In accordance with the requirements set forth by Section 4.B.1.h and k, zoning and siting information is being provided in this Section.

SEAFORD ZONING

The property occupied by the Seaford Plant is currently zoned HI-1, Heavy Industrial Districts. The landfill facility was constructed prior to the creation of the Sussex County Zoning Code. The zoning code indicates that certain uses that cannot be well adjusted to their environment in particular locations with full protection offered to surrounding properties by rigid application of the district regulations are more fully met under Conditional Uses, Article XXIV. Chapter 115 Section 172 B permits the use of excavation or backfilling of borrow pits, extraction, processing and removal of sand, gravel or stone, stripping of topsoil (but not including stripping of sod) and other major excavations, provided that:

(1) No material may be brought from off the site for processing, mixing or similar purposes.

(2) The excavating, extraction or filling operation shall be controlled to offer reasonable protection to surrounding properties and the neighborhood, particularly as regards to odors, dust, air or water pollution and uses of roads or streets providing access to the site.

(3) The location of the excavation, extraction or filling with respect to property lines, the depth of excavation or filling and relation to the water table or flood criteria and the slope of the sides of the excavation shall be controlled to prevent a continuing unsightly, hazardous or wasteful condition of the land.

(4) The borrow pit shall be surrounded by a landscaped unexcavated buffer strip of open space a minimum distance of 100 feet from any street lines and a minimum distance of 50 feet from all other property lines. The buffer strip shall remain free of any buildings or streets.

(5) The borrow pit shall be at least 200 feet from any dwelling on property of other ownership.

(6) Prior to issuance of a notice to proceed with development of the borrow pit, a site plan shall be submitted to the Commission for review. The site plan shall be prepared in compliance with this subsection, Article XXVIII of Chapter 115 and the following:

> (a) Site plans shall designate existing site conditions, proposed excavation area and proposed reclamation plans.
>
> (b) Approvals shall be required to be submitted from the appropriate governmental agency for ingress/egress and erosion/sediment control. [Amended 9-30-1986 by Ord. No. 382]

(c) The Commission may request that the site be fenced or screened and may establish greater setbacks due to individual site-related conditions.

(d) The Commission may request that the site plan be reviewed by the Technical Advisory Committee.

(e) In order to assure completion of the approved reclamation, the Commission may recommend to the County Council that performance guaranties be required.

Copies of these zoning ordinances have been included herein.

Applicable Permits

The operation of the INVISTA Seaford Nylon facility requires the acquisition of and adherence to multiple State and Federal permits. An evaluation of each of the Nylon facility's Permits has indicated that there are no Permits that are directly applicable to the site Coal Ash Landfill. This non-applicability determination is based the fact that, other than the Ash Landfill Permit itself, none of the Nylon facility Permits contain any requirements or obligations pertaining to the ash landfill.

INVISTA has however, included in this application, a copy of the Seaford Nylon facility's groundwater allocation Permit (Allocation No: 88-0014BM) pertaining to the facility's six (6) groundwater production wells. This Permit has been included as the present Ash Landfill Permit incorporates two (2) of the six (6) Nylon facility's groundwater production wells (Well # 11 and 12) into its groundwater monitoring program due to their proximity to the landfill and their potential influence on groundwater flows. This groundwater allocation Permit does not contain requirements nor obligations pertaining to the subject coal ash landfill.

State of Delaware DNREC Division of Water Resources
Industrial Water Allocation No.: 88-0014BM
Effective Date: October 21, 1988
Expiration Date: October 21, 2018

FLOOD MAPPING

According to FIRM Maps 10005C0250J and 10005C0400J dated January 6, 2005, the portions of the Seaford plant lie within the 100 Year Flood Plain. However, according to the Flood Insurance Study for Sussex County, Delaware and Incorporated Areas, the regulatory base flood water surface elevation for Nanticoke River in the vicinity of the landfill is 5 feet North American Vertical Datum (NAVD). The elevation of the base of the landfill lies at 7 feet; therefore, the

active landfill lies above the base flood water surface elevation and is not included in the 100 Year Flood Plain. A copy of the flood maps have been included herein.

STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES
& ENVIRONMENTAL CONTROL
DIVISION OF WATER RESOURCES
89 KINGS HIGHWAY, P.O. BOX 1401
DOVER, DELAWARE 19903

GROUNDWATER MANAGEMENT SECTION
ON-SITE BRANCH
WATER SUPPLY BRANCH

(302) 736 - 4556
(302) 736 - 4761
(302) 736 - 4793

INDUSTRIAL WATER ALLOCATION

ALLOCATION NO: 88-0014BM
EFFECTIVE DATE: October 21, 1988
EXPIRATION DATE: October 21, 2018
MODIFICATION DATE: May 4, 1993

Pursuant to the provisions of 6010f, 7 Del. C., an allocation of water is hereby granted to:

E. I. DUPONT DE NEMOURS CO., INC., - SEAFORD PLANT
400 WOODLAWN ROAD, SEAFORD, DE 19973

for the withdrawal and use of water from the following water facilities:

Well #	Location	Aquifer	NLatitude	WLongitude	Maximum Pumping Capacity (gpm)
2A	N. of Plant	Columbia	38°38'07"	75°37'44"	500
8	NE. of Plant	Columbia	38°38'01"	75°37'32"	500
9	W. of Plant	Columbia	38°38'03"	75°38'05"	500
10	W. of Plant	Columbia	38°38'04"	75°38'12"	500
11	SW. of Plant	Columbia	38°37'41"	75°38'14"	500
12	SW. of Plant	Columbia	38°37'26"	75°38'09"	500

OTHER APPROVALS

1. Approval for use for this water for human consumption must be obtained from the Bureau of Environmental Health.

2. This approval is subject to review every five years from effective date by the Division of Water Resources.

3. Approval for discharge of this water must be obtained from the Division of Water Resources.

EQUIPMENT REQUIREMENTS

1. Each of these wells must be equipped with a meter for recording pumping rates and cumulative volumes of pumpage to a design precision of ±5%.

2. Each of these wells must be equipped with the following device for measurement of water levels: a readily accessible 1/2" diameter capped port with drop line. Air-line gages are not permitted.

REPORTING PROCEDURE

1. For each of these wells: Readings of pumping rates and cumulative volumes of pumpage must be made and recorded daily. Readings of pumping water-levels must be made and recorded at least weekly. This and all other requested information, such as water purchases and water sales, is to be recorded on forms provided by the Division of Water Resources then submitted to the Division by January 31st, or more frequently if requested.

ALLOCATION

1. In any twenty-four hour period, total pumpage for all wells must not exceed 2.5 million gallons.

2. In any thirty-day period, total pumpage from all wells must not exceed 59.8 million gallons.

3. In any twelve-month period, total pumpage from all wells must not exceed 720.0 million gallons.

4. Withdrawals from the sources listed below may not exceed the following limits:

Well #	Permit #	Maximum Pumping Rate (gallons per day)	Maximum Pumping Level (feet below land surface)
2A	10373	720,000	---
8	10368	720,000	---
9	10369	720,000	---
10	10367	720,000	---
11	10370	720,000	---
12	10620	720,000	---

5. These wells may be used only for the purpose of industrial supply and related uses. Any change in the intended use must receive prior approval from the Division of Water Resources.

6. All laws and regulations governing the construction, operation, maintenance, and repair of water wells and water supplies in the State of Delaware will be obeyed.

7. Representatives of the Division of Water Resources, Delaware Geological Survey and the U.S. Geological Survey may inspect the wells, conduct any tests, and collect any samples at any time deemed necessary.

8. This allocation is specifically subject to the requirements of 7 Del. C.s6031.

9. If the withdrawal of water pursuant to this allocation has significant adverse effects including, but not limited to, reduction of streamflows, lowering of water levels, migration of pollutants, or encroachment of salt water, the Division of Water Resources may require action to rectify the problem.

10. This permit is transferable only if the requirements of the Regulations governing the Allocation of Water are met and, written approval is obtained from the Division of Water Resources.

11. Violations of conditions of this permit are subject to penalties provided in 7 Del. C., Chapter 60.

12. WATER CONSERVATION MEASURES

This approval is contingent on practice by the permit holder of reasonable efforts to minimize the unnecessary use and/or waste of water. The permittee must:

A. Establish a program of periodic monitoring and evaluation of water usage,

B. Establish a systematic leak detection and control program which is responsive to high unaccounted-for water usage rates, routine maintenance, and discovery of leaks,

C. Use the best practical methods and devices to conserve water,

D. Alert employees of the need to conserve water and reduce wasteful usage, via postings of conservation suggestions, and

E. Develop a contingency plan to be implemented in the event of water shortage emergencies. This plan should include:

1. Identification of emergency water-sources,
2. Priorities of water usage, and
3. Emergency measures to curtail water usage.

The permittee must demonstrate compliance with these conditions upon request by the Division of Water Resources.

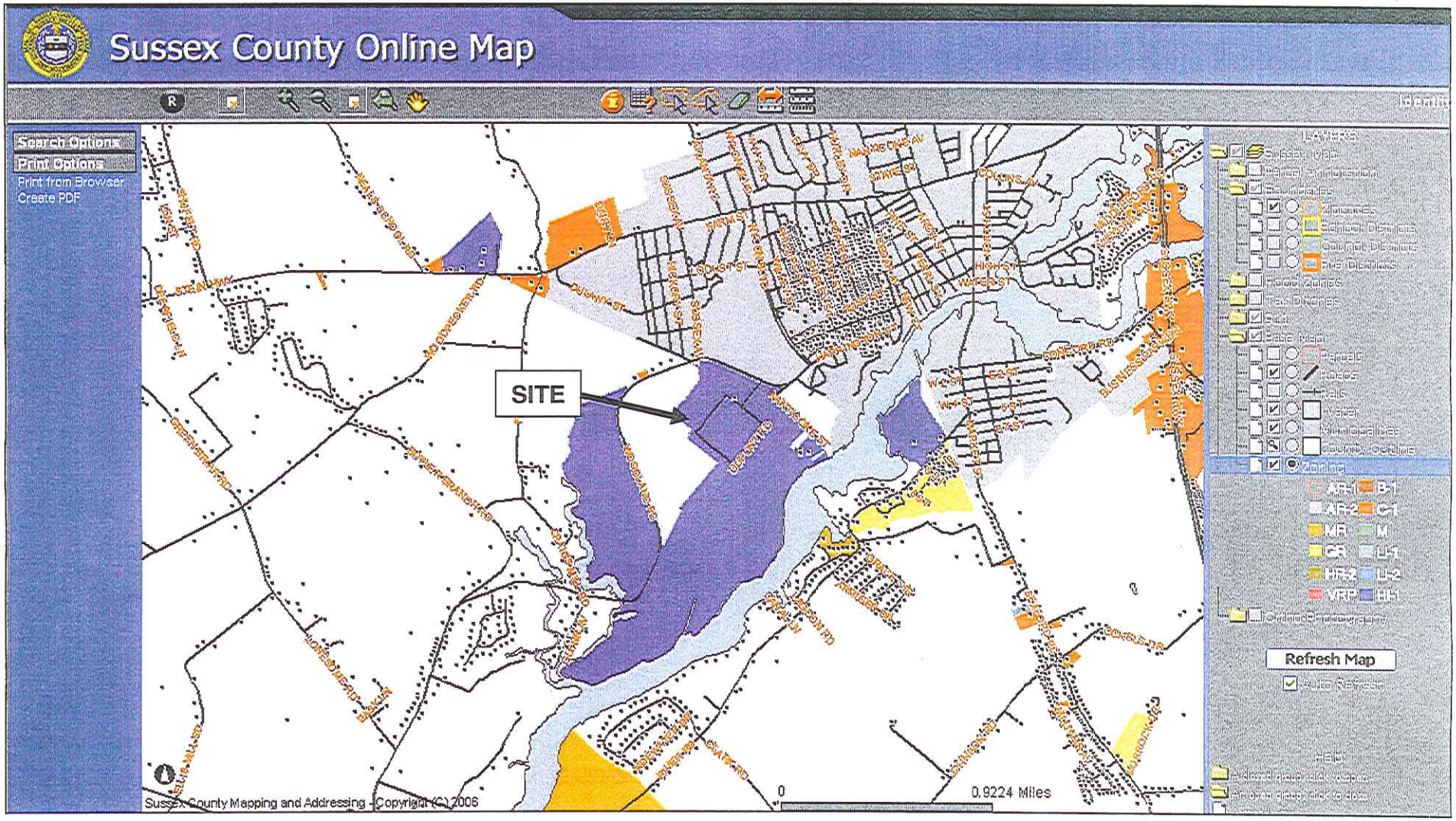
Signed: Stewart Lovell
Stewart Lovell, P.G.
Manager
Water Allocations

Date: May 4, 1993

cc: Bureau of Environmental Health
United States Geological Survey

INVISTA – Seaford, Delaware Facility

Zoning Map



ARTICLE XV HI-1 Heavy Industrial District

§ 115-109. Purpose.

The purpose of this district is to provide for a variety of industrial operations but to restrict or prohibit those industries which have characteristics likely to produce serious adverse effects within or beyond the limits of the district. Certain potentially hazardous industries are permitted only after public hearings and review to assure protection of the public interest and surrounding property and persons. It is the intention of the district to preserve the land in the district for industrial use and to exclude new residential or commercial development, except for certain specified uses deemed appropriate adjuncts to industrial operations.

§ 115-110. Permitted uses.

A building or land shall be used only for the following purposes:

A. General enumeration.

Any use permitted in the LI-2 District

Banks, drive-in or otherwise

Clinics

Data-processing centers

Dwellings for resident watchmen and caretakers employed on the premises

Farms and farming

General business offices

Heliports or helistops

Hotels, motels or motor lodges

Laboratories, research, experimental or testing

Nurseries and greenhouses

Parking garages

Private clubs

Professional offices

Restaurants, drive-in or otherwise

B. Where, in the judgment of the Commission, a use is not specifically referenced but is similar to those listed as permitted, it may be permitted by approval of the Commission.

C. The following uses and any similar industrial uses which are not likely to create any more offensive noise, vibrations, dust, heat, smoke, odor, glares or other objectionable influences than the minimum amount normally resulting from other uses permitted and involving the manufacture, compounding, processing, packaging or treatment of the following products or similar products. Where any doubt exists as to the nature of a proposed use, product or process, the proposal shall be considered as a potentially hazardous use and referred to the Board of Adjustment for decision after a public hearing.

Abrasive wheels, stones, paper, cloth and related products

Adhesives, but not glue or size manufacture

Asbestos products

Boat manufacture (over five tons or over 60 feet)

Brick, firebrick and clay products (except coal-fired)

Candles

Concrete products or central mixing and proportioning plants

Docks, wharves and piers, marine warehouses, freight-storage sheds and freight-handling equipment

Dredging bases, marine construction yards and marine

Engine testing (internal-combustion engines), but not jet engines or rockets

Flour, feed and grain packaging, blending and storage

Galvanizing or plating (hot dip)

Glass and glass products

Ink manufacture from primary raw materials (including colors and pigments)

Monuments and architectural stone

Oils, shortenings and fats (edible), processing and storage

Paper and paperboard (from paper machine only), but not pulp mills

Petroleum storage

Pickles, vegetable relishes and sauces

Pottery and porcelain products (other than coal-fired)

Sawmills (including cooperage stock mills)

Shipyards, drydocks and marine railways

Soap products, but not soap manufacture

Stone products, but not crushing or grinding

Structural iron and steel fabrication

Wallboard and plaster, building, insulation and composition flooring

Wire rope and cable

§ 115-111. Potentially hazardous uses.

The following uses or the manufacture, compounding, processing, packaging or treatment of products not specifically listed above or below but which may, in the opinion of the Director, have accompanying hazards, such as fire, explosion, noise, vibration, dust or the emission of smoke, odor, toxic gases or other pollutants may, if not in conflict with any state or county law or ordinance, be located in the HI-1 District only after the location and nature of such use shall have been approved by the Board of Adjustment after public hearing as provided in Article XXVII. The Board shall review the plans and statements and shall not permit such buildings, structures or uses until it has been shown that the public health, safety, morals and general welfare will be properly protected and that necessary safeguards will be provided for the protection of water areas or surrounding property and persons. The Board, in reviewing the plans and statements, shall consult with other agencies created for the promotion of public health and safety and shall pay particular attention to protection of the county and its waterways from the harmful effects of air or water pollution of any type.

Asphalt products or central asphalt mixing or batching

Atomic reactors

Automobile wrecking yards

Bleaching products

Cement, lime, gypsum or plaster of paris

Cider and vinegar

Cleaning and polishing preparation, dressings and blackings processing

Cotton ginning

Cottonseed oil, refining

Cotton wadding and linter

Distillery (alcoholic), breweries and alcoholic spirits (nonindustrial)

Dyestuff

Excelsior, fiber

Fertilizer manufacture

Film, photographic

Fish curing or smoking, fish oils and meal

Flour, feed and grain milling

Forge plant, pneumatic drop and forging hammering

Foundries

Glue, gelatin (animal) or glue and size (vegetable)

Hair, hides and raw fur, curing, tanning, dressing, dyeing and storage

Incinerators, industrial or public

Insecticides, fungicides, disinfectants or related industrial or household chemical compounds

Junkyards, open or enclosed storage of junk

Jute, hemp and sisal products

Linoleum and other hard-surface floor coverings (except wood)

Match manufacture

Meat, fish or seafood products, including slaughtering of animals or poultry or preparation of fish or seafood for packing

Minerals and earths, including sand and gravel, quarrying, extracting, grinding, crushing and processing

Molasses

Paint, oil, shellac, turpentine or varnish

Petroleum, gasoline and lubricating oil, wholesale storage or by-products processing, but not refining

Plastic material and synthetic resins, processing only

Power, light or steam plant, central generating station

Radioactive waste handling

Refractories (other than coal-fired)

Rendering and storage of dead animals, offal, garbage and waste products

Rubber products (natural or synthetic, including tires, tubes or similar products), gutta-percha, chickle and balta processing, but not rubber manufacture

Shell grinding or dredging

Slaughtering of animals

Soaps or detergents, including fat rendering

Solvent packaging or processing, but not refining

Starch manufacture

Stockyards

Sugar refining

Textile bleaching

Wood preserving treatment, but not creosote manufacture

Wool pulling or scouring

§ 115-112. Permitted accessory uses.

Permitted accessory uses shall be as follows:

A. Storage of goods used in or produced by permitted commercial and industrial uses or related activities, subject to applicable district regulations.

B. A single-family dwelling of single-family mobile home accessory to a farm of 10 acres or more. **[Amended 3-25-1997 by Ord. No. 1131]**

C. Windmills and wind-powered generators.

§ 115-113. Conditional uses.

The following uses may be permitted as conditional uses when approved in accordance with the provisions of Article XXIV of this chapter:

A. Airports and landing fields or seaplane bases, provided that they shall comply with the recommendations of the Federal Aviation Administration.

B. Bus terminals.

C. Excavation or backfilling of borrow pits, extraction, processing and removal of sand, gravel or stone, stripping of topsoil (but not including stripping of sod) and other major excavations other than for construction of swimming pools and foundations for buildings and other than those approved in connection with a street, subdivision or planned residential development. See § 115-172B.

D. Public or governmental buildings and uses, including schools, parks, parkways, playgrounds and public boat landings.

E. Public utilities or public service uses, buildings, generating or treatment plants, pumping or regulator stations, substations and transmission lines utilizing multilegged structures, but not telephone central offices.

§ 115-114. Special use exceptions.

Special use exceptions may be permitted by the Board of Adjustment and in accordance with the provisions of Article XXVII of this chapter and may include:

A. Temporary and conditional permits for a period not to exceed five years, such period to be determined by the Board, for the following uses:

Archery ranges

Commercial dog kennels

Miniature golf courses or driving ranges Editor's Note: The former entry reading "Nonaccessory tents for special purposes," which immediately followed this entry, was repealed 11-10-1992 by Ord. No. 863. See now the entry beginning with "Tents."

Outdoor display or promotional activities at shopping centers or elsewhere

Pony rings

Raising for sale of birds, bees, rabbits and other small animals, fish and other creatures

Riding academies, public stables or private stables

Rifle or pistol ranges, trap or skeet shooting

Temporary buildings for use as a sales or rental office for an approved real estate development or subdivision

Tents for special purposes for a period exceeding three days. The Director may, without requiring an application for a special use exception, grant approval for a tent for a special purpose (revival, reception, tent sale as an accessory to a business or commercial use, or other similar activities). If approved by the Director, a tent for special purposes may be utilized on a parcel no more than three times in a calendar year.
[Added 11-10-1992 by Ord. No. 863]

Use of a mobile-home-type structure for any business, commercial or industrial use or residence for a caretaker or watchman
[Amended 3-5-1991 by Ord. No. 750]

B. Exceptions to parking and loading requirements as follows:

(1) Off-street parking areas, adjacent to or at a reasonable distance from the premises on which parking areas are required by the parking regulations of Article XXII, where practical difficulties, including the acquisition of property, or undue hardships are encountered in locating such parking areas on the premises and where the purpose of these regulations to relieve congestion in the streets would best be served by permitting such parking off the premises.

(2) Waiver or reduction of the parking and loading requirements in any district whenever the character or use of the building is such as to make unnecessary the full provision of parking or loading facilities.

(3) Waiver or reduction of loading space requirements where adequate community loading facilities are provided.

(4) Waiver or reduction of loading space requirements for uses which contain less than 10,000 square feet of floor area where construction of existing buildings, problems of access or size of lot make impractical the provisions of required loading space.

C. Other special use exceptions as follows:

(1) Cemeteries for pets.

(2) (Reserved) Editor's Note: Former Subsection C(2), which listed frog or fish farms, was repealed 11-26-1991 by Ord. No. 806.

(3) The alteration, extension or replacement of a nonconforming mobile home, subject to the provisions of § 115-196.

D. Structures of mixed use, commercial and residential, subject to the provisions of Articles IV through XX and § 115-219.

§ 115-115. Permitted signs. [Amended 10-3-1989 by Ord. No. 619]

Permitted signs shall be as follows:

A. Signs as permitted and/or regulated in the C-1 District pursuant to § 115-81 of this chapter.

§ 115-116. Height, area and bulk requirements.

A. Minimum lot size. Minimum lot size shall be as follows:

Use	Area (Acres)	Width (feet)	Depth (feet)
All uses	2	200	200

B. Minimum yard requirements. Minimum yard requirements shall be as follows:

Use	Depth of Front Yard (feet)	Width of Side Yard (feet)	Depth of Rear Yard (feet)
All uses	50	20	20*

*NOTE: See also the table of district regulations at the end of this chapter.

C. Maximum height requirements. Maximum height requirements shall be as follows:

Use	Feet	Stories
All uses	125*	--

§ 115-117. Reference to additional regulations.

The regulations contained in this Article are supplemented or modified by regulations contained in other Articles of this chapter, especially the following:

Article I, § 115-4, Definitions and word usage

Article XXI, Signs

Article XXII, Off-Street Parking

Article XXIII, Off-Street Loading

Article XXIV, Conditional uses

Article XXV, Supplementary Regulations

Article XXVII, Board of Adjustment

ARTICLE XXIV Conditional Uses

§ 115-171. Purpose.

The purpose of this article is to provide for certain uses which cannot be well adjusted to their environment in particular locations with full protection offered to surrounding properties by rigid application of the district regulations. These uses are generally of a public or semipublic character and are essential and desirable for the general convenience and welfare but, because of the nature of the use, the importance of the relationship to the Comprehensive Plan and possible impact not only on neighboring properties but on a large section of the county, require the exercise of planning judgment on location and site plan.

§ 115-172. Special requirements.

The following special requirements shall be conditions to approval and development of the indicated conditional uses:

A. A drive-in theater use may be approved, provided that such use:
   (1) Shall be arranged with due care to avoid direct entrance or exit on a major highway and that proper traffic safeguards are provided.
   (2) Shall provide automobile storage facilities between the ticket gates and the access street equal to 25% of the theater capacity.
   (3) Shall have no structure other than an enclosure fence within 50 feet of any site boundary line and shall have the theater screen located not less than 100 feet from any major highway, arterial street or property in a residential district and not facing such highway, street or property, unless the face of the screen is not visible therefrom because of natural or artificial barriers.
   (4) Shall have individual car sound speakers, but low-volume horns may supply sound to refreshment stands and other service areas, and may have accessory uses and structures incident to the theater operation, including refreshment stands and toilet facilities, provided that they serve only the patrons while within the theater enclosure.

B. Excavation or backfilling of borrow pits, extraction, processing and removal of sand, gravel or stone, stripping of topsoil (but not including stripping of sod) and other major excavations, provided that:
   (1) No material may be brought from off the site for processing, mixing or similar purposes.
   (2) The excavating, extraction or filling operation shall be controlled to offer reasonable protection to surrounding properties and the neighborhood, particularly as regards to odors, dust, air or water pollution and uses of roads or streets providing access to the site.
   (3) The location of the excavation, extraction or filling with respect to property lines, the depth of excavation or filling and relation to the water table or flood criteria and the slope of the sides of the excavation shall be controlled to prevent a continuing unsightly, hazardous or wasteful condition of the land.
   (4) The borrow pit shall be surrounded by a landscaped unexcavated buffer strip of open space a minimum distance of 100 feet from any street lines and a minimum distance of 50 feet from all other property lines. The buffer strip shall remain free of any buildings or streets.
   (5) The borrow pit shall be at least 200 feet from any dwelling on property of other ownership.

(6) Prior to issuance of a notice to proceed with development of the borrow pit, a site plan shall be submitted to the Commission for review. The site plan shall be prepared in compliance with this subsection, Article XXVIII of this chapter and the following:

(a) Site plans shall designate existing site conditions, proposed excavation area and proposed reclamation plans.

(b) Approvals shall be required to be submitted from the appropriate governmental agency for ingress/egress and erosion/sediment control. **[Amended 9-30-1986 by Ord. No. 382]**

(c) The Commission may request that the site be fenced or screened and may establish greater setbacks due to individual site-related conditions.

(d) The Commission may request that the site plan be reviewed by the Technical Advisory Committee.

(e) In order to assure completion of the approved reclamation, the Commission may recommend to the County Council that performance guaranties be required.

C. Livestock auction market in an AR District, provided that:

(1) Stock pens and main buildings are located at least 300 feet from any street or highway and at least 500 feet from any side or rear boundary line.

(2) Adequate off-street parking and off-street loading space is provided for customers and employees.

D. Cemetery or crematorium, provided that:

(1) The minimum area of the cemetery shall be 10 acres, unless associated with a church or limited to use by a family.

(2) Arrangements are made satisfactory to the County Attorney for perpetual maintenance of the cemetery.

E. Marina or yacht club, provided that:

(1) The marina or yacht club complies with all other codes, regulations, laws and ordinances, including those relating to the establishment of bulkhead line.

(2) The proposed design is satisfactory as regards such safety features as location of fueling points, fuel storage, effect on navigation and possibilities for water pollution.

(3) The marina or yacht club is properly located with respect to access roads and existing and future developed areas.

(4) The necessary approval is obtained from the United States Army Corps of Engineers.

F. Swimming or tennis club, private, nonprofit or commercially operated, provided that:

(1) Facilities shall be limited to those for games and outdoor uses such as swimming pools, shuffleboard, croquet or tennis courts. Indoor facilities shall include only meeting rooms and locker rooms. Games and building locations shall not be located within 25 feet of the side lot lines nor within 25 feet of the rear lot line.

(2) Appropriate fencing and screening from abutting property of all outdoor activity area shall be required. If parking areas are outside this fencing, then appropriate screening of at least three and one-half (3 1/2) feet in height shall be constructed around parking area to protect adjoining property from headlights. The County Council may require the applicant to file with the County Clerk a performance bond during the period of construction, reconstruction or alteration, such bond to be sufficient to insure completion of landscaping and parking plans as submitted.

(3) Any pumps and filters which are located above ground shall be at least 50 feet from abutting properties.

(4) Dispensing of food, beverages, candy and tobacco shall be from coin-operated machines only.

(5) All lights shall be shielded to reflect or direct light away from adjoining property.

(6) The required off-street parking space shall be computed on the basis of one space for each 70 square feet of pool area. The parking layout and surfacing shall be approved by the Director.

G. Trailer park or mobile home park, provided that:

(1) Access to the trailer park shall be from a public highway having a width of at least 50 feet, that the number and location of access drives shall be controlled for traffic safety and protection of surrounding properties, that no trailer space shall be designed for direct access to a street outside the boundaries of the trailer park and that the interior access drives shall be properly lighted and at least 50 feet in width, hard-surfaced and maintained in accord with applicable county specifications and ordinances for subdivision streets.

(2) The topography of the site is such as to facilitate rapid drainage and that adequate drainage facilities are provided.

(3) The minimum width and/or depth of the trailer park shall be 200 feet and the minimum total area of the trailer park shall be five acres. An addition to an existing trailer park has no minimum area requirement.

(4) The minimum area for a trailer site for parking one trailer shall be 5,000 square feet, with a width of not less than 50 feet and with corners of each site visibly marked and numbered by a permanent marker. Any trailer with its accessory buildings shall not occupy in the aggregate more than 35% of the gross area of the lot. No lot shall be offered for sale or sold.

(5) In addition to the requirement of Subsection G(4) above, an open space or spaces accessible to all trailer or mobile home occupants and suitable for a recreational land area shall be provided within the park at a ratio of 300 square feet minimum of recreational area per trailer site.

(6) The trailer park or mobile home park shall be surrounded by a landscaped buffer strip of open space 50 feet wide along all boundary lines. The buffer strip shall remain free of any buildings or streets.

(7) No authorized main residential structure located in a conditional use mobile home park or trailer park or any addition thereto shall be parked closer than 20 feet to any other main residential structure or accessory building, and no part of any authorized main residential structure or addition thereto shall be extended closer than 10 feet to the boundaries of the individual residential site or exceed an overall height of 35 feet for sites which have not received a placement permit and for sites which are a minimum of 50 feet from a site which had obtained a placement permit prior to the effective date of this amendment; the overall height limit on sites which have received a placement permit and within 50 feet of sites which have received a placement permit prior to the effective date of this amendment may not exceed 22 feet, and no part of any accessory building shall extend closer than five feet to the boundaries of the individual residential sites or exceed an overall height of 25 feet. Steps with related landing, not exceeding 28 square feet of lot coverage, may project four feet into the required setback. Where a mobile home/manufactured housing community has been totally developed prior to the adoption of this chapter or where utility systems have been installed prior to enactment and in anticipation of future development, the required authorized primary residential

structure setback may be five feet instead of 10 feet. **[Amended 11-28-1989 by Ord. No. 639; 3-5-1991 by Ord. No. 750; 12-17-1996 by Ord. No. 1121]**

(8) Two off-street parking spaces shall be provided on each trailer site.

(9) Small retail businesses intended primarily for occupants of the park shall be permitted within the park area. Grocery stores, automatic laundries, beauty shops and similar uses are appropriate.

(10) Proper provision shall be made for public water supply, sanitary sewers, electric connections, fire protection, laundry, toilet and bathing facilities.

(11) Proper provision shall be made for refuse storage and collection, subject at all times to county regulations. Editor's Note: Former Subsection G(12), which immediately followed this subsection and dealt with provisions for mobile home parks in flood-prone districts, was repealed 10-15-1991 by Ord. No. 795. See now § 115-189I.

(12) An authorized main residential structure in a conditional use mobile home park may be a trailer, a mobile home or an authorized manufactured home. An authorized manufactured home, in addition to a trailer or mobile home, is a housing unit manufactured off-site in one or more component parts or sections over 450 square feet in size, constructed to be connected to utilities; such dwellings are constructed to be towed on a chassis and may be placed upon a permanent or temporary foundation upon a lot or site in a mobile home park or may remain supported by the chassis used for transportation, for year-round occupancy on a lot or site in a mobile home park. Authorized manufactured homes can consist of one or more components for movement purposes and they may be capable of being joined together into one integral unit. This subsection, effective December 17, 1996, shall only apply to sites that have not been issued a placement permit prior to the effective date of this subsection. **[Added 12-17-1996 by Ord. No. 1120]**

H. Park or campground for mobile campers, tents, camp trailers, touring vans and the like, provided that:

(1) Access shall be from a public highway having a width of at least 50 feet, that the number and location of access drives shall be controlled for traffic safety and protection of surrounding properties, that no camping or trailer space shall be designed for direct access to a street outside the boundaries of the park and that the principal interior access drives shall be at least 30 feet in width and maintained at least 20 feet in width.

(2) The topography of the site shall be such as to facilitate rapid drainage and that adequate draining facilities shall be provided.

(3) Every such area shall be at least 400 feet from any existing dwelling on property of other ownership and shall be at least 100 feet from any public road.

(4) Each campsite shall have an area of at least 2,000 square feet and a width of not less than 40 feet. The park will be surrounded by a landscaped space 50 feet wide along all boundaries. The buffer strip shall remain free of any buildings or streets. No site shall be offered for sale or be sold.

(5) Proper provisions shall be made for public water supply, toilets and bathing facilities and electric connections.

(6) Small retail businesses intended primarily for occupants of the park area shall be permitted within the park area. Grocery stores, automatic laundries, beauty shops and similar uses are appropriate.

(7) Proper provision shall be made for refuse storage and collection, subject at all times to county regulations.

(8) Each campground owner may provide one accessory building on each campsite to be

used for storage purposes only and which shall not be used for any purpose of human habitation. Each structure shall be no more than 64 feet in area and shall be no higher than 10 feet. For each campground where these structures are approved, they shall be of uniform design and size and shall be uniformly placed on each campsite. The placement of the aforesaid structures and their design characteristics must be approved by the Commission prior to erection in any campground. This subsection shall be applicable to all conforming and nonconforming campgrounds. **[Amended 5-26-1992 by Ord. No. 831]**

(9) With the exceptions of structures mentioned in Subsection H(8) above, there shall be no other structure or mobile home (house trailer) located on any campsite within a campground. All units to be used for the purpose of human habitation shall be tents, travel trailers, recreational vehicles and equipment manufactured specifically for camping purposes. For the purpose of a residence and/or office for the park manager, there may be one structure or mobile home within the campground area.

§ 115-173. Preliminary site plan.

A preliminary site plan complying with the requirements of Article XXVIII shall accompany an application for approval of a conditional use under this Article, together with such information as may be required for a determination of the nature of the proposed use and its effect on the Comprehensive Plan, the neighborhood and surrounding properties. Procedures for approval of a conditional use and approval and amendment of site plans are contained in Article XXVIII.

§ 115-174. Period of validity of approval.

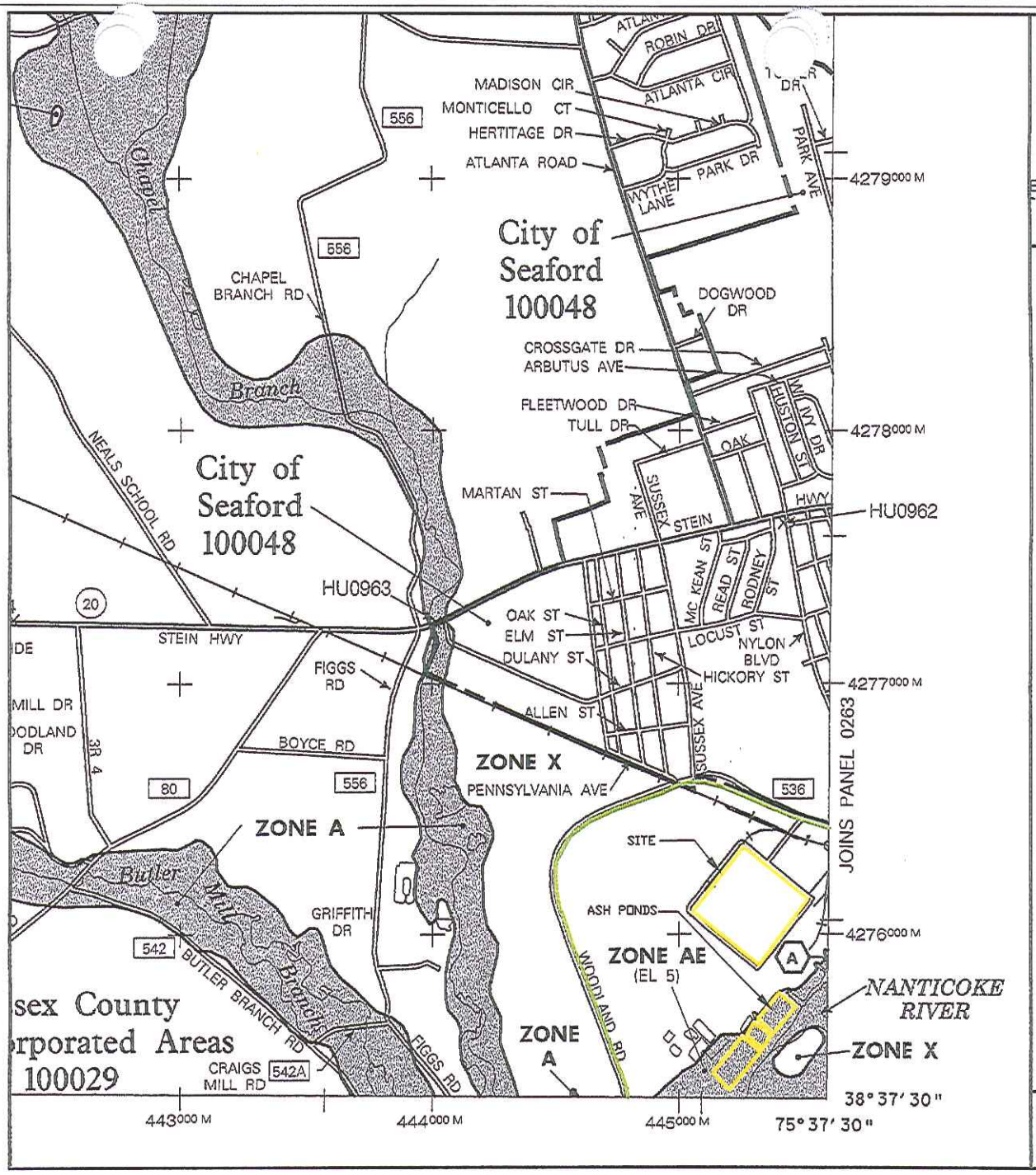
Approval of a conditional use under this Article shall be valid for a period of one year after the date of approval and thereafter shall become null and void unless construction or use is substantially underway during said one-year period or unless an extension of time, not exceeding one year, is approved by the Planning and Zoning Commission, and for good cause shown, before the expiration of said one-year period. A maximum of two one-year extensions may be granted. However, the Commission shall not grant more than two such one-year extensions. Any conditional use shall expire upon abandonment or expiration of the use.

§ 115-175. Preexisting uses.

Any conditional use listed in § 115-172 above, legally existing at the effective date of the regulations of this Article, shall be considered a nonconforming use unless it has qualified as provided above and has been approved as a conditional use by the County Council.

§ 115-176. Revocation of permits.

Permits issued under a conditional use approval may be revoked by the Director for failure to comply with conditions of approval or applicable regulations.



MAP SCALE 1" = 2000'

1000 0 2000 4000 FEET

NFIP NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0250J

FIRM
FLOOD INSURANCE RATE MAP
SUSSEX COUNTY, DELAWARE AND INCORPORATED AREAS

PANEL 250 OF 660

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
SEAFORD, CITY OF	100048	0250	J
SUSSEX COUNTY	100029	0250	J

PROPERTY BOUNDARY

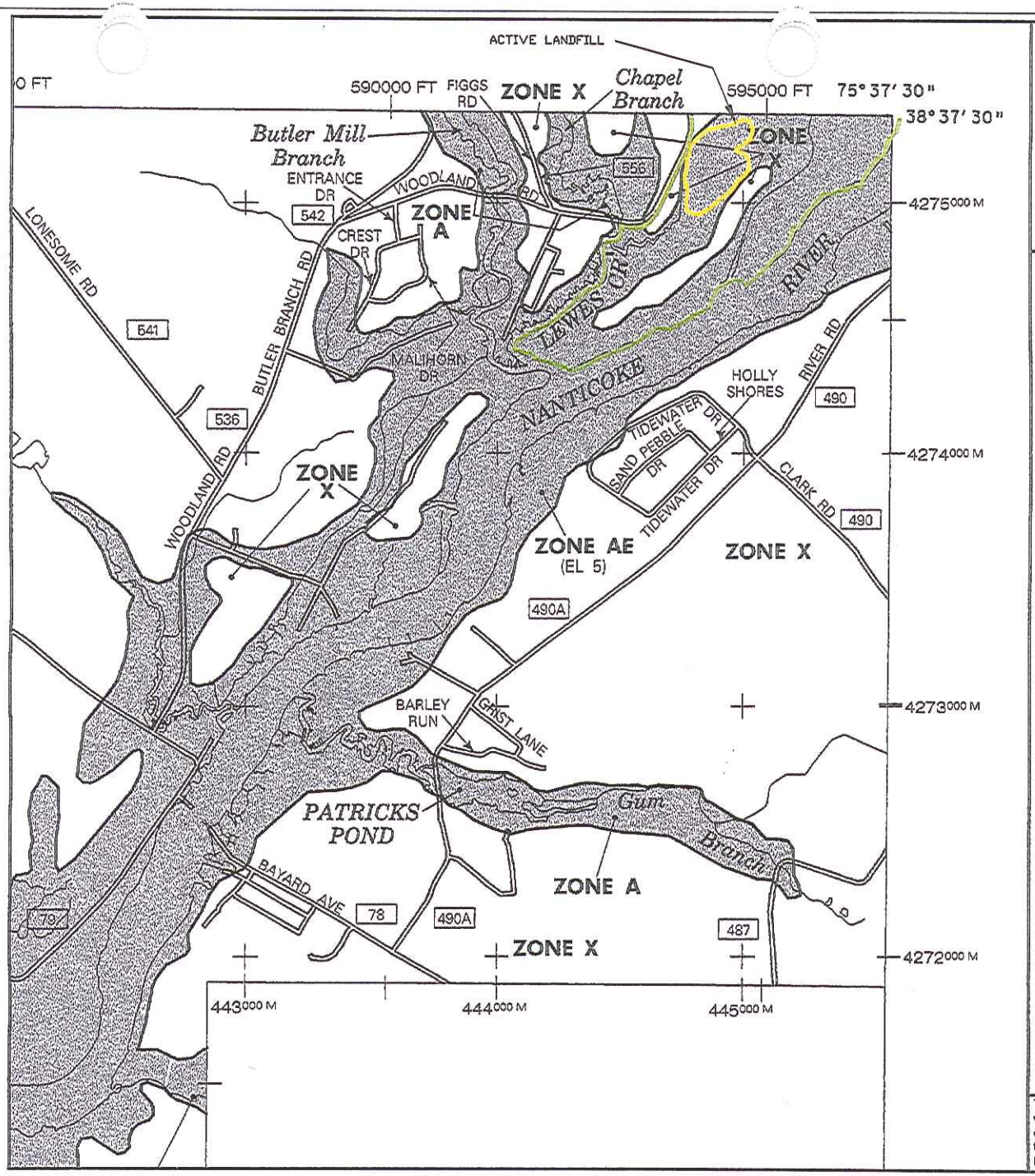
Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

MAP NUMBER 10005C0250J

MAP REVISED JANUARY 6, 2005

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



MAP SCALE 1" = 2000'

1000 0 2000 4000 FEET

PANEL 0400J

FIRM
FLOOD INSURANCE RATE MAP
SUSSEX COUNTY, DELAWARE
AND INCORPORATED AREAS

PANEL 400 OF 660

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
SUSSEX COUNTY	100029	0400	J

PROPERTY BOUNDARY

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

MAP NUMBER
10005C0400J

MAP REVISED
JANUARY 6, 2005

Federal Emergency Management Agency

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LEGEND

SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

ZONE A	No Base Flood Elevations determined.
ZONE AE	Base Flood Elevations determined.
ZONE AH	Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
ZONE AO	Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
ZONE AR	Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
ZONE A99	Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
ZONE V	Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
ZONE VE	Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

OTHER FLOOD AREAS

ZONE X	Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

OTHER AREAS

ZONE X	Areas determined to be outside the 0.2% annual chance floodplain.
ZONE D	Areas in which flood hazards are undetermined, but possible.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

	Floodplain boundary
	Floodway boundary
	Zone D boundary
	CBRS and OPA boundary
	Boundary dividing Special Flood Hazard Area Zones and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.
513	Base Flood Elevation line and value; elevation in feet*
(EL 987)	Base Flood Elevation value where uniform within zone; elevation in feet*

*Referenced to the North American Vertical Datum of 1988

A — A	Cross section line
23 - - - - - - 23	Transect line
97°07′30″, 32°22′30″	Geographic coordinates referenced to the North American Datum of 1983 (NAD 83), Western Hemisphere
4276000 M	1000-meter Universal Transverse Mercator grid values, zone 18
600000 FT	5000-foot grid values: Delaware State Plane coordinate system, FIPSZONE 700, Transverse Mercator projection.
DX5510 ×	Bench mark (see explanation in Notes to Users section of this FIRM panel)
● M1.5	River Mile