



**DATA SHEET FOR 2023 COMPREHENSIVE PLAN AMENDMENT**

**SOUTHERN STATES COOP, INC.**

Planning Commission Meeting: March 21, 2023

City Council: March 27, 2023

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<b>Ordinance Number</b>	:	2023-14
<b>Applicant</b>	:	Southern States Coop, Inc. 6606 West Broad Street Richmond, VA 23230
<b>Application Type</b>	:	Comprehensive Plan Future Land Use Map Amendment
<b>Present Comprehensive Plan Map Designation</b>	:	Industrial
<b>Proposed Comprehensive Plan Map Designation</b>	:	Commercial
<b>Tax Map &amp; Parcel(s)</b>	:	MD-16-182.00-01-03.00
<b>ENC:</b>		Staff Analysis Report PLUS Comments Exhibit A – Comprehensive Plan Amendment Ordinance 2023-14



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**STAFF REPORT**  
**March 2, 2023**

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**Ordinance Number** : 2023-14  
**Application Type** : Comprehensive Plan Future Land Use Map Amendment

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**I. BACKGROUND**

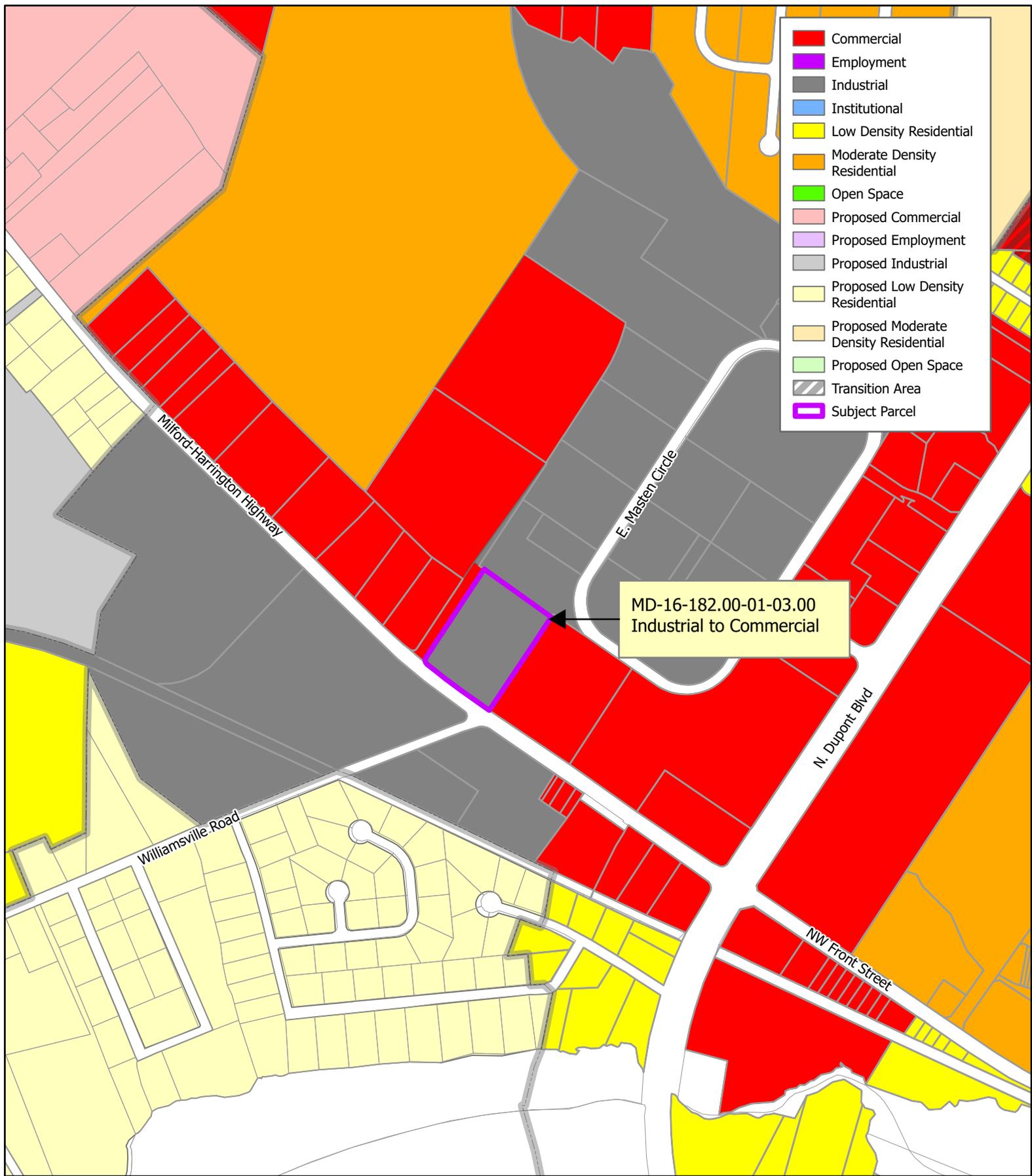
- The City received a request from the owner of Kent County Tax Parcel MD-16-182.00-01-03.00 to change the Comprehensive Plan Future Land Use classification for the property from Industrial to Commercial.
- Comprehensive plan amendment requests from property owners are compiled annually to be reviewed by the City of Milford Planning Commission and City Council. Once compiled, the amendment requests are presented to City Council for informational purposes only prior to submission to the State of Delaware for Preliminary Land Use Service (PLUS) review. The amendment request was included in the City Council packet under correspondence on January 9, 2023. The PLUS meeting for this amendment request was held on January 25, 2023 and a copy of the PLUS comments dated February 22, 2023 are enclosed.

**II. STAFF ANALYSIS**

- The Commercial Future Land Use category allows for different levels of commercial development intensity. This category includes neighborhood commercial, central business district, highway development, office buildings, and medical services. The individual characteristics of each site should be considered before identifying the level of commercial development suitable for the property. The land use would allow the C-1, C-2, C-2A, C-3, BP, OC-1 and H-1 zoning districts.
- Per the 2018 Comprehensive Plan, Chapter 10, regular Highway Commercial for the City is located along major State transportation routes, including DE 1, US 113, Route 14 and Business 1.
- The subject parcel is located along Route 14/Milford-Harrington Highway which is a minor arterial road per DelDOT's functional classification map.
- The subject parcel is bound on the east and west by properties designated Commercial future land use in the 2018 Comprehensive Plan and zoned C-3 Highway Commercial. The property to

the north is identified as Industrial future land use and currently zoned I-1. The parcels along the south side of Milford-Harrington Highway are identified as Industrial future land use and zoned I-1.

- Enclosed in the packet is a copy of the PLUS comments dated February 22, 2023. There are no significant comments from State agencies regarding the change in land use designation for this property.



- Commercial
- Employment
- Industrial
- Institutional
- Low Density Residential
- Moderate Density Residential
- Open Space
- Proposed Commercial
- Proposed Employment
- Proposed Industrial
- Proposed Low Density Residential
- Proposed Moderate Density Residential
- Proposed Open Space
- ▨ Transition Area
- Subject Parcel

MD-16-182.00-01-03.00  
Industrial to Commercial

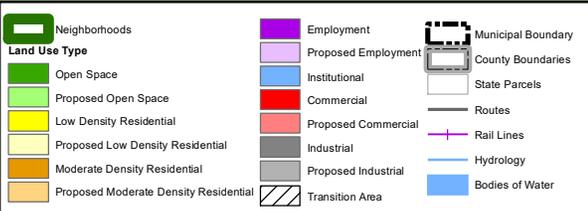
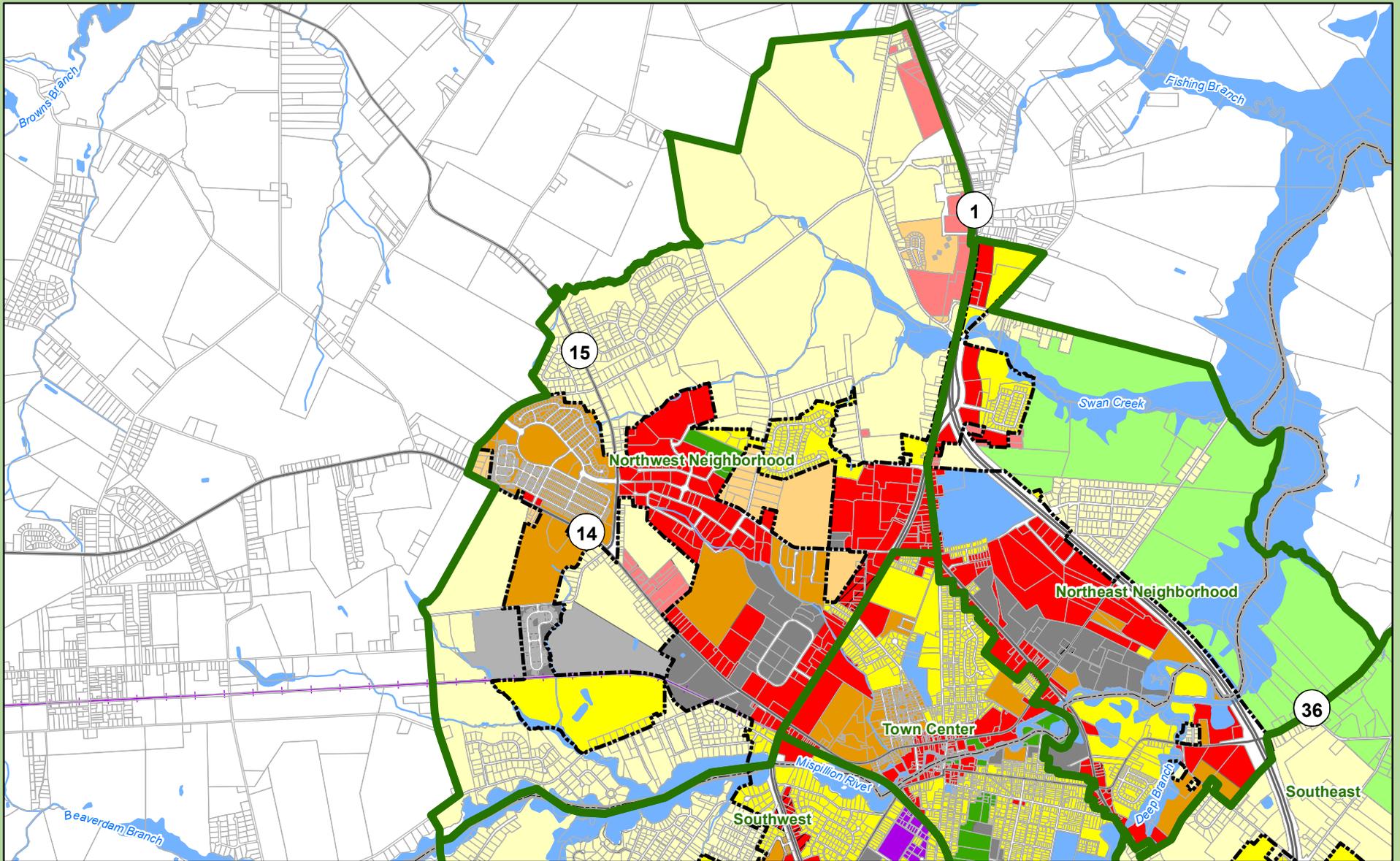


Scale:  Feet  
 0 360 720

Drawn by: WRP	Date: 12/28/22
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Title: **Exhibit A**  
**2023 Comprehensive Plan Map Amendment**  
 Future Land Use Map

Filepath: 2023\_CompPlanAmendment\_ExhibitA.aprx

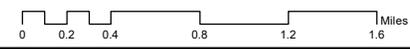


## City of Milford, Delaware

### Future Land Use

#### Northwest Neighborhood

Adopted Jan. 22, 2018, Certified TBD



Sources:  
 Municipal Boundaries - Delaware Office of State Planning Coordination, FirstMap 10/17.  
 DRAFT Future Landuse - City of Milford, Delaware 01/18.  
 Road and Rail Network - Delaware Department of Transportation, FirstMap 01/18.  
 Hydrology - USGS and EPA, FirstMap 01/18.

Note: This map is provided by the University of Delaware, Institute for Public Administration (IPA) solely for display and reference purposes and is subject to change without notice. No claims, either real or assumed, as to the absolute accuracy or precision of any data contained herein are made by IPA, nor will IPA be held responsible for any use of this document for purposes other than which it was intended.



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ARCHITECTS • ENGINEERS • SURVEYORS

December 21, 2022

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Ring W. Lardner, P.E.  
Jamie L. Sechter, P.E.

City of Milford – Public Works Facility  
180 Vickers Drive  
Milford, DE 19963

Attn: Rob Pierce, Planning Director

RE: **Comprehensive Plan Amendment**  
Tax Parcel No: 5-16-182.00-01-03.00  
Property Address: 252 Milford Harrington Highway, Milford, DE 19963  
DBF #0820B001

Dear Mr. Pierce,

On behalf of the owner of the above referenced parcel, Southern States Milford Cooperative, Inc, and as discussed with your office, we respectfully request an amendment to the future land use map of the 2018 Comprehensive plan to change the land use from Industrial to Commercial to allow retail sales for a future farm supply store. The amendment would be consistent with the two adjacent properties to the east and west.

Owner Signature:

A handwritten signature in black ink that reads 'Gary Rhodes'.

Gary Rhodes  
Southern States General Manager

If you have any questions or need additional information, please do not hesitate to contact me at (302) 424-1441 or [cdm@dbfinc.com](mailto:cdm@dbfinc.com).

Sincerely,  
DAVIS, BOWEN & FRIEDEL, INC.

A handwritten signature in black ink that reads 'Cliff Mumford'.

Cliff Mumford, P.E.  
Associate

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**STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
OFFICE OF STATE PLANNING COORDINATION**

February 22, 2023

Rob Pierce  
City of Milford  
180 Vickers Drive  
Milford, DE 19963

RE: PLUS review – 2023-01-06; Milford Comprehensive Plan Amendment – Southern States

Dear Mr. Pierce,

Thank you for meeting with State agency planners on January 25, 2023 to discuss the proposed City of Milford comprehensive plan amendment. According to the application, the City intends to amend the future land use map in the comprehensive plan to change one parcel (MD-16-182.00-01-03.00) from Industrial to Commercial.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. Additionally, these comments reflect only issues that are the responsibility of the agencies represented at the meeting.

This office has received the following comments from State agencies:

Office of State Planning Coordination (OSPC) – Contact: Joshua Thomas 302-739-3090

The property for the proposed comprehensive plan amendment is located within Investment Level 1 according to the 2020 Strategies for State Policies and Spending. It is located within the municipal boundary of the City of Milford.

Investment Level 1 reflects areas that are already developed in an urban or suburban fashion, where infrastructure is existing or readily available, and where future redevelopment or infill projects are expected and encouraged by State policy. Future development on this site in Level 1 is consistent with the 2020 Strategies for State Policies and Spending; therefore, the Office of State Planning Coordination has no objections to this comprehensive plan amendment provided it is adopted through the City of Milford's local process.

The application mentions a Southern States farm supply store, but a site plan is not included in this review. If the plan amendment is adopted, a subsequent rezoning occurs,

and the future site plan meets the criteria in Milford’s Memorandum of Understanding (MOU) with OSPC, a PLUS review for the site plan will be required.

Department of Transportation – Contact Stephen Bayer 302-760-4834

- DelDOT has no comments on the proposed amendment. DelDOT notes that should the parcels involved be developed in the future they will still need to apply for any applicable reviews and/or permits.

Department of Natural Resources and Environmental Control – Contact Clare Quinlan 302-735-3495

**Disclaimer Clause:** Staff from the Delaware Department of Natural Resources and Environmental Control (DNREC) reviewed the project submitted for PLUS review. The absence of comments regarding specific resources does not indicate that there are not additional constraints or environmental issues on site, nor does it indicate DNREC support of a project.

- DNREC reviewers have no comments, concerns, or objections to the proposed amendment.

Delaware Emergency Management Agency – Contact Phillip Cane 302-659-2325

DEMA has no objections to the amendment of the comprehensive plan. The following recommendations apply only if construction occurs.

**Proposed Project Parcel Flood Concern**

- This parcel is located within an area of **Minimal Flood Concern of 1000 years.**

**Parcel Status within County Evacuation Zone Location**

- The parcel itself is not located within Kent County Evacuation Zone, though across the street to the south of Williamsville Road is Kent County Evacuation Zone D.

**Parcel Status within the 10-mile Emergency Planning Zone (EPZ) for the Salem Nuclear Power Plant**

- The parcel **is not** located within the 10-mile EPZ for the Salem Nuclear Power Plant.

## Population

- The county has a population density of 310.20 per square mile based on the US 2020 Census report: an increase from 2010 at 271.30 persons per square mile.
- The specific census block the project is located on has a total population of 6, though with development, this will undoubtedly change.
- The adjacent blocks aggregate brings the area to a total population of 561.

## FEMA National Risk Index

- The FEMA National Risk Index is an online mapping application that identifies communities most at risk to 18 natural hazards: Avalanche, Coastal Flooding, Cold Wave, Drought, Earthquake, Hail, Heat Wave, Hurricane, Ice Storm, Landslide, Lightning, Riverine Flooding, Strong Wind, Tornado, Tsunami, Volcanic Activity, Wildfire, and Winter Weather. The FEMA National Risk Index is calculated by multiplying the Expected Annual Loss times the Social Vulnerability and dividing that by the Community Resilience.

Expected Annual Loss

× Social Vulnerability

÷ Community Resilience

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= Risk Index

- According to FEMA's National Risk Index, the parcel is considered **relatively low** for overall natural hazards risks.
- Community Resilience is a consequence reduction risk component and a community risk factor that represents the ability of a community to prepare for anticipated natural hazards, adapt to changing conditions and withstand/recover rapidly from disruptions. Social Vulnerability is a consequence-enhancing risk factor that represents the susceptibility of social groups to the adverse impacts of natural hazards.
- Its community resilience and social vulnerability are rated as **relatively high**.

## Renewable Energy Commitment

- Regarding energy use and consumption, the parcel utilizes electricity as the predominant fuel type for heating purposes.
- DEMA strongly encourages the use of renewable energies and high-efficiency appliances and utilities. Regarding utilities, DEMA suggests incorporating 90%

series furnaces/HVAC systems; the closer to 99%, the better, as well as A/C units of 20 Seer or greater. DEMA recommends using tankless water heaters, and battery backup systems for sump pumps to reduce potential water damage from power failure.

- Lastly, DEMA encourages the integration of modern and emerging technologies, such as the potential for electric vehicles in garages/parking lots, green roofs where applicable and allowable, and the like.

State Historic Preservation Office – Contact Carlton Hall 302-736-7400

- There are no known archaeological sites or known National Register listed or eligible properties on the parcel.
- Historic maps do not indicate any historic structures immediately associated with the parcel in question. However, as the parcel is located adjacent to a historic road, there is still medium potential for historic sites in the parcel. In addition, as the project area contains moderate to well drained soils but has a less than ideal proximity to fresh water, the potential for precontact archaeological resources is medium. Despite the medium probability for historic and precontact archaeological resources, significant disturbance in the parcel related to industrial activity has likely disturbed any intact archaeological resources in the project area.
- This office has no archaeological concerns related to the parcel in question.

Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394

- The Office of the State Fire Marshal has no comment on this Comprehensive Plan amendment.

Once the amendment is voted on by Planning and Zoning and/or City Council, please forward a copy of the decision regarding the amendment to this office for our files. Thank you for the opportunity to review this amendment. If you have any questions, please contact me at 302-739-3090.

Sincerely,



David L. Edgell, AICP  
Director, Office of State Planning Coordination

**CITY OF MILFORD  
NOTICE OF PUBLIC HEARINGS**

Planning Commission Hearing: Tuesday, March 21, 2023 @ 6:00 PM

City Council Hearing: Monday, March 27, 2023 @ 6:00 PM

NOTICE IS HEREBY GIVEN that the proposed Ordinance is currently under review by the City of Milford Planning Commission and City Council. City Council has the option to approve or deny the application. By not adopting the ordinance, City Council will deny the application. By adopting the ordinance, City Council will approve the application and the reason for the language being written in the affirmative. This form of writing is not intended to influence any decision of City Council.

The Planning Commission of the City of Milford will hold a PUBLIC HEARING on an amendment to the City of Milford 2018 Comprehensive Plan on Tuesday, March 21, 2023 at 6:00 pm or as soon thereafter as possible.

A FINAL PUBLIC HEARING is scheduled on Monday, March 27, 2023 at 6:00 pm or as soon thereafter as possible before Milford City Council. Following the hearing, the ordinance may be adopted, with or without amendments.

**ORDINANCE 2023-14**  
AMENDING AND ADOPTING BY ORDINANCE  
THE 2018 CITY OF MILFORD COMPREHENSIVE PLAN  
Amendment #14  
SOUTHERN STATES MILFORD COOPERATIVE, INC.  
MD-16-182.00-01-03.00

FUTURE LAND USE DESIGNATION CHANGE

WHEREAS, pursuant to Title 22-Municipalities, Chapter 7-Planning Commission, Section 7-Establishment; Membership, of the Delaware Code, the City of Milford established a Planning Commission, and

WHEREAS, pursuant to Title 22-Municipalities, Chapter 7-Planning Commission, Section 702 Comprehensive Development Plan of the Delaware Code, the City of Milford adopted Ordinance 2017-24 the '2018 Comprehensive Plan' on January 22, 2018 to implement the current Comprehensive Plan, and

WHEREAS, during a PLUS review on January 25, 2023, the Planning Director prepared and consulted with the Office of State Planning the fourteenth amendment to the 2018 Comprehensive Plan; and

WHEREAS, the amendment involves changes to the Comprehensive Plan Future Land Use Maps, which will permit the future land use designation change of Kent County Tax Parcel MD-16-182.00-01-03.00 from Industrial to Commercial; and

WHEREAS, the City of Milford Planning Commission held a duly advertised public hearing for public review and comment on the fourteenth 2018 Comprehensive Plan amendment on March 21, 2023 and did recommend approval and adoption of the amendment to the 2018 Comprehensive Plan, and

WHEREAS, the Mayor and City Council held a duly advertised public hearing on the fourteenth amendment of the 2018 Comprehensive Plan on March 27, 2023 at which time the amendment of the 2018 Comprehensive Plan was reviewed with the public.

NOW, THEREFORE, the City of Milford hereby ordains as follows:

Section 1. Purpose: The 2018 Comprehensive Plan is hereby amended to modify the Future Land Use Maps.

Section 2. The Future Land Use of Kent County Tax Parcel MD-16-182.00-01-03.00 owned by Southern States Milford Cooperative, Inc. is hereby changed from Industrial to Commercial.

Section 3. Dates.

Planning Commission Review & Public Hearing: March 21, 2023

City Council Introduction: March 13, 2023

City Council Review & Public Hearing: March 27, 2023

Additional information may be obtained by contacting Rob Pierce in the Planning Department at either 302.424.8396 or [RPierce@milford-de.gov](mailto:RPierce@milford-de.gov).

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