

Within the Limited Development Area of the *Critical Area*:

*Critical Area Residential (CAR)*  
*Commercial Critical Area (CCA)*  
*Industrial Critical Area – LDA (ICA-LDA)*

Limited Development Areas are those areas which are currently developed in low or moderate intensity uses. They also contain areas of plant and animal habitats, and the quality of runoff from these areas has not been substantially altered or impaired. As of December 1, 1985, these areas had at least one of the following features:

1. Housing density ranging from one dwelling unit per 5 acres up to four dwelling units per acre;
2. Areas not dominated by agriculture, wetland, forest, barren land, surface water or open space;
3. Areas meeting the conditions of an intense development area but not concentrated in an area of at least 20 acres; or
4. Areas having public sewer or public water or both.

Within the Intense Development Area of the *Critical Area*:

*Intense Village Critical Area (IVCA)*  
*Marine (M)*  
*Industrial Critical Area (ICA)*  
*Conference centers, resorts, retreats, and other uses that have received growth allocation.*  
*Commercial Critical Area parcels that have received growth allocation\**

Intense Development Areas are those areas where residential, commercial, institutional and/or industrial developed land uses predominate and where relatively little natural habitat occurs. As of December 1, 1985, these areas had at least one of the following features:

1. Housing density equal to or greater than four dwelling units per acre;
2. Industrial, institutional or commercial uses concentrated in the area; or
3. Public sewer and water collection and distribution systems were currently serving the area and housing density was greater than three dwelling units per acre; and
4. These areas are concentrated in an area of at least 20 acres.

## SECTION 2. ESTABLISHMENT OF DISTRICT MAP

Such land and the district classifications thereof shall be shown on the map designated as the “Zoning District Map of Kent County, Maryland,” dated and signed by the President of the County Commissioners and attested by the Clerk of the County Commissioners upon adoption. This Zoning District Map and all notations, dimensions, references, and symbols thereon shall be considered a part of this Ordinance and shall be filed as a part of this Ordinance with Kent County Department of Planning and Zoning. The original map shall be marked “Original Copy” and is not to be altered or removed from the Department of Planning and Zoning except by Court Subpoena. Copies of the Zoning Map shall be available for inspection in the Department of Planning and Zoning.

- e. Man caused *impervious surfaces* shall not exceed 25% of an individual *lot* of one acre or less which is part of a *subdivision* approved after December 1, 1985. However, the total of the *impervious surfaces* over the entire *subdivision* shall not exceed 15%.
  - f. Properties granted growth allocation in accordance with the Kent County Growth Allocation Policy may be exempt from the 15% lot coverage requirement.\*
9. *Natural heritage areas* and locations considered for areas of Critical State Concern  
These areas of local significance shall be preserved whenever possible in accordance with the recommendations of the Department of Natural Resources. These areas are identified in Article VI, Section 3.8 of this Ordinance.
10. *Non-tidal wetlands*  
*Non-tidal wetlands* shall be protected according to the *regulations* of the State of Maryland, Army Corps of Engineers, United States Fish and Wildlife Service, Environmental Protection Agency and all other applicable State and Federal *regulations*.
11. *Slopes*  
*Development* on *slopes* greater than 15%, as measured before development, shall be prohibited unless the project is the only effective way to maintain or improve the stability of the land.
12. *Stormwater Management*  
No *person* shall develop any land for residential, commercial, industrial, or institutional uses or redevelop land without having provided for appropriate *stormwater management* measures that control or manage runoff from such developments except as provided in Article VI, Section 10 of this Ordinance. *Stormwater Management* shall be accomplished for all new *development* or *redevelopment* in accordance with the provisions of Article VI, Section 10 of this Ordinance.
13. Threatened and Endangered Species and Species in Need of Conservation
- a. Any *development* shall include a statement on the type and location of any threatened or *endangered species* or *species in need of conservation* on the property, and any recommendation for maintaining and protecting that habitat from the Department of Natural Resources.
  - b. Threatened or *endangered species* and *species in need of conservation* shall be checked and noted by the *developer* before any approvals can be granted by the Planning Director, *Planning Commission*, or Zoning Administrator.
  - c. The Federal or State guidelines (whichever is stricter) for habitat protection shall be followed during *development*. Plans shall include provisions for the continuance of the habitat protection after *development*. This can include *conservation easements*, cooperative agreements, special provisions in *forest management* and *soil* conservation plans, and donation to a third party.
14. Timber Harvest
- a. *Forest management plans* shall be required for all timber harvests occurring within any one-year interval and which affect one or more acres in *forest* and *developed woodlands* in the *Critical Area*. The plans shall be prepared by a registered professional forester and be reviewed and approved by the Maryland Forest, Park and Wildlife Service through the District Forestry Boards and the project forester. Plans shall be filed with the Department of Planning and Zoning. Plans shall include measures to protect surface and ground water quality and identify whether the activities will disturb or affect Habitat Protection Areas as set forth in the this Ordinance or identified on the Habitat Protection Areas Map.