

Zoning Plan: Rezoning Requests and/or Zoning Text Amendments
SULLIVAN COUNTY COMMISSION PUBLIC HEARING MEETING
 Thursday, August 10, 2023

RESOLUTION #1 - To Consider the following zoning amendments (map or text) as reviewed by the Regional Planning Commission.
 motion by: Calton 2nd by: Gardner

Order of Cases	Date of Application	Applicant's Name	Neighbor Opposition	Staff's Recommendation	Planning Commission's Recommendation	Regional Planning Commission Jurisdiction	Current Zoning District	Requested Zoning District	Civil District	Commissioner District
1	5/16/2023	Brian Bledsoe	calls/inquiry, see staff report notes	yes	yes	Sullivan Co	R-1/B-3, split zoned	B-3	14th	7th
2	ZTA	Table 3-103.1	none	yes	yes	ALL				
3	ZTA	Article 8-107	none	yes	yes	ALL				
4	ZTA	Appendix G - TN Native Trees Guidebook/Recommendations for Buffering	noe	yes	yes	ALL				
5										
Voting Summary:										
<u>Name</u>	<u>Case Order</u>	<u>yes</u>	<u>no</u>	<u>pass / abstain</u>	<u>absent</u>	<u>Approved (yes or no)</u>				
Bledsoe	1	18			6	Yes				
3-103.1	2	18			6	Yes				
8-107	3	18			6	Yes				
Apx G	4	18			6	Yes				
	5									

* Completed Application is when all information is signed, fee has been paid and no outstanding documents needed. Date of Application is when the applicant initially files

footnote:



**SIXRIVERS
MEDIA**

Ad Order Number

0001636616

Sales Rep.

mwilder

Order Taker

mwilder

Customer

SULLIVAN CO PLANNING & CODE

Customer Account

1047408

Customer Address

3425 TENN. HWY 126

BLOUNTVILLE TN 37617 USA

Customer Phone

4233236440

Order Confirmation

PQ Number

Ordered By

Customer Fax

Customer EMail

planning@sullivancountytn.gov

Tear Sheets

0

Affidavits

1

Blind Box

Invoice Text

Net Amount

\$115.09

Total Amount
\$115.09

Payment Method
Check/Money Order

Payment Amount
\$0.00

Amount Due
\$115.09

<u>Ad Number</u>	<u>Ad Type</u>
0001636616-01	XLegal Liner

External Ad Number

<u>Ad Size</u>	<u>Color</u>
2 X 29 li	
<u>Order Start Date</u>	<u>Order Stop Date</u>
07/07/2023	07/07/2023

PUBLIC NOTICE

Sullivan County Regional Planning Commission shall hear and consider a rezoning request from Mr. James Brian Bledsoe, who owns Apex Gym & Fitness at 5501 Fort Henry Drive, Kingsport. The property is Tax Map 107I, Group E, Parcel 032.00 and is currently split zoned B-3 and R-1. The owner would like to rezone the undeveloped portion that is R-1 to B-3 – General Business. This meeting shall be heard on **Tuesday, July 18, 2023**, at 6PM, held in the Sullivan County Historic Courthouse. The final public hearing for this rezoning request shall be heard by the Sullivan County Commission during their scheduled Work Session on **Thursday, August 10, 2023**, at 6PM, held in the Commission Room of the Sullivan County Historic Courthouse, at 3411 Highway 126, Blountville. 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 the request is filed in the Sullivan County Planning & Codes Department located within the Historic Snow House at 3425 Hwy 126, Blountville, TN.

PUB 1T: 7/7/23

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: MAY 16 2023

Property Owner: JAMES BRIAN BLEDSOE/ APEX GYM & FITNESS, LLC

Address: 5501 FORT HENRY DRIVE, Kingsport TN 37603

Phone number: 423-341-7465

Email: SCOOPYD0379@JUNO.COM

Property Identification

Tax Map: 107I Group: E Parcel: 032.00
Zoning Map: 25 Zoning District: R-1 Proposed District: B-3 Civil District: 14
Property Location: 5501 Fort Henry Dr/ Dillow Dr Commission District: 7
Purpose of Rezoning: Looking to rezone to match the rest of current property and for future expansion.

Meetings

Planning Commission:

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

Date: 7/18/23

Time: 6:00 PM

Approved: ☒

Denied: ☐

County Commission:

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

Date: 08/10/23

Time: 6:00 PM

Approved: ☒

Approved 18 Yes, 6 Absent

Denied: ☐

DEED RESTRICTIONS

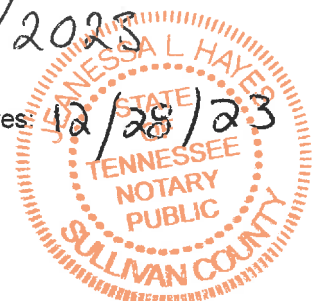
I understand that rezoning does not release my property from the requirements of private deed/Subdivision restrictions. The undersign, being duly sworn, hereby acknowledges that the information provided in this petition to Sullivan County for Rezoning is true and correct to the best of my information,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

Owner's Signature: [Signature]

Date: 05/17/2023

Notary Public: [Signature]

My Commission Expires: 12/28/23



F. ZONING PLAN AMENDMENTS: MAP OR RESOLUTION (TEXT)

**THE CHAIRMAN READ THE OPENING STATEMENT REGARDING THE REZONING PROCEDURES
THE FINAL PUBLIC HEARING IS SCHEDULED FOR AUGUST 10, 2023, AT 6:00PM DURING THE COUNTY COMMISSION WORK SESSION**

F1. REZONING REQUEST FROM R-1 TO B-3 (CURRENTLY SPLIT ZONED PARCEL)

FINDINGS OF FACT –

Landowner:	James Brian Bledsoe – d.b.a. Apex Gym & Fitness, LLC
Applicants:	Brian Bledsoe (uses middle name)
Representative:	same
Location:	5501 Fort Henry Drive, Kingsport
Mailing Address of Owners:	same – business address
Civil district of rezoning:	14th
Commission District of rezoning:	7th
Parcel ID:	Tax Map 107I, Group E, Parcel 032.00
Subdivision of Record:	n/a
PC1101 Growth Boundary:	Sullivan County Planned Growth Area
Utility District:	Johnson City Public Water
Public Sewer:	n/a
Lot/Tract Acreage:	4.31 Acres
Existing Zoning:	R-1 (Single-family Residential)
Surrounding Zoning:	R-1, B-3
Existing Land Use:	partially vacant in the R-1 section and Gym Building in the B-3 section
Surrounding Land Uses:	business and residential
2006 Land Use Plan:	planned general commercial
Neighborhood Opposition:	one phone call of neighbor concerned about buffering

Staff Field Notes and Findings of Facts:

- *The owners are seeking rezoning approval to change the remaining undeveloped portion of the property from R-1 to B-3. The parcel is currently split-zoned. The owner purchased the property 2017 and relocated his existing gym to this location as his business has grown. He is seeking the expansion of the B-3 zone so that he can expand the parking lot to accommodate his gym clients and future customers. Currently, in peak times, his existing parking is not sufficient. The site already has driveway connection on the side – Dillow Drive.*
- *The Land Use Plan designates this entire parcel for general business.*
- *Staff received one phone call from a neighbor to the rear of the vacant field. The daughter of the owner expressed concerns that the trees would be cut down or cleared more. Should the property be rezoned and a plan is presented for any type of expansion, including a parking area, the zoning code would require a buffering and/or fence on the perimeter of the property.*
- *Staff recommends in favor of this request for the following reasons:*
 - *Expansion of existing B-3 zone on parcel, which would bring it into zoning compliance.*
 - *Support the existing business so it can grow at the new location;*
 - *Congruent with Land Use Plan;*

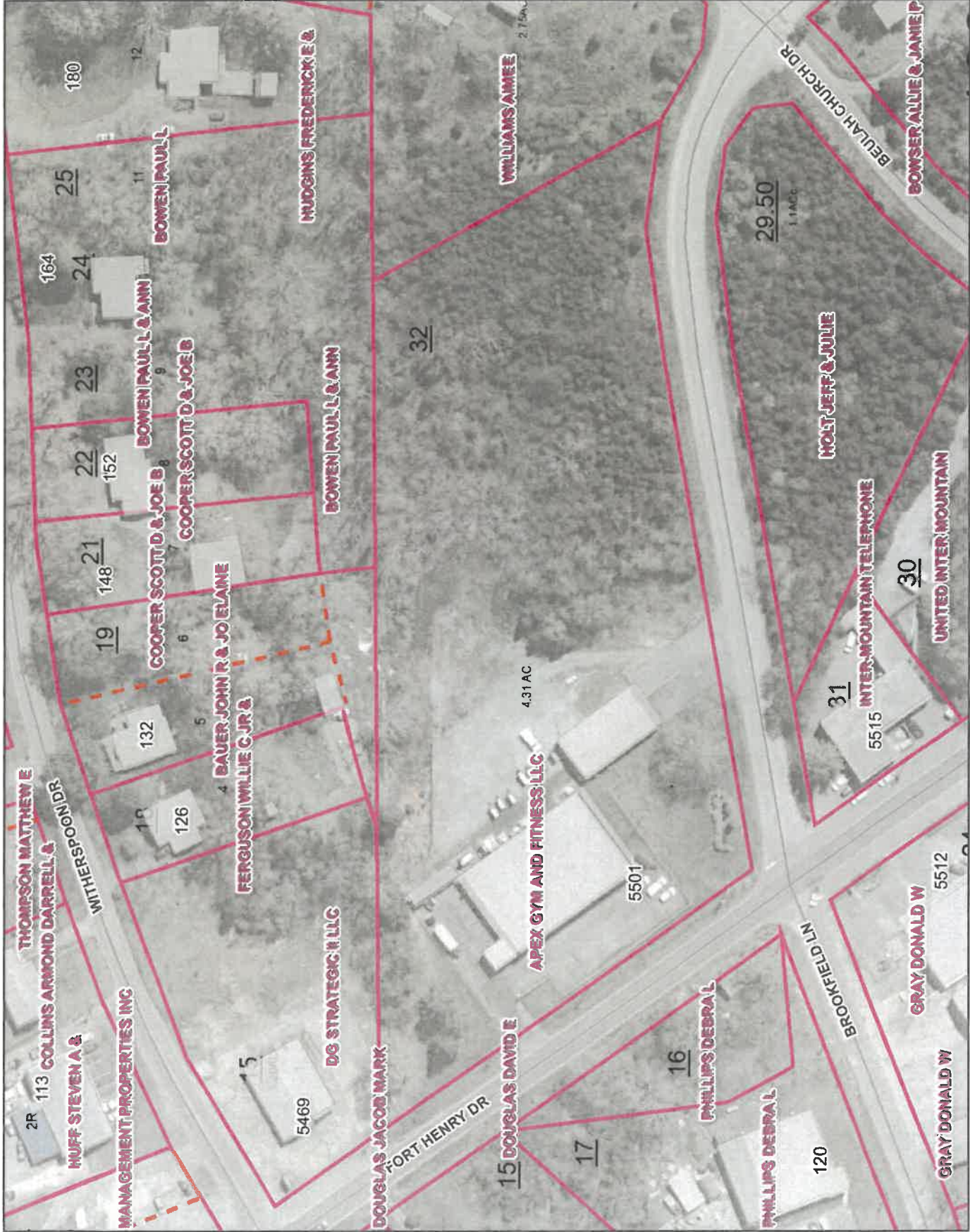
Meeting Notes at Planning Commission:

- *Staff read her report and findings.*
- *Brian Bledsoe was present and addressed the board. He stated this property used to be the old Sprint Telephone Building and when he purchased it, he thought it was all zoned commercial since the taxes are all commercial.*

- Paul Bowen, 164 Witherspoon Drive, addressed the Planning Commission. He stated he owned the land behind the vacant lot. He stated he had five concerns: 1) how large would the parking lot be; 2) would the parking lot be gravel or paved; 3) would there be commercial trucks parked there; 4) would it require buffering or fencing; 5) and would there be bright lights in the parking lot. He stated he was hard of hearing and forgot his hearing aid. He stated that this land all used to be pastureland before Dillow Drive was created.
- Staff confirmed that Paul Bowen owned parcels 23, 24 and 25 which were lots 9-11. The applicant's property is not part of this subdivision but abuts Mr. Bowen's rear yard.
- David Frye, son-in-law to Mr. Bowen, 1608 Pin Oak Court, Jonesborough, stated that this lot is all clay with fill dirt approximately 10-12 feet high in some places, so he was worried about run-off.
- Calvin Clifton described what a typical detention system and methodology would be needed depending on the scale of the development. This would require an engineered plan.
- Staff responded to all of the concerns raised by Mr. Bowen. She confirmed that zoning would require the parking lot to be paved, would require the evergreen buffering and possibly fencing for security, as well as an engineered civil plan to ensure code compliance with zoning and stormwater management. She also stated the zoning code would limit the foot candles of any parking lot lights to be no brighter than 4 foot candles from property lines as well as directed towards the parking lot and not directed on to neighbors.
- Bledsoe responded to these concerns and confirmed no more trees would be removed. He stated the trees that were removed were scrub trees, mostly cedar and brush. He confirmed he would plant the required buffering trees as well.
- Mary Rouse asked about the types of trees left and restated that the buffering would have to meet code. Mr. Bledsoe agreed.
- After no further discussion or questions, the chair called for a motion.
- Darlene Calton motioned to send a **favorable recommendation** on to the County Commission. Linda Brittenham seconded the motion and the vote in favor passed unanimously.
- Mark Webb, chair, confirmed the final public hearing was set for Thursday, August 10th at 6:00PM here in this commission room.




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 to practice land surveying in the State of Tennessee should be retained for all questions of boundary and / or location of lot lines.

- Buildings
- Lot Lines
- Parcel Lines (20220325)
- Hydrology
- Streams
- Water Bodies
- 2015 - Aerial Image

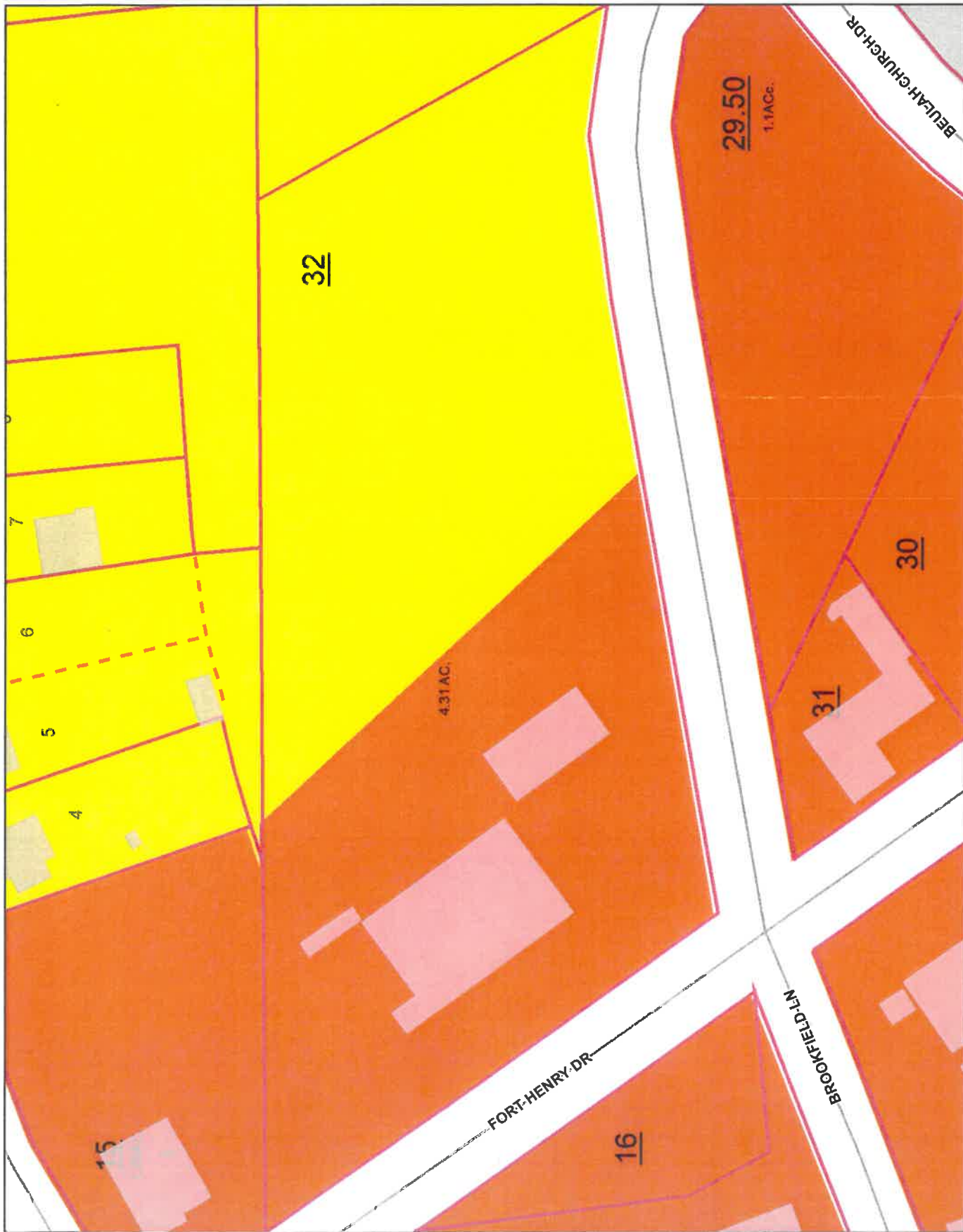


Notice:




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 to practice land surveying in the State of Tennessee should be retained for all questions of boundary and / or location of lot lines.

-  Buildings
-  Lot Lines
-  Parcel Lines (20220325)
- Current 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



Flood Insurance Rate Map (FIRM) 2007

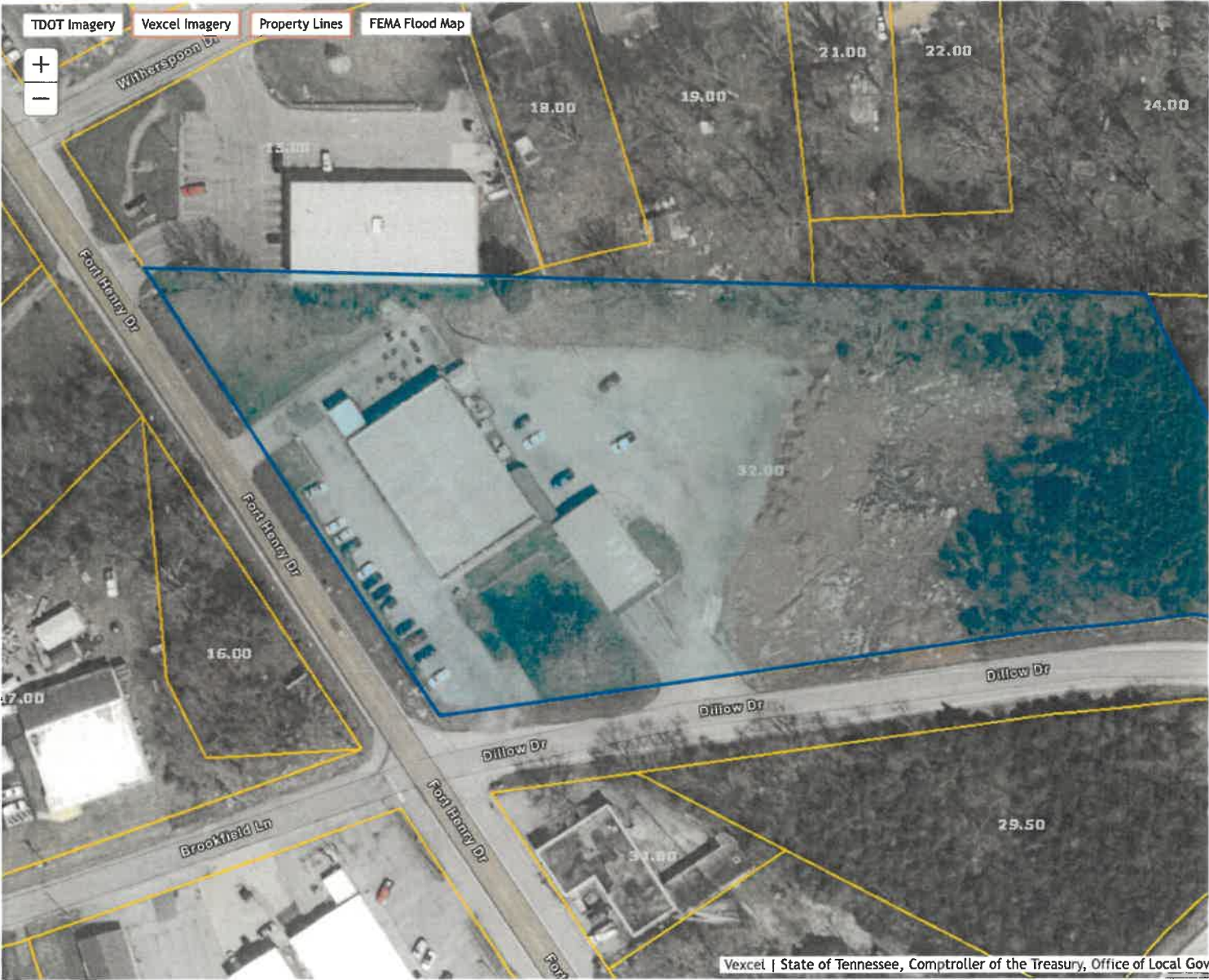
-  6.2 PCT Annual Chance Flood Hazard
-  Zone A - No Base Flood Elevations Determined
-  Zone AEF - Base Flood Elevations Determined



Sullivan County, TN
 Planning and Codes Dept.



Tennessee Property Viewer



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

July 5, 2023

Dear Property Owner:

Please be advised **Mr. James Brian Bledsoe, who owns Apex Gym & Fitness, LLC** has requested his property, be rezoned from R-1 (Single-family residential) to B-3 (General Business). This property is located at 5501 Fort Henry Drive, Kingsport, TN, and being more specifically, Tax Map 107I, Group E Parcel 032.00. The gym is located on the corner of Fort Henry Drive and Dillow Drive and is split zoned (B-3 and R-1). The existing building site is zoned commercial; however, the remaining undeveloped acreage is currently zoned R-1. The owner is paying commercial taxes on the entire parcel. If approved, immediate plans are to extend the parking area. This request shall be reviewed by the Planning Commission first and then shall be heard by the County Commission. The following are the scheduled meeting dates for this request:

Sullivan County Regional Planning Commission – Tuesday, 6:00 PM on July 18, 2023

Sullivan County Commission's Work Session – Thursday, 6:00 PM on August 10, 2023

Both public meetings shall be held in the Historic Sullivan County Courthouse, 2nd Floor Commission Hall at 3411 Highway 126, downtown Blountville. Please let me know if you need any special assistance for these public meetings. Both meetings are open to the general public, and you are welcome to attend. If you have any questions or concerns on this request, please contact me. You may call, email or stop by our office during normal business hours. My email address is planning@sullivancountyttn.gov or you may call me directly at 423.279.2603.

Regards,

Ambre M. Torbett, AICP
Director Planning & Community Development
Sullivan County Stormwater Coordinator









Ad Number **Ad Type**
0001637680-01 XLegal Liner

External Ad Number

<u>Ad Size</u>	<u>Color</u>
2 X 28 li	
Order Start Date	Order Stop Date
07/22/2023	07/22/2023

PUBLIC NOTICE

Sullivan County Commission shall consider for adoption two Zoning Text Amendments as recommended by the Regional Planning Com-missions: 1) Adopt Appendix G to Provide a Tennessee Tree Guide for Buffering along with a minor amendment to Article 8-107 to increase buffer setback from 8 feet back to 15 feet; and 2) To amend Article: 3 and the corresponding Table 3-103B to remove ad-ditional front yard setbacks along Arterial Roads in the Agricultural and Residential Zoning Districts. These minor Zoning Text Amendments shall be heard during their scheduled Work Session on **Thursday, August 10, 2023**, at 6PM, held in the Commission Room of the Sullivan County Historic Courthouse, at 3411 Highway 126, Blountville. 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@sullivancountytn.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.

PUB 1 T: 7/22/23

SULLIVAN COUNTY ZONING RESOLUTION

TEXT AMENDMENT PROCESS AND CHECKLIST:

Date: 6-5-2023

Article Reference (Pg #):

Table 3-103B

Existing Zoning Resolution Text: (for A5 through R3 Zones)
50' front setback on all Arterial Roads

Proposed Zoning Resolution Text Amendment:

use 30-foot setback only

Purpose and Need / Background Information: (Staff Report Attached)

Initiated by:

Planning Director ☒

Sullivan County Regional Planning Commission ☒

Landowner/Developer ☐

Review and Recommendation Timeline:

Public Review	Date	Recommendation	Vote Tally
Initial Discussion by SCRPC	6-20-23	yes	7 yes / 2 absent
2nd Review by SCRPC	N/A	N/A	
Bristol Staff	6/14/23	yes	
Bristol Regional PC	6/17/23	yes	
Kingsport Staff	yes	yes	
Kingsport Regional PC	7/26/23	yes	
Public Notice		yes	7.22.2023
County Commission Public Hearing	8/10/23	Yes	Voice Vote No Opposition
If CC Denies/Remands back for further Study - repeat full public review process			

F3. Zoning Text Amendment

Amendment to Zoning Code: Article 3-103.6/Table 3-103B – Additional front yard setbacks on Arterial Roads

TABLE 3-103B
BULK REGULATIONS FOR AGRICULTURAL AND RESIDENTIAL DISTRICTS

	DISTRICT						
	A-5 or A-2	A-1	AR / A-RV / RRC ***	R-1	R-2/R-2A & for single-family detached in R-3A/R-3B#	R-3A/R-3B For multi- family or single-family attached#	R-3 For Mobile Home Parks or Multi- Family
II. Minimum Lot Width in Feet (Measured at the Building Setback Line)	200	100	100	80	60	60	80
III. Maximum Lot Coverage by the Principal Structure / Building (As a Percent of Lot Area)	N/A	N/A	N/A	N/A	N/A	N/A	N/A
IV. Maximum Lot Coverage by the Accessory Structure*(%)	10%	10%	10%	10%	10%	10%	10%
V. Maximum Height for Residential Structures* (unless approved by the local fire department to be higher)	3 stories or 50 feet	3 stories or 50 feet	3 stories or 50 feet	3 stories or 50 feet	3 stories or 50 feet	3 stories or 50 feet	3 stories or 50 feet
VI. Minimum Yard Setbacks (In Feet)							
1. Front (50' front setback if on arterial road)	30	30	30	30	30	30**	30**
2. Side	30	12	12	12	10	20**	30**
3. Rear	30	30	30	30	20	30**	30**
4. Corner Side (additional road frontage)	30	30	30	30	20	30**	30**
<p>NOTES:</p> <p>*Setbacks Not Applicable to Agricultural Buildings and Structures</p> <p>**See Section 3-104, for Provisions Applicable to Multi-Family Dwellings and/or Planned Developments and Manufactured Home Parks.</p> <p>Other setbacks may be required per Supplemental Provisions on non-residential uses (see appendix)</p> <p>*** A-RV and RRC have the same setbacks as the R-3 Zoning District per Appendix D (amended 10/20/2022)</p> <p><u>Under the Open Space Residential Development alternative plan, the overall lot coverage of the principal building may be greater, the side and rear setbacks can be reduced and the lot size can be reduced, as long as the overall yield density of the entire master plan is no greater than that allowed under conventional densities for the applicable zoning district. Most other bulk requirements shall apply.</u></p> <p><i>#Amendment to setbacks in high-density zones made on August 15, 2005, to differentiate between detached single-family lots and attached single or multi-family dwellings within a planned development. Greater setbacks required for attached dwellings, such as townhouses and apartment complexes. Single family detached on individual lots in R-3, R-3A, or R-3B Districts shall use R-2/R-2A Setbacks. Multifamily and Mobile home parks shall have a perimeter setback of 30' on all sides.</i></p>							

3-103.6 Yard Regulations

1. **Minimum Width or Depth** - Yards having the minimum width or depth set forth for the various districts in TABLE 3-103B, shall be provided on all lots

- Staff shared her report and responses from the surrounding communities. No other surrounding community requires this additional front setback off a State Highway (Arterial Road Classification). Discussion followed.
- Laura McMillian motioned to send a favorable recommendation to the city regional planning commissions and County Commission, per staff's recommendation. Linda Brittenham seconded the motion and the vote in favor passed 7 yes / 2 absent.

**SULLIVAN COUNTY ZONING RESOLUTION
TEXT AMENDMENT RECOMMENDATION**



To: Bristol Municipal Regional Planning Commission
From: Heather Moore
Re: Sullivan County Zoning Text Amendment - Table 3-103B

Proposal:

On June 20, 2023, the Sullivan County Regional Planning Commission voted to forward a positive recommendation for the attached Sullivan County Zoning Resolution text amendment to the Sullivan County Commission. The amendment will shorten the existing 50' front setback for property zoned A-5 through R-3 and located on arterial roads. Sullivan County zoning code currently requires an additional setback – 50' instead of 30' - for all new building permits in the agricultural and residential zones if frontage is on an arterial roadway. The amendment requires a 30' setback requirement across the board.

Information presented to Sullivan County Planning Commission is attached, and a brief description of the amendment is below –

- **Table 3-103B** – Removal of the 50' front setback requirement for agricultural and residential zoned lots that front on an arterial roadway, resulting in the 30' front setback standard across the board for all agricultural and residential districts.

The Bristol Planning Commission recommendation is required for this matter because the ordinance has impact within Bristol's Urban Growth Boundary. The recommendation will be forwarded to the Sullivan County Commission for adoption. Bristol staff reviewed the proposed amendment with reference to Bristol's current regulations and noted that no potential negative effect is foreseen in the change to current regulations. The city of Bristol Zoning Ordinance contains no additional setback requirements for property located on arterial roads.

Staff Recommendation:

Staff recommends that the Bristol Tennessee Municipal Regional Planning Commission forward a favorable recommendation to the Sullivan County Commission to approve the text amendment to Sullivan County Resolution.

A handwritten signature in blue ink that reads "Heather Moore".

Heather Moore, AICP
Planner

Ambre Torbett

From: McMurray, Jessica <JessicaMcMurray@KingsportTN.gov>
Sent: Friday, July 28, 2023 8:43 AM
To: Ambre Torbett; Weems, Ken
Subject: RE: tiny SC ZTA
Attachments: 2023 Sullivan ZTA report - July 27, 2023 PC.pdf

Hi Ambre,

The PC voted 6-0 last to send a positive recommendation to the SC Commission. Attached is the staff report.

Thanks,
Jessica McMurray
Development Coordinator
City of Kingsport
P: 423-224-2482
C: 423-430-0126
jessicamcmurray@kingsporttn.gov



KINGSPORT
TENNESSEE
415 Broad Street
Kingsport, TN 37660
www.kingsporttn.gov

From: Ambre Torbett [mailto:planning@sullivancountyttn.gov]
Sent: Monday, July 24, 2023 8:59 AM
To: McMurray, Jessica; Weems, Ken
Subject: RE: tiny SC ZTA

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Oh I forgot you moved it during Fun Fest month.

Ambre M. Torbett, AICP
Director of Planning & Community Development
Stormwater Administrator

Sullivan County, Tennessee
Planning & Codes Department
3425 Hwy 126 | Historic Snow House
Blountville, TN 37617
Desk: 423.279.2603 | Main: 423.323.6440

From: McMurray, Jessica <JessicaMcMurray@KingsportTN.gov>
Sent: Monday, July 24, 2023 8:48 AM
To: Ambre Torbett <planning@sullivancountyttn.gov>; Weems, Ken <KenWeems@KingsportTN.gov>
Subject: RE: tiny SC ZTA

2023 Sullivan County Minor Text Amendments

Property Information	County-wide		
Address			
Tax Map, Group, Parcel			
Civil District			
Overlay District			
Land Use Designation			
Acres			
Existing Use		Existing Zoning	
Proposed Use		Proposed Zoning	
Owner /Applicant Information			
Name: Sullivan County Address: 3411 TN-126 #30 City: Blountville State: TN Zip Code: 37617 Email: planning@sullivancountyttn.gov Phone Number: (423) 323-6440		Intent: To make minor amendments the Sullivan County Zoning Resolution.	
Planning Department Recommendation			
(Approve, Deny, or Defer) The Kingsport Planning Division recommends APPROVAL			
Planner:	Jessica McMurray	Date:	7/10/2023
Planning Commission Action		Meeting Date:	7/27/2023
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

INTENT

Intent: To make minor amendments the Sullivan County Zoning Resolution.

Presentation:

At the request of the Sullivan County Planning Commission/ Sullivan County Planning and Codes Department, the Kingsport Regional Planning Commission is requested to send a positive recommendation in support of the submitted zoning text amendment to the Sullivan County Commission. The proposed amendments are as follows:

1. Amend 50 foot front yard setback on arterial road to 30 foot front yard setback in Agricultural and Residential zones.

Comparison of the proposed changes with current City of Kingsport zoning regulations:

The City of Kingsport requires the following front yard setbacks:

Agricultural, A-1 District - 50 feet

R-1A, Residential District - 40 feet

R-1B, Residential District - 30 feet

R-1C, Residential District - 25 feet

R-2, Two-Family Residential District – 30 feet

R-3, Low Density Apartment District – No setback, the maximum density is 15 units per acre

R-4, Medium Density Apartment District. No setback, the maximum density is 20 units per acre

R-5, High Density Apartment District – No setback, the maximum density is 40 units per acre

The complete text changes are added at the end of this report with proposed changes highlighted in yellow.

Recommendation:

Staff recommends sending a positive recommendation to the Sullivan County Commission in support of the zoning text amendment. The proposed zoning text changes are more closely aligned to zoning allowances that currently exist for the City of Kingsport.

Heather Moore

From: Ambre Torbett <planning@sullivancountyttn.gov>
Sent: Monday, July 3, 2023 1:05 PM
To: Heather Moore
Subject: FW: tiny SC ZTA
Attachments: SC ZTA - Table 3-103B - change 50 to 30 setback on Arterial Rds.pdf

Here ya go. Thanks Heather.

Ambre M. Torbett, AICP
Director of Planning & Community Development
Stormwater Administrator

Sullivan County, Tennessee
Planning & Codes Department
3425 Hwy 126 | Historic Snow House
Blountville, TN 37617
Desk: 423.279.2603 | Main: 423.323.6440

From: Ambre Torbett
Sent: Friday, June 30, 2023 2:22 PM
To: McMurray, Jessica <JessicaMcMurray@KingsportTN.gov>; Kenneth Weems - City of Kingsport (kenweems@kingsporttn.gov) <kenweems@kingsporttn.gov>; Garland, Savannah <SavannahGarland@KingsportTN.gov>; Heather Moore (hmoore@bristoltn.org) <hmoore@bristoltn.org>; Cherith Young <cyoung@bristoltn.org>
Subject: tiny SC ZTA

Good afternoon fellow planners,²
Attached is the staff report and PC vote on amending Table 3-103B – zoning setbacks in all Ag and Res zones regarding the front yard setback from 50' down to the standard 30'. Per our previous email exchanges, it appears that we are one of the only ones around here adding an additional setback for new construction on Arterial Roads. Our Planning Commission voted 7 yes and 2 absent to support this ZTA per staff's recommendation.

Please schedule on your next available Planning Commission meeting. Thank you so very much,

Ambre M. Torbett, AICP
Director of Planning & Community Development
Stormwater Administrator

Sullivan County, Tennessee
Planning & Codes Department
3425 Hwy 126 | Historic Snow House
Blountville, TN 37617
Desk: 423.279.2603 | Main: 423.323.6440

SULLIVAN COUNTY ZONING RESOLUTION

TEXT AMENDMENT PROCESS AND CHECKLIST:

Date: May 16, 2023

Article Reference (Pg #):

8-107.1

Existing Zoning Resolution Text:

see attached

Proposed Zoning Resolution Text Amendment:

see highlighted words

Purpose and Need / Background Information: (Staff Report Attached)

Amend back to 15-foot buffer width to accommodate mature tree width and align with neighboring communities code

Initiated by:

Planning Director ☒

Sullivan County Regional Planning Commission ☐

Landowner/Developer ☐

Review and Recommendation Timeline:

<u>Public Review</u>	<u>Date</u>	<u>Recommendation</u>	<u>Vote Tally</u>
Initial Discussion by SCRPC	<u>March 21, 2023</u>	<u>yes</u>	<u>review</u>
2 nd Review by SCRPC	<u>May 16, 2023</u>	<u>yes</u>	<u>8 yes / 1 abst</u>
Bristol Staff	<u>yes</u>	<u>yes</u>	
Bristol Regional PC	<u>6/19/23</u>	<u>yes</u>	<u>all</u>
Kingsport Staff	<u>yes</u>	<u>yes</u>	
Kingsport Regional PC	<u>6/14/23</u>	<u>yes</u>	<u>all</u>
Public Notice	<u>7/20/2023</u>		
County Commission Public Hearing	<u>8/10/23</u>	<u>Yes</u>	<u>Voice Vote No Opposition</u>
If CC Denies/Remands back for further Study – repeat full public review process			



F-2 Zoning Text Amendment (ZTA) to Article 8-107 – Buffering and Landscaping Requirements, along with Proposed Appendix F – Tennessee Native Trees list.

8-107 Buffering and Landscaping Requirements for all Commercial and Manufacturing Districts - Buffering and/or landscaping standards shall be required in order to visibly screen incompatible land uses from one another and to assist in the controls of stormwater run-off. The following minimum standards shall be required for all proposed commercial and manufacturing developments, as well as, any non-residential facility and multi-family housing complexes as stated in ARTICLE III:

8-107.1 Buffering Strip - A minimum of a fifteen (15) ~~an eight (8)~~ foot reserved portion of a parcel perimeter, which shall be free of all buildings, structures, signs, parking or other paved and hard surfaces for the purpose of buffering one land use from another, possibly incompatible land uses. Such strip shall be planted with year-round evergreen trees and shrubs a minimum of four (4) feet in height (when planted) on ~~ten (10)~~ foot staggered centers to achieve a natural and full buffer depending on tree species. Total overall height of at least one (1) row of plantings shall be a minimum of eight (8) feet upon mature growth. Such buffer shall be maintained and free of debris with other specifications as may be required by the Planning Commission or Building Commissioner to ensure proper screening between properties, wherever required. In the case of undisturbed mature-growth trees, the Planning Commission or Building Commissioner may reduce additional plantings in areas specified so as to preserve the established trees. Furthermore, the selection of trees may be specified by the Building Commissioner or Planning Commission due to existing overhead utility lines, which may interfere with the mature height of such selected tree specification. Where appropriate a solid (opaque) wood, masonry and/or solid PVC fence, a minimum of six (6) feet in height, may be constructed in lieu of or part of a planned buffer strip. All buffer strips and/or fencing shall be maintained for the life of the use and/or improvements *(amended August 15, 2005). Refer to Appendix G for the list of approved Tennessee Native Trees and list of prohibited invasive species.*

8-107.2 Vegetative Reserve Green Strip A minimum of a ten (10) foot vegetative reserve green strip shall be maintained on all road frontages in order to control vehicular access, sight visibility and to assist in the stormwater run-off from the parking lot and other impervious surfaces. Such reserve strip shall be free from all structures and parking. Such reserve strip may be planted with any type of shrubs and/or grasses that, at mature growth, do not exceed three (3) feet in height, so as to not interfere with vehicular sight visibility. Such requirement may be waived for all new developments within the B-2 district should alternative access controls and stormwater designs be implemented.

G. NEW BUSINESS: - Sub Regs.

G1. SEPTIC CERTIFICATION FOR EXISTING SYSTEMS WITH NO TDEC RECORD

LOT ***** is improved with a structure utilizing an existing septic system. No evaluation, testing, or verification of the functionality of the septic system or adequate area for duplication has been completed by the Division of Groundwater Protection of the Tennessee Department of Environment and Conservation. The Sullivan County Regional Planning Commission makes no certification or guarantee to the viability of the septic system. Any purchase of this lot should verify to their satisfaction the viability of sewage disposal for the property prior to purchase.

CERTIFICATE OF EXISTING SEPTIC SYSTEM

I hereby certify that Lot ***** contains a separate properly functioning septic system and that the septic tank, field lines, and duplication area with each system are located entirely within each lot.

DATE:

OWNER SIGNATURE:

PRINT NAME:

APPENDIX G

TENNESSEE NATIVE TREES & PLANTING GUIDELINES

Sections

F-101 Statement of Purpose

F-102 Buffering and Landscaping Requirements for all Commercial and Manufacturing Districts

F-103 Native Tree Recommendations

F-101 Statement of Purpose - Appendix G serves the purpose of providing updated regulations for buffering strips and suggesting native trees suitable for planting in local yards. To reduce the risks of damage to sidewalks and infrastructure, the updated regulations encourage planting of native trees with deep root systems that can anchor themselves. To further enhance the ecological and aesthetic benefits of the urban forest, the updated buffering strip regulations also aim to provide more privacy and natural separation between neighboring properties of different zonings and land uses. Native trees recommended in Appendix G were selected based on their adaptability to local conditions and their ability to support local wildlife and ecosystem services. By promoting the planting of these trees, shall result in a healthier and more resilient urban forest that provides numerous benefits to community health and well-being, such as shade, air and water purification, and greater aesthetic value. Included are clear guidelines and resources to help property owners and local authorities transition to more sustainable, resilient, and native landscaping practices.

F-102 Buffering and Landscaping Requirements for all Commercial and Manufacturing Districts (See Zoning Article 8-107.1 and 8-107.2)

F-103 Tennessee Native Tree Recommendations In order to ensure biogeographical synchronization, and ensure previous minimums are met, the following species of trees are recommended:

F-103.1 Evergreen trees that are suitable for planting in buffer strips:

Eastern Hemlock (Tsuga Canadensis)

Average Height: 40-70 feet

Maximum Height: 100 feet

Average Width: 25-35 feet

Maximum Width: 40 feet

Average Trunk Diameter: 1-2 feet

Maximum Trunk Diameter: 3 feet



White Pine (Pinus Strobus)

Average Height: 50-80 feet

Maximum Height: 150 feet

Average Width: 20-40 feet

Maximum Width: 50 feet

Average Trunk Diameter: 2-3 feet

Maximum Trunk Diameter: 5 feet



Red Cedar (Juniperus Virginiana)

Average Height: 20-40 feet

Maximum Height: 90 feet

Average Width: 8-20 feet

Maximum Width: 30 feet

Average Trunk Diameter: 1-2 feet

Maximum Trunk Diameter: 4 feet



American Holly (Ilex Opaca)

Average Height: 15-30 feet

Maximum Height: 50 feet

Average Width: 10-15 feet

Maximum Width: 25 feet

Average Trunk Diameter: 1-2 feet

Maximum Trunk Diameter: 3 feet



Fraser Fir (Abies Fraseri)

Average Height: 30-50 feet

Maximum Height: 80 feet

Average Width: 15-25 feet

Maximum Width: 40 feet

Average Trunk Diameter: 1-2 feet

Maximum Trunk Diameter: 4 feet



F-103.2 Native Tree Recommendations

Native Trees without invasive tendencies:

- American Holly (*Ilex opaca*)
- Black Gum (*Nyssa sylvatica*)
- Eastern Hemlock (*Tsuga canadensis*)
- Flowering Dogwood (*Cornus florida*)
 - Red Oak (*Quercus rubra*)
 - Redbud (*Cercis canadensis*)
- Sugar Maple (*Acer saccharum*)
- Sweetgum (*Liquidambar styraciflua*)
- Tulip Poplar (*Liriodendron tulipifera*)
 - White Oak (*Quercus alba*)
 - White Pine (*Pinus strobus*)
- Yellow Birch (*Betula alleghaniensis*)

Native trees to Northeast Tennessee with shallow root systems:

- Black Gum (*Nyssa sylvatica*)
- Flowering Dogwood (*Cornus florida*)
- Redbud (*Cercis canadensis*)
- Tulip Poplar (*Liriodendron tulipifera*)
- Yellow Birch (*Betula alleghaniensis*)

Native trees to Northeast Tennessee that might not be suitable for yards under 1 acre:

- Black Gum (*Nyssa sylvatica*)
- Eastern Hemlock (*Tsuga canadensis*)
 - Red Oak (*Quercus rubra*)
- Sweetgum (*Liquidambar styraciflua*)
 - White Oak (*Quercus alba*)
 - White Pine (*Pinus strobus*)

Native trees to Northeast Tennessee that are well-suited for rocky or clay soil:

- American Sycamore (*Platanus occidentalis*)
- Bald Cypress (*Taxodium distichum*)
 - Black Cherry (*Prunus serotina*)
 - Black Walnut (*Juglans nigra*)
- Eastern Red Cedar (*Juniperus virginiana*)
- Eastern White Pine (*Pinus strobus*)
- Northern Red Oak (*Quercus rubra*)
- Redbud (*Cercis canadensis*)
- Sourwood (*Oxydendrum arboreum*)
- Tulip Poplar (*Liriodendron tulipifera*)
 - White Oak (*Quercus alba*)

Source Materials

1. "Abies fraseri." Missouri Botanical Garden, www.missouribotanicalgarden.org/PlantFinder/PlantFinderDetails.aspx?kempercode=b409.
2. "Eastern Hemlock." The Morton Arboretum, mortonarb.org/plant-and-animal-collections/tree-plant-descriptions/eastern-hemlock.
3. "Ilex opaca." Missouri Botanical Garden, www.missouribotanicalgarden.org/PlantFinder/PlantFinderDetails.aspx?kempercode=b611.
4. Juniperus virginiana." University of Tennessee Department of Forestry, Wildlife and Fisheries, fwf.tennessee.edu/wp-content/uploads/2017/03/juniperus-virginiana.pdf.
5. "Native Trees of Tennessee." Tennessee Department of Agriculture, www.tn.gov/agriculture/forests/forestry-promotion/natural-heritage-program/native-trees-of-tennessee.html.
6. "Pinus strobus." USDA Forest Service, www.fs.fed.us/database/feis/plants/tree/pinstro/all.html.
7. "Red Cedar." USDA Forest Service, www.fs.fed.us/database/feis/plants/tree/junvir/all.html.
8. "Shade Trees for the Landscape." North Carolina State University Department of Horticultural Science, content.ces.ncsu.edu/shade-trees-for-the-landscape.
9. "Tennessee's Urban Trees." Tennessee Department of Agriculture, www.tn.gov/agriculture/forests/forestry-promotion/urban-forestry-program/tennessee-s-urban-trees.html.
10. "Tree Selection for Buffer Strips in Tennessee." University of Tennessee Department of Forestry, Wildlife and Fisheries, fwf.tennessee.edu/wp-content/uploads/2017/03/Tree-Selection-for-Buffer-Strips-in-Tennessee-FWF-1.pdf.
11. "Tsuga canadensis." USDA Forest Service, www.fs.fed.us/database/feis/plants/tree/tsucan/all.html.
12. "Types of Roots System in Trees." Home Guides, homeguides.sfgate.com/types-roots-system-trees-56535.html.

08-10-23 Approved by County Commission by Voice Vote with no opposition.

Ambre Torbett

From: Heather Moore <hmoore@bristoltn.org>
Sent: Tuesday, June 20, 2023 12:41 PM
To: Ambre Torbett
Subject: PC positive recommendation on Sullivan County Zoning Resolution updates
Attachments: 07 Sullivan County Zoning Amendment.pdf

Good afternoon, Ambre. The Bristol Planning Commission reviewed the proposed amendments to Sullivan County Resolution at the June 19, 2023 monthly meeting. The vote in favor of the amendments was unanimous, with 7 votes. There was no discussion. The packet reviewed by Bristol Planning Commission is attached.

Please don't hesitate to let me know if you have any questions or comments. Thank you!

Regards,

Heather Moore, AICP

Land Use Planner, City of Bristol, Tennessee
104 8th Street, Bristol, TN 37620
hmoore@bristoltn.org <<mailto:hmoore@bristoltn.org>>
Office: 423-989-5549
Fax: 423-989-5717

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**SULLIVAN COUNTY ZONING RESOLUTION
TEXT AMENDMENT RECOMMENDATION**



To: Bristol Municipal Regional Planning Commission
From: Heather Moore
Re: Buffer code text amendments to Sullivan County Zoning Resolution

Proposal:

On May 16, 2023 the Sullivan County Regional Planning Commission voted (8 yes/1 absent) to forward a positive recommendation for the attached Sullivan County Zoning Resolution text amendments to the Sullivan County Commission. The first amendment will widen perimeter buffering width to fifteen (15) feet in Article 8-107.1. Sullivan County staff stated that the 15 foot buffer width was a previous standard, modified or lessened to the current 8 feet in the early 2000's, at the request of a developer. The proposed buffer width increase is more in alignment with neighboring jurisdictions. The second amendment provides a list of appropriate buffering trees, including graphics, in Appendix G. Bristol Municipal Regional Planning Commission is requested to make a recommendation to the Sullivan County Commission on the proposed text amendments, as the revisions may impact property within the City's Urban Growth Boundary.

Information presented to Sullivan County Planning Commission meeting are attached, and a brief description of each amendment is below –

1. **Article 8-107.1** – The buffering width is increased to 15 feet to accommodate mature trees width and align with neighboring communities.
2. **Appendix G** – A new Appendix to help property owners select the appropriate tree for satisfying buffering requirements and landscaping.

Bristol staff reviewed the proposed amendments with reference to Bristol's current regulations and noted that no potential negative effect is foreseen in these changes to current Bristol regulations.

Staff Recommendation:

Staff recommends that the Bristol Tennessee Municipal Regional Planning Commission forward a favorable recommendation to the Sullivan County Commission to approve the text amendments to Sullivan County Resolution.

A handwritten signature in black ink that reads "Heather Moore". The signature is written in a cursive, flowing style.

Heather Moore, AICP
Planner

Ambre Torbett

From: McMurray, Jessica <JessicaMcMurray@KingsportTN.gov>
Sent: Friday, June 16, 2023 11:40 AM
To: Ambre Torbett; Luke Meade
Cc: Garland, Savannah; Weems, Ken
Subject: RE: ZTA for county - Buffer Code

Ambre & Luke,

At last night's Kingsport Planning Commission meeting, commissioners voted 6-0 to send a positive recommendation to the Sullivan County Commission for the ZTA outlined below.

Thank you,
Jessica McMurray
Development Coordinator
City of Kingsport
P: 423-224-2482
C: 423-430-0126
jessicamcmurray@kingsporttn.gov



415 Broad Street
Kingsport, TN 37660
www.kingsporttn.gov

From: Ambre Torbett [mailto:planning@sullivancountyttn.gov]
Sent: Friday, May 19, 2023 3:14 PM
To: Cherith Young; Heather Cook; Ross Peters; Steve Blankenship; Weems, Ken; Garland, Savannah; McMurray, Jessica
Cc: Luke Meade
Subject: ZTA for county - Buffer Code

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Happy Friday all,
Can you please add this minor ZTA on your next available Planning Commission agenda. Luke has researched a lot on this and had included a new Appendix to our Zoning Resolution to help property owners select the appropriate tree for satisfying buffering requirements and landscaping.

I will be on vacation next week. If you have any questions, please contact Luke. He was my lead on this.
Thank you all so much,

Ambre M. Torbett, AICP
Director of Planning & Community Development
Stormwater Administrator

Sullivan County, Tennessee
Planning & Codes Department
3425 Hwy 126 | Historic Snow House