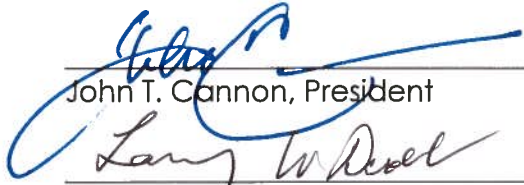


**Open Work Session  
Rezoning Request and Proposed Text Amendment  
January 16, 2018**

Mr. Jack Lennox, Director of Planning, Zoning, and Community Development, and Mr. Keith Hall, Transportation and Long Range Planning, came before Council. Mr. Lennox said his presentation today will be simple because of all the work Council, the Planning Commission, and the public has done leading up to this point. He said the setting of a date for a Public Hearing for a petition zoning change, which is the topic of discussion today, leads to a broader question, which is the implementation of the County Comprehensive Plan. He said, as Council knows, when they adopted the plan this past year, it involved a lot more than just zoning. He said there are a lot of other implementation measures they are proceeding with, and will proceed with over 20 years. He said it is not something where they just flip a switch the day they adopt a Comprehensive Plan, which is a guide to all they do, obviously, and all of those implementation measures come in right away. He said this happens to be the first one that has come before Council that a private property owner has petitioned the County to enact a zoning change that is consistent, and, in fact, directed by the Comprehensive Plan. He said, when they go to Public Hearing on this, as all zoning hearings, they notify the public, and the property will be posted in terms of the mapping changes. He said this also involves a change in the text. He said the text change that is being petitioned is also directed by the Comprehensive Plan. He said this is not a district that is too extensive in the County. He said the light business and residential does come up in a couple places now in very limited areas. However, that would be expanded based on the Comprehensive Plan, and the text change looks to implement that as well. He said they can get into as much or as little detail as Council likes at this point, but when they do get to consider that specific question, staff would suggest to Council they think of it as the implementation of the Comprehensive Plan, and the idea that, in part, what they have done is looked to property owners. He said property owners who are interested in zoning, for example, want that zoning, but do not quite want it today. He said there is a market factor involved there. He said they have collectively led with the idea they know where they are going, they know what the plan is, they know what the maps and text will be that goes with that, and, at this point, short of them opening up and doing it all this year, Council will start to see these come in individually, and this happens to be the first one. Mr. Cannon asked if it was decided that this would not be too intrusive on the surrounding neighbors, to which Mr. Keith Hall responded, correct. He said compatibility is not an issue for this one. He said, in addition, he would like to add that it did go to the Planning Commission for Public Hearing on December 21, 2017 in which they made a favorable recommendation to forward it to Council for review. Mr. Matt Holloway asked if there was any opposition, to which Mr. Keith Hall responded, no. He said there was one public comment, and he does not know if it was directly at the hearing, or during the public comments towards the end of the meeting, with regard to traffic concerns along Nanticoke Road, but it was much broader in context than just this one property. Mr. Lennox said there was discussion in reference to the Westside collector, and things like that. He said, obviously, traffic is a concern on that end.

Mr. Cannon asked where they go from here, to which Mr. Taylor responded, they need a Public Hearing, and they will need two readings, of course, on both of these. Mr. Lennox asked if it would be put on the Agenda to introduce, to which Mr. Taylor responded, he would suggest they do the Public Hearing on the rezoning at the first reading of the ordinance. He said he thinks that is pretty much the standard practice around the State. He said they would then have their second reading after they have had the Public Hearing, and have a chance to reflect on what comes up at the Public Hearing. He said probably the text change would be the same, to which Mrs. Hurley responded, the text change would have to be done by a Legislative Bill, and normally they would introduce it first before they have a Public Hearing. Mr. Taylor said they could do it either way, but he does not know why they cannot do the Public Hearing right at the time they introduce it too. Mr. Cannon asked Mrs. Hurley to clarify if she is saying to introduce it with the anticipation of making amendments, to which Mrs. Hurley responded, that is pretty standard procedure with all of the Legislative Bills. She said they would introduce it first, and then have a Public Hearing following. Mr. Cannon asked if they are already anticipating an amendment to it, to which Mrs. Hurley responded, not that she is aware of. Mr. Lennox said there are two separate items, a map change and a text change. Mr. Cannon asked if they will be implementing those when they introduce it, to which Mr. Lennox responded, they would go together. Mr. Matt Holloway asked if it is two separate Bills, to which Mr. Keith Hall responded, correct, two separate actions of Council. Mr. Joe Holloway asked where they came up with the 10,000 square feet, to which Mr. Lennox responded, this is a petitioned item, and there is no secret that they would like to construct a Dollar Store. He said this seemed consistent with what they had talked about before. He said what is proposed is by special exception as well. Mr. Joe Holloway clarified, what he is asking is why not 12,000, 15,000, or 8,000 square feet? He asked if it is just because that is what they want, to which Mr. Keith Hall responded, they are advancing the petition as it came through the Department. Mr. Cannon said, when it was all put together, they knew they did not want to go to that particular zoning for a very specific reason until it does best benefit them. He said, of course, what they want them to do is get the best use out of the land. Mr. Keith Hall said it goes back with the harmony and theme of the plan of flexibility. He said they are not trying to do it all at once, as Mr. Lennox said. He said this is a 20 to 25-year growth and development plan. He said some will be implemented, and has already been implemented, and some is in the process of being implemented, and some will be implemented over the planning horizon. Mr. Lennox said he thinks, as Mrs. Hurley pointed out, the practice of the County has been to introduce, to set a Public Hearing date, and then that may or may not be at a separate session. He said, for example, in the poultry discussion, they had a separate Public Hearing, told people they were not going to vote that night, but that there would be follow up. He said most often it is at the second. Mr. Cannon said the introduction will most likely be at the next meeting. Mr. John Hall said he has a question. He said they are looking at a text amendment on this. He said once they open the door for a text amendment, it becomes policy. He asked if anybody who wants to introduce something like this must be accepted because it has been approved as a text amendment, to which Mr. Lennox responded, the text amendment would open up, and this is not a large district, but it does show up in other places, so they will want to know where those areas are. He said it will allow folks in those areas to apply for a special exception, and go before the Board of Appeals. Mr. John Hall asked if it is just that area, or anywhere in the County, to

which Mr. Keith Hall responded, it would be exclusive to the zoning district, not property specific. There was no further discussion.




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John T. Cannon, President



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Larry W. Dodd, Vice President, District 3



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Ernest F. Davis, District 1



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Marc Kilmer, District 2



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John B. Hall, District 4



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Joe Holloway, District 5



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Matt Holloway, At-Large



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Laura Hurley, Council Administrator