



Comprehensive Rezoning & Update 2020-2021 Task Force

MEETING SUMMARY

Hybrid In-Person/Remote Meeting
Wednesday, May 26, 2021, at 6:00 p.m.

I. Welcome and Roll Call – Madam Chair, Kim Kohl

Chair Kim Kohl opened the meeting at 6:00 pm, conducting member roll call.

The following Task Force members were in attendance: Chair Kim Kohl, Vice Chair Joe Hickman, Bill Sutton, Jim Saunders, Paul Ruge, Tom Mason, Tyler Brown, Albert Nickerson, Bill Norris, Bryan Greenwood, Buck Nickerson, Cindy Genther, Pat Lagenfelder, and Sam Shoge.

The following staff attended: Planning Commission Attorney Cynthia McCann, Esq; DPHZ Director William Mackey, AICP; Deputy Director Carla Gerber, AICP; and Acting Clerk, Sandy Adams.

Members of the public who attended in-person or remotely included: Janet Christensen-Lewis; Frank Lewis; Gary Miller; Elizabeth Watson, FAICP; and Jamie L. Williams, Director of Economic and Tourism Development. The meeting was also livestreamed, and anyone could listen to the meeting via the County's website.

II. Approval of Summary for the Task Force Meeting on May 12, 2021

Chair noted that the Meeting Summary from May 12, 2021, was not ready for review and would be reviewed at the next meeting on June 9, 2021.

III. Purpose and Ground Rules

- A. Everyone is encouraged to share ideas openly and freely.
- B. There are no right or wrong inputs for discussion purposes.

IV. Old Business

- A. Review of Task Force Members' requests for text changes to Zoning Code.
- B. Review of Staff recommended items for consideration by the Task Force.

No items were brought forward from the previous meeting.

V. New Business

- A. Review of Public Request #4: Revised request to create new floating zones to allow for mixed-use development, planned neighborhoods, with specific criteria, as well as combining the Commercial and Employment Center districts and to allow residential uses in the newly combined district.

Mr. Mackey shared that a postponement had been requested, and Mr. Mackey accepted it. The item was then rescheduled for June 9, 2021.

- B. Review of Public Request #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. Mackey presented highlights from the Staff report.

A Task Force member conveyed that it sounded like a sprawl-oriented request. Although the member was not opposed to it, the member expressed the need for aggressive landscaping requirements to prevent an unsightly appearance or uniform appearance with the presence of national chain retailers, to not lose Kent County's vision to be set apart from others. The member also cautioned to be mindful of the overall consequences before moving forward.

A second member questioned why there are restrictions on restaurants with drive-throughs.

Mr. Mackey suggested that the absence of drive-throughs may have been due to the desire for low impact development and the negative visual perception of such uses in the County.

The second member expressed that they would not be opposed to a limited extent of the use along the Route 301 corridor; otherwise, only Cecil and Queen Anne's counties would benefit. The second member further agreed with the first member regarding including landscaping.

A third member questioned the presence of a restaurant in Kent County that is not within the town limits.

Ms. Gerber responded that Molly's is such an example.

The first member conveyed concern over having multiple uses lumped under one category. Different styles of restaurants do exist and they should be considered, if they are infused with Kent County local charm, rather than being the cookie-cutter-type, fast-food restaurants.

A fourth member stated all areas of the County need to be incorporated into the discussion, if Industrial opens to other uses. The member recommended that the Millington Crossroads be discussed in conjunction with other areas on US 301, as there's only so much capacity. The member cautioned hurting the Millington area, which might be served by water and sewer.

A fifth member suggested discussing drive-throughs now, as they are very popular and would like to see the Millington/Massey area expand to capture the demand for such uses.

A discussion ensued regarding the drive through allowances.

Chair Kohl suggested tabling the discussion until June 9.

Another member noted feedback should be received from Millington representatives, since the Town could be directly affected, especially the town's water, sewer, traffic, and tax base.

The fourth member agreed.

Mr. Mackey conveyed he had met with the Town Manager of Millington to discuss the staff report recommendations and to confirm the requestor had worked with their Town Planner.

The second member stated they are familiar with the zoning in the 301 corridor and the area that is being considered for the mixed-use zoning is not Industrial. Industrial zoning is located closer to the 313 Galena Road area, which is more conducive to truck parking as opposed to a mixed-use commercial and residential area.

A seventh member agreed, but since discussion is about two different zoning areas, asked if the Task Force should discuss it now rather than grouping the entire proposal together.

A member noted that it's a question of what the zoning should be, if restaurants are allowed in the Industrial area, and the impact in Millington. Allowing all Industrial to include other and new uses could minimize the value of what is trying to be done in Millington.

Chair proposed tabling this item for discussion during the June 9th meeting, in conjunction with the first item that was postponed, so that a more all-inclusive discussion can be realized.

Mr. Mackey suggested foregoing the 15-minute break, since the meeting was moving along in a very timely fashion. There were no objections.

C. Review of Task Force Request #13: Review streamlining the Cottage Industry process

Ms. Gerber gave a brief summary from the staff report and recommended streamlining the process by allowing for special exceptions that could be heard and decided administratively by the Planning Director or the Director's designee who would consider the site plans and ensure there is no negative impact on the surrounding areas or the neighbors.

A member requested confirmation that the neighbors affected would be alerted of scheduled hearings and have the opportunity to provide their feedback.

Ms. Gerber confirmed.

Another member stated that a citizen participation plan is required and expressed preferring to see a detailed narrative, including specification of business type services, operation hours, number of employees. The member would like to see the Planning Director have discretion to waive bonding for stormwater drainage, landscape requirements, and other requirements, as bonding can sometimes be too costly for someone just starting up a business.

Chair Kohl asked the Task Force members to share any opposition to the proposal. None were opposed. A favorable consensus of approval was realized to allow staff to move forward with incorporating changes in the LUO.

- D. Review of Task Force Request #18: Review timelines. Currently, projects scheduled before Planning Commission and Board of Appeals must be submitted 20 days before meetings. For projects that require concept, preliminary and final review, this allows only a week for applicants to address comments and resubmit for the following meeting.

Ms. Gerber provided a brief summary outlining how streamlining the process would allow for a shorter turnaround time between meetings. Staff coordinates notices for four project types: subdivisions, lot line adjustments, site plans special exceptions, variances.

A member opined that staggering the 30-, 25-, 15-, and 10-day submittal requirements would work best in helping to streamline the process.

Another member expressed eagerness to see it improved and further recommended working with a local designer who is a frequent applicant to ensure staff understands the issues from the applicant's perspective and to help draft text to eliminate confusion for new applicants.

Chair Kohl agreed with the member regarding having a local designer develop a flow chart or process map showing a visualization. This would be helpful for both staff and applicants.

VI. Public Comments

Elizabeth Watson agreed with the Task Force member who suggested aggressive landscaping in a mixed-use, land use areas, as well as the need to ensure services are available to residents in and close to Millington and Massey. Truckers do not need drive-through restaurants; however, if Massey and Millington can accommodate drive-through restaurants in Town, they could be considered. A truck-stop restaurant on US 301 with good signage for travelers to find with ease could be helpful. Ms. Watson concurred with the outcome of the cottage industry discussion, requesting that clarity is needed regarding when administrative approval would be utilized and when Planning Commission approval would be utilized, since the staff report wasn't clear, as well as specific criteria so that staff has an understanding of how they arrive at their decisions.

Janet Christenson-Lewis expressed that regarding cottage industries economic development is more likely to occur within the County by encouraging the expansion of current businesses rather than trying to attract outsiders. The flow chart was interesting, but public notice seems to be in disarray, and the process should be strengthened with established criteria that the Planning Director must follow. Public notice to neighbors needs to also be strengthened as they need to be made aware of any business establishments that would directly affect them.

Ms. Christensen-Lewis also expressed support of the Task Force member's position that the Route 301 corridor gateway does not have a sprawling, overly commercialized, unattractive appearance, such as Route 40. Ms. Christensen-Lewis further stated the design layout should be visually aesthetic, and the development should not draw business interests away from the Town of Millington to US 301. Ms. Christensen-Lewis noted other areas of concern including pedestrian and cyclist safety, forest conservation including the State's hub and corridors approach, and a transportation plan addressing the transportation problems in the County.

A member welcomed and encouraged call-in comments from the public and read out loud the telephone number and passcode for their convenience.

Chair Kohl allowed time for any additional call-in comments. As there were none, additional comments from the Task Force were solicited.

VII. Task Force Comments

No additional comments were made.

VIII. Request for Research by Task Force members for the Department Team

Mr. Hickman noted that he had requested samples of what the consultant has done for small rural counties and others to help determine what the mixed-use zoning would look like to address some of the questions/concerns on behalf of the Task Force about the process.

Mr. Mackey reported there are three examples, and he will forward them to the group via email.

Chair Kohl commended staff for providing a very comprehensive agenda, including references to the land use ordinance, which enabled the Task Force to participate more fully in the discussion.

IX. Readings for Next Meeting suggested for Task Force Members – 2018 Comp Plan – Chapter on Towns and Villages

Chair Kohl inquired if the discussion on June 9 would include issues relating to *Towns and Village*.

Mr. Mackey reported the goal is to discuss some of the issues relating to *Towns and Village*.

President Mason mentioned his suggestion to poll the Task Force by anonymous questionnaire, which would help eliminate unnecessary research on non-issue items.

Mr. Mackey reported that the questionnaire had been prepared and mailed to members to poll them on which of the 14 public requests, 18 task force member requests, and the 14 staff recommendations for consideration the Task force would like to further review. The goal of this approach is to lower the workload related to staff reports; otherwise, 46 reports are required.

President Mason commended staff for their efficient handling of the Task Force matters in addition to their respective jobs, noting the department is operating with a skeleton staff. They are also working diligently to fill vacancies.

President Mason reiterated the importance of the questionnaire's anonymity.

Mr. Nickerson inquired as to how the questionnaires would be evaluated, once returned.

Mr. Mackey noted this would depend on the feedback. Mr. Mackey also noted staff is planning to organize meetings by chapters in the 2018 Comprehensive Plan and to prepare a schedule to be published, so the community could be aware in advance of which topics would be discussed.

X. Adjournment

With no further business to discuss, Chair Kohl motioned to adjourn the meeting, and the motion carried with all in favor. The meeting adjourned at 7:08 pm.