

INTRODUCED BY: Eric L. Buckson
DATE INTRODUCED: February 14, 2017
PUBLIC HEARING DATE: _____
PUBLIC HEARING TIME: 7:15 p.m.
ADOPTION DATE: _____
EFFECTIVE DATE: Upon Adoption

Ordinance LC17-05
Sports Medicine Facilities

An Ordinance to amend Kent County Code, Vol. II, Chapter 205, Zoning, as amended by revising Article V, AC – Agricultural Conservation District, §205-48, Conditional Uses and Article XXI, Conditional Uses, §205-305, Hospitals and §205-365, Table of Conditional Uses to permit physical therapy and sports medicine facilities and medical rehabilitation centers as conditional use in the AC – Agricultural Conservation District.

THE LEVY COURT OF KENT COUNTY, DELAWARE, HEREBY ORDAINS:

Section 1. That the Kent County Code, Vol. II, Chapter 205, Zoning, Article V, AC – Agricultural Conservation District, §205-48, Conditional uses, is hereby amended by adding the following underlined language:

“Hospitals, sanatoriums, nursing homes, physical therapy and sports medicine facilities, medical rehabilitation centers, and convalescent homes”

Section 2. That the Kent County Code, Vol. II, Chapter 205, Zoning, Article XXI, Conditional Uses, §205-305, Hospitals is hereby amended by adding the following underlined language:

§ 205-305 **Hospitals, physical therapy and sports medicine facilities, medical rehabilitation centers, and convalescent homes.**

A. Conditions for hospitals, including hospitals for contagious diseases, sanitariums and treatment facilities for drug and/or alcohol addiction, shall be as follows:

(1) No building so used shall be within 50 feet of any lot line.

(2) Off-street parking is provided in accordance with the requirements of Article XVII, Parking.

(3) All requirements, regulations and recommendations submitted by any agency member of the Development Advisory Committee shall be satisfied.

B. The reviewing body may impose any other appropriate or more stringent conditions it deems necessary to protect the health, safety and welfare of the neighborhood.

Section 3. That the Kent County Code, Vol. II, Chapter 205, Zoning, Article XXI, Conditional Uses, §205-365, Table of Conditional Uses is hereby amended by adding the following underlined language:

§205-365, Table of Conditional Uses.

Uses	Not Requiring Site Plan Review	Requiring Site Plan Review
<u>Hospitals, sanatorium, nursing home, physical therapy and sports medicine facilities, medical rehabilitation centers, and convalescent homes</u>		<u>AC</u>

Section 4. Severability.

The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of Delaware by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.

Section 5. Effective Date.

This Ordinance shall be effective upon the date of adoption.

ADOPTED BY THE LEVY COURT OF KENT
COUNTY, DELAWARE

President, Kent County Levy Court

This _____ day of _____, 20__

ATTEST: _____
Clerk of the Peace

Synopsis: The ordinance adds physical therapy and sports medicine facilities and medical rehabilitation centers as conditional uses in the AC – Agricultural Conservation District.