

# SB236: KENT COUNTY EXEMPTION REQUEST ANALYSIS

Presentation to the Sustainable  
Growth Commission  
March 25, 2013



# TIER 4 EXEMPTION

- The intent of the Tier 4 exemption is to relieve jurisdictions of SB 236's restrictions on major subdivisions in Tier IV if their established zoning and subdivision rules already adequately limit residential subdivision, thereby obviating the need for the additional restrictions.

# DATA PROVIDED BY COUNTY

- Growth Tiers GIS Database
- Parcels subject to restrictions (Protected Lands)
- Subdivision Activity Database
- Zoning GIS Database
- Zoning Ordinance

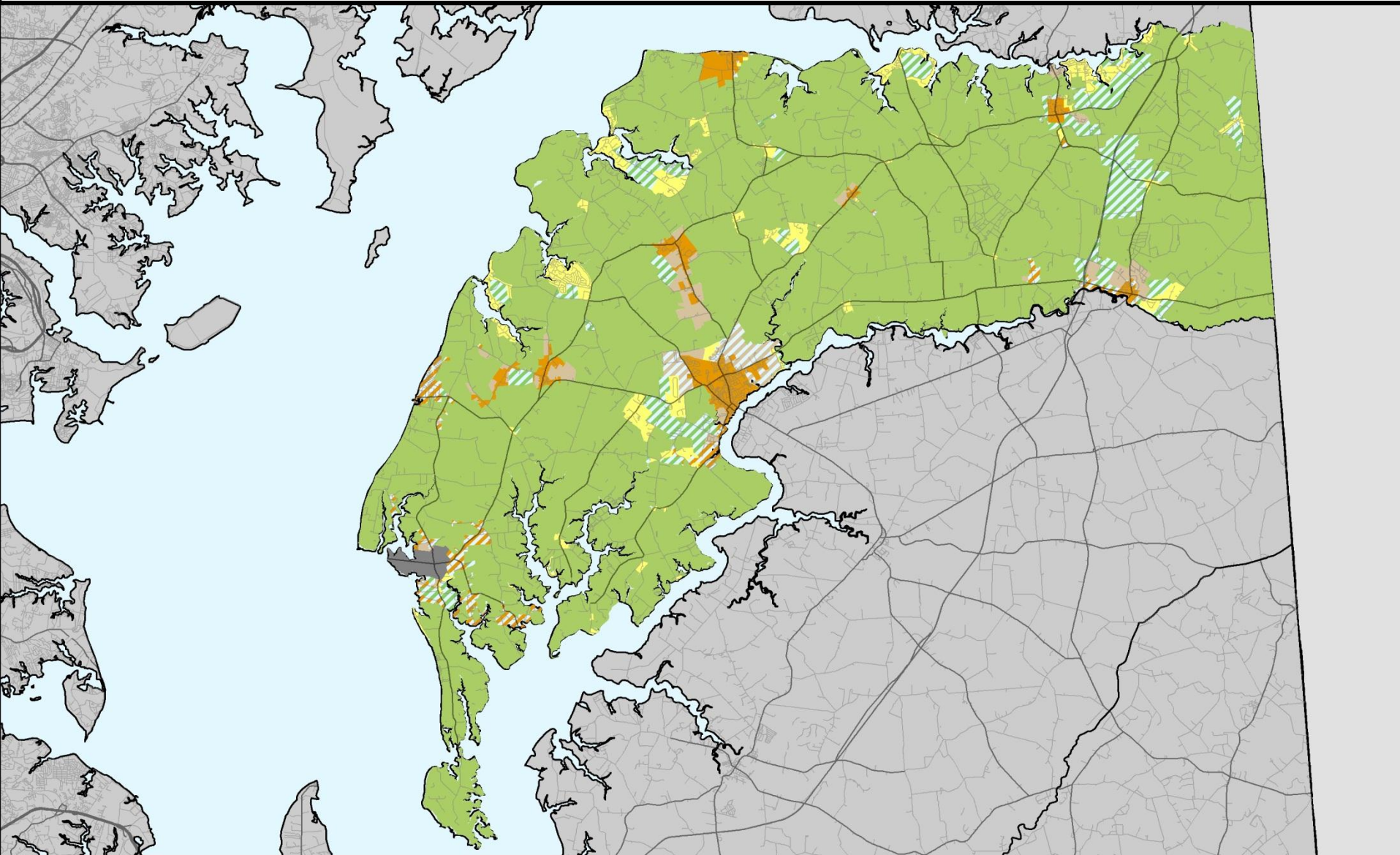


# CONFORMANCE OF TIER IV WITH STATUTORY GUIDELINES

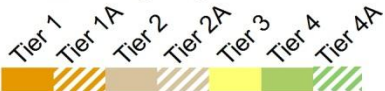


Sustainable \_\_\_\_ Attainable

# KENT COUNTY TIER MAP



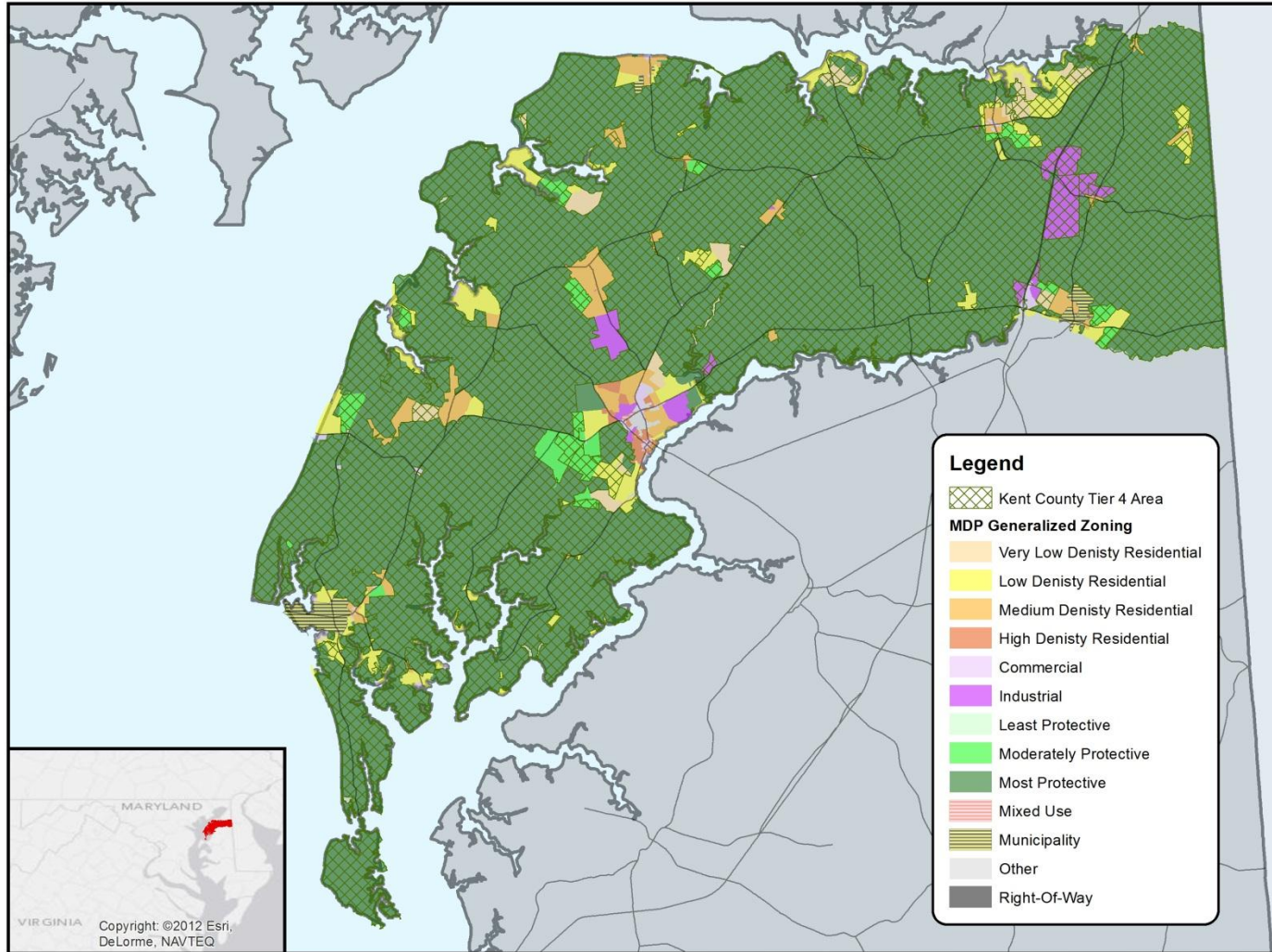
Kent County Adopted Growth Tiers



*Kent County Adopted Tier Map 12/4/2012*  
MDP has visually represented County-provided  
data for illustrative purposes only



# KENT COUNTY TIER 4 AREAS



# ZONING DISTRICTS IN KENT COUNTY

## TIER IV

Zoning District	Permitted Density	Percentage of Total Tier 4 Land Area
<b>Agricultural Zoning District (AZD)</b>	<b>1 lot per 30 Acres</b>	<b>73%</b>
Resource Conservation District (RCD)	1 lot per 20 acres	23%
Rural Character (RC)	1 lot per 20 acres	2%
Rural Residential (RR)	1 lot per 3 acres	1%
Community Residential (CR)	1 lot per 1 acres	1%
Critical Area Residential (CAR)	1 lot per 1 acres	0.03%



# AGRICULTURAL & PRESERVATION PRIORITIES

- The county established an “Agricultural Priority Area (APA)” long before the 2006 legislation enabling certified Priority Preservation Areas (PPA).
- The APA, formed in the 1980’s, recognized criteria the importance of farmable soil, productive farms, and land preservation.
- The APA evolved into the county’s PPA, which now totals nearly 160,000 acres or **89% of the county’s acreage**



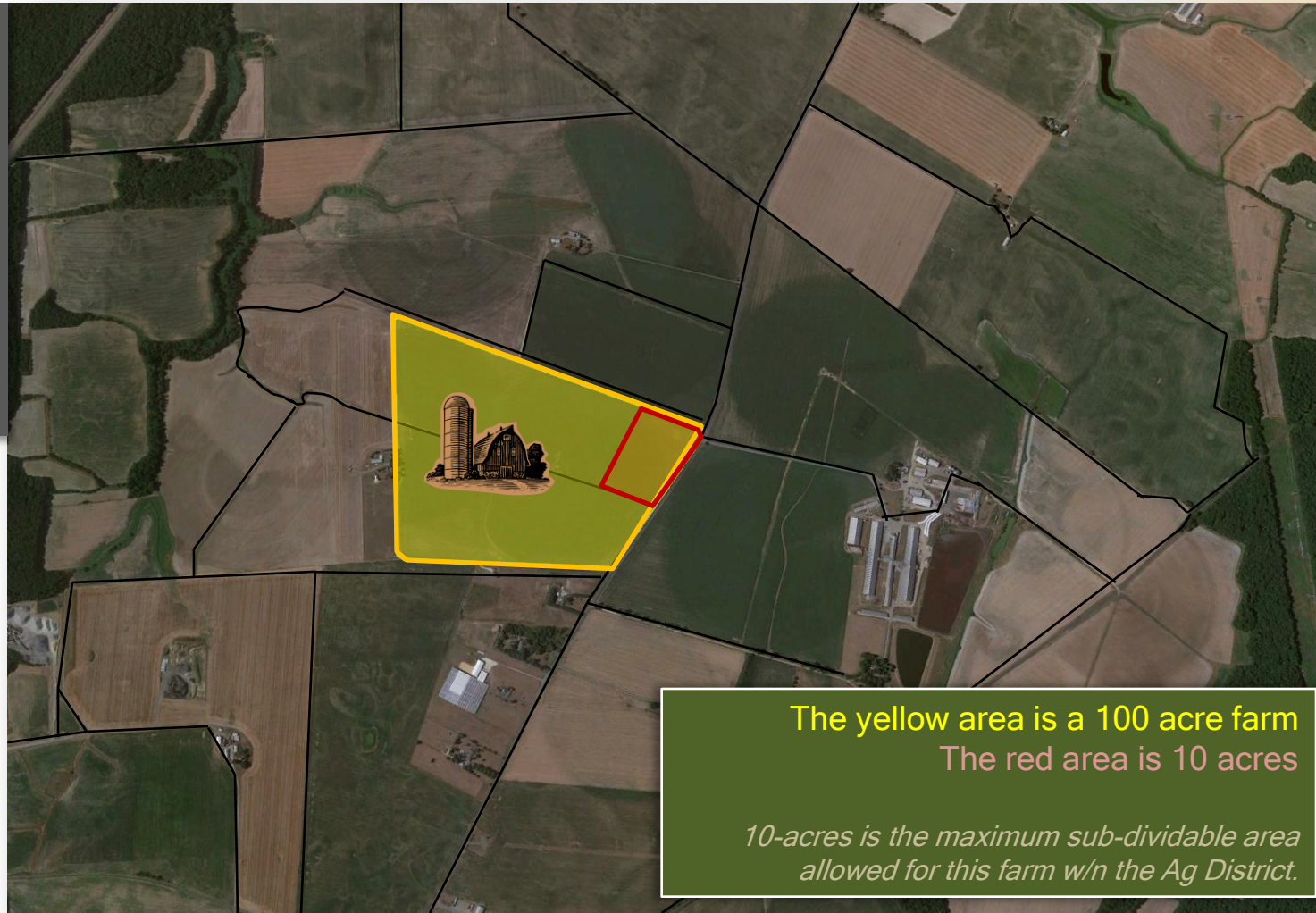
# PERFORMANCE OF ZONING/ LAND USE TOOLS IN TIER IV



# CONSERVATION EFFORTS IN THE AG ZONING DISTRICT (AZD)

Subdivisions within the AZD cannot use more than 10% of the parcel in lots.

This 10% can be anywhere on the parcel but is restricted to 10% of the parcel's size.



The yellow area is a 100 acre farm  
The red area is 10 acres

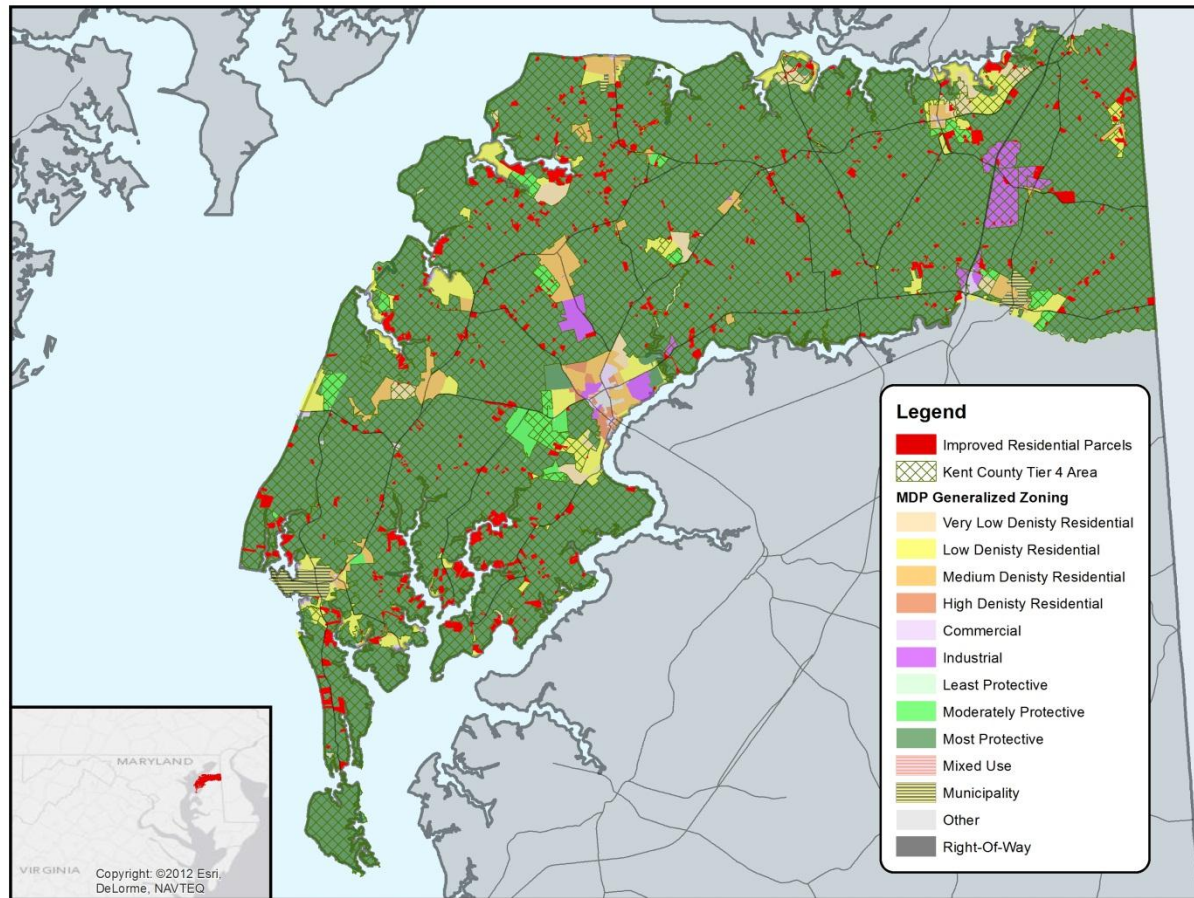
*10-acres is the maximum sub-dividable area allowed for this farm w/n the Ag District.*

# REVIEW OF SUBDIVISION IN TIER IV

Year	Number of Subdivisions in Tier 4	Total Number of Lots Yielded from Subdivisions	Average Number of Lots Yielded per Subdivision
2001	7	12	1.7
2002	5	5	1.0
2003	11	16	1.5
2004	6	6	1.0
2005	6	9	1.5
2006	9	13	1.4
2007	7	9	1.3
2008	10	12	1.2
2009	3	3	1.0
2010	4	4	1.0
2011	3	4	1.3
2001-2011 Average	6	8	1.3



# EXISTING RESIDENTIAL DEVELOPMENT IN TIER 4 - KENT COUNTY



# EXISTING RESIDENTIAL DEVELOPMENT

Tier 4 Zoning District	Percent of Tier 4 Land in Zoning District	Percent of Existing Residential Parcels
AZD	73%	62%
RCD	23%	30%
RC	2%	2%
RR	1%	1%
CR	1%	4%
CAR	0.03%	1%
Other Districts	1.34%	2%

43 Existing Residential Developed Lots were excluded from calculation. These lots are on preservation easements, farmhouses, child lots, etc.

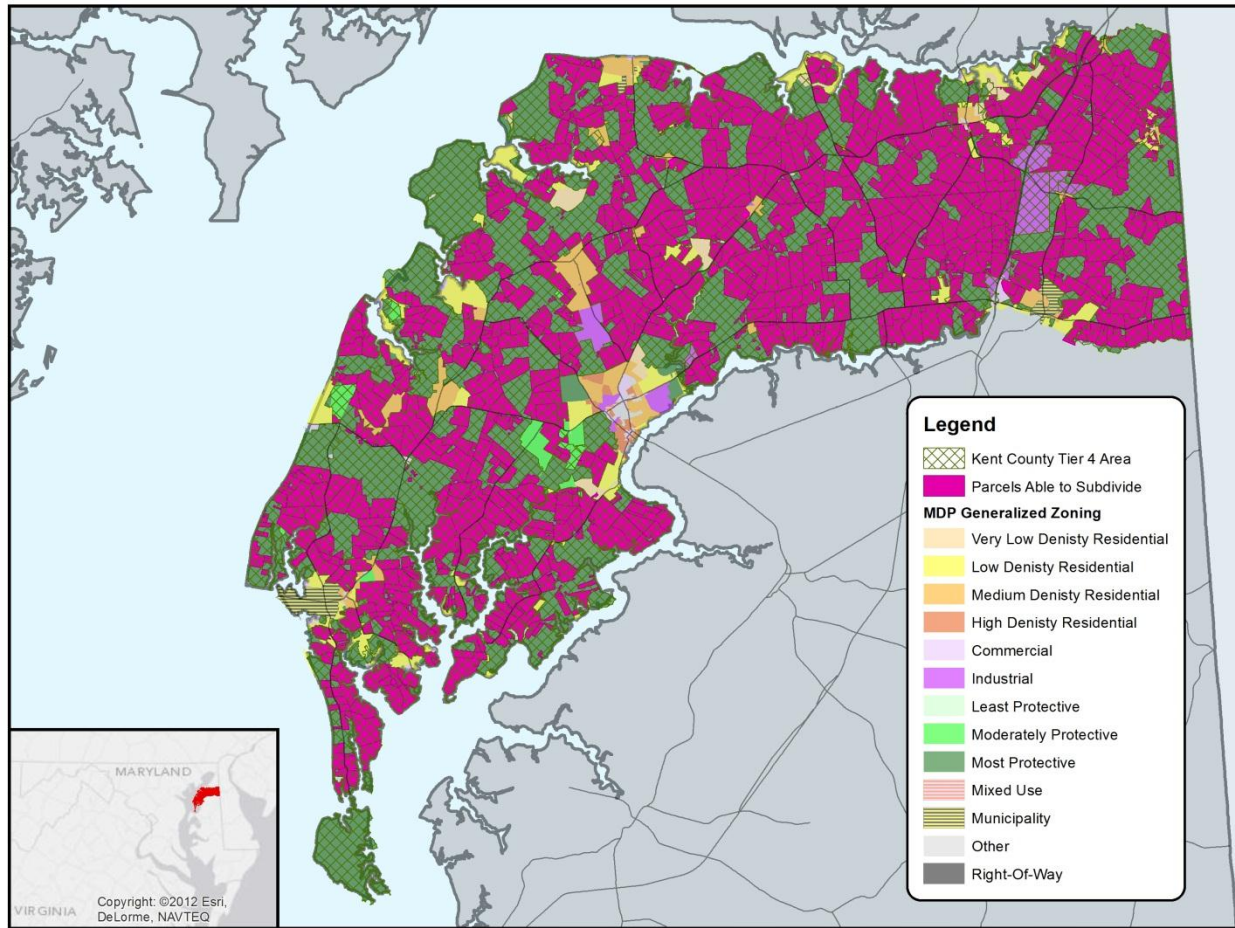


# POTENTIAL FUTURE DEVELOPMENT IN TIER IV



Sustainable \_\_\_\_ Attainable

# POTENTIAL RESIDENTIAL SUBDIVISION IN TIER 4 - KENT COUNTY



# POTENTIAL RESIDENTIAL SUBDIVISION IN TIER 4 - KENT COUNTY

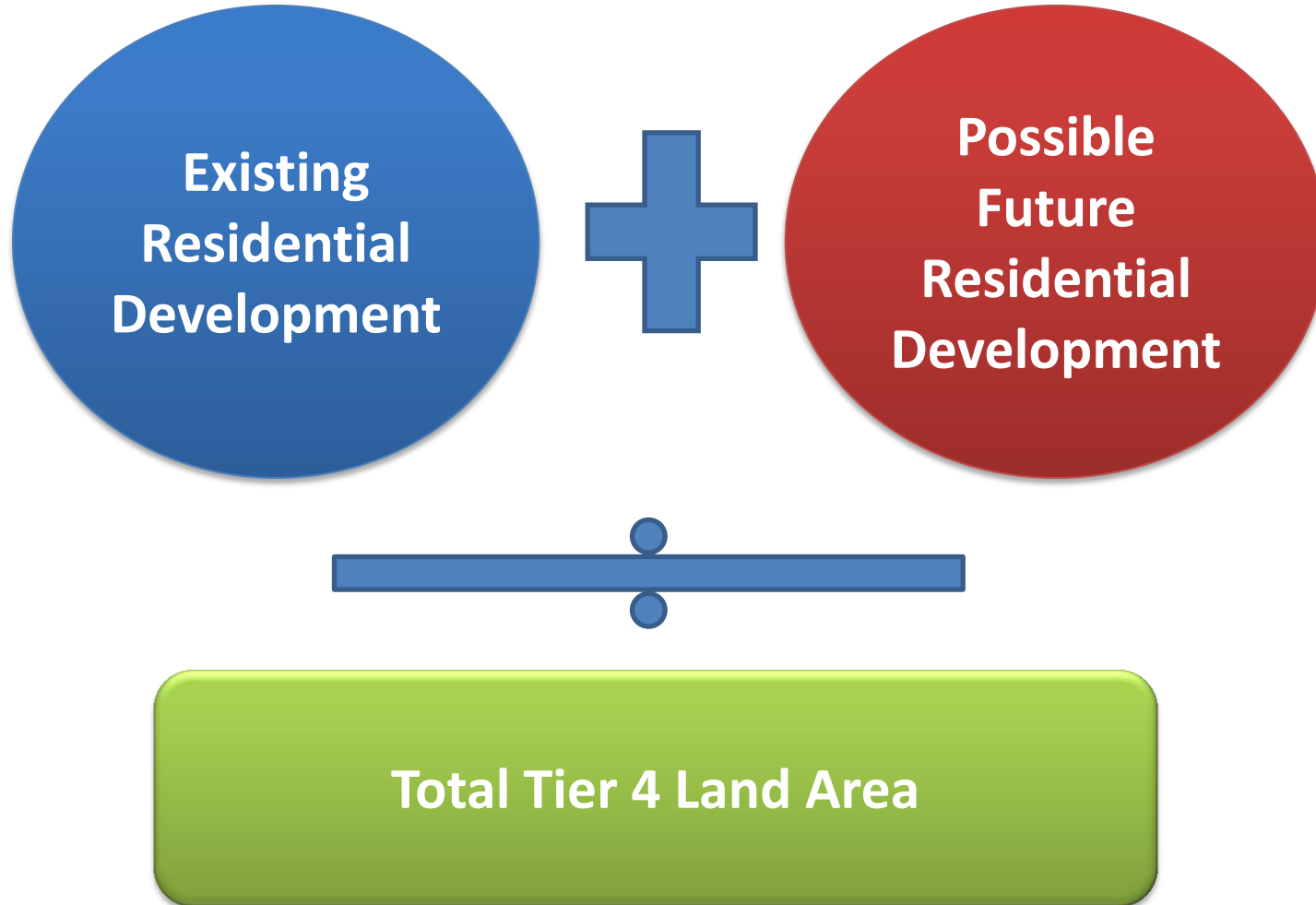
Tier 4 Zoning District	% Tier 4 Land in Zoning District	Percent of Potential Residential Subdivision	Number of Potential Future Lots
AZD (1 lot per 30 Acres)	73%	63%	2,628
RCD (1 lot per 20 Acres)	23%	18%	738
RC (1 lot per 20 Acres)	2%	2%	91
RR (1 lot per 3 Acres)	1%	7%	312
CR (1 lot per 1 Acre)	1%	10%	414
CAR (1 lot per 1 Acre)	0.03%	0.2%	10
Other Districts	1.34%	0%	2

*98% of land & 83% of potential residential subdivision occur within zones comprising restrictive zoning of at least 1 lot per 20 acres*





# EXEMPT CALCULATION METHODOLOGY



# EXEMPTION CALCULATION - KENT COUNTY

Existing Residential Development	1,729 Lots
Potential Future Residential Development <i>under current local zoning/subdivision regulations</i>	4,195 Lots
<b>Total Residential Development at Buildout</b> <i>under current local zoning/subdivision regulations</i>	<b>5,924 Lots</b>
<b>Total Tier 4 Land Area</b>	<b>160,834 Acres</b>
<b><i>Estimated Overall Density at Buildout</i></b> <b><i>total lots / total Tier 4 land area</i></b>	<b><i>1 : 27.15 Acres</i></b>

