

PUBLIC NOTICE

Sullivan County Board of County Commissioners will hold a Public Hearing on **Thursday, February 17, 2022 at 6:00PM** within the Commission Hall of the Sullivan County Historic Courthouse, located at 3411 Highway 126, Blountville, TN. The Public Hearing will consider the following rezoning requests from individual property owners: **1) Jeff & Julie Holt** request their property at the corner of Beulah Church road and Dillan Drive to be rezoned from R-1 (single-family residential) to B-3 (General Business) for a proposed storage garage (Parcel ID: 1071/E/029.50); **2) Joseph & Eloise Thomas** request their property at 323 Overhill Drive off Overhill Lane to be rezoned from R-1 to M-1 (Light Manufacturing/Industrial) for purpose of bringing the existing land-use into conformance with proper zone (Parcel ID: 049/059.00); and **3) Zoning Text Amendments to Articles: 3-103A, 5-102A, B-103.2 part 6 and 7b., 9b., B-104.6 part 6.** to clarify supplemental regulations regarding Extensive Impact Facilities and to allow for Solar Farms and/or Wind Turbine Farms. These Zoning Amendments have been reviewed by the appropriate regional planning commission and shall be considered for final amendment by the Commission at this meeting. The public is invited to attend and speak on these requests. All inquiries, questions or concerns can be shared prior to the public meeting by contacting the Planning Director at 423.279.2603 or by emailing her at planning@sullivancountyttn.gov . Copies of these amendments are filed in the Sullivan County Planning & Codes Department located within the Historic Snow House at 3425 Hwy 126, Blountville, TN.

PETITION TO SULLIVAN COUNTY FOR REZONING

A request for rezoning is made by the person named below; said request to go before the Sullivan County Regional Planning Commission for recommendation to the Sullivan County Board of Commissioners.

Date: 11/18/2021

Property Owner: Jeff & Julie Holt

Address: 976 Childress Ferry Road Blountville TN 37617

Phone number: 423-323-8352

Email: b123wes@centurylink.net

Property Identification

Tax Map: 1071 Group: E Parcel: 029.50
Zoning Map: 25 Zoning District: R-1 Proposed District: B-3 Civil District: 14
Property Location: Beulah Church Road Commission District: 7
Purpose of Rezoning: For a storage garage

Meetings

Planning Commission:

Place: Historic Courthouse 2nd Floor Commission Chambers Blountville TN

Date: January 18, 2022 Time: 6 PM

*unanimously
8 yes / 1 absent*

Approved: Denied:

County Commission:

Place: Historic Courthouse 2nd Floor Commission Chambers Blountville, TN

Date: February 17, 2022 Time: 6:00 PM

Approved: Approved 20 Yes, 4 Absent
Denied:

DEED RESTRICTIONS

I understand that rezoning does not release my property from the requirements of private deed/Subdivision restrictions. The undersign, being duly sworn, hereby acknowledges that the information provided in this petition to Sullivan County for Rezoning is true and correct to the best of my information, knowledge and belief.

Owner's Signature: *Jeff Holt*

Date: *11/18/2021*

Notary Public: *Misty Hylton*

My Commission Expires: *May 22, 2023*



F. REZONING REQUESTS: ZONING PLAN AMENDMENT: ZONING MAP CHANGE

F1. REZONING REQUEST R-1 TO B-3 (GENERAL BUSINESS)

FINDINGS OF FACT –

Property Owners:	Jeff & Julie Holt
Applicants:	same
Representative:	same
Location:	Beulah Church Road, Dillow Drive near Fort Henry Drive, Midway area
Mailing Address of Owners:	976 Childress Ferry Road, Blountville
Civil district of rezoning:	14 th
Commission District:	7 th
Parcel ID:	Tax Map 107I, Group E, Parcel 029.50
Subdivision of Record:	n/a
PC1101 Growth Boundary:	Sullivan County Planned Growth Area
Utility District:	Kingsport Public Water
Public Sewer:	not available
Lot/Tract Acreage:	1.10 acres
Zoning:	R-1
Surrounding Zoning:	R-1, B-3, M-1
Requested Zoning:	B-3
Existing Land Use:	vacant
Surrounding Land Uses:	residential, commercial
2006 Land Use Plan:	Corridor Commercial for future land use
Neighborhood Opposition:	<i>none received prior to meeting</i>

Staff Field Notes and Findings of Facts:





- The owner is requesting to rezone the vacant triangular lot from R-1 to B-3 for a storage garage.
- The surrounding land uses, and zoning are:
 - House lot across the road on Beulah Church Dr on the corner, in M-1 Zone to the southeast.
 - Inter-Mountain Telephone Service building on B-3 Zone adjacent on right side fronting Fort Henry Dr (west side)
 - Apex Gym and Fitness building across Dillow Drive on Fort Henry Drive (northwest).
 - Vacant, on R-1 Zone across Dillow Drive (north)
 - Beulah Church on Beulah Church Dr and Dillow Dr – northeast/caddy corner
- Staff recommends in favor of this request for the following reasons:
 - Conformance with adopted 2006-2026 Land Use Plan for commercial corridor.
 - Public water to meet the requested land use change.
 - Adjacent to existing commercial buildings.
 - Continuation of existing adjacent B-3 zoning district
 - Irregular lot with double road frontage and adjacent to commercial buildings, not as ideal for single family residential development per existing zoning designation.

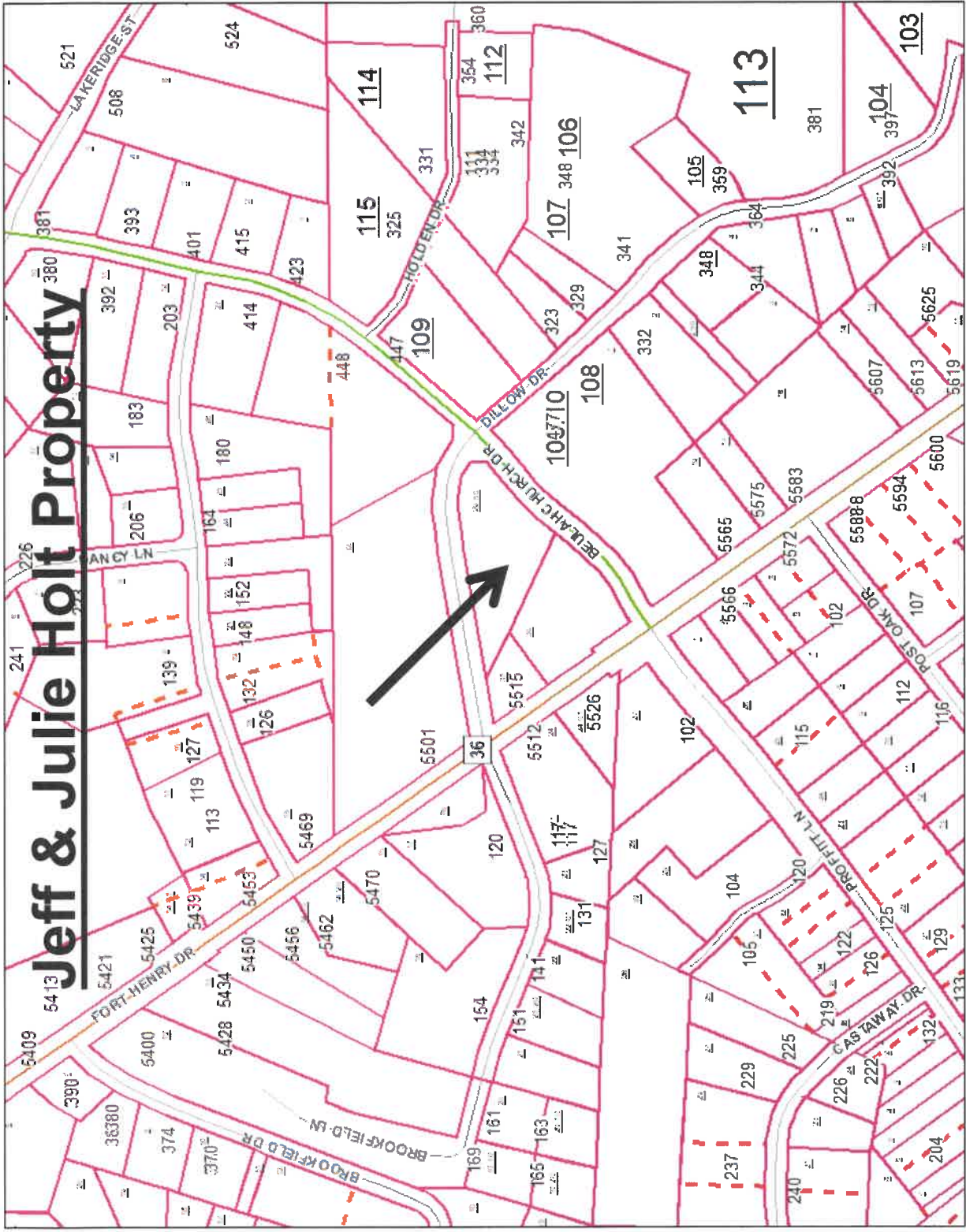
Meeting Notes at Planning Commission:

- *Staff read her report and recommendation. Discussion followed.*
- *Mr. Jeff Holt was present and addressed the commission. He stated that he had acquired the property about twenty years ago but would like to build a storage garage on site to house family vehicles only. He stated this would not become a junk yard as he may have future plans for commercial development. Discussion continued. No one was present to speak against this rezoning request.*
- *Commissioner Darlene Calton motioned to forward a favorable recommendation for the B-3 rezoning request on to the County Commission. Several members seconded the motion and the vote in favor passed unanimously.*

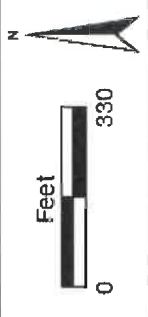
Address Data Source:
 Sullivan County, Suite 60 971
 Kingsport, TN 37632
 Johnson City, TN 37603
 Bristol, Bristol 911

Notice:
 A tax map is not a legal boundary or other than the assessment of taxes. It cannot be used to establish boundary lines or transfer and convey property. A land surveyor licensed to practice and surveying in the State of Tennessee should be retained for all questions of boundary and location of lot lines.

-  Lot Lines
-  Thoroughfares
-  Arterial
-  Collector



Jeff & Julie Holt Property



Sullivan County, TN
 Planning and Codes Dept.








Address Data Source:

Sullivan County Soil Co 911
Kingston, TN 37603
Johnson City, TN 37601
Bristol, TN 37620

Notice:

A tax map has no legal standing other than the assessment of taxes. It cannot be used to establish boundary lines or transfer and convey property. A land surveyor licensed in the State of Tennessee should be retained for all questions of boundary and / or location of lot lines.

-  Lot Lines
-  Thoroughfares
-  Arterial
-  Collector
-  2019 - Aerial Image



Sullivan County, TN
Planning and Codes Dept.



Address Data Source:

Sullivan County, Fall Co 911
 Jepperson City, JC GIS
 Bristol Bristol 911

Notice:

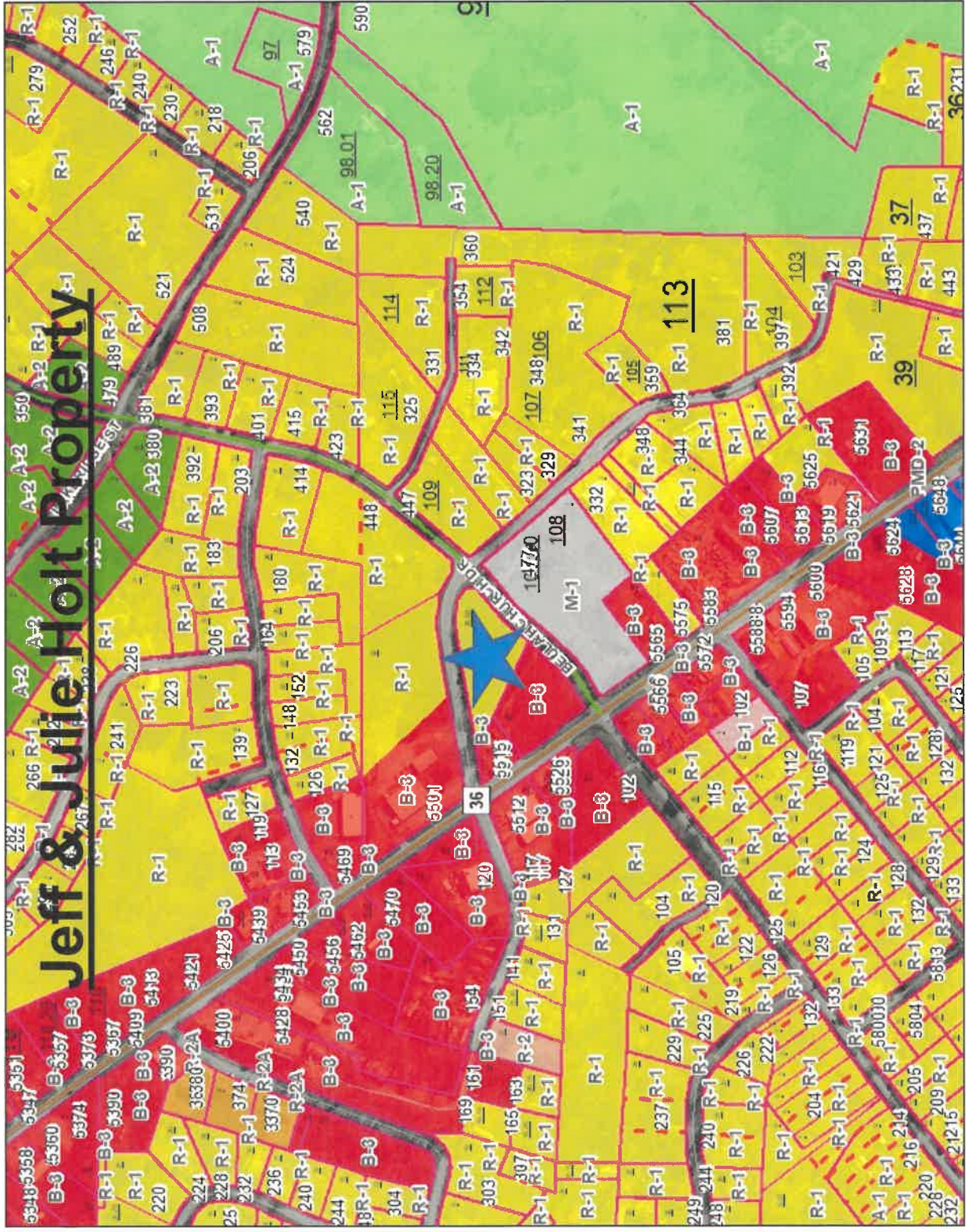
A taxmap has no legal standing other than the assessment of taxes. It cannot be used to establish boundary lines or transfer and convey property. Aerial photos licensed to the State of Tennessee should be used for all questions of boundary, zoning, or location.

Collector

Sullivan County Zoning

- A-1
- A-2
- A-5
- AR
- B-1
- B-2
- B-3
- B-4
- M-1
- M-2
- PBD-3
- PBD/SC
- PMD-1
- PMD-2
- R-1
- R-2
- R-2A
- R-3
- R-3A
- R-3B
- Water

2019 - Aerial Image



Flood Insurance Rate Map (FIRM) 2007

- 1. Special Flood Hazard Area
- 2. Flood Insurance Rate Map
- 3. Flood Insurance Rate Map

Sullivan County, TN
 Planning and Codes Dept.
























Address Data Source
 Sullivan County: Sull Co 911
 Kingsport: Kpr GIS
 Johnson City: JC GIS
 Bristol: Brl GIS
 Kingsport Sewer Lines

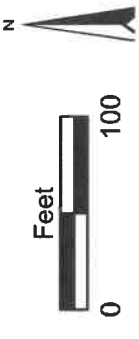
Notice:
 A tax lot is a legal standing other than the assessment of the parcel. It is used to establish boundary lines or transfer and convey property. A land surveyor, licensed to practice land surveying in the State of Tennessee, should be retained for all questions or clarification of lot lines.

 Kingsport UGB

Sullivan County Zoning

-  A-1
-  A-2
-  A-5
-  AR
-  B-1
-  B-2
-  B-3
-  B-4
-  M-1
-  M-2
-  PBD-3
-  PBD/SC
-  PMD-1
-  PMD-2
-  R-1
-  R-2
-  R-2A
-  R-3
-  R-3A
-  R-3B
-  Water

2019 - Aerial Image



Flood Insurance Rate Map (FIRM) 2007
 0.2 PCT Annual Chance Flood Hazard
 Zone A - No Base Flood Elevation Determined
 Zone AE - Base Flood Elevation Determined

Sullivan County, TN
Planning and Codes Dept.





SULLIVAN COUNTY
Planning & Codes Department
3425 Highway 126 | Historic Snow House
Blountville, TN 37617
Office: 423.323.6440
Fax: 423.279.2886

NOTICE OF REZONING REQUEST

December 27, 2021

Dear Property Owner:

Please be advised Jeff & Julie Holt have applied to Sullivan County to rezone property located Beulah Church Road R-1 (Low Density/Single Family Residential District) to B-3 (General Business Service District for the purpose of a garage.

Sullivan County Regional Planning Commission – 6:00 PM on January 18, 2022

County Commission – 6:00 PM on February 17, 2022

Both meetings are held in the Old Historic Sullivan County Courthouse, 2nd Floor Commission Hall at 3411 Highway 126, downtown Blountville. Please let the Sullivan County Planner know if you need any special assistance for these public meetings at 423-279-2603.

Regards,

A handwritten signature in blue ink, appearing to read "A. Torbett".

Ambre M. Torbett, AICP
Director Planning & Codes

mh





PETITION TO SULLIVAN COUNTY FOR REZONING

A request for rezoning is made by the person named below; said request to go before the Sullivan County Regional Planning Commission for recommendation to the Sullivan County Board of Commissioners.

Date: 12/8/2021

Property Owner: Joseph & Eloise Thomas

Address: 3612 Honeywood Dr Johnson City TN 37604

Phone number: 423-791-2828

Email: ctrancher10@gmail.com

Property Identification

Tax Map: 049

Group:

Parcel: 059.00

Zoning Map: 7

Zoning District: M-1/R₁

Proposed District: M-1

Civil District: 5

Property Location: 323 Overhill Dr

Commission District: 6

Purpose of Rezoning: Trucking business

Meetings

Planning Commission:

Place: Historic Courthouse, 2nd Floor, 3411 Hwy 126 Blountville TN

Date: January 18, 2022

Time: 6 PM

*unanimously
signed / 1 absent*

Approved:

Denied:

County Commission:

Place: Historic Courthouse 2nd Floor Commission Chambers!3411 Highway 126!Blountville, TN

Date: February 17, 2022

Time: 6:00 PM

Approved: **Approved 20 Yes, 4 Absent**

Denied:

DEED RESTRICTIONS

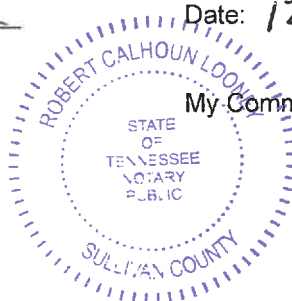
I understand that rezoning does not release my property from the requirements of private deed/Subdivision restrictions. The undersign, being duly sworn, hereby acknowledges that the information provided in this petition to Sullivan County for Rezoning is true and correct to the best of my information, knowledge and belief.

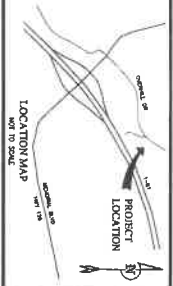
Owner's Signature: Joseph & Eloise Thomas

Date: 12/08/2021

Notary Public: Robert Long

My Commission Expires: May 22, 2023





LOCATION MAP AND 10' SCALE

STUD A-1529
12/06/2021 - 08:38:41 AM
REGISTERED PROFESSIONAL SURVEYOR
STATE OF TENNESSEE
12/06/2021 - 08:38:41 AM
REGISTERED PROFESSIONAL SURVEYOR
STATE OF TENNESSEE

- LEGEND**
- 1/4" FROM 100' ROUND UNLESS OTHERWISE NOTED
 - 1/8" FROM 100' ROUND UNLESS OTHERWISE NOTED
 - 1/16" FROM 100' ROUND UNLESS OTHERWISE NOTED
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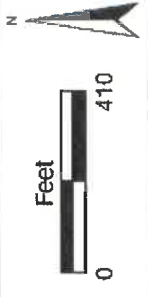
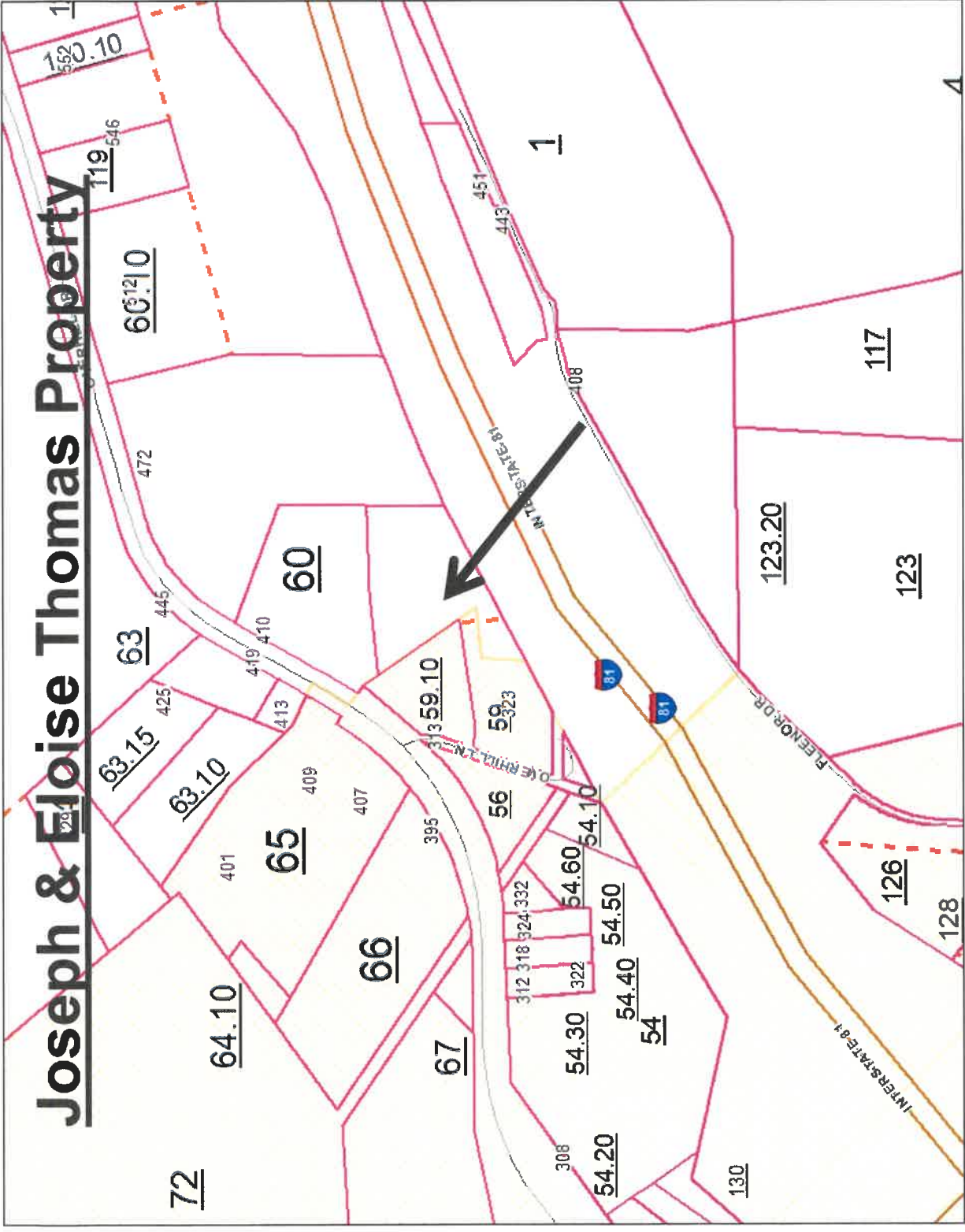
Sullivan County, SulCo 911
Kingsport, Kof GIS
Johnson City, JC GIS
Blair, Blair 911

Notices:

A tax map has no legal standing other than the assessment of taxes. It cannot be used to establish boundary lines or set and convey property. A land surveyor licensed to practice land surveying in the State of Tennessee should be retained for all questions of boundary and/or location of lot lines.

- Thoroughfares
- Arterial
- Collector
- Lot Lines
- Kingsport UGB

Joseph & Eloise Thomas Property



Flood Hazard Areas Public Map (FEMA) 2007
FEMA Flood Hazard Data
Sullivan County GIS
Kingsport GIS
Blair GIS

Sullivan County, TN
Planning and Codes Dept.



Address Data Source:

Sullivan County, Tenn. GIS
Kingsport, Tenn. GIS
Johnson City, Tenn. GIS
Bradley, Tenn. GIS

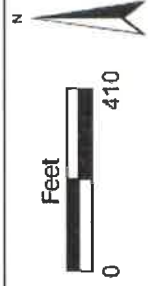
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Thoroughfares

- Arterial
- Collector
- Lot Lines
- Kingsport UGB

Joseph & Eloise Thomas Property



Sullivan County, TN
Planning and Codes Dept.



Address Data Source:

Sullivan County, Sul. Co 911
 Johnson, KY GIS
 Johnson City, KY GIS
 Bristol, Bristol 911

Notice:

A tax map may not be used for legal standing other than the assessment of taxes. It cannot be used to establish boundary lines or transfer and convey property. A land surveyor licensed to practice land surveying in the State of Tennessee should be consulted for questions of boundary and/or location within a parcel.

Collector

Lot Lines

Kingsport UGB

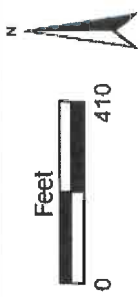
Sullivan County

Zoning

- A-1
- A-2
- A-5
- AR
- B-1
- B-2
- B-3
- B-4
- M-1
- M-2
- PBD-3
- PBD/SC
- PMD-1
- PMD-2
- R-1
- R-2
- R-2A
- R-3
- R-3A
- R-3B
- Water



Joseph & Eloise Thomas Property



Sullivan County, TN
 Planning and Codes Dept.



Address Data Source:

Sullivan County, Staff GIS
 Kingsport, Staff GIS
 Johnson City, Staff GIS
 Bristol, Staff GIS

Notices:

A tax map may not be used for legal standing other than the assessment of taxes. It cannot be used to establish boundary lines or transfer and convey property. A land survey or licensed in the practice of land surveying should be used to establish the true boundary and location of a parcel.

Collector

Lot Lines

Kingsport UGB

Sullivan County

Zoning

A-1

A-2

A-5

AR

B-1

B-2

B-3

B-4

M-1

M-2

PBD-3

PBD/SC

PM D-1

PM D-2

R-1

R-2

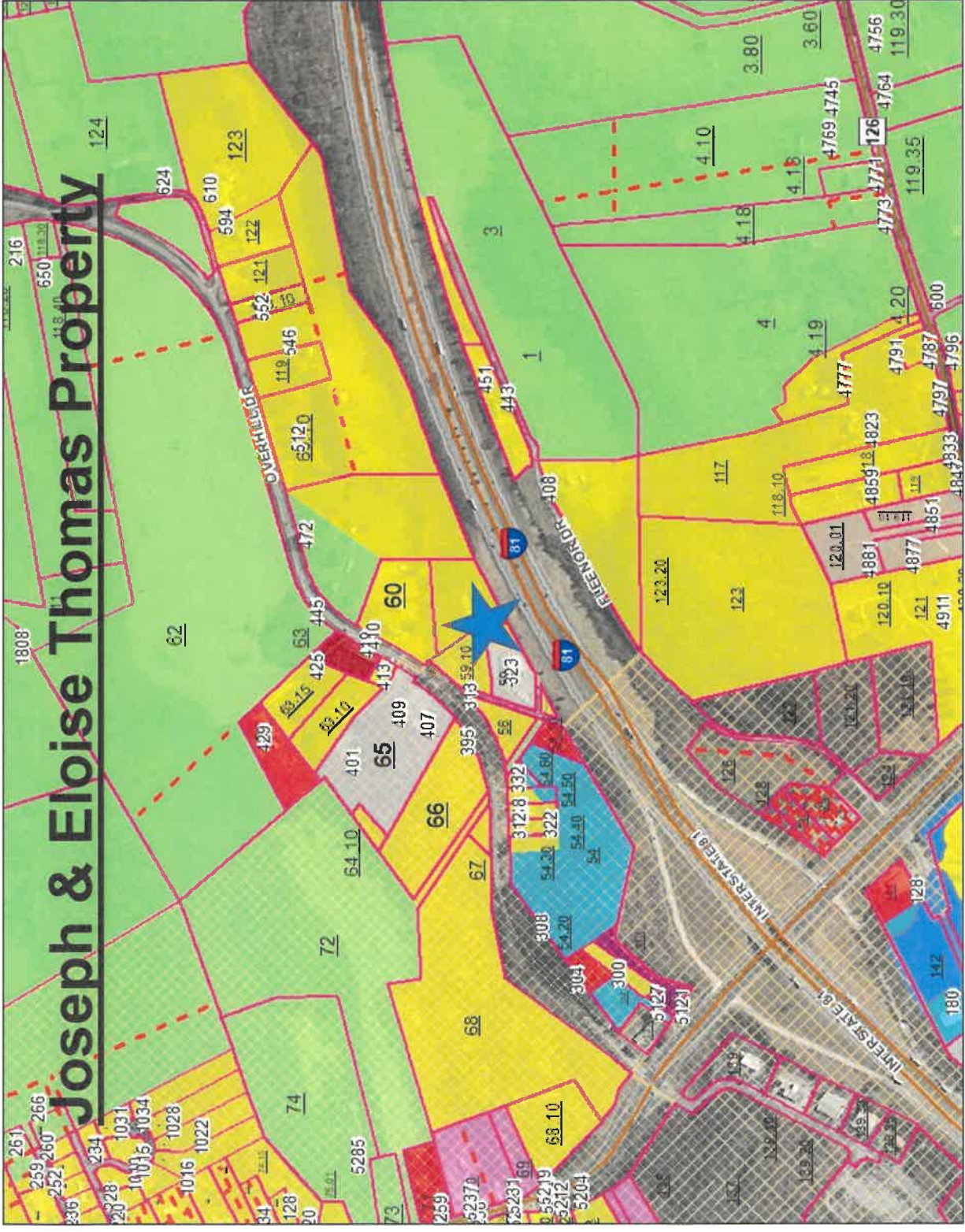
R-2A

R-3

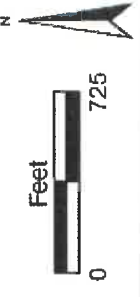
R-3A

R-3B

Water



Joseph & Eloise Thomas Property



Flood Insurance Rate Map (FIRM) 2007
 1-100 Flood Zone (Special Flood Hazard Area)
 1-500 Flood Zone (Special Flood Hazard Area)
 1-500 Flood Zone (Special Flood Hazard Area)
 1-500 Flood Zone (Special Flood Hazard Area)

Sullivan County, TN
 Planning and Codes Dept.





SULLIVAN COUNTY
Planning & Codes Department
3425 Highway 126 | Historic Snow House
Blountville, TN 37617
Office: 423.323.6440
Fax: 423.279.2886

NOTICE OF REZONING REQUEST

December 27, 2021

Dear Property Owner:

Please be advised Joseph & Eloise Thomas has applied to Sullivan County to rezone property located at 323 Overhill Drive from R-1 (Low Density/Single Family Residential District) to M-1 (Light Manufacturing District) for the purpose of a trucking business.

Sullivan County Regional Planning Commission – 6:00 PM on January 18, 2022

County Commission – 6:00 PM on February 17, 2022

Both meetings are held in the Old Historic Sullivan County Courthouse, 2nd Floor Commission Hall at 3411 Highway 126, downtown Blountville. Please let the Sullivan County Planner know if you need any special assistance for these public meetings at 423-279-2603.

Regards,

A handwritten signature in blue ink, appearing to read "A. Torbett".

Ambre M. Torbett, AICP
Director Planning & Codes

mh





Ambre Torbett

From: Garland, Savannah <SavannahGarland@KingsportTN.gov>
Sent: Friday, January 21, 2022 9:10 AM
To: Ambre Torbett; Misty
Subject: Overhill Dr. Rezoning
Attachments: 323 Overhill Dr county rezoning REPORT.doc

Good morning,

At last night's Planning Commission meeting the Commissioners voted to send a positive recommendation to the Sullivan County Planning Commission for rezoning the small portion of 323 Overhill Drive that is within Kingsport's UGB from R-1 to M-1. I've attached my report.

Thank you,
Savannah

Savannah Garland
Planner
City of Kingsport
P: 423-343-9783
SavannahGarland@KingsportTN.gov



415 Broad Street, 2nd Floor
Kingsport, TN 37660

Rezoning Report

Kingsport Regional Planning Commission

File Number REZONE21-0332

Overhill Drive (County Rezoning)

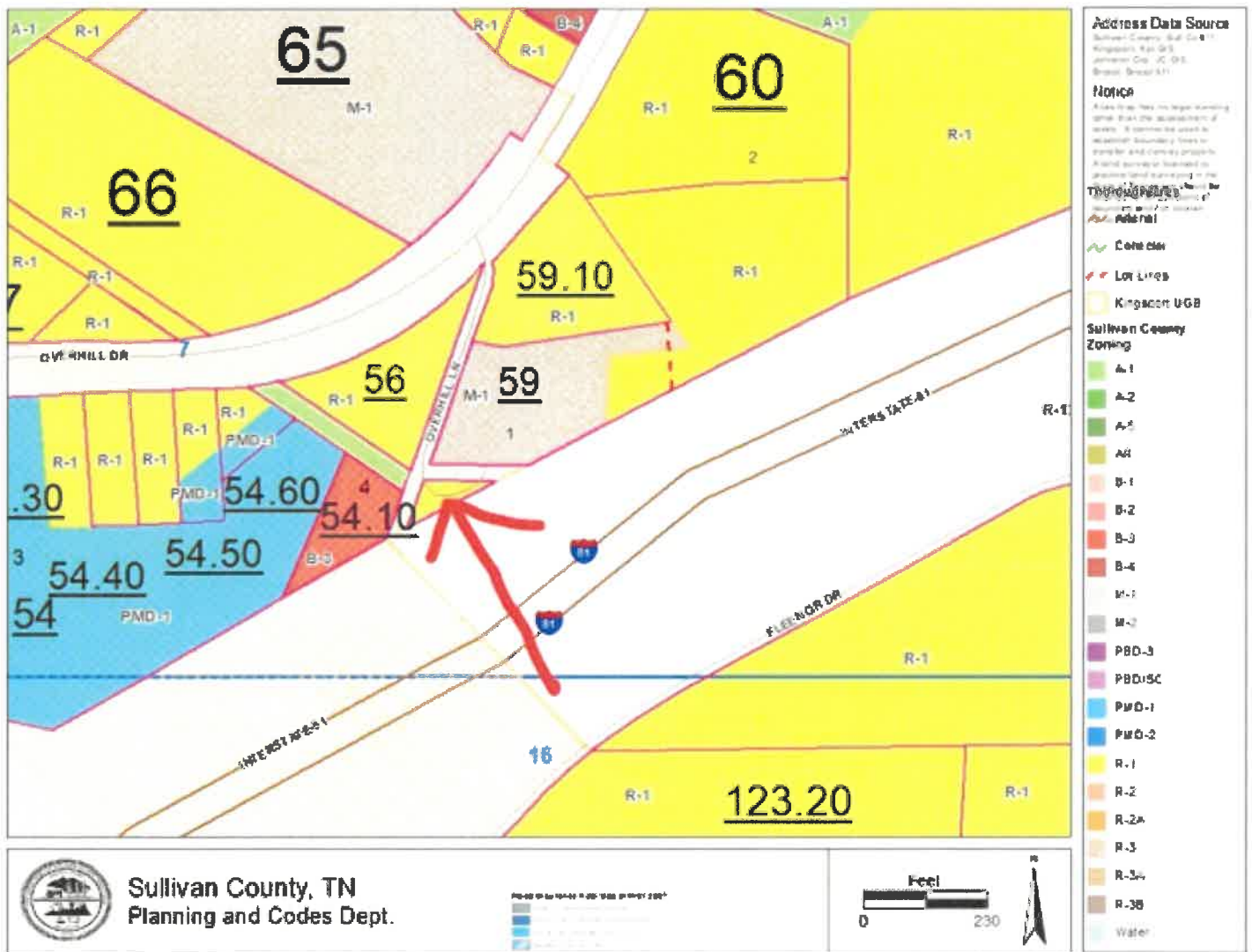
Property Information			
Address	323 Overhill Drive		
Tax Map, Group, Parcel	Map 049, Parcel 059.00		
Civil District	5		
Overlay District	n/a		
Land Use Designation	Industrial		
Acres	.14 +/-		
Existing Use	Parking for Business	Existing Zoning	R-1 (County)
Proposed Use	Trucking Business	Proposed Zoning	M-1 (County)
Owner /Applicant Information			
Name: Joseph & Eloise Thomas Address: 3612 Honeywood Dr. City: Johnson City State: TN Zip Code: 37604 Phone: (423) 791-2828		Intent: <i>To rezone from R-1 to M-1 for the purpose of their trucking business, Penske Truck Rental.</i>	
Planning Department Recommendation			
The Kingsport Planning Division recommends sending a POSITIVE recommendation to Sullivan County Commission for the following reasons:			
<ul style="list-style-type: none"> • <i>The zoning change is compatible with the surrounding M-1 zoning</i> • <i>The zoning change will provide appropriate transition following the Future Land Use Plan</i> • <i>The zoning will provide appropriate transition from the recent ROW abandonment of this parcel</i> 			
Staff Field Notes and General Comments:			
<i>The zoning area consists of a .14 acre lot. A rezoning to M-1, in staff's opinion, is the most appropriate use for the property.</i>			
Planner:	Savannah Garland	Date:	December 28, 2021
Planning Commission Action		Meeting Date:	January 20, 2022
Approval:			
Denial:	Reason for Denial:		
Deferred:	Reason for Deferral:		

PROPERTY INFORMATION	County Rezoning
ADDRESS	323 Overhill Drive
DISTRICT	5
OVERLAY DISTRICT	n/a
EXISTING ZONING	R-1 (County)
PROPOSED ZONING	M-1 (County)
ACRES	.14 +/-
EXISTING USE	Parking for Trucking Business
PROPOSED USE	Trucking Business

INTENT

To rezone from R-1 to M-1 for the purpose of using for the current Trucking business, Penske Truck Rental.

Surrounding Zoning Map (Sullivan County Zoning)



Sullivan County, TN
Planning and Codes Dept.

PREPARED BY: KINGSPORT PLANNING DEPARTMENT
DATE: 1/20/2022

Scale: 0 to 230 Feet



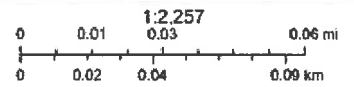
Future Land Use – City Industrial

Future Land Use



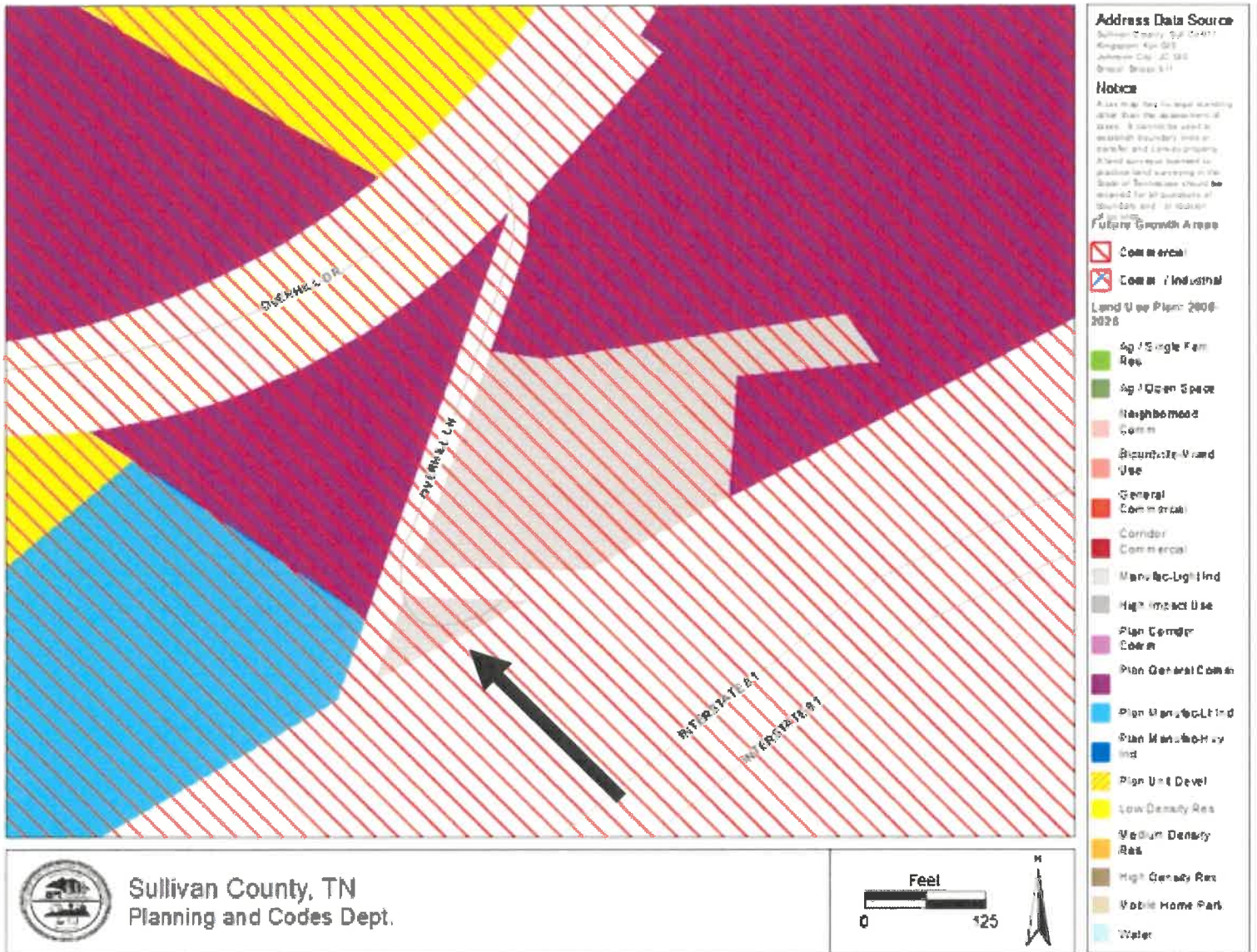
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| <input type="checkbox"/> Lake_Pond | <input type="checkbox"/> River | <input type="checkbox"/> Lake_Pond | <input type="checkbox"/> River | <input type="checkbox"/> Lake_Pond | <input type="checkbox"/> River |
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| <input type="checkbox"/> Parcels | | <input type="checkbox"/> Parcels | | <input type="checkbox"/> Parcels | <input checked="" type="checkbox"/> Kpt 911 Address |



Web AppBuilder for ArcGIS

County Future Land Use – Light Manufacturing Industrial



Site Overview





Standards of Review

Staff shall, with respect to each zoning application, investigate and make a recommendation with respect to factors 1 through 7, below, as well as any other factors it may find relevant.

1. **Whether or not the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property?** The proposal is already surrounded by M-1 zoning and it will permit a use that is suitable for the Future Land Use development.
2. **Whether or not the proposal will adversely affect the existing use or usability of adjacent or nearby property?** The proposal will not impact adjacent property adversely.
3. **Whether the property to be affected by the proposal has a reasonable economic use as currently zoned?** The current and proposed zones offer reasonable economic use for the subject property.
4. **Whether the proposal is in conformity with the policies and intent of the land use plan?** ? Both the City and County land use plans address the rezoning site as appropriate for M-1 (light manufacturing).

Proposed use: Light manufacturing – Trucking Business

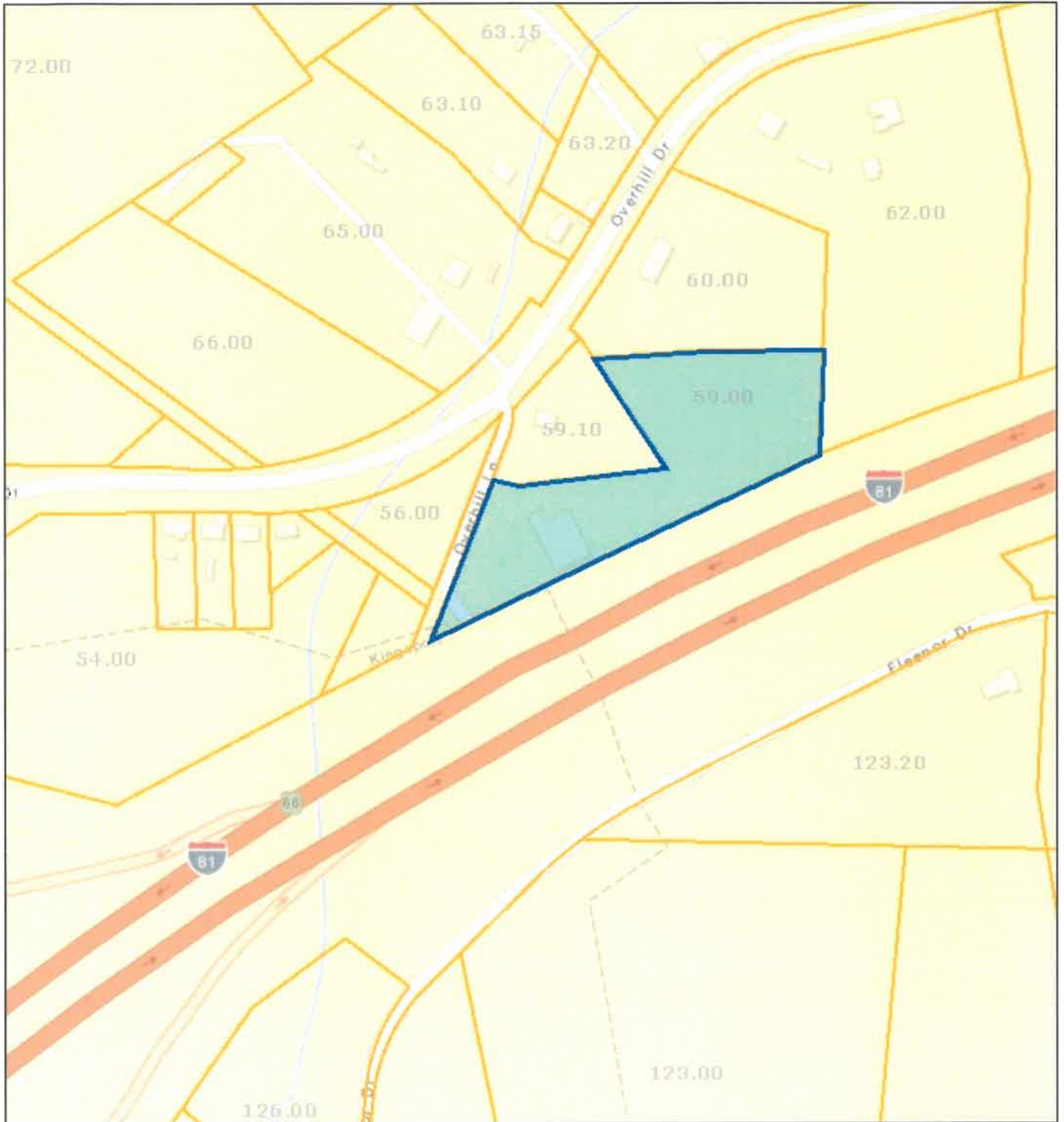
The Future Land Use Plan Map recommends county: light manufactural Industrial; city: industrial

5. **Whether there are other existing or changed conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal?** The existing conditions of the property present supporting grounds for the zoning change, as the majority of the surrounding parcels are already zoned M-1.
6. **Whether the present district boundaries are illogically drawn in relation to existing conditions?** The present district boundaries are logically for light manufacture use.
7. **Whether the change will create an isolated district unrelated to similar districts:** The proposed M-1 zone will exist in harmony with the abutting/ existing R-1 zone.

CONCLUSION

Staff recommends sending a POSITIVE recommendation to the Sullivan County Commission to rezone from R-1 to M-1. The rationale for this recommendation is based upon conformance with adjacent existing land uses and the proposal following the Future Land Use Plans.

Sullivan County - Parcel: 049 059.00



Date: January 21, 2022
County: Sullivan
Owner: THOMAS JOSEPH V & ELOISE
Address: OVERHILL DR 323
Parcel Number: 049 059.00
Deeded Acreage: 4.74
Calculated Acreage: 0
Date of Imagery: 2019

TN Comptroller - DPA
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community
State of Tennessee, Comptroller of the Treasury, Department of Property

The property lines are compiled from information maintained by your local county Assessor's office but are not conclusive evidence of property ownership in any court of law.

G. NEW BUSINESS: - NEW ITEMS FOR DISCUSSION AND/OR ACTION

G1. Zoning Amendment – Discussion on Renewable Energy Site Plan and Zoning District Requirements

- *The Planning Director, Ambre Torbett (staff) recommended proposing a Zoning Text Amendment for Supplemental Regulations on Residential and Commercial Renewable Energy Facilities such as solar farms like Washington County, TN codes. Staff presented the adjoining county's code on Renewable Energy and explained that the Sullivan County code currently considers these land uses as commercial in nature and not a permitted use in the agricultural zone. Currently, electricity generating facilities must be in a planned manufacturing district only with supplemental regulations defined; however solar farms and wind or turbine farms are not specifically mentioned. She clarified that if a homeowner or business owner wanted to install an individual solar panel for the use of that primary structure, then it would be considered an accessory structure to the home or building or part of the roof system. However, a solar farm would be considered a principal commercial land use, not otherwise permitted in an agricultural or residential zone under current zoning regulations. Discussion ensued.*
- *The chair called upon Commissioner Hershel Glover to share his concerns. Mr. Glover read a letter he received from Jeffrey Dykes, who is the Executive Director of Bright Ridge Power Board. After reading the letter he stated he would share it with staff and the commission as well. Commissioner Glover stated he represents District 5 and many folks from the community were concerned about this letter received before Christmas.*
- *Staff interjected that she also reached out to the county attorney for guidance, the TN Chapter of the American Planning Association and fellow county planners for guidance. Several communities shared their zoning codes on the matter. All codes shared required site plan approval by the Planning Commission and limited to certain commercial and manufacturing districts.*
- *Commissioner Glover stated that this site used to house the Piney Flats Water Works infrastructure and the spring that the water serves for the community. Discussion continued. He also stated that the letter indicates that Silicon Ranch Company out of Nashville was planning on purchasing the property and then selling the energy back to Bright Ridge Power Board. He shared a map of the targeted Ned King farm off Ned King Road, which is a narrow dead-end road.*
- *Staff recommended to move forward with the process of a minor zoning text amendment to clarify that commercial solar farm and/or wind/turbine facilities while considered a type of Extensive Impact Facility shall be further limited to the planned manufacturing districts.*
- *Commissioner Glover also requested a separation from any historic district or historic structure. The chair asked if anyone else present would like to address the board on this matter. Dennis Deese, a neighbor to the Ned King farm, spoke in opposition to this request. Jim Hanger, also a neighboring property owner to the farm, spoke in opposition to the solar farm idea as he purchased his new home in the subdivision as it was surrounded by farmlands and other homes. He was concerned about the high voltage and heat generated by a commercial solar farm next door if approved.*
- *After considerable discussion, Linda Brittenham stated that there might appear to be a gap in the specific extensive impact land use and therefore she motioned to forward a favor recommendation for the proposed zoning text amendment, per staff's recommendation and the discussion by the community. The chairman clarified the text amendment to ensure that commercial solar farms and/or wind turbine farms were limited to planned manufacturing districts only with a comprehensive site plan approval process, necessary environmental reviews as noted, permits and such per the discussion. Staff recommended including the separation from established residential neighborhoods and historic districts as mentioned also. Mary Rouse seconded the motion as recommended above. The vote in favor passed unanimously. The chairman asked staff to forward this amendment immediately to the city planners and ask them to consider at their upcoming Planning Commission meetings if possible.*

A-103.2 Community Facilities Activities

4. **Essential Public Transport, Communication and Utility Services** - Public or quasi-public facilities necessary and incidental to the operation of transport, communication, and utility services. These facilities operate primarily as distribution networks and do not include production, storage or processing facilities for the product or service being distributed.

5. **Extensive Impact Facilities** - This is a diverse grouping of facilities that share the characteristic of potentially exerting high-level impact upon surrounding properties. While the nature of the impact varies with the particular use, all the activities included within this grouping must be carefully managed if surrounding activities are to be adequately protected from adverse characteristics associated with the activities included within this grouping.

7. **Intermediate Impact Facilities** - This classification includes a diverse listing of activities which share the characteristic of exerting a significant effect upon surrounding land uses due to their traffic generation characteristics, parking requirements, land requirements or potential nuisances associated with such uses.

Staff notes: please note, these definitions are found under the Community Facilities Heading NOT a Commercial Land Use

- **Essential** utilities would be the overhead and underground utility lines and poles for example
- **Extensive Impact** would be the Electricity or other utility generating facility = for example the TVA Hydroelectric facility at the South Holston Dam is zoned manufacturing.
- **Intermediate Impact** would be the substations for example and for public and semi-public ownership.

However, it would be beneficial to specifically have Renewable Energy Commercial Facilities such as solar farms defined with Supplemental Regulations included.

Ambre,

I did a search to see if there are any statutes that affect zoning as it applies to solar farms. I did not find much:

TCA 66-9-202: "The general assembly further finds that encouragement and protection of solar energy systems is a valid objective which counties and municipalities may consider in promulgating zoning regulations."

TCA 13-7-101: "Protection and encouragement of access to sunlight for solar energy systems may be considered in promulgating zoning regulations pursuant to this section."

TCA 13-7-201: "Protection and encouragement of access to sunlight for solar energy systems may be considered in promulgating zoning regulations pursuant to this section."

TCA 13-7-103: "Such regulations (zoning) shall be designed and enacted for the purpose of promoting the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of the state and of its counties, including, amount other things, ... promoting adequate light and air, including protecting and encouraging access to sunlight for solar energy systems...."

TCA 4-3-512: "The office of energy programs (under the Tennessee Department of Environment and Conservation) has the power in promoting conservation to: (8) Develop and carry out its programs on its own initiative, in cooperation with federal, state or local governments, or with private citizens. Such plans, project or programs may include, but are not limited to: (G) Encouragement of the use and development within the state of solar, geothermal and other renewable energy resources."

I'm not saying the above list is exhaustive, there may be others; however, I do think any other such statutes would be known by planners.

Hope this helps. Let me know if you need more.

Dan

Ambre Torbett

To: Garland, Savannah
Subject: County ZTA approved

Good afternoon Savannah,

Thanks so much for the follow up.

Ambre M. Torbett, AICP

Director of Planning & Community Development
Sullivan County Planning & Codes Dept.
3425 Hwy. 126 | Historic Snow House
Blountville, TN 37617
423 | 279.2603 (desk)
423 | 323.6440 (main)
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Hi Ambre,

The Kingsport Planning Commission voted unanimously to send a positive recommendation to the Sullivan County Planning Commission for amending the Text Amendment.

Thank you,
Savannah

Savannah Garland
Planner
City of Kingsport
P: 423-343-9783
SavannahGarland@KingsportTN.gov



415 Broad Street, 2nd Floor
Kingsport, TN 37660

Ambre Torbett

From: Heather Moore <hmoore@bristoltn.org>
Sent: Tuesday, January 25, 2022 3:17 PM
To: Ambre Torbett
Subject: Bristol Planning Commission recommendation to Sullivan County Commission - Sullivan County Text Amendment Recommendation - Renewable Energy Supplemental Regulations

Ambre, good afternoon. I hope your day is going well. Bristol Municipal Regional Planning Commission met on January 24, 2022. On that date they voted unanimously (eight) to send a favorable recommendation to Sullivan County Commission on the proposed Sullivan County Text Amendment Recommendation - Renewable Energy Supplemental Regulations. Please let me know if you have any questions.

Regards,

Heather Moore, AICP
Planner, City of Bristol, Tennessee
104 8th Street, Bristol, TN 37620
hmoore@bristoltn.org <mailto:hmoore@bristoltn.org>
423-989-5549

This e-mail is the property of the City of Bristol, TN and may contain confidential and privileged information. If you are not the intended recipient, please notify the sender immediately by return e-mail, delete this e-mail and destroy any copies. Any dissemination or use of this information by a person other than the intended recipient is unauthorized and may be illegal. The views and opinions expressed in this e-mail are those of the sender and are not necessarily those of the City of Bristol, TN.

**TABLE 3-102A (continued)
USES AND STRUCTURES ALLOWABLE WITHIN
AGRICULTURAL AND RESIDENTIAL DISTRICTS**

<i>USES Cont.</i>	A-5 & A-2/A-1	AR	R-1	R-2/R-2A	R-3A/R-3B	R-3
F. Essential Public Transport, Utility and Communication						
1. Electrical and Gas Distribution Lines	P	P	P	P	P	P
2. Pumping Facilities for Water and Sewer Systems	P	P	P	P	P	P
3. Rights-of-Way for All Modes of Transportation	P	P	P	P	P	P
4. Sewage Collection Lines	P	P	P	P	P	P
G. Extensive Impact Facilities - Limited						
1. Airports, Air Cargo Terminals, Heliports, Helistops and Any Other Aeronautical Device	X/PC	PC	X	X	X	X
2. Electricity Generating Facilities	X	X	X	X	X	X
3. Garbage Dumps, Including Sanitary Landfills	X	X	X	X	X	X
4. Major Petroleum and Natural Gas Transmission Lines and Facilities	X	X	X	X	X	X
5. Marine Terminals	X	X	X	X	X	X
6. Military Bases and Reservations	X	X	X	X	X	X
7. Railroad, Bus and Transit Terminals	X	X	X	X	X	X
8. Railroad Yards and Other Transportation Equipment Marshaling and Storage Yards	X	X	X	X	X	X
9. Water and Sewage Treatment Plants	X	X	X	X	X	X
H. Health Care Facilities						
1. Center for Observation and Rehabilitation	X	X	X	X	X	X
2. Hospitals	X	X	X	X	X	X
3. Medical Clinics	X	X	X	X	X	X
I. Intermediate Impact Facilities - Limited						
1. Cemeteries, Columbariums and Mausoleums	P	P	P	P	P	P
2. Colleges, Junior Colleges and Universities (excluding for profit business & technical schools)	X	X	X	X	X	X
3. Marinas and Yacht Clubs (non-profit)	X	X	X	X	X	X
4. Electrical and Gas Substations (excluding Solar/Wind Farms)	SUP	SUP	SUP	SUP	SUP	SUP
5. Golf Courses	PC	PC	PC	PC	PC	X
6. Major Mail Processing Centers	X	X	X	X	X	X
7. Radio, Telephone and Television Towers and Telecommunication Transmission Facilities	PC	PC	PC	PC	PC	PC
8. Water Storage Tanks and Facilities	P	P	P	P	P	P
J. Religious Assembly Facilities						
1. Chapels, Churches, Convents, Monasteries, Sanctuaries, Synagogues, Temples and other religious accessory facilities	SUP	SUP	SUP	SUP	SUP	SUP
III. Commercial/Recreational - Limited – Amended 09 17 07						
A. Group Assembly and Commercial Outdoor Recreational Facilities – Limited Uses						
1. Commerical Campgrounds – RVs, Cabins, Campsites	X	PC	X	X	X	X
2. Commercial Golf Courses and accessory uses	P	P	P	P	P	P
3. Commercial Boat Docks, Marinas, and Boat Rental	X	PC	X	X	X	X
B. Recreational Sport Shooting Range Facilities Indoor and Outdoor Amended 03/15/10	X	PC	X	X	X	X

*delete
no need*

5-102.3 Use Permitted with Supplemental Provisions, (SUP) - A use permitted with supplemental provisions is an activity, use or structure which is permitted subject to a finding by the Building Commissioner that the specific standards indicated for the use in question have been met. Only those uses and structures so indicated in TABLE 5-102A, may be allowed within the districts indicated. Such requirements shall be accurately illustrated on a site plan as prepared by a Tennessee licensed surveyor and/or engineer, prior to issuance of a building permit.

5-102.4 Planning Commission "Use on Review", (PC) - A use or structure which may require large land area, have unique operating, traffic generating or other characteristics that may tend to dominate or adversely affect the area more than do other uses permitted within the same zone district shall require site plan approval by the Regional Planning Commission. Because the impacts of these uses cannot be satisfactorily predetermined for every possible location within a zone district, these land uses are permitted only upon approval through a site plan, by the Planning Commission. Only those uses and structures so indicated in TABLE 5-102A, may be allowed within the districts indicated. Such requirements shall be accurately illustrated on a site plan as prepared by a Tennessee licensed surveyor and/or engineer, prior to issuance of a building permit.

5-102.5 Special Exception Uses/Conditional Use, (BZA) - A use permitted only upon approval as a special exception to the zoning district for the individual property requested, as approved at a public hearing by the Board of Zoning Appeals (pursuant T.C.A. Title 13, Chapter 7, Section 109 (2)). The BZA shall hear and decide all such uses permitted by special exception, as so indicated in TABLE 5-102A, after a formal public hearing and with consideration to the design guidelines as stated herein (see Appendices). Upon approval for a special exception as granted by the Board of Zoning Appeals, the applicant shall then seek site plan approval from the Planning Commission prior to issuance of the building permit. Such requirements shall be accurately illustrated on a site plan as prepared by a Tennessee licensed surveyor and/or engineer, prior to issuance of a building permit.

5-102.5 Accessory Uses - In addition to the principal activities expressed above, each activity type shall be deemed to include activities customarily associated with, and appropriate, incidental, and subordinate to the principal activity when such accessory activity is located on the same zone lot as such principal activity and meets the further conditions set forth in Appendix B, Section B-105. Such accessory activities shall be controlled in the same manner as the principal activities within such type, except as otherwise, expressly provided in this resolution

5-102.6 Temporary Uses - The temporary uses and structures specified in Appendix B, Section B-106, as permissible within residential districts may be permitted for the limited time periods indicated for each such use or activity.

5-102.7 Uses Not Permitted (X) - Any uses or structures not allowable as permitted uses, conditional uses, temporary uses or accessory uses are prohibited within the various agricultural and residential districts.

**TABLE 5-102A
USES AND STRUCTURES
ALLOWABLE WITHIN MANUFACTURING DISTRICTS**

	PMD-2	PMD-1	M-2	M-1
I. MANUFACTURING ACTIVITIES				
A. Manufacturing – Limited	PC	PC	SUP	SUP
B. Manufacturing – General	PC	PC	SUP	SUP
C. Manufacturing - Basic Industry	PC	PC	SUP	SUP
D. Manufacturing – Hazardous	PC	X	SUP	X
II. COMMERCIAL ACTIVITIES				
A. Adult Entertainment Establishments	X	X	O/PC	X
B. Animal Care and Veterinary Services	PC	PC	SUP	SUP
C. Automotive Parking	PC	PC	SUP	SUP
D. Automotive & Marine Craft, Sales, Services & Repairs	PC	PC	SUP	SUP
E. Auto Towing/Automobile Wrecking Yard	PC	X	SUP	X
F. Outside Materials, Equipment Sales, Service and Repair	PC	PC	SUP	SUP
G. Scrap Operations/Salvage/Junkyards	BZA	X	BZA	X
H. Self-Storage/Mini-Warehouse Storage Facilities	PC	PC	P	P
I. Warehousing, Goods Transport and Storage	PC	PC	SUP	SUP
J. Wholesale Sales	PC	PC	SUP	SUP

Cont.	PMD-2	PMD-1	M-2	M-1
K. Commercial/Recreational – Limited Outdoor and Indoor Sport Shooting Ranges (<i>amended on 03/15/10</i>)	PC	PC	PC	PC
III. COMMUNITY FACILITY ACTIVITIES				
A. Administrative Services *	PC	PC	SUP	SUP *
B. Child Care Facilities, any type	PC	PC	SUP	SUP
C. Community Assembly	X	X	X	X
D. Essential Public Transport, Communication and Utility Service	SUP	SUP	SUP	SUP
E. Extensive Impact Facilities – Limited (see B-104.6 part 6)	PC	X	PC	X
F. Intermediate Impact Facilities (Telecommunication Transmission Facilities – PC approval)	PC	PC	SUP	SUP
G. Religious Facilities	X	X	X	X
H. Special Institutional Care Facilities	X	BZA	X	BZA
I. Waste Disposal Operations	PC	X	PC	X
J. Substance Abuse Medical Clinics (<i>amended on 11/15/2010</i>)	X	X	BZA	X
IV. AGRICULTURAL AND EXTRACTIVE ACTIVITIES				
A. Agricultural – General	P	P	P	P
B. Agricultural – Intensive	PC	PC	PC	PC
C. Agricultural Services	P	P	P	P
D. Plant and Forest Nurseries	PC	PC	PC	PC
V. ACCESSORY ACTIVITIES				
A. Accessory Storage – Enclosed Structure	PC	PC	SUP	SUP
B. Accessory Child Care	PC	PC	SUP	SUP
C. Administrative Office	PC	PC	SUP	SUP
D. Operation of Cafeteria	PC	PC	PC	PC
E. Outdoor Storage	PC	PC	SUP	SUP
F. Production for Retail Sale	X	X	X	X
G. Residential Occupancy (<i>approved administratively - Amended 09 17 07</i>)	P	P	X	P
KEY TO INTERPRETING USE CLASSIFICATIONS				
P = Indicates Permitted Use.				
SUP = Indicates Use Permitted with Supplemental Provisions.				
PC = Indicates Permitted Use on Site Plan Review by the Planning Commission.				
O = Indicates Use Allowable within Special Overlay District (See Article VIII, Section 8-401, ADULT ENTERTAINMENT DISTRICTS)				
BZA = Special Exception of Use after Approval of the Board of Zoning Appeals				
NOTES:				
(1) See Section 5-104.				
*Approved Alternative Training Facilities – Use of Cargo Shipping Containers for Administrative Services (PC approved with Supplemental Design Guidelines in Appendix B-104.6 Subpart 1D) <i>amended on May 17, 2010.</i>				

5-103 **BULK REGULATIONS**

5-103.1 General - The minimum lot dimensions, maximum lot coverage, minimum front, rear, interior and street side yards, maximum building heights and minimum separation between buildings on the same zone lot within any base manufacturing district shall be as indicated in TABLE 5-103A, (Bulk Regulations for Manufacturing Districts), and the additional bulk regulations specified in this section. For certain uses, alternative bulk regulations may be specified in this section or other sections of this zoning resolution.

5-103.2 Lot Dimensions - No lot shall be created and no building permit or zoning approval shall be issued for any lot that does not meet the following minimum dimensional requirements.

1. **Lot Area**

a. **Minimum Area**

Within the various manufacturing districts, the minimum horizontal area of a lot shall not be less than that indicated in TABLE 5-103A, (Bulk Regulations for Manufacturing Districts), or as may be otherwise specified in this resolution.

Dwelling, Townhouse-Apartment – Single-family dwelling unit designed in a series or cluster of buildings on one parcel as part of a multi-family housing complex. For purposes of this resolution, such type of housing shall not be considered the same as condominiums or patio homes.

2. **Semi-Transient Residential Activities:**

Lodging House - This is a general term and includes all places of semi-transient residential occupancy (as herein defined). The term lodging house is intended to include dormitories, rooming houses, boarding houses, apartment hotels, residential hotels and all similar facilities coming within the general definition of semi-transient residential activities.

Semi-Transient Residential Establishment - An establishment where lodging is provided for compensation partly on a weekly or longer basis and partly for a shorter time period, but with less than thirty (30) percent of the living units under the same ownership or management on the same zone lot being occupied on a less than monthly basis; but excluding institutional living arrangements involving the provision of specific kinds of forced residence, such as nursing homes, orphanages, asylums, and prisons.

A-103.2 Community Facilities Activities

1. **Childcare Facility** - A licensed establishment wherein an agency, person or persons regularly provides non-medical care for a group of five (5) or more children for periods of less than twenty-four (24) hours a day. Childcare facilities as herein defined do not include pre-schools, nursery schools, kindergartens, or other facilities the primary purpose of which is educational, recreational or medical. There are four types of Childcare facilities as defined by the State:

- a. Childcare Home – Family - A licensed family dwelling of a person or persons who regularly provides direct care during part of a twenty-four (24) hour day to five (5) to seven (7) children.
- b. Childcare Home - Group - A licensed, childcare home or an agency that regularly provides care for eight (8) to twelve (12) children in either a family dwelling of the licensee / care provider or in a premises other than the family dwelling. The number of children being provided care may be increased to fifteen (15), if four or more of the children are of school age and if adequate space is available to accommodate the additional children as provided in Tennessee State law and this resolution.
- c. Childcare Center - A licensed agency that provides for the care of thirteen (13) or more children.
- d. Daycare – Minor Home Occupation – Four or less unrelated children.

2. **Community Assembly** - An establishment providing meeting, recreational, or other social facilities for a private or non-profit association, primarily for use by members and guests.

3. **Cultural and Recreational Services** – Any type of use offering family entertainment type services whether outdoor or indoor facilities, such as: camping, golfing, swimming, hiking, fishing, musical events, performances, picnic areas, outdoor paintball, horseback riding, archery, boating, non-motorized bicycle motor cross, skateboard/roller blade, ice-skating, miniature golf, and other similar outdoor recreational activities, which operate on a seasonal basis open to the public and managed/owned by a governmental and/or non-profit entity. This category shall not be considered the same as commercial campgrounds that fall under the Commercial Activity – group assembly and commercial outdoor recreational facilities. (*Amended on 09 17 07*).

Essential Public Transport, Communication and Utility Services - Public or quasi-public facilities necessary and incidental to the operation of transport, communication and utility services. These facilities operate primarily as distribution networks and do not include production, storage or processing facilities for the product or service being distributed.

5. **Extensive Impact Facilities** - This is a diverse grouping of facilities that share the characteristic of potentially exerting high-level impact upon surrounding properties. While the nature of the impact varies with the particular use, all the activities included within this grouping must be carefully managed if surrounding activities are to be adequately protected from adverse characteristics associated with the activities included within this grouping.

Existing
Definitions;
No
change

Existing

6. **Health Care Facilities** - Establishments included within this grouping are principally involved in providing a broad range of health care, treatment and convalescent services to individuals suffering physical or emotional distress. Facilities within this grouping include the following:
 - a. **Center for Observation and Rehabilitation** - A licensed medical facility wherein services more intensive than those required for room, board, personal services and general nursing care are provided to an in-patient population, but which involves **no** form of forced residency of the type required within drug and alcohol rehabilitation facilities.
 - b. **Hospital** - An institution that (1) offers services more intensive than those required for room, board, personal services and general nursing care; (2) offers facilities and beds for use beyond twenty-four (24) hours by individuals requiring diagnosis, treatment or care for illness, injury, deformity, infirmity, abnormality, disease or pregnancy; and (3) regularly makes available clinical laboratory services, diagnostic services (including X-Ray, C-T Scan, etc.,) and treatment facilities for surgery or obstetrical care or other definitive treatment. This activity may include offices for medical or dental personnel, central service facilities such as pharmacies, medical laboratories, and other related uses.
 - c. **Medical Clinics** - A public or private nonprofit institution providing a full range of basic general medical care designed to preserve the health, prevent disease and care for the common illnesses and disabilities of the population within a specified geographic area.
7. **Intermediate Impact Facilities** - This classification includes a diverse listing of activities which share the characteristic of exerting a significant effect upon surrounding land uses due to their traffic generation characteristics, parking requirements, land requirements or potential nuisances associated with such uses.
8. **Religious Facilities** - Any structure or site such as a church, synagogue, chapel, sanctuary or cathedral used for purposes of individual or collective involvement with a religious activity, such as rites, rituals, ceremonies, prayers and discussions.
9. **Special Institutional Care Facilities** - This is a general term that is intended to include all facilities that involve forced residency, full time supervision and care for: (1) individuals who are legally confined due to violations of law; (2) individuals who are addicted to drugs and/or alcohol; and (3) individuals who are mentally ill, including the criminally dangerous or others who for their own protection or the protection of society must be confined.
10. **Special Personal and Group Care Facilities** - This is a general term that is intended to include residential facilities for the care of elderly or infirm persons who may require special care and/or supervision. The term is intended to include facilities that are principally residential in nature but wherein long-term medical or rehabilitative services are provided for the residents. This term is not intended to include facilities for the criminally dangerous or psychotic. Special personal and group care facilities include the following:
 - a. **Assisted Living Facilities for Elderly or Handicapped Persons** - A residential facility other than a dwelling unit (as defined above) intended for occupancy by unrelated individuals who are handicapped, aged, or disabled and wherein meals are prepared and served in a common dining facility and limited assistance is provided for daily activities.
 - b. **Convalescent Homes** - (See Nursing Homes.)
 - c. **Family Care Facilities** - A licensed facility wherein residential services are provided to eight (8) or fewer unrelated individuals who are handicapped, aged, disabled or otherwise in need of adult supervision in accordance with their individual needs. This grouping does not include facilities providing residential services to delinquent minors, the criminally dangerous, the addicted, and/or mentally ill individuals.
 - d. **Group Care Facilities** - A licensed facility wherein residential services are provided to nine (9) or more unrelated individuals who are handicapped, aged, disabled or otherwise in need of adult supervision in accordance with their individual needs. This grouping does not include facilities providing residential services to delinquent minors, the criminally dangerous, the addicted, and/or mentally ill individuals.
 - e. **Day-Care Facilities for Elderly Persons** - A licensed establishment wherein an agency, person or persons regularly provides non-medical care for a group of unrelated individuals who are handicapped, aged, disabled or otherwise in need of adult supervision in accordance with their individual needs for periods of less than twenty-four (24) hours a day.
 - f. **Nursing Homes** - A general term used to describe a licensed establishment providing bed care and in patient services for individuals needing regular medical attention, but excluding

B-102 LISTING OF PRINCIPAL ACTIVITY TYPES - All principal activities are hereby classified into the following types.

- A. Residential Activities**
 - Permanent
 - Semi-transient

- B. Community Facility Activities**
 - Administrative Services
 - Childcare Facilities
 - Community Assembly
 - Cultural and Recreational Services
 - Educational Facilities
 - Essential Public Transport, Communication —
and Utility Services
 - Extensive Impact Facilities ~
 - Health Care Facilities
 - Intermediate Impact Facilities —
 - Religious Assembly Facilities
 - Special Institutional Care Facilities
 - Special Personal and Group Care Facilities
 - Waste Disposal Operations

- C. Commercial Activities**
 - Adult Entertainment
 - Animal Care and Veterinary Services
 - Automotive Parking
 - Automotive and Marine Craft Sales, Service and Repair
 - Banking, Financial, Insurance and Real Estate Services
 - Convenience Retail Sales and Services
 - Entertainment and Amusement Services- Limited
 - General Business and Communication Services
 - General Retail Sales and Services
 - Group Assembly and Commercial Outdoor Recreation
 - Outside Material and Equipment Sales and Repair Yards
 - Professional Services - Medical
 - Professional Services - Non-medical
 - Restaurant, Full-Service
 - Restaurant, Take-Out
 - Scrap Operations/Junkyards/automobile wrecking yards
 - Self Service Storage
 - Storage yards
 - Transient Habitation
 - Warehousing, Goods Transport and Storage
 - Wholesale Sales

- D. Manufacturing Activities**
 - Manufacturing - Basic Industry
 - Manufacturing - General
 - Manufacturing - Hazardous Operations
 - Manufacturing - Limited

- E. Agricultural and Extractive Activities**
 - Agriculture - General
 - Agriculture - Intensive
 - Agricultural Services
 - Mining and Quarrying
 - Plant and Forest Nurseries
 - Landscaping/Hardscaping

Existing
Use Classification

5. Activity Type - Educational Facilities

- a. Intent and Limitations - This grouping is intended to include services and facilities typically performed by public, parochial and private nursery schools, kindergartens, primary and secondary schools. The grouping is not intended to include special training and schooling services offered by private individuals for profit or technical schools, colleges and universities.
- b. Use Listing
Public, Parochial, and Private Kindergartens
Primary and Secondary Schools

6. Activity Type - Essential Public Transport, Communication, and Utility Services

- a. Intent and Limitations - This grouping is intended to include facilities necessary and incidental to the operation of transport, communication, and utility services. The grouping is not intended to include major transport terminals or utility production and processing facilities.
- b. Use Listing
Electrical and Gas Distribution Lines Substations
Gas, Electric, and Water Distribution Lines and
Pumping Facilities for Water and Sewer Systems
Rights-of-Way for all Modes of Transportation
Sewage Collection Lines

edit -
to conform
with
definitions

7. Activity Type - Extensive Impact Facilities

- a. Intent and Limitations - This grouping is intended to include public activities and facilities that have a high degree of impact upon surrounding land uses due to nuisance characteristics, traffic generation, and parking requirements. This grouping does not include operation engages in storage, processing or reprocessing, transport or disposal of waste materials. (See Waste Disposal Operations and Commercial Scrap Operations)
- b. Use Listing
Airports, Air Cargo Terminals, Heliports, Helistops,
or Any Other Aeronautical Devise
Electricity Generating Facilities (excluding Commercial Solar and Wind/Turbine Farms)
Major Petroleum and Natural Gas Transmission Lines
and Facilities
Marine Terminals
Military Bases or Reservations
Railroad, Bus, and Transit Terminals
Railroad Yards and Other Transportation Equipment
Marshaling and Storage Yards
Renewable Energy: Commercial Solar & Wind/Turbine Farms
Water and Sewage Treatment Plants

edit

8. Activity Type - Health Care Facilities

- a. Intent and Limitations - This grouping is intended to include medical and other health care facilities that are required for promotion and protection of public health and safety. This grouping is not intended to include the offices, clinics, laboratories, etc., of private physicians or of other health care professionals.
- b. Use Listing
Center for Observation and Rehabilitation
Hospitals
Medical Clinics

9. Activity Type - Intermediate Impact Facilities

- a. Intent and Limitations - This grouping is intended to include a broad range of public and private activities that have a significant effect upon surrounding land uses due to their traffic generation characteristics, parking requirements, land requirements, or potential nuisances associated with such uses.
- b. Use Listing
Cemeteries, Columbarium, and Mausoleums
Colleges, Junior Colleges, and Universities,
but Excluding Profit-Making Business Schools
Commercial Boat Docks, Marinas, and Yacht Clubs
Electrical and Gas Substations (Excluding Commercial Solar and Wind/Turbine Farms)
Funeral Homes and Crematoriums
Golf Courses
Major Mail Processing Centers
Radio, Telephone, Television Towers, and
Transmission Facilities (Cell towers)
Water Storage Facilities

10. Activity Type - Religious Assembly Facilities

- a. Intent and Limitations - This grouping is intended to include facilities utilized by various religious organizations for worship or community service functions and all facilities and operations related thereto, including, but not limited to, child care facilities, youth ministry facilities and parents day out. The grouping is not intended to include facilities that primarily function to produce products, including printed matter, for sale or general distribution to groups other than the immediate membership of the organization located upon the same zone lot nor is it intended to include school facilities providing primary or secondary education.
- b. Use Listing
Chapels
Churches
Convents and Monasteries
Sanctuaries
Synagogues
Temples

11. Activity Type - Special Institutional Care Facilities

- a. Intent and Limitations - This grouping is intended to include facilities that involve forced residency, full time supervision and care for: (1) individuals legally confined due to violations of law; (2) individuals who are addicted to drugs and/or alcohol and (3) individuals who are mentally ill, including the criminally dangerous
- b. Use Listing
Detention and/or Correctional Institutions
Drug and Alcohol Rehabilitation Facilities
Institutional Care Facilities: (Including All Types
of Asylums for the Psychotic or Insane)
Half-way Houses (Serving Convicted Felons or
Recovering Substance Abusers)

12. Activity Type - Special Personal and Group Care Facilities (See Note)

- a. Intent and Limitations - This grouping is intended to include a wide variety of residential facilities for the care of young and/or disabled persons who require special care or supervision including bed care and in-patient services. This grouping is not intended to include facilities primarily oriented

- b. The use shall comply with all of the district bulk regulations, applicable off-street parking requirements and landscaping and buffering standards.
 - c. Buffering standards as defined in the definitions shall be required alongside and rear lot lines and a thirty-foot (30) building setback shall be required on all property lines. The Planning Commission may require additional plantings and/or screening for buffering purposes.
 - d. All campgrounds shall be subject to the minimum applicable standards as also required for temporary commercial campgrounds (See Appendix B-106).
5. Educational Facilities - All uses classified in the educational facilities activity type shall be subject to the following supplementary regulations.
- a. The Board of Zoning Appeals may grant a variance from minimum yard requirements whenever an existing structure is proposed for conversion to a community education facility.
 - b. Any school in existence upon adoption of this resolution shall not be subject to the land area requirements of this section but shall be subject to all other code requirements including fire, electrical, plumbing and building codes if applicable.
6. Extensive Impact Facilities - In all districts where authorized as special exception (BZA) uses, Planning Commission approval (PC) required or uses permitted with supplemental provisions (SUP), the following supplementary regulations shall apply to uses classified in the extensive impact activity type.
- a. The location, size, and design of such facilities shall be such that the proposed development shall be compatible with the development within the surrounding area, thus reducing the impact upon the surrounding area.
 - b. The traffic generated by such facility shall be safely accommodated along arterial and collector streets without traversing local minor streets.
 - c. The proposed facility shall provide a basic community function or essential service necessary for a convenient and functional living environment in order to be located on the proposed site.
 - d. The off-street parking requirements shall be determined by the Planning Commission.
 - e. Renewable Energy for Commercial Production and Resale shall be permitted only in Planned Manufacturing Districts (PMD-1 and PMD-2). The following Supplemental Regulations shall apply to all Commercial Solar Farms and Wind/Turbine Farms:
 - i. When such renewable energy structures and facilities are considered the primary use of the property, the panels and equipment shall meet the primary building setbacks of the district;
 - ii. Such land use shall require a comprehensive development plan for review by the Sullivan County Regional Planning Commission for approval per 5-104 Regulations and Procedures;
 - iii. Such commercial solar or wind/turbine farm shall not be located within one-mile of a designated historic overlay district or national register of historic properties or district.
7. Health Care Facilities - In all districts where authorized as a use permitted with supplemental provisions (SUP), Planning Commission approval (PC) required or a special exception (BZA) use, the following supplementary regulations shall apply to uses classified in the health care activity type as indicated.
- a. Minimum Lot Area
 - i. No health clinic shall be permitted on a zone lot, unless it contains a minimum of ten thousand (10,000) square feet, or twice the lot area requirements of the district, whichever is greater.
 - ii. No hospital or center for observation or rehabilitation shall be permitted on a zone lot, unless it contains a minimum of five (5) acres.
 - b. Hospital, Centers for Observation or Rehabilitation - The minimum side and rear yards for hospitals and centers for observation or rehabilitation shall be fifty (50) feet for one (1) or two (2) story building.
 - c. All other regulations of the zone district shall apply.
 - d. There shall be provided along the entire site boundaries fencing, screening, and landscaping as appropriate to protect any surrounding residential area.
 - e. The location and operation of such facility shall be in keeping with the character of the surrounding area and shall not have an adverse effect on the properties in the surrounding area.

add

