



Comprehensive Rezoning & Update 2020-2021 Task Force

MEETING SUMMARY

Virtual Meeting

Thursday, January 14, 2021, at 6 PM

I. Welcome and Roll Call – Planning Commission Chair Kim Kohl

The Planning Commission Chair opened the meeting at 6 pm, conducting member roll call.

The following Task Force members attended: Chair Kim Kohl, Vice Chair Bill Sutton, Joe Hickman, Jim Saunders, Paul Ruge, Tom Mason, Al Nickerson, Bill Norris, Brian Greenwood, Buck Nickerson, Chikki Shajwani, Cindy Genther, Jim Rich, Pat Langenfelder, and Sam Shoge.

The following staff also attended: Planning Commission Attorney Cynthia L. McCann, Esq.; DPHZ Director Bill Mackey, AICP; Carla Gerber, AICP, GIS Specialist; Robert Tracey, Community Planner; and Brian Jones, Planning Specialist.

Members of the public who attended were Ms. Janet Christensen-Lewis, Kyle Kirby, Esq. of MacLeod Law Group, and Mr. John Lysinger. The meeting was also livestreamed, and anyone could listen to the meeting online via the County's website.

II. Approval of Summary for the Task Force Meeting on December 9, 2020

Ms. Lagenfelder moved to approve the proposed Summary of the Task Force Meeting on December 9, 2020, with a correction on the meeting adjournment time from 6 pm to 8 pm. Ms. Genther seconded the motion. The motion passed.

III. OLD BUSINESS

A. Developing a Mission Statement – request adoption of a statement

Mr. Mackey read the proposed mission statement into the record. Mr. Shoge recommended removing the last sentence of the proposed statement. Mr. Norris and Mr. Rich agreed with Mr. Shoge. After discussion, Mr. Shoge made a motion to strike the rest of the last sentence following *uses*. Ms. Lagenfelder seconded the motion. The motion passed. Mr. Shoge and Mr. Sutton thanked the DPHZ Team for its work on the Mission Statement.

B. Presentation by Sean Suder on Scope of Work and 2020 Diagnostic Report

There was no discussion on this topic during the meeting.

C. Discussion of Schedule of Topics for CRU Task Force in Calendar Year 2021

There was no discussion on this topic during the meeting.

IV. NEW BUSINESS

A. Presentation of Proposed Text Changes submitted by Members of the Public.

Mr. Mackey, Ms. Gerber, and Mr. Tracey provided overview summaries of the list of proposed text changes submitted by Members of the Public.

1. Request to change farm definition so a shed could be built without a dwelling
2. Request to allow utility-scale energy systems in the Agricultural Zoning District
 - Mr. Shoge recommended that members review recommendations from the previous Kent County Renewable Energy Task Force (please see link [here](#)).
3. Request to continue to exclude data centers from Agricultural Zoning District
 - Mr. Rich asked staff about the term *data centers* in the current zoning code
4. Request to create two, new floating zones to allow for (a) planned mixed-use development and (b) planned neighborhoods, including specific criteria for such designations, as well as (c) to combine the Commercial and Employment Center districts and (d) to allow residential uses in the newly combined district
 - Mr. Shoge conveyed that he is not sure how these development zones would work in the County but could be a possibility for Villages or Municipalities.
 - Ms. Kohl agreed with Mr. Shoge. She would like to see examples of these zones from neighboring counties, requesting that staff follow-up at a later meeting.
5. Request to allow truck stops, truck parking lots, gas sales, convenience stores and restaurants with or without drive-through in the Industrial district
 - Mr. Hickman asked if topics such as this were for the Planning Department.
6. Request to consider adjacent lots under same ownership to meet the minimum requirements related to rules for the keeping of backyard chickens
 - Mr. Shoge recommended a Lot Line Adjustment for situation as described.
 - Mr. Ruge asked what the process would be to complete a Lot Line Adjustment.
 - Mr. Mackey provided a summary of the process.
 - Ms. Kohl requested additional information for consideration by the Task Force.
 - Mr. Norris said this topic could lead to larger questions about the “AZD” zone.
7. Request to review lot coverage standards and other Critical Area provisions, lot line adjustments on parcels under 5 acres, and wastewater treatment

The meeting recessed at 7: 03 P.M. for a 15-minute BREAK. The meeting resumed at 7:18 P.M.

8. Request to allow Class 8 Farm Breweries in the Agricultural Zoning District
 - Mr. Shoge shared that he is a fan of farm breweries and supports the initiative.
 - Ms. Lagenfelder suggest developing a process to regulate the breweries similar to the county’s regulations for wineries.

- Mr. Tracey answered questions related to farm breweries.
 - Mr. Norris suggested doing what is best for the overall County.
9. Request to review standards related to subdivisions accessing private roads
 - Mr. Shoge asked about the process of a private roadway becoming a public roadway and what the County's responsibilities would be.
 - Mr. Hickman raised concerns about private roadways and leaving enough room for first responders to get equipment in.
 10. Request for modified buffer in RCD for campgrounds, as defined in § 2.2 (18)
 11. Request to review lot sizes and required setbacks in property owner's district
 12. Request to review subdivision density standards related to zoning map request

Members of the Task Force discussed the proposed changes and had the opportunity to comment and ask staff questions.

V. Public Comments

Kyle Kirby, Esq. of MacLeod Law Group and representing Millington Crossing, spoke on the growth area slated for annexation into the Town of Millington. Mr. Kirby noted that a large portion of land on the westside of Route 301 is not slated to be annexed into the Town, and the zoning should be consistent with the land being annexed. Mr. Kirby also discussed the zoning code, planned mixed-development, form-based-codes, and permitted uses. Mr. Kirby commented on floating zones and how they provide flexibility while requiring specific plans.

Ms. Janet Christensen-Lewis spoke on the definition of data centers and noted that there is a clear definition of the use. In addition, Ms. Janet Christensen-Lewis disagreed with allowing floating zones in Kent County, noting they could cause unparalleled confusion and conflict.

Mr. John Lysinger spoke regarding the mission statement and supported the inclusion of the County's history in the statement. Mr. Lysinger would like to see the protection of historical structures discussed among the Task Force members, noting he witnessed many properties had been demolished in the past with few requirements. Mr. Lysinger would like to see additional provisions to protect historical structures in the updated Land Use Ordinance.

VI. Task Force Comments

A discussion ensued regarding major and minor subdivisions and their role in the County.

There being no further business, Mr. Saunders made a motion to adjourn the meeting, and the motion was seconded by Mr. Shoge. The meeting adjourned at 8:24 P.M.