

**ORDINANCE NO. 1678**

**AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY, TO ALLOW FOR A TECHNICAL ADVISORY COMMITTEE REVIEW OF RPC DEVELOPMENTS, TO DEFINE A TECHNICAL ADVISORY COMMITTEE AND TO ALLOW FOR A SCHEDULE OF CONSTRUCTION FOR RPC DEVELOPMENTS.**

**WHEREAS, the Sussex County Council adopted the Sussex County Comprehensive Plan update on December 10, 2002, and**

**WHEREAS, the Comprehensive Plan Update proposes allowing for a Technical Advisory Committee review of RPC developments, and**

**WHEREAS, the Comprehensive Plan Update proposes allowing for approving a schedule of construction for an RPC development,**

**WHEREAS, a definition of the Technical Advisory Committee is a necessary and appropriate addition to the Zoning Ordinance;**

**NOW, THEREFORE THE COUNTY OF SUSSEX ORDAINS:**

**The Code of Sussex County is hereby revised to add the following amendments, which would define the Technical Advisory Committee and make other changes in the processes of approving RPC's as provided for in Chapter 115.**

**SECTION 1. Add the following to 115-4 Definitions:**

*TECHNICAL ADVISORY COMMITTEE -- A Committee comprising the staff of the Commission, County Engineer and representatives of the following, which shall be designated from time to time by the Commission: the State Division of Highways, State Division of Environmental Control, State Fire Marshal's Office and such other professional and technical representatives as may be deemed necessary by the Commission. The exact membership of the Committee shall be determined by vote of the Commission, as will the number necessary to constitute a quorum, the times and places for meetings and such other measures necessary to create a Committee which shall effectively function as an advisory body to the Commission with regard to design requirements, improvement specifications and other applicable standards relating to the design and construction of a Residential Planned Community or [subdivisions] new development.*

**SECTION 2. Add the following to 115-217 B, Procedure for RPC District and Conditional Use Approval,**

**A preliminary site plan shall be filed with County Council through the Commission. The preliminary site plan shall comply with the requirements of this Article and be accompanied by the Environmental Assessment and Public Facility Evaluation Report and Sketch Plan, a report from the Commission staff, together with the comments and recommendations of the Technical Advisory Committee and such other written or graphic material as may be necessary or desirable in aiding the decisions of the County Council and the Commission. The number of copies of the plan to be submitted shall be determined by the Director.**

**SECTION 3. Revise as follows 115-218 A, Procedure for RPC District and Conditional Use Site Plan Approval.**

When the preliminary site plan is approved by the County Council, it shall be returned to the Commission pending preparation of the final site plan by the applicant. ~~[If ]~~ A schedule of construction phases ~~[has been]~~ *shall be* approved by the *Planning and Zoning Commission* ~~[County Council]~~. The first of the final site plans *submitted according to the approved schedule of construction* need cover only the designated initial construction phase[,]. ~~[with]~~ *An additional site plan shall be submitted* for each of the scheduled succeeding construction phases.

**I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 1678 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 6TH DAY OF APRIL 2004.**

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**ROBIN A. GRIFFITH  
CLERK OF THE COUNCIL**