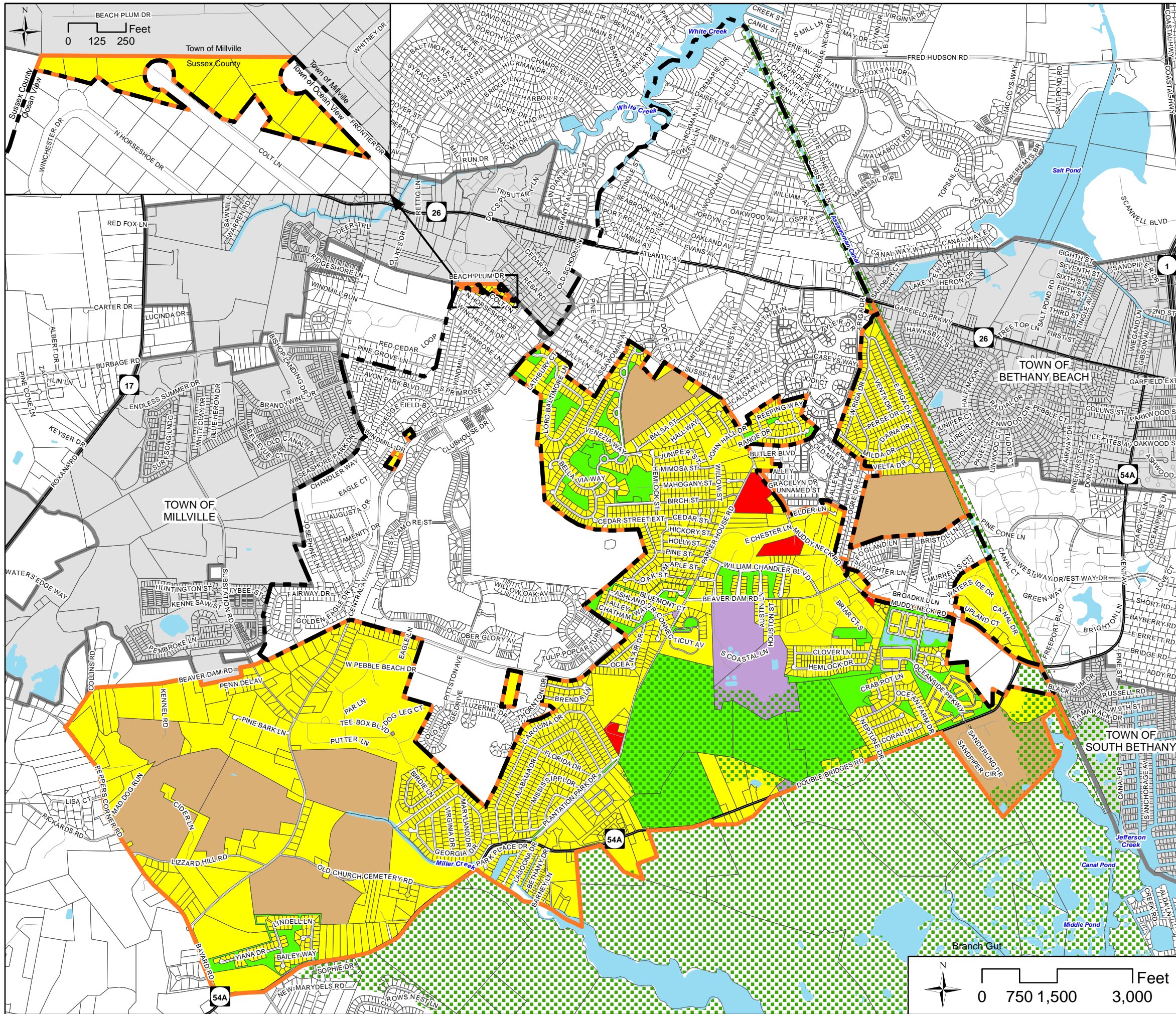
Water Bodies & Streams - FirstMap, downloaded 05/19/2015.

Note

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2015 Comprehensive Plan Amendment

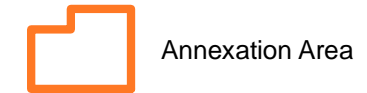
Map 4. Annexation Area Future Land Uses

**SUPERSEDES MAPS 6a AND 6b IN THE
2010 PLAN AND 2013 AMENDMENT**

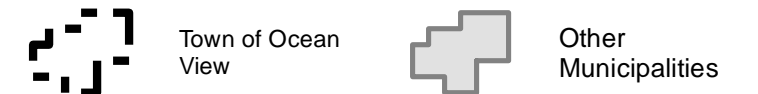
Land Uses

	Commercial		Residential
	Open Space		Utility
	Planned Community		

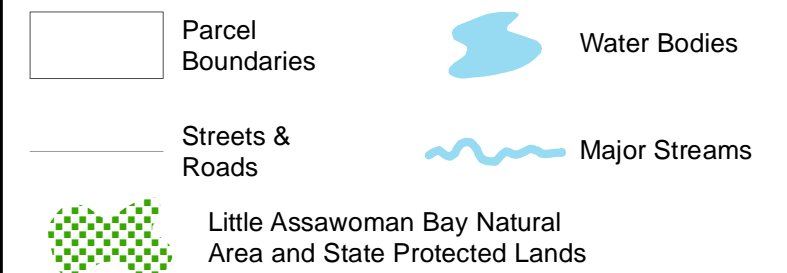
Annexation Area Boundary



Municipal Boundaries



Base Map Data



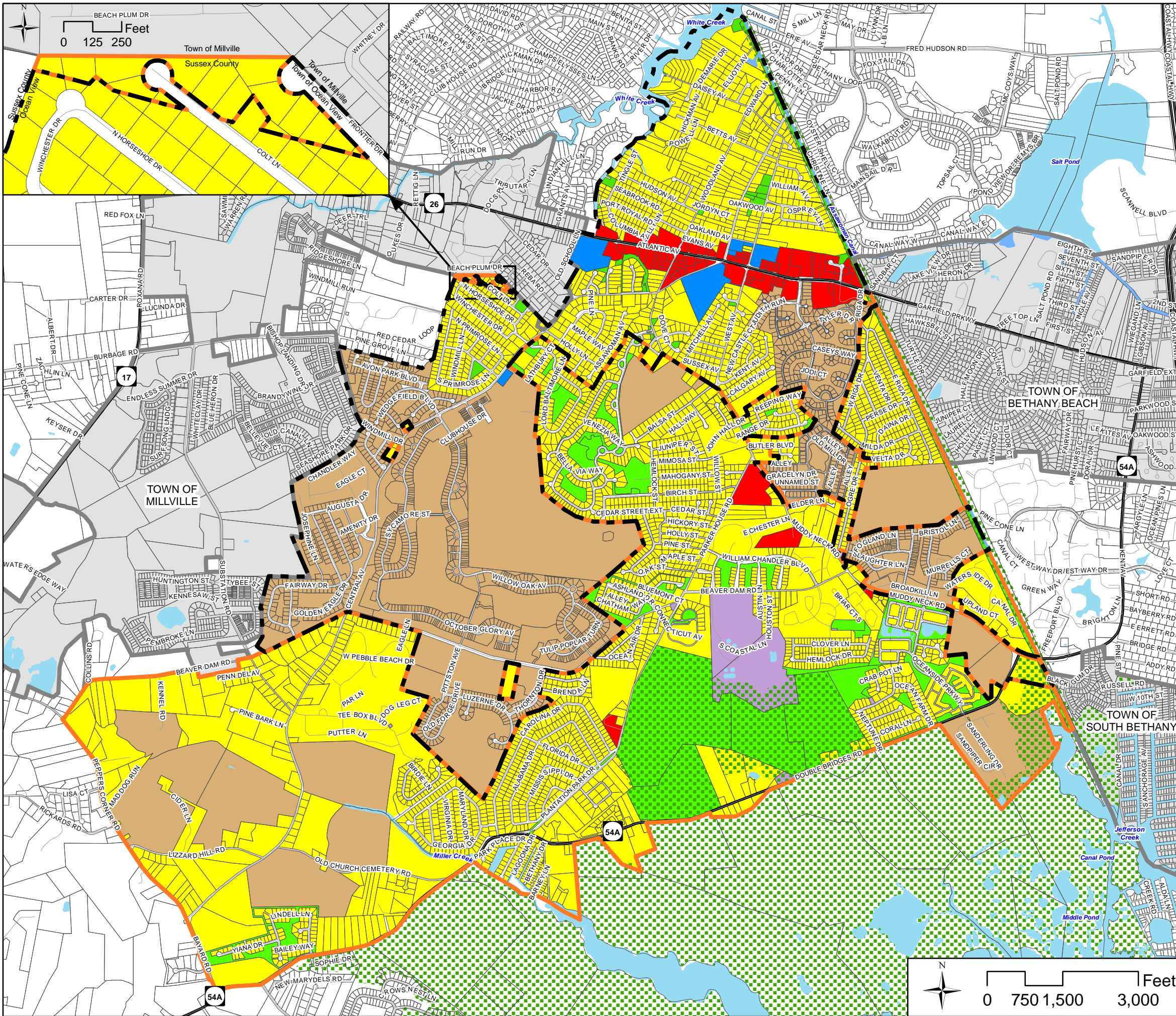
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Water Bodies & Streams - FirstMap, downloaded 05/19/2015.

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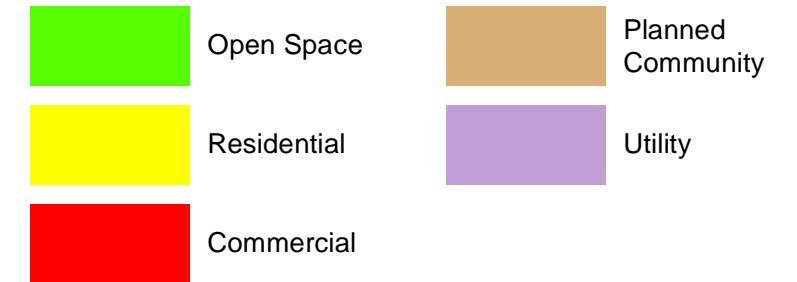


TOWN OF OCEAN VIEW Sussex County, Delaware

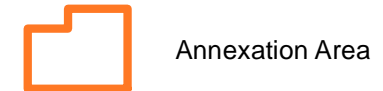
2015 Comprehensive Plan Amendment

Map 5. Future Land Use In Town and Annexation Area SUPERSEDES MAPS 6a AND 6b IN THE 2010 PLAN AND 2013 AMENDMENT

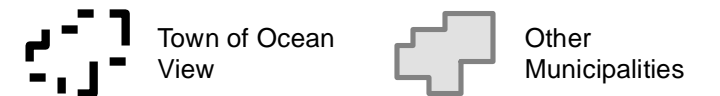
Future Land Use



Annexation Area Boundary



Municipal Boundaries



Base Map Data



Sources

Municipal Boundaries - Bethany Beach & South Bethany downloaded from FirstMap, 05/19/2015; Millville from FirstMap amended per memo from County Planning Director, 12/04/2012; Ocean View from FirstMap amended to reflect corrections at Country Estates, Elder Lane, Canal Landing, and Berzins tract.
Parcel Boundaries - FirstMap, downloaded 03/10/2017.
Streets & Roads - FirstMap, downloaded 03/13/2017.
Streets - Sussex County Mapping & Addressing, 05/23/2016.
Water Bodies & Streams - FirstMap, downloaded 05/19/2015.

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Appendices

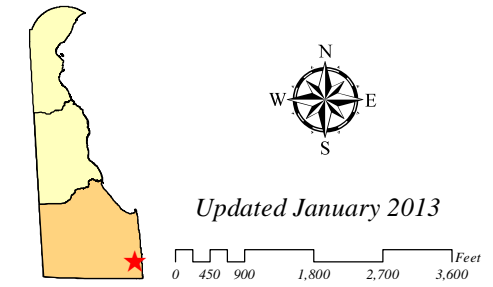
- Appendix A. Map 6a Future Land Use 2013
- Appendix B. Map 6a Future Land Use 2010
- Appendix C. Preliminary Land-Use Service (PLUS) Review

Appendix A
Future Land Use 2013

Town of Ocean View
Sussex County, Delaware

Map 6a. Future Land Use

- Town Center
- Town of Ocean View
- Historic District
- Future Land Use**
- Residential
- Commercial
- Open Space
- Institutional
- Planned Community
- Commercial / Residential
- Sussex Parcels
- Major Roads
- Rivers and Streams
- Ponds, Lakes and Rivers
- Assawoman Wildlife Area

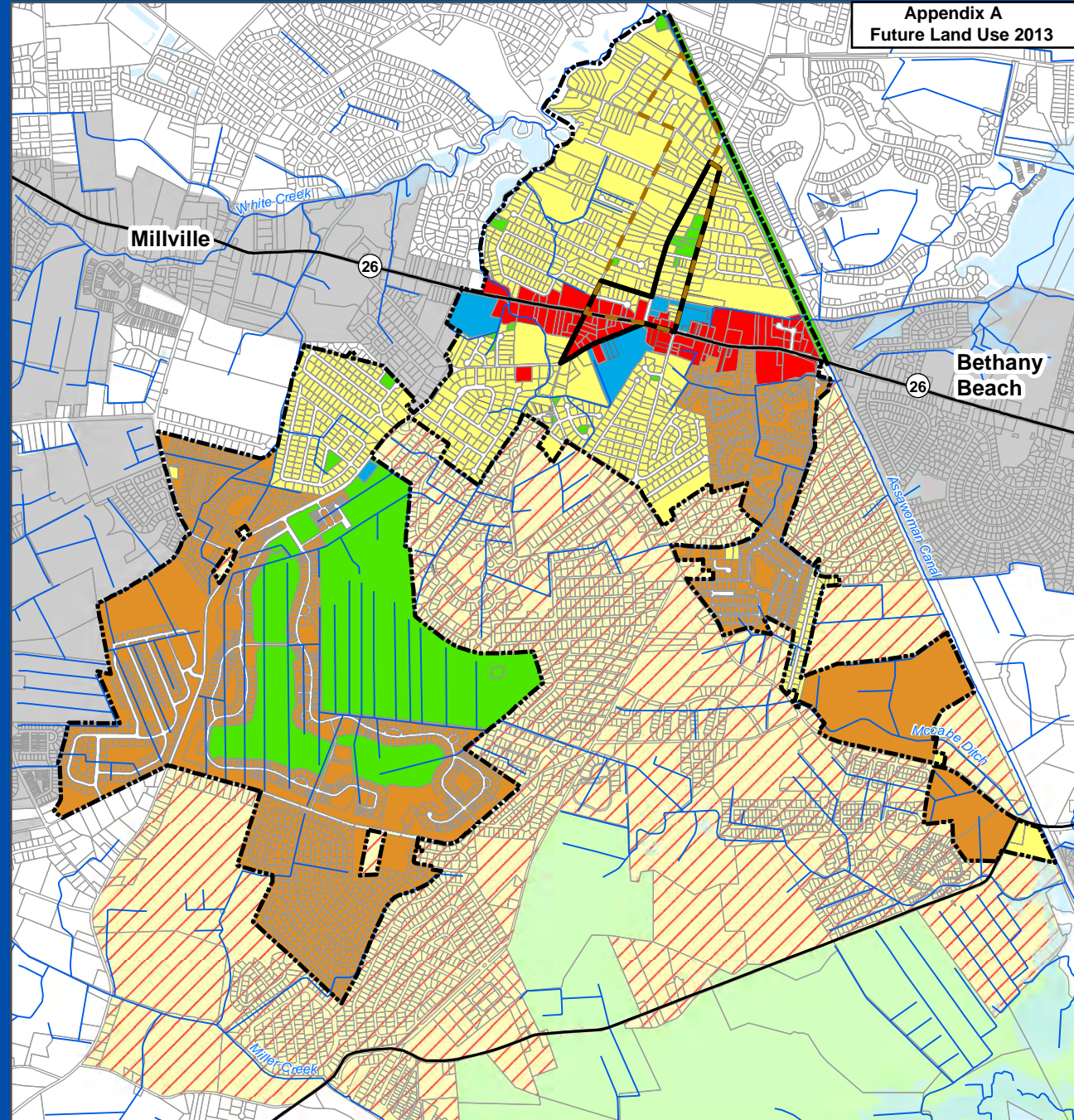


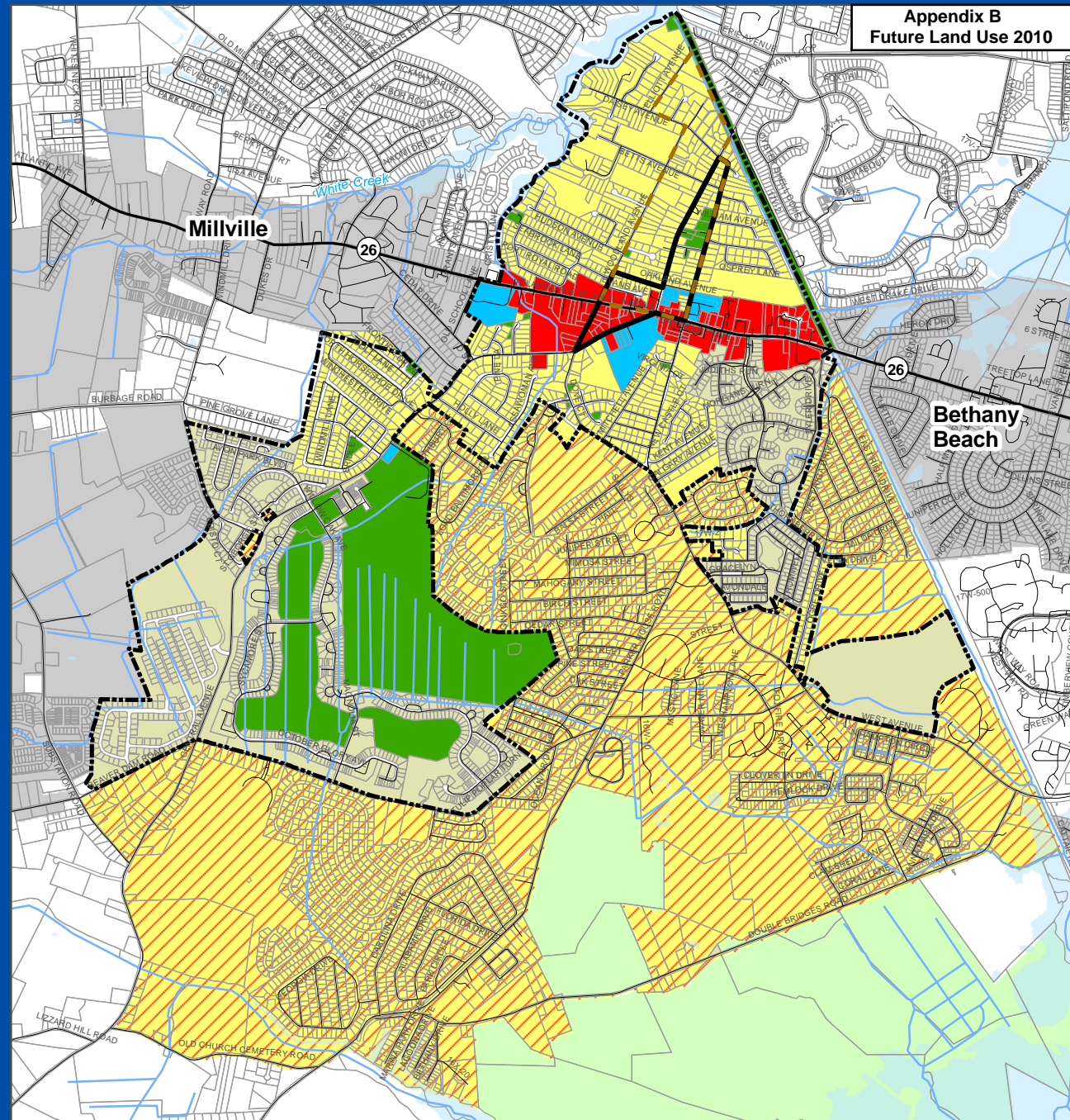
Sources:
Future Land Use, 06/05/10, updated January 2013.
Municipal Boundaries - Office of State Planning Coordination (OMB), 01/13.
Roads - Delaware Department of Transportation, 07/11.
Hydrology - National Hydrography Dataset (NHD) flowlines and waterbodies, USGS and EPA.
Assawoman Wildlife Area - DNREC, Division of Parks and Recreation, 2012.

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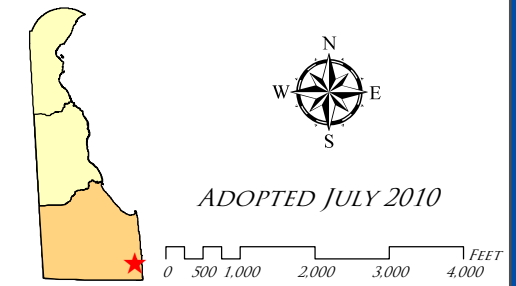
Appendix B
Future Land Use 2010

TOWN OF OCEAN VIEW

SUSSEX COUNTY, DELAWARE

Map 6a: Future Land Use

- Town of Ocean View
- Residential
- Commercial
- Open Space
- Institutional
- Planned Community
- Commercial / Residential
- Town Center
- Historic District
- Major Roads
- Minor Roads
- Rivers and Streams
- Ponds, Lakes and Rivers
- Assawoman Wildlife Area



Sources:
WORKING DRAFT Future Land Use, 08/05/10.
Municipal Boundaries - Office of State Planning Coordination (OMB), downloaded August 2010.
Roads - Delaware Department of Transportation, 2008.
Hydrology - National Hydrography Dataset (NHD) flowlines and waterbodies, USGS and EPA.
Assawoman Wildlife Area - DNREC, Division of Parks and Recreation, 2009.

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION

Appendix C
Preliminary Land-Use
Service (PLUS) Review

November 29, 2016

Mr. Charles McMullen
Town of Ocean View
201 Central Ave.
2nd Floor
Ocean View, DE 19970

RE: PLUS review 2016-10-04; Ocean View Comprehensive Plan Amendment

Dear Charles,

Thank you for meeting with State agency planners on October 26, 2016 to discuss the proposed comprehensive Plan Amendment for the Town Ocean View. This amendment will change the future land use for six parcels, update maps depicting areas annexed into the Town, and amend the existing annexation area per the maps included with the PLUS application.

Please note that changes to the plan could result in additional comments from the State. Additionally, the comments below reflect only issues that are the responsibility of the agencies that were represented at the meeting.

This office has received the following comments from State agencies:

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

- The Office of State Planning has been working with the Town of Ocean View on this amendment and have no objections or issues with the amendment as reviewed. This amendment came about after your 5 year review and, as a reminder, an amendment does not recertify your plan. Your plan will need to be updated on or before 2020.

Department of Transportation – Contact Bill Brockenbrough 760-2109

- The Gomlick Parcel, as described on page 3 of the Amendment, would change from Commercial Use to Residential Use. Central Avenue (Sussex Road 84) where the property has frontage is State-maintained. From Google Earth photography, the property appears to be vacant at present. When active use of it is proposed, for either purpose, DelDOT will require the owner to obtain a new entrance permit. Specific regulations in this regard are found in DelDOT's Development Coordination Manual, available at <http://www.deldot.gov/information/business/subdivisions/changes/index.shtml>. As

122 Martin Luther King Jr. Blvd. South – Haslet Armory · Third Floor · Dover, DE 19901
Phone (302)739-3090 · Fax (302) 739-5661 · www.stateplanning.delaware.gov

PLUS review 2016-10-04

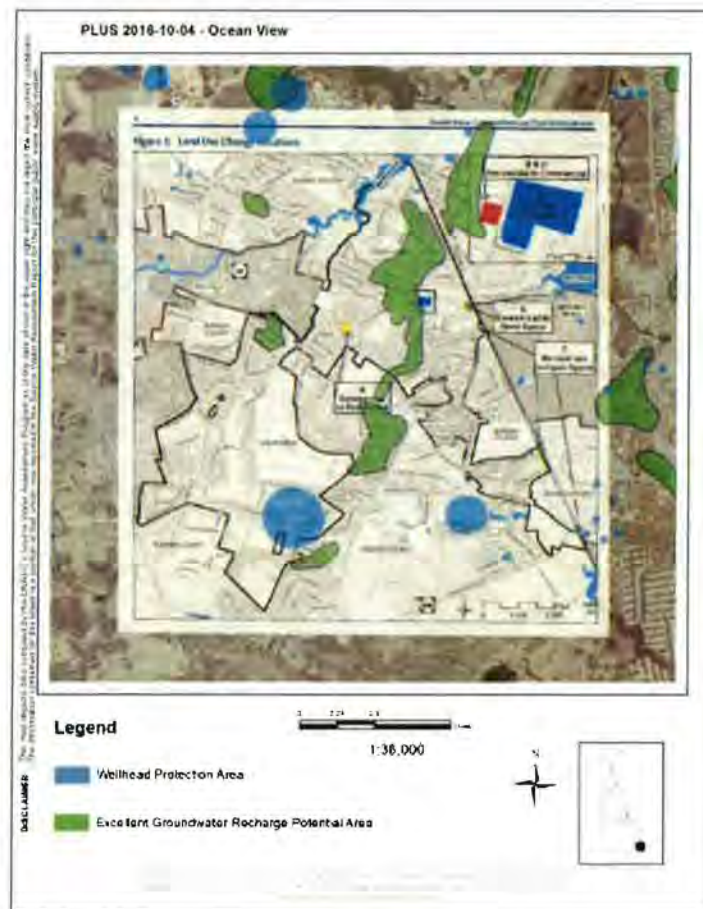
Page 2 of 3

necessary, Mr. Scott Johnson, a review engineer in DelDOT's Development Coordination Section, may be contacted at (302) 760-2512 or Scott.Johnson@state.de.us with questions about what would be required.

Department of Natural Resources and Environmental Control – Contact Kevin Coyle 739 - 9071

Source Water Protection Areas.

- The DNREC Source Water Protection and Assessment Program (SWPAP) would like the Town to note that when their population reaches 2,000 persons (most likely confirmed by the decennial Census in 2020), the Town will be required to develop and adopt source water protection ordinance pursuant to Title 7, Del. C., § 6082 (b). DNREC staff is available to assist in the development of the ordinance.



State Historic Preservation Office – Contact Terrence Burns 736-7404

- In May 2002 and July 2006, McCormick Taylor and the University of Delaware's, Center for Historic Architecture and Design did a survey of the Town's proposed historic district. However, it is not clear if the Town if was determined eligible or ineligible. The surveyed parcels includes on 60 and 62 West Avenue (S-11573, S-11574), and Ocean View

PLUS review 2016-10-04

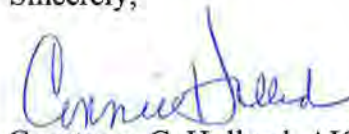
Page 3 of 3

Church of Christ (S-9717), which is on 51 and 55 West Avenue. There are no known archaeological sites or a National Register listed properties on 129 Central Avenue, 5 Town Road and the Assawoman Canal adjacent to Savannah's Landing, Beach Club & Berzins. Any developer planning to build on these lots should be aware of the Unmarked Human Burials and Human Skeletal Remains Law.

Once a decision has been reached on this proposed comprehensive plan amendment, please forward a copy of the plan amendment to the Office of State Planning Coordination for our records. The plan amendment must include a revised version of any maps that were updated as well as any text that was approved in amending the comprehensive plan.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Constance C. Holland".

Constance C. Holland, AICP

Director, Office of State Planning Coordination