

ORDINANCE NO. 1822

AN ORDINANCE TO AMEND CHAPTER 115 SECTION 25 OF THE CODE OF SUSSEX COUNTY, TO ADD A REQUIREMENT THAT ALL AR-1 CLUSTER DEVELOPMENTS BE LOCATED WITHIN A DEVELOPMENT DISTRICT AS SHOWN ON THE ADOPTED COMPREHENSIVE PLAN FOR SUSSEX COUNTY

WHEREAS, pursuant to the provisions of Title 9, Chapter 68 and 69, Delaware Code, the Sussex County government has the power and the authority to regulate the use of land and to adopt a Comprehensive Plan

WHEREAS, pursuant to Chapter 115 of the Code of Sussex County, as amended, the Sussex County government has undertaken to regulate the use of land; and

WHEREAS, Sussex County has an adopted Comprehensive Plan that identifies specific development districts within defined Growth Areas; and

WHEREAS, it has been determined in order to promote and protect the health, safety, convenience, orderly growth and welfare of the inhabitants of Sussex County, and to assist in the proper development of land;

THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. The Code of Sussex County, Chapter 115, Article IV, Section 115-25 A (2) is hereby amended as follows.

*However, if the proposed cluster development lies within a LOW DENSITY AREA (1) as described within the Land Use Element and (2) as shown on the Future Land Use Plan of the adopted Sussex County Comprehensive Plan, the total number of lots permitted shall be determined by first reducing the gross area by twenty-five percent (25%).*

Section 2. The Code of Sussex County, Chapter 115, Article IV, Section 115-25 B (3) is hereby amended as follows.

*However, if the proposed cluster development lies within a LOW DENSITY AREA (1) as described within the Land Use Element and (2) as shown on the Future Land Use Plan of the adopted Sussex County Comprehensive Plan, the total number of lots permitted shall be determined by first reducing the gross area by twenty-five percent (25%).*

Section 3. The Code of Sussex County, Chapter 115, Article IV, Section 115-25 F (3) is hereby amended as follows.

*(d) The cluster development lies within a TOWN CENTER, or a DEVELOPING AREA (1) as described within the Land Use Element and (2) as shown on the Future Land Use Plan of the adopted Sussex County Comprehensive Plan, or that the proposed cluster development lies within a low density area (1) as described within the Land Use Element and (2) as shown on the Future Land Use Plan of the adopted Sussex County Comprehensive Plan and the total number of lots shown thereon has been determined by first reducing the gross area of the proposed development by twenty-five percent (25%).*

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 1822 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 31ST DAY OF JANUARY 2006.



ROBIN A. GRIFFITH  
CLERK OF THE COUNCIL

