

ORDINANCE NO. 2792

AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY, CHAPTER 115, ARTICLE XID, SECTIONS 115-83.25, 115-83.26, 115-83.30 AND “115 ATTACHMENT 4, SUSSEX COUNTY TABLE IV

WHEREAS, on February 27, 2018, Sussex County Council adopted an ordinance establishing multiple new business and commercial districts; and

WHEREAS, one of the new districts is the “C-4 ‘Planned Commercial’” District that allows for planned, large scale commercial development including certain limited residential uses with site plan review integrated into the rezoning process; and

WHEREAS, subsequent to adoption, Sussex County has become aware of minor revisions to the “C-4 ‘Planned Commercial’” District to allow its use and implementation to occur, including minimum lot sizes and types and percentages of residential uses permitted in the district.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. The Code of Sussex County, Chapter 115, Article XID, §115-83.25 “Minimum District Dimensions” is hereby amended by deleting the language in brackets and adding the italicized and underlined language:

§115-83.25 Minimum District Dimensions.

...

C. The land areas may contain a single parcel or multiple parcels. *The minimum district area is 3 acres.*

...

E. The [parcel] *district* may have a maximum of [20] *40%* of its developable area consist of duplexes, townhomes or multifamily dwellings.

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Section 2. The Code of Sussex County, Chapter 115, Article XIX, §115-83.26 “Permitted Uses” is hereby amended by deleting the language in brackets:

§115-83.26 Permitted Uses.

A. A building or land shall only be used for the following purposes:

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RESIDENTIAL USES

Dwelling, duplex

Dwelling, multi-family

[Dwelling, single family]

Dwelling, townhouses

Home Occupation

Hotel, motel or motor lodge

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Section 3. The Code of Sussex County, Chapter 115, Article XIX, §115-83.30 “Height, Area and Bulk Requirements” is hereby amended by deleting the language in brackets and adding the italicized and underlined language:

§115-83.30 Height, Area and Bulk Requirements.

A. Minimum lot sizes. Minimum lot sizes shall be as follows:

Use	Minimum Area** (square feet)	Maximum Area** (square feet)	Width* (feet)	Depth (feet)
Permitted Uses:	[3 acres] <u>7,500</u>	--	75	100

*NOTE: A lot fronting on a numbered road shown on the General Highway Map for Sussex County of 1964, as revised, shall have a minimum lot width of 150 feet.

**NOTE: Any lot which is not connected to a central sewer system, as defined by §115-194A, or which is located within a planning area as defined by a sewer planning study approved by the Sussex County Council, shall have a minimum area of ¾ acre.

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Section 4. The Code of Sussex County, Chapter 115, “115 Attachment 4, Sussex County Table IV” is hereby amended by deleting “P⁴” from the line identified as “Dwelling, Single Family Detached, including Modular” within the column identified as “Zone C-4”.

Section 5. Effective Date.

This ordinance shall take effect upon the date of adoption by Sussex County Council.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 2792 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 27TH DAY OF JULY 2021.

ROBIN A. GRIFFITH
CLERK OF THE COUNCIL