

ORDINANCE NO. 2264

AN ORDINANCE TO AMEND CHAPTER 115, SECTION 218, OF THE CODE OF SUSSEX COUNTY TO CLARIFY THE VALIDITY OF AN RPC PRELIMINARY AND FINAL SITE PLAN

WHEREAS, Chapter 115, Article XVI of the Code of Sussex County establishes Residential Planned Community ("RPC") Districts; and

WHEREAS, Chapter 115, Section 218 of the Code of Sussex County establishes the procedure for RPC site plan approval; and

WHEREAS, neither Chapter 115, Article XVI or Section 218 establish the duration on the length of time that an RPC site plan approval remains valid; and

WHEREAS, Section 115-123 of the Code of Sussex County makes reference to the regulations governing the subdivision of land and Sussex County has previously applied the time periods in the Subdivision Code to RPCs regarding their validity; and

WHEREAS, it has been determined that the Code should clarify and confirm that RPC Preliminary and Final Site Plans shall be valid for the same periods of time applicable to Subdivision Preliminary and Final Site Plans;

THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. The Code of Sussex County in Chapter 115, Section 218 is hereby amended by adding a new subsection F as follows:

F. A Preliminary Site Plan for an RPC shall be valid for the period of time set forth in Section 99-9.B of Chapter 99, Subdivision of Land. A Final Site Plan for an RPC shall be valid for the period of time set forth in Section 99-40.A of Chapter 99, Subdivision of Land.

Section 2. This Ordinance shall take effect upon adoption, and shall apply to all Residential Planned Community Preliminary and Final Site Plans that are currently valid.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 2264 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 19TH DAY OF JUNE 2012.



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