

ORDINANCE NO. 2053

AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY RELATING TO THE TIME PERIOD OF VALIDITY OF THE APPROVAL OF A CONDITIONAL USE

WHEREAS, it is determined that in order to best serve the health, safety and welfare of the citizens of Sussex County, it is necessary to revise the Code of Sussex County in respect to the time period of validity of the approval of a Conditional Use under the Zoning Ordinance; and

WHEREAS, the County Council acknowledges that it is necessary to obtain certain State and Local Agency approvals of a proposed Conditional Use prior to commencing construction or use under an approved Conditional Use and that said State and Local Agency approvals typically cannot all be obtained within one year;

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:
Section 115-174. Period of validity of approval.

Approval of a conditional use under this Article shall be valid for a period of [one year] three years after the date of approval and thereafter shall become null and void unless construction or use, is substantially underway during said [one-year] three year period, [or unless an extension of time, not exceeding one year, is approved by the Planning and Zoning Commission, and for good cause shown, before the expiration of said one-year period. A maximum of two one-year extensions may be granted. However, the Commission shall not grant more than two such one-year extensions.] Any conditional use shall expire upon abandonment or expiration of the use.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 2053 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 2ND DAY OF JUNE 2009.



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