

**SYNOPSIS OF ORDINANCE
AMENDING THE CODE OF SOUTH BETHANY,
TO AMEND CHAPTER 145, ZONING, ARTICLE IV, §145-14.3(A)
ORDINANCE 223-26 (SECOND READING)
(Sponsored by Mayor Dondero)**

This Ordinance amends the Code of the Town of South Bethany, Chapter 145, Zoning, Article IV, §145-14.3, amending A, regarding ground covering allowed in the setback area.

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ORDINANCE NO. 223-26

AN ORDINANCE TO AMEND the Code of the Town of South Bethany, Chapter 145, Zoning, Article IV, §145-14.3, amending A, regarding ground covering allowed in the setback area.

BE IT HEREBY ENACTED by the Council of the Town of South Bethany, Sussex County, Delaware, a majority thereof concurring in Council duly met, that the following ordinances be and hereby are amended as follows: (additions are **bold and highlighted in red text** and deletions are ~~bold and marked through~~)

Amend Chapter 145, Zoning, Article IV, §145-14.3, amending A, as follows:

§ 145-14.3 Ground covering allowed in setback area.

- A. In the R-1 Single-Family Dwelling District (§ 145-26) at least 55% of **the sum of any** required building setback area, as defined in Chapter 145, Zoning, Article XI, Setback Requirements, shall be covered with pervious covering materials. ~~The building setback area is the total of the front, rear and side setbacks expressed in square footage (i.e.: 25 feet x 50 feet + 25 feet x 50 feet + 8 feet x 50 feet + 8 feet x 50 feet = 3,300 square feet. 3,300 square feet x 55% = 1,815 square feet minimum pervious coverage).~~ Pervious covering materials, such as, but not limited to, sand, gravel, mulch, grass, shells, natural vegetation, or, when installed per current industry standards or guidelines, permeable pavers, pervious concrete, and porous asphalt.

If any provision(s) of this Ordinance shall be deemed or held to be invalid or unenforceable for any reason whatsoever, then such invalidity or unenforceability shall not affect any other provision of this Ordinance which may be given effect without such invalid or unenforceable provision and, to this end, the provisions of this Ordinance are hereby declared to be severable.

Effective date. This ordinance shall become effective upon its passage by a majority vote of the Town Council of the Town of South Bethany.

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ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF SOUTH BETHANY, SUSSEX COUNTY, DELAWARE, ON THE ____ OF _____ 2026.

SEAL: _____

Edith Dondero, Mayor

Robert Shields, Council Secretary

ATTEST: _____

1st Reading: 6/12/2026
2nd Reading: 7/17/2026

Sponsored by Mayor Dondero
Ordinance 223-26
Second Reading

