

ORDINANCE NO. 1980

AN ORDINANCE ADOPTING THE 2007 UPDATE OF THE COMPREHENSIVE PLAN FOR SUSSEX COUNTY AND REPEALING ORDINANCE NO. 1574, THE COMPREHENSIVE PLAN UPDATE, ADOPTED DECEMBER 10, 2002

WHEREAS, the County Council of Sussex County has the power and jurisdiction to regulate zoning and the uses of land in those portions of Sussex County which are not included within the corporate limits of any city or town; and

WHEREAS, the purpose of planning and zoning is to promote the health, safety, prosperity, and general welfare, as well as the further purpose of securing coordinated plans for land use, transportation, public facilities and utilities, and public works and expenditures in those portions of Sussex County subject to the power and jurisdiction of the County Council of Sussex County; and

WHEREAS, the County Council is required by The Quality of Life Act, as it appears in Subchapter II, Chapter 69 of Title 9, of the Delaware Code, as amended, to update its Comprehensive Plan for zoning, subdivision, and other land use decision adopted December 10, 2002; and

WHEREAS, the County Planning and Zoning Commission and the County Council have held extensive public workshops and hearings, and have prepared a Comprehensive Plan Update for submission to the Cabinet Committee on State Planning Issues; and

WHEREAS, the Cabinet Committee on State Planning Issues reviewed and commented on the updated Plan and the County Council responded to those comments; and

WHEREAS, once the County Council has adopted said updated Comprehensive Plan, the County Council is obligated, within one year of the date of the adoption of the Plan, to initiate an implementation program regarding subdivision and development controls; and

WHEREAS, once the County Council has adopted said updated Comprehensive Plan, the County Council is obligated, within eighteen months of the date of the adoption of the Plan, to amend its official zoning map to rezone all lands in accordance with the uses and intensities of uses provided for in the future land use element of the updated plan; and

WHEREAS, the Comprehensive Plan, once adopted, is to have the force of law and all actions of the County Government which shall have the force of law shall be by ordinance; and

WHEREAS, the County Government of Sussex County is of the opinion that it promotes the health, safety, morale, convenience, order, prosperity, and welfare of the present and future inhabitants of Sussex County by adopting a final Comprehensive Plan, as an ordinance, and by implementing a program regarding subdivision and development control;

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. The 2007 Update of the Sussex County Comprehensive Plan is adopted as the Comprehensive Plan in Sussex County.

Section 2. The Comprehensive Plan Update adopted December, 10, 2002 is hereby repealed.

Section 3. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications.

Section 4. This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 1980 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 24TH DAY OF JUNE 2008.



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

