

**ORDINANCE NO. 2560**

**AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY BY AMENDING ARTICLE XXV, §115-188 RELATING TO TOWNHOUSE AND MULTIFAMILY DWELLING OUTSIDE WALL DIMENSIONS**

WHEREAS, §115-188 establishes that no outside walls of townhouse and multifamily dwellings shall exceed 165 feet in length; and

WHEREAS, this 165 foot requirement has been interpreted and applied in various ways, including as a 165 foot “box”; and

WHEREAS, these various interpretations, including the “box”, have led to the allowance for buildings that are actually 168 feet in length; and

WHEREAS, the Sussex County Council desires to clarify that the measurement applies to the “actual” wall dimension; and

WHEREAS, the Sussex County Council desires to extend the permitted length of townhouse and multifamily buildings to 170 feet; and

WHEREAS, the Sussex County Council desires to amend §115-188 to state that the 165 (now 170) foot permitted length does not apply to mixed use buildings, since there is no such requirement for non-residential uses; and

WHEREAS, deletions from the existing Sussex County Code are shown in [brackets] and additions to the Code of Sussex County are shown in *italics*.

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

**Section 1.** Amend Sussex County Code, Chapter 115, Article XXV, §115-188, “Townhouses and Multifamily Dwellings” by amending subsections D.(6) and E.(1). thereof as follows:

**§115-188 Townhouses and Multifamily Dwellings.**

...

D. The following regulations shall apply to townhouses:

...

(6) Unless otherwise restricted by district regulations, not more than eight dwelling units shall be included in any one townhouse building, *and the outside wall dimensions of the townhouse building shall not exceed 170 feet in width measured linearly from the outer edge of the townhouse building end units* [with no outside wall dimension of more than 165 feet]. *In the case of staggered dwellings within a single townhouse building, the measurement shall be of the actual length of the entire townhouse building.*

...

E. The following regulations shall apply to multifamily dwellings:

(1) No overall *actual* outside wall dimension of a building shall exceed [165] *170* feet. *The measurement shall be of the actual length of the entire multifamily building. Mixed use buildings that contain nonresidential uses shall not be subject to the outside wall dimension requirement..*

**Section 2.** Effective Date. This Ordinance shall become effective upon its adoption by a majority of all members elected to Council.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 2560 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 20TH DAY OF MARCH 2018.

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ROBIN A. GRIFFITH  
CLERK OF THE COUNCIL

