

**Introduced 05/11/21**

**ORDINANCE NO. \_\_\_\_\_**

**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:

...

**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 “P<sup>4</sup>” 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.