

THE COUNTY COMMISSIONERS OF KENT COUNTY, MARYLAND

March 17, 2020  
Legislative Session Day

Legislative Session Day  
March 17, 2020

**CODE HOME RULE  
BILL NO. 4-2020**

INTRODUCED BY: P. Thomas Mason, President of the Board of County Commissioners for Kent County, Maryland.

AN ACT to amend Article V, Section 1.2 (Permitted Uses) of the Kent County Land Use Ordinance by adding provisions allowing certain existing residential developments in the Agricultural Zoning District (AZD) to become conforming multi-family developments.

THE COUNTY COMMISSIONERS OF  
KENT COUNTY

P. Thomas Mason  
P. Thomas Mason, President

INTRODUCED, read first time, March 17, 2020, ordered posted and public hearing scheduled May 12, 2020, at 10:00 p.m. in the County Commissioners Hearing Room, R. Clayton Mitchell, Jr., Kent County Government Center, 400 High Street, Chestertown, Maryland.

By Order of:

Sondra M. Blackiston  
Sondra M. Blackiston, Clerk

**PUBLIC HEARING**

HAVING been posted and notice of time and place of hearing and copies having been made available to the public and the press, a public hearing was held on May 12, 2020. Reported favorably [with] [without] amendments; read a second time and ordered to be considered on May 19, 2020, a legislative session day.

RECEIVED  
CLERK, CIRCUIT COURT  
2020 MAY 20

KENT COUNTY  
2020 MAY 20 P 2:53  
RECEIVED  
CLERK, CIRCUIT COURT

**A BILL ENTITLED CHR 4-2020 MULTI-FAMILY DWELLING IN AGRICULTURAL ZONING DISTRICT**

AN ACT to amend Article V, Section 1.2 (Permitted Uses) of the Kent County Land Use Ordinance by adding provisions allowing certain existing residential developments in the Agricultural Zoning District to become conforming multi-family developments.

**NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COMMISSIONERS OF KENT COUNTY, MARYLAND** that the Kent County Land Use Ordinance is hereby amended as follows:

**ARTICLE V  
DISTRICT REGULATIONS**

**1.2 PERMITTED USES AND STRUCTURES**

**10.5. *MULTI-FAMILY AND TWO-FAMILY DWELLINGS, PROVIDED:***

- A. THE *MULTI-FAMILY OR TWO-FAMILY DWELLINGS* EXISTED ON THE PROPERTY PRIOR TO AUGUST 1, 1989**
- B. THE SALE OR LEASE OF AT LEAST 50% OF THE *MULTI-FAMILY OR TWO-FAMILY DWELLINGS* IS RESTRICTED TO AN AMOUNT AFFORDABLE TO INDIVIDUALS OR FAMILIES EARNING NO GREATER THAN 100% OF THE COUNTY MEDIAN INCOME AS DETERMINED BY THE UNITED STATES CENSUS BUREAU**
- C. THE DWELLINGS ARE SERVED BY PUBLIC WATER AND SEWERAGE SERVICE.**
- D. THE MINIMUM SITE AREA SHALL BE FIVE (5) ACRES**
- E. IF SUBDIVISION APPROVAL IS SOUGHT: (1) MINIMUM LOT SIZE, SETBACK AND YARD REQUIREMENTS, MAXIMUM HEIGHT OF STRUCTURES, AND OFF-STREET PARKING REQUIREMENTS SHALL BE DETERMINED BY THE PLANNING COMMISSION; (2) OPEN SPACE SHALL BE PROVIDED AS REQUIRED IN SECTION 1.6 (4) OF THIS ARTICLE; (3) FOREST CONSERVATION REQUIREMENTS SHALL BE SATISFIED; AND (4) SITE ACCESS STANDARDS OF SECTION 1.8 (B) (1) AND (3) OF THIS ARTICLE SHALL BE MET IN SO FAR AS POSSIBLE.**

BILL NO. 4-2020

**CAPITALS & BOLD** INDICATES MATTER ADDED TO EXISTING LAW.

~~Strike through~~ indicates matter deleted from existing law.

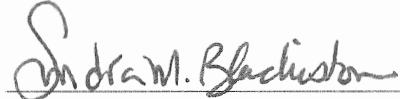
BE IT FURTHER ENACTED by the County Commissioners of Kent County that this Act shall take effect on the 29th day of May, 2020

Read Third Time May 19, 2020

PASSED this 19th day of May, 2020

Failed of Passage \_\_\_\_\_

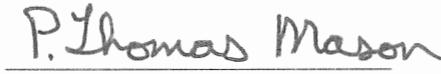
By order of:



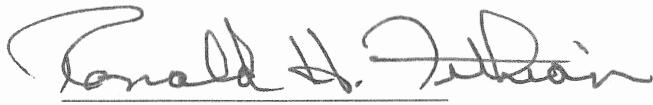
Sondra M. Blackiston  
Sondra M. Blackiston, Clerk



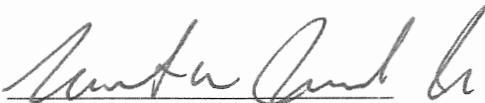
THE COUNTY COMMISSIONERS OF KENT  
COUNTY, MARYLAND



P. Thomas Mason  
P. Thomas Mason, President



Ronald H. Fithian  
Ronald H. Fithian, Member



Robert N. Jacob, Jr.  
Robert N. Jacob, Jr., Member

ORDERED a fair summary thereof of the entire bill shall be published in at least one newspaper of general circulation in the County, not less than three times at weekly intervals within a four-week period.

BILL NO. 4-2020

**CAPITALS & BOLD INDICATES MATTER ADDED TO EXISTING LAW.**

**Strike through** indicates matter deleted from existing law.