

COUNTY COMMISSION-WORK SESSION

APRIL 11, 2024

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN MONTHLY WORK SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS THURSDAY EVENING, APRIL 11, 2024, AT 6:00 P.M. IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS COMMISSIONER JOHN GARDNER, PRO TEMPORE AND TERESA JACOBS, COUNTY CLERK OF SAID BOARD OF COMMISSIONERS,

TO WIT:

The Commission was called to order by Commissioner John Gardner, Pro Tempore, Sgt. Phillip White opened the commission and Commissioner Jessica Means gave the invocation. The pledge to the flag was led by Sgt Phillip White.

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

DAVID AKARD	MARK IRESON
DARLENE CALTON	SAMUEL "SAM" JONES
JOE CARR	DWIGHT KING
MICHAEL COLE	TONY LEONARD
LARRY CRAWFORD	HUNTER LOCKE
ANDREW CROSS	
JOYCE NEAL CROSSWHITE	JESSICA MEANS
JOHN GARDNER	ARCHIE PIERCE
HERSHEL GLOVER	MATT SLAGLE
CHERYL HARVEY	GARY STIDHAM
DAVID HAYES	ZANE VANOVER
	TRAVIS WARD

22 PRESENT, 2 ABSENT  
ABSENT AT ROLL CALL: HORNE, MCMURRAY

The following pages indicate the action taken by the Commission on rezoning requests for the month of April, 2024.

# Agenda subject voting report

343

Meeting name

Sullivan County Work Session April 11 2024

4/11/2024

2 Roll Call by Teresa Jacobs, County Clerk  
Roll Call

**Description** Roll Call  
**Chairman** Venable, Richard

**Total vote result**  
**Voting start time** 6:01:03 PM  
**Voting stop time** 6:01:30 PM  
**Voting configuration** Roll Call - Attendances  
**Voting mode** Open  
**Vote result**

Present	22
Total Present	22
Total Seats	28
Absent	2

**Group voting result**

Group	Yes	Absent
No group	22	0
<b>Total result</b>	<b>22</b>	<b>0</b>

**Individual voting result**

Name	Yes	Absent
Akard, David ()	X	
Calton, Darlene ()	X	
Carr, Joe ()	X	
Cole, Michael ()	X	
Crawford, Larry ()	X	
Cross, Andrew ()	X	
Crosswhite, Joyce ()	X	
Gardner, John ()	X	
Glover, Hershel ()	X	
Harvey, Cheryl ()	X	
Hayes, David ()	X	
Horne, Daniel ()		X
Ireson, Mark ()	X	
Jones, Sam ()	X	
King, Dwight ()	X	
Leonard, Tony ()	X	
Locke, Hunter ()	X	
McMurray, Joe ()		X
Means, Jessica ()	X	
Pierce, Archie ()	X	
Slagle, Matt ()	X	
Stidham, Gary ()	X	
Vanover, Zane ()	X	
Ward, Travis ()	X	

SULLIVAN COUNTY  
Board of County Commissioners  
April 11, 2024  
6:00 p.m.

344

**WORK SESSION and REZONING REQUESTS PUBLIC HEARING MEETING AGENDA**

- ❖ Speaker Pro Tempore John Gardner presiding.
- ❖ Invocation
- ❖ Pledge to the American Flag
- ❖ Roll Call by Teresa Jacobs, Sullivan County Clerk
- ❖ Public Hearing and Commission Vote for Rezoning Requests and/or Zoning Text Amendments.

**NEWS BUSINESS**

Item 1 Resolution No. 2024-03-01

Sponsors: Calton/ Gardner

RESOLUTION To Consider Amendment(s) To the Sullivan County Zoning Plan: Zoning Map Or The Zoning Resolution.

- 1) Noah Hosburgh, R-1 to R-1 and P.A.D. Commission District 3  
(Public Comment)
- 2) Stephen Joel Smalling, R-1 to B-4. Commission District 7  
(Public Comment)

- ❖ Public Comment (Not zoning related)
- ❖ Review of Regular Meeting Agenda
- ❖ Announcements
- ❖ Adjournment



Sullivan County  
Board of County Commissioners  
244th Annual Session

Item 1  
Resolution No. 2024-04-01

To the Honorable Richard S. Venable, Sullivan County Mayor, and the Board of Sullivan County Commissioners meeting in Regular Session this 11th day of April 2024.

**RESOLUTION TO CONSIDER AMENDMENT(S) TO THE SULLIVAN COUNTY ZONING PLAN: ZONING MAP OR THE ZONING RESOLUTION**

WHEREAS, the rezoning petition(s) have been duly initiated; have been before the appropriate Regional Planning Commission (recommendations enclosed); and shall receive a public hearing as required prior to final action from the County Commission; and

WHEREAS, such rezoning petition(s) and/or the proposed text amendment(s) will require an amendment to the SULLIVAN COUNTY ZONING PLAN – Zoning Map or Zoning Resolution.

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby consider rezoning petition(s) and/or the Zoning Resolution Text Amendment(s), conduct the appropriate public hearing as required by law, and vote upon the proposed amendment(s) individually, by roll call vote, and that the vote be valid and binding, and that any necessary amendments to the official zoning map or resolution code book be made by the Planning & Codes Department.**

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this 11th day of April 2024.

Attested: Teresa Jacobs  
Teresa Jacobs, County Clerk

Approved: Richard S. Venable  
Richard S. Venable, Mayor

**Introduced by: Commissioner Darlene Calton  
Seconded by: Commissioner John Gardner**

2024-04-01 ACTIONS: INTRODUCED AT REZONING REQUESTS PUBLIC HEARING MEETING, APRIL 11, 2024. 04/11/24 Approved 22 Yes, 2 Absent



# Agenda subject voting report

**346**  
4/11/2024

Meeting name **Sullivan County Work Session April 11 2024**

3 Item 1 Resolution No. 2024-04-01 Sponsors: Calton/ Gardner  
Vote

**Description** Rezoning Hearing  
**Chairman** Venable, Richard

**Total vote result**  
**Voting start time** 6:02:01 PM  
**Voting stop time** 6:02:21 PM  
**Voting configuration** Vote  
**Voting mode** Open  
**Vote result**

Yes	22
Abstain	0
No	0
Total Present	22
Absent	2

**Group voting result**

Group	Yes	Absent
No group	22	0
<b>Total result</b>	<b>22</b>	<b>0</b>

**Individual voting result**

Name	Yes	Abstain	No	Absent
Akard, David ()	X			
Calton, Darlene ()	X			
Carr, Joe ()	X			
Cole, Michael ()	X			
Crawford, Larry ()	X			
Cross, Andrew ()	X			
Crosswhite, Joyce ()	X			
Gardner, John ()	X			
Glover, Hershel ()	X			
Harvey, Cheryl ()	X			
Hayes, David ()	X			
Horne, Daniel ()				X
Ireson, Mark ()	X			
Jones, Sam ()	X			
King, Dwight ()	X			
Leonard, Tony ()	X			
Locke, Hunter ()	X			
McMurray, Joe ()				X
Means, Jessica ()	X			
Pierce, Archie ()	X			
Slagle, Matt ()	X			
Stidham, Gary ()	X			
Vanover, Zane ()	X			
Ward, Travis ()	X			



**PUBLIC NOTICE**

The Sullivan County Regional Planning Commission shall hear a request for a rezoning on March 19, 2024 at 6:00PM held in the Commission Room of the Sullivan County Historic Courthouse. The rezoning request is from Mr. Stephen Smalling from R-1 (Single-Family Residential) to B-4 (Arterial Business) located along Hwy 11E in Piney Flats being Tax Map 1240, Group B, Parcel 013.10. The Bristol Regional Planning Commission has rescheduled their meeting to hear a request from Noah Hosburgh to rezone a one-acre lot of his property located at 1234 Highway 126, Bristol from R-1 to PAD (Planned Artisan District) and being Tax Map 036, Part of Parcel 111.00. The Bristol Regional Planning Commission meet in the Easley Annex Conference Room in the Development Services building located at 104 8<sup>th</sup> Street, Bristol, TN and will be held at 5:00PM. The final public hearing of the proposed rezoning requests shall be heard by the Sullivan County Commission during the April 11, 2024 Work Session Zoning Hearing at 6:00PM, which is 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: [planning@sullivancountyttn.gov](mailto:planning@sullivancountyttn.gov) Copies of the requests 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**

*Bristol*  
Sullivan County

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

Date: Jul. 21, 2023

Property Owner: **NOAH HOSBURGH**

Address: 1234 TN 126 Bristol TN 37620

Phone number: 423-612-6951

Email: *hosburgh@gmail.com*

Property Identification

*revised per owner*

Tax Map: 036

Group:

Parcel: 111.00

Zoning Map: 9

Zoning District: R-1

Proposed District: *AA-1*

Civil District: 05

Property Location: 1234 TN 126, Bristol TN 37620

*P.A.D.*

Commission District: 3<sup>rd</sup>

Purpose of Rezoning: *Rezoning surveyed parcel for purpose of woodshop*

Meetings

Planning Commission: *Bristol Planning Commission*

Place: *8th St - Easley Annex Conference Room (Bristol) 104 8th Street*

Date: *08/18/24*

Time: *5:00 PM - Monday*

*8 yes / 1 absent*

Approved:

Denied:

County Commission:

Place: Historic Courthouse 2<sup>nd</sup> Floor Commission Chambers 3411 Highway 126, Blountville TN

Date: *10/17/24*

Time: 6:00 PM *Thursday*

APPROVED 22 YES, 2 ABSENT

Approved:

Denied:

DEED RESTRICTIONS

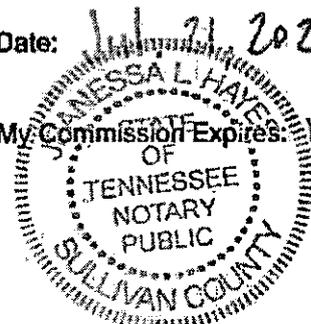
I understand that rezoning does not release my property from the requirements of private deed/Subdivision restrictions. The undersign, being duly sworn, hereby acknowledges that the information provided in this petition to Sullivan County for Rezoning is true and correct to the best of my information,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

Owner's Signature: *Noah Hosburgh*

Date: *July 21, 2023*

Notary Public: *Jessica Hayes*

My Commission Expires: *12/28/26*



# Agenda subject voting report

350

Meeting name

Sullivan County Work Session April 11 2024

4/11/2024

3.1 Rezoning request #1 and public hearing  
Vote

**Description** Noah Hosburgh  
Commission District 3  
R-1 – P.A.D

**Chairman** Venable, Richard

**Total vote result**

**Voting start time** 6:06:41 PM  
**Voting stop time** 6:06:58 PM  
**Voting configuration** Vote  
**Voting mode** Open  
**Vote result**

Yes	22
Abstain	0
No	0
Total Present	22
Absent	2

**Group voting result**

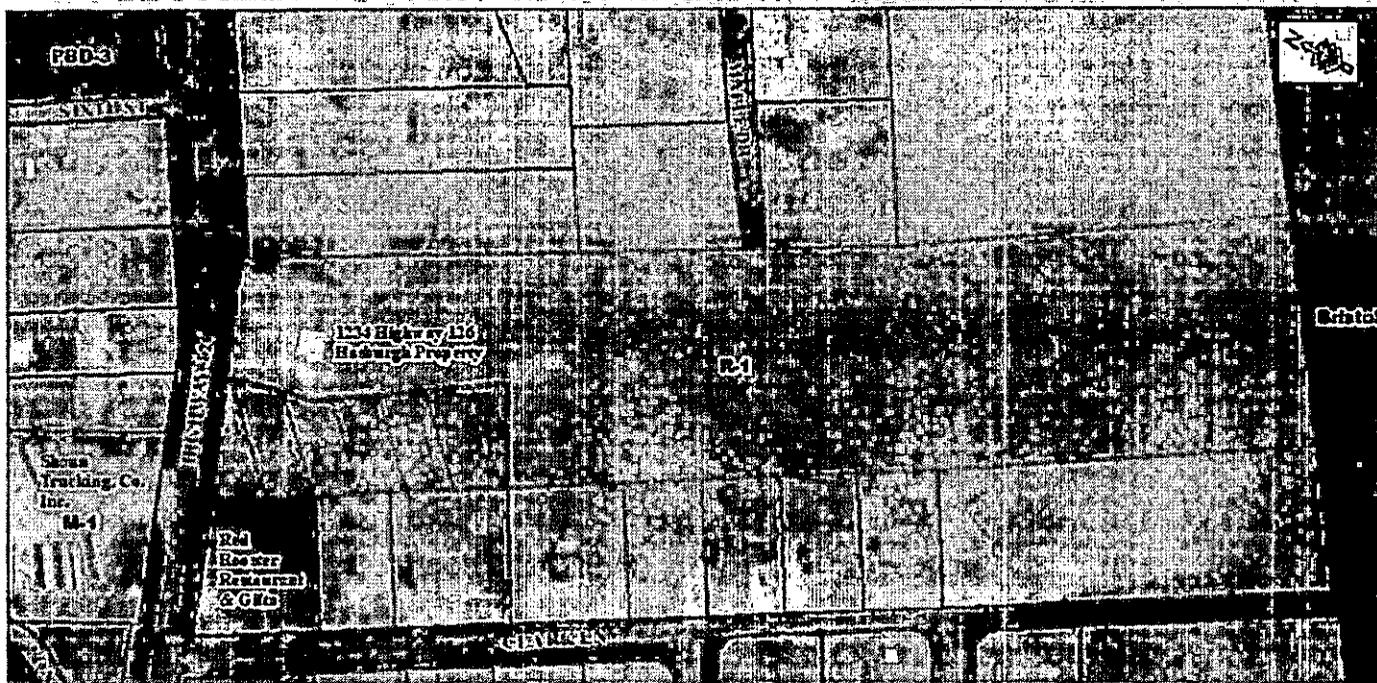
Group	Yes	Absent
No group	22	0
<b>Total result</b>	<b>22</b>	<b>0</b>

**Individual voting result**

Name	Yes	Abstain	No	Absent
Akard, David ()	X			
Calton, Darlene ()	X			
Carr, Joe ()	X			
Cole, Michael ()	X			
Crawford, Larry ()	X			
Cross, Andrew ()	X			
Crosswhite, Joyce ()	X			
Gardner, John ()	X			
Glover, Hershel ()	X			
Harvey, Cheryl ()	X			
Hayes, David ()	X			
Horne, Daniel ()				X
Ireson, Mark ()	X			
Jones, Sam ()	X			
King, Dwight ()	X			
Leonard, Tony ()	X			
Locke, Hunter ()	X			
McMurray, Joe ()				X
Means, Jessica ()	X			
Pierce, Archie ()	X			
Slagle, Matt ()	X			
Stidham, Gary ()	X			
Vanover, Zane ()	X			
Ward, Travis ()	X			



# Sullivan County Rezoning Recommendation



## SUMMARY

<p><b>Owner/Applicant:</b> Noah Hosburgh</p>	<p><b>Request:</b> Rezoning within the Urban Growth Boundary (UGB) from R-1 to PAD</p>	<p><b>Staff Recommendation:</b> Send a favorable recommendation to the Sullivan County Commission for this request</p>
<p><b>Location:</b> 1234 HWY 126</p>	<p><b>Recent Land Use:</b> Single-family home</p>	<p><b>Public Notification:</b> Sullivan County placed a sign on the property</p>
<p><b>Tax Map (TM):</b> Sullivan County TM 36, Part of Parcel 111.00</p>	<p><b>Future Land Use:</b> Woodworking shop</p>	<p><b>Public Comments:</b> None received as of the packet publication</p>
<p><b>Acreage:</b> 1.012 (of an 8.2-acre parcel)</p>	<p><b>Water Service:</b> Blountville Utility District</p>	<p><b>Planner:</b> Heather Moore</p>
<p><b>Zoning:</b> R-1</p>	<p><b>Sanitary Sewer Service:</b> Private</p>	

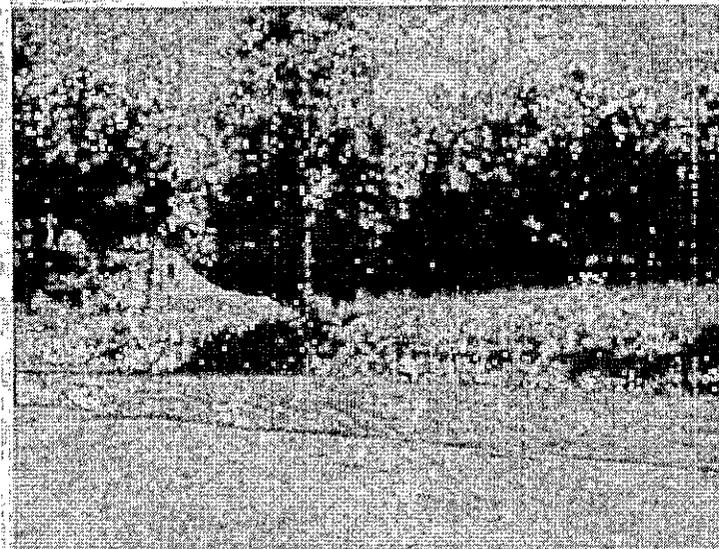
## BACKGROUND

On January 18, 2024, property owner Noah Hosburgh requested that 1.012 acres of his 8.2-acre parcel be rezoned from R-1 (Low Density/Single-Family Residential District) to PAD (Planned Artisan District) zoning. The property is located on the south side of Highway 126, which is an arterial roadway in Sullivan County. Mr. Hosburgh's rezoning request is prompted by his desire to construct a woodworking shop adjacent to his residence. The County's R-1 zone does not allow this, but the newly created PAD zone will. Mr. Hosburgh is also pursuing a subdivision plat application to subdivide his residence from the woodworking shop if the PAD rezoning request is approved. A copy of the preliminary subdivision plat of the parcel is attached showing the proposed lot to be rezoned.

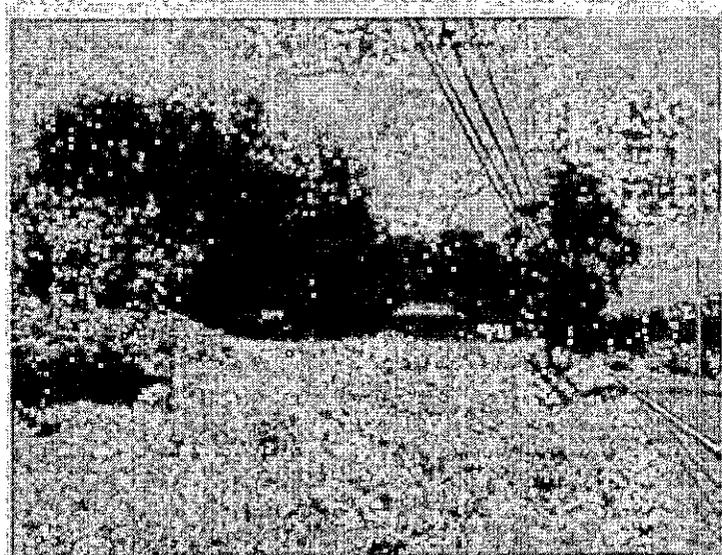
Previously, the Bristol Tennessee Municipal-Regional Planning Commission reviewed an application (RZZ24-607) to rezone this property from R-1 (Low Density/Single-Family Residential District) to M-1 (Light Manufacturing District) on September 18, 2023. A negative rezoning recommendation was sent to Sullivan County Commission on this request.

Following the Bristol Tennessee Municipal-Regional Planning Commission meeting, Sullivan County sent proposed amendments to create a new PAD (Planned Artisan District) zoning district in the Sullivan County Zoning Resolution. The new district proposed regulations that would allow for craft and artisan uses such as woodworking, to occur in certain locations in the County. The Bristol Tennessee Municipal-Regional Planning Commission reviewed and discussed the proposed amendment during the November 20, 2023 meeting. The Commission voted unanimously to defer a vote until December. On December 18, 2023, a recommendation on the text amendment for the new PAD district was approved by the Bristol Tennessee Municipal-Regional Planning Commission. The Kingsport Planning Commission and Sullivan County Planning Commission also recommended approval of the PAD ordinance. The PAD district was later enacted by the Sullivan County Commission on January 11, 2024.

State law requires the Bristol Tennessee Municipal-Regional Planning Commission to provide a recommendation on the proposed rezoning because the property is located within the city's Urban Growth Boundary. The recommendation will be forwarded to the Sullivan County Commission for final action on April 11, 2024.



1234 Highway 126, taken from the trucking company across Highway 126, and Hosburgh residence



Former Red Rooster restaurant building on adjacent property

## PREVIOUS ACTIONS

The Bristol Tennessee Municipal-Regional Planning Commission reviewed an application to rezone this property from R-1 (Low Density/Single-Family Residential District) to M-1 (Light Manufacturing District) on September 18, 2023, and voted to send an unfavorable rezoning recommendation to the Sullivan County Commission.



# Zoning and Land Use

The zoning of the subject property, surrounding parcels, and existing land uses are listed below.

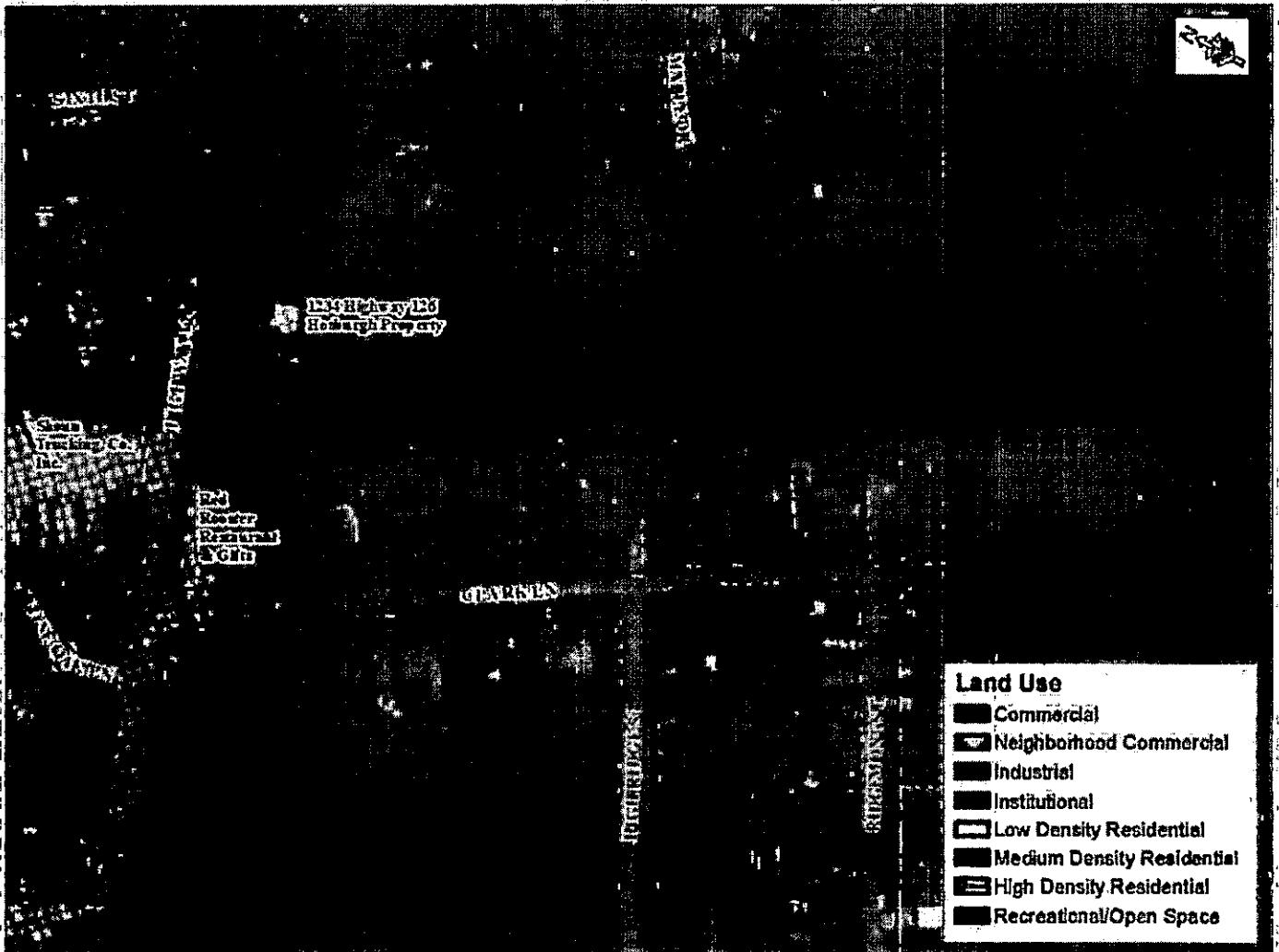


	Existing Zoning	Existing Land Use
<b>Subject Property</b>	Sullivan County, R-1 (Low Density/Single-Family Residential District)	Vacant (part of parcel)
<b>North</b>	Sullivan County, R-1 (Low Density/Single-Family Residential District) & M-1 (Light Manufacturing District)	Residential - Single-family and Truck Company
<b>South</b>	Sullivan County, R-1 (Low Density/Single-Family Residential District)	Residential - Single-family (part of current parcel)
<b>East</b>	Sullivan County, R-1 (Low Density/Single-Family Residential District)	Residential - Single-family (part of current parcel)
<b>West</b>	Sullivan County, B-3 (General Business) & R-1 (Low Density/Single-Family Residential District) &	Former restaurant (Red Rooster) current Residential - Single-family

The property is surrounded by a variety of uses, primarily residential (single-family). A former restaurant is located to the west (with current use understood as single-family residential). Shoun Trucking, Inc., located across Highway 126, was rezoned to M-1 in 2020. The Bristol Tennessee Municipal-Regional Planning Commission forwarded an unfavorable recommendation to the County Commission on this request.

### Land Use Plan and Policy

The Land Use Map indicates that the majority of the site will be developed as medium-density residential and the northern portion along Highway 126 will be developed as neighborhood commercial, as shown below. Rezoning the site to PAD agrees with the Future Land Use Plan and Policy.



# ANALYSIS

The site on Highway 126 is currently single-family residential and vacant. It is surrounded by varying uses, mainly residential - an adjacent residential neighborhood to the west and the residence on the parcel to the west, east, and south combine with the parcel across Highway 126 to the north beside the trucking company. M-1 zoning is located across Highway 126. The arterial highway is an appropriate location for the development of non-residential businesses. The lot that is planned to house the woodworking facility is 1.012 acres, which is larger than the 43,650 square feet (1 acre) that is required for the PAD or the R-1 zone. The lot's large size, combined with its location on the arterial and the owner living on adjacent property help to mitigate any negative effects.

Staff analyzed the Sullivan County Zoning Resolution and found that the uses allowed in the PAD district are intended and limited to provide space exclusively for individual artistic and cultural practices that produce on-site manufactured goods through the use of handheld power tools and light motorized apparatuses. This is similar to the Artisan/Technical Production use developed for the B-2E District. Bristol's B-3 district also allows some limited manufacturing uses.

Staff also reviewed Sullivan County bulk standards. The PAD minimum lot size is 43,560 square feet (1 acre), equal to the R-1 district's minimum lot size requirement of 1 acre.

Setbacks in the Sullivan County PAD zone are compared with Sullivan County's R-1 below.

	<u>PAD</u>	<u>R-1</u>
Front:	40 feet	30 feet
Rear:	30 feet	30 feet
Sides:	30 feet	12 feet

Setbacks and maximum building area requirements are greater in the PAD district than in the R-1 district. An additional 18 feet of buildable area on both sides of each lot would be allowed for building area in R-1.

The PAD is not adjacent to the parcel or in close proximity which could suggest spot zoning, however, the PAD is the newest zoning district to be created in Sullivan County, therefore no properties currently enjoy this zoning. Rezoning the property to PAD would benefit the owner, who stated his interest in a woodworking facility adjacent to his residential property, as well as additional parties interested in locating artistic and cultural practice businesses in Sullivan County.

## STAFF RECOMMENDATION

Staff recommends the Bristol Tennessee Municipal-Regional Planning Commission send a favorable recommendation to the Sullivan County Commission for the PAD rezoning request for the following reasons:

- Multiple zoning districts are adjacent, with residential, commercial, and manufacturing uses along Highway 126.
- The PAD District is a new zoning classification in Sullivan County.
- The property is located on Highway 126, which is an arterial roadway.
- The request is supported by the Bristol Tennessee Future Land Use Map.

## NEXT STEPS

Staff will communicate the Bristol Municipal Regional Planning Commission's recommendation to the Sullivan County Commission. The Sullivan County Commission is scheduled to hear this request on April 11, 2024.



Heather Moore, AICP  
Land Use Planner

5-101.2 District Purposes

1. PMD-2 Planned General Manufacturing District - This class of district is intended to provide space for manufacturing activities within the county. By reason of volume of raw materials or freight, scale of operation, type of structures required, or other similar characteristics these activities require locations relatively well segregated from non-manufacturing uses. Except as specified in Appendix B, Subsection B-105.2, Subpart 9, (Residential Occupancy in Connection with Nonresidential Activity), new residential activities are excluded. Commercial establishments and community facilities, which provide needed services for industry and are complementary thereto, are permitted. All new developments in this district shall require Planning Commission approval to ensure compatibility with the surrounding land uses and/or adequate buffering to neighboring properties. This class of district shall require adequate infrastructure to support any possible uses allowed within the district provisions. This district is designed to promote the clustering of developments along major routes or within industrial complexes while providing internal access roads to ease of the motoring public and heavy vehicles.
  
2. PMD-1 Planned Light Manufacturing District - This class of district is intended to provide space for a wide range of manufacturing and related uses, which conform to a high level of performance criteria and have the least objectionable characteristics. These districts may provide a buffer between other districts and other manufacturing activities, which have more objectionable influences. Except as specified in Appendix B, Subsection B-105.2, Subpart 9, (Residential Occupancy in Connection with Nonresidential Activity), new residential activities are excluded. Community facilities and commercial establishments, which provide needed services for industry and are complementary thereto, are permitted. All new developments in this district shall require Planning Commission approval to ensure compatibility with the surrounding land uses and/or adequate buffering to neighboring properties. This class of district shall require adequate infrastructure to support any possible uses allowed within the district provisions. This district is designed to promote the clustering of developments along major routes or within industrial complexes while providing internal access roads to ease of the motoring public and heavy vehicles.
  
3. M-2 Heavy Manufacturing District - This class of district is intended to provide suitable areas for intense, potentially noxious and/or dangerous manufacturing operations, including open land operations. It is specifically intended that all newly created districts be so located as to prevent possible negative impact upon adjoining uses and the environment. To this end, these districts are to be protected from encroachment by other activities. All new M-2 districts shall not be located wherein recognized environmentally sensitive lands exist unless all applicable permits are obtained prior to consideration of zone, to ensure environmentally sustainable practices can be achieved.
  
4. M-1 Light Manufacturing District - This class of district is intended to provide space for the types of manufacturing activities, which by reason of volume of raw materials or freight, scale of operation, type of structures required, or other similar characteristics require locations relatively well segregated from non-manufacturing uses. Except as specified in Appendix B, Subsection B-105.2, Subpart 9, (Residential Occupancy in Connection with Nonresidential Activity), new residential activities are excluded. Commercial establishments and community facilities, which provide needed services for industry and are complementary thereto, are permitted. All new M-1 districts should be located along arterial or major collector routes and near existing commercial or manufacturing centers.
  
5. Planned Artisan District - This class of district is intended to provide space exclusively for individual artistic and cultural practices that produce on-site manufactured goods through the use handheld power tools and light motorized apparatuses. Such manufacturing practices may not involve substantial volumes of raw materials, freight transport, large-scale operations such as specialized divisions of labor, or manufacturing structures exceeding typical indoor-outdoor workspaces such as smokestacks, industrial compressors, assembly lines, generators, storage tanks, and industrial mixers or centrifuges. Additionally, the release of smoke, fumes, gaseous discharges, or drainage associated with scaled manufacturing such as smoke, dust plumes, particulate matter, methane gases, liquid waste runoff, and sulfurous gases are prohibited along with other characteristics related to scaled manufacturing such as warehouses, energy supply buildings, and loading docks. Permitted uses within the Planned Artisan Districts are limited to artisan workshops, art studios, gallery workshops, blacksmithing, traditional guilds, cultural creation centers, collaborative workspaces, and small-scale artisan-oriented manufacturing such as custom jewelry, pottery, wood-working and sculpture that require some equipment, which are not conducive to general retail or residential. All new PAD zones should be located along arterial or collector routes and near existing commercial or manufacturing centers. Supplemental Regulations are required with Planning Commission review. (Approved/Added District on January 11, 2024)

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

	PMD-2	PMD-1	M-2	M-1	PAD
<b>I. MANUFACTURING ACTIVITIES</b>					
A. Manufacturing – Limited	PC	PC	SUP	SUP	X
B. Manufacturing – General	PC	PC	SUP	SUP	X
C. Manufacturing - Basic Industry	PC	PC	SUP	SUP	X
D. Manufacturing – Hazardous	PC	X	SUP	X	X
E. Planned Artisan Limited – <i>see B-103.4 (approved 01/11/2024)</i>	PC	PC	PC	PC	PC
<b>II. COMMERCIAL ACTIVITIES</b>					
A. Adult Entertainment Establishments	X	X	O/PC	X	X
B. Animal Care and Veterinary Services	PC	PC	SUP	SUP	X
C. Automotive Parking	PC	PC	SUP	SUP	X
D. Automotive & Marine Craft, Sales, Services & Repairs	PC	PC	SUP	SUP	X
E. Auto Towing/Automobile Wrecking Yard	PC	X	SUP	X	X
F. Outside Materials, Equipment Sales, Service and Repair	PC	PC	SUP	SUP	X
G. Scrap Operations/Salvage/Junkyards	BZA	X	BZA	X	X
H. Self-Storage/Mini-Warehouse Storage Facilities	PC	PC	P	P	X
I. Warehousing, Goods Transport and Storage	PC	PC	SUP	SUP	X
J. Wholesale Sales	PC	PC	SUP	SUP	X
K. Commercial/Recreational – Limited Outdoor and Indoor Sport Shooting Ranges ( <i>amended on 03/15/10</i> )	PC	PC	PC	PC	X
<b>III. COMMUNITY FACILITY ACTIVITIES</b>					
A. Administrative Services *	PC	PC	SUP	SUP *	PC
B. Childcare Facilities, any type	PC	PC	SUP	SUP	X
C. Community Assembly	X	X	X	X	PC
D. Essential Public Transport, Communication and Utility Service	SUP	SUP	SUP	SUP	SUP
E. Extensive Impact Facilities – Limited ( <i>see B-104.6 part 6</i> )	PC	PC	PC	X	X
F. Intermediate Impact Facilities (Telecommunication Transmission Facilities – PC approval)	PC	PC	SUP	SUP	PC
G. Religious Facilities	X	X	X	X	SUP
H. Special Institutional Care Facilities	X	BZA	X	BZA	X
I. Waste Disposal Operations	PC	X	PC	X	X
J. Substance Abuse Medical Clinics ( <i>amended on 11/15/2010</i> )	X	X	BZA	X	X
<b>IV. AGRICULTURAL AND EXTRACTIVE ACTIVITIES</b>					
A. Agricultural – General	P	P	P	P	P
B. Agricultural – Intensive	PC	PC	PC	PC	X
C. Agricultural Services	P	P	P	P	X
D. Plant and Forest Nurseries	PC	PC	PC	PC	P
<b>V. ACCESSORY ACTIVITIES</b>					
A. Accessory Storage – Enclosed Structure	PC	PC	SUP	SUP	PC
B. Accessory Childcare	PC	PC	SUP	SUP	PC
C. Administrative Office	PC	PC	SUP	SUP	PC
D. Operation of Cafeteria	PC	PC	PC	PC	PC
E. Outdoor Storage	PC	PC	SUP	SUP	X
F. Production for Retail Sale	X	X	X	X	PC
G. Residential Occupancy ( <i>approved administratively</i> )	SUP	SUP	X	SUP	SUP

<b>KEY TO INTERPRETING USE CLASSIFICATIONS</b>	
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, <b>ADULT ENTERTAINMENT DISTRICTS</b> )
BZA	= Special Exception of Use after Approval of the Board of Zoning Appeals.
<b>NOTES:</b>	
(1)	See Section 5-104.
*Approved <i>Alternative Training Facilities</i> – Use of Cargo Shipping Containers for Administrative Services (PC approved with Supplemental Design Guidelines in Appendix B-104.6 Subpart 1D) amended on May 17, 2010.	

**6-103 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**

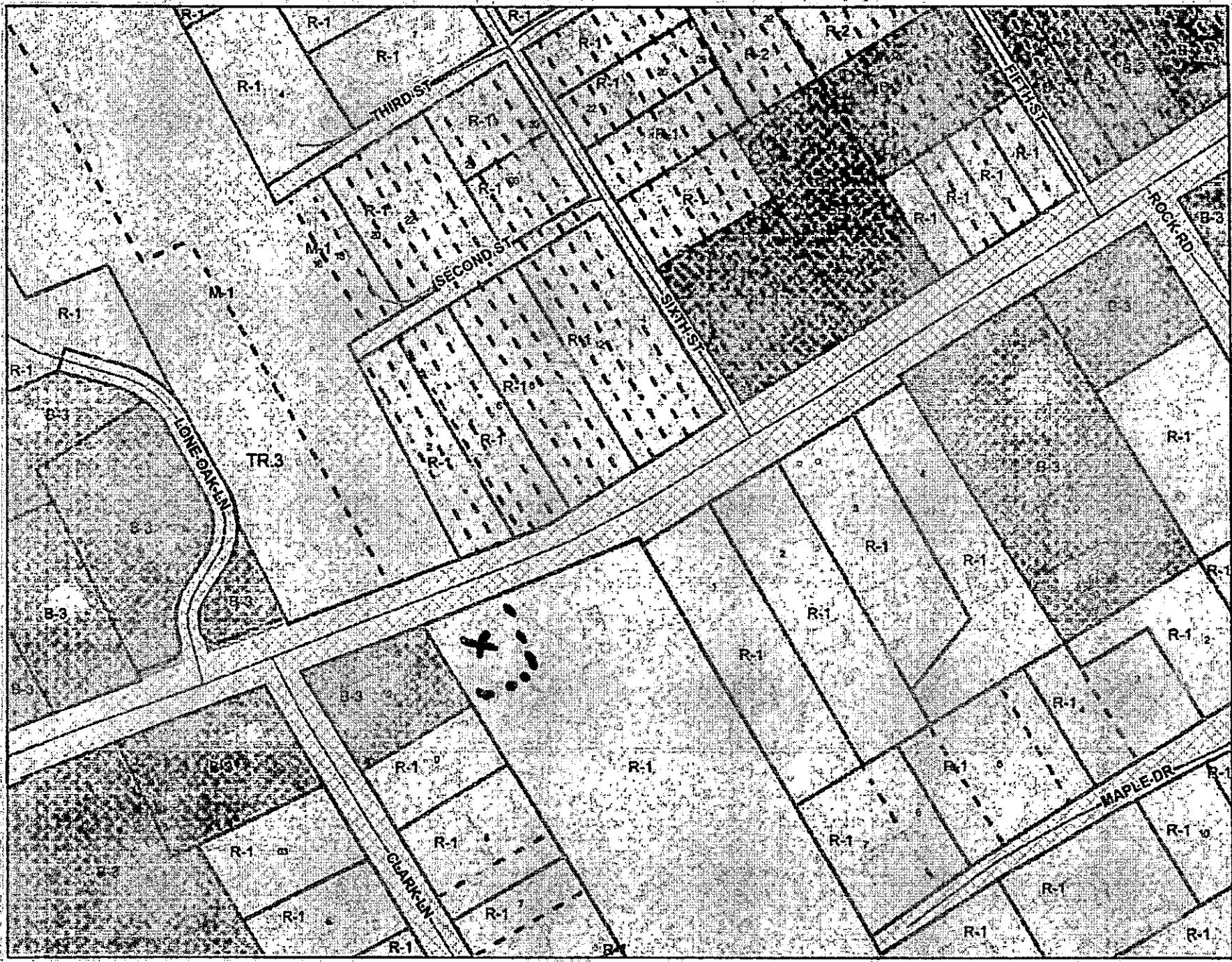
Within the various manufacturing districts, the minimum horizontal area of a lot shall not be less than that indicated in TABLE 5-103A, (Bulk Regulations for Manufacturing Districts), or as may be otherwise specified in this resolution.

**TABLE 5.103A  
BULK REGULATIONS FOR MANUFACTURING DISTRICTS**

	<b>DISTRICTS</b>				
	<b>PMD-2</b>	<b>PMD-1</b>	<b>M-2</b>	<b>M-1</b>	<b>PAD</b>
<b>I. MAXIMUM LOT COVERAGE BY ALL BUILDINGS</b> (As Percent (%) of Total Lot Area (See amendment#))	N/A	N/A	N/A	N/A	50
<b>II. Maximum Impermeable Surface Ratio</b> (As % of Lot Area)	75	75	75	75	75
<b>III. MINIMUM ZONE LOT REQUIREMENTS</b>					
A. Area (In Square Feet)	80,000	80,000	80,000	43,560	43,560
B. Width (In Feet, Measured at Building Line)	200	200	200	100	100
<b>IV. MAXIMUM HEIGHT – 55'</b> (unless approved by the local fire department to be higher)	2 stories	2 stories	2 stories	2 stories	2 stories
<b>V. MINIMUM YARD REQUIREMENTS (in Feet)</b>					
A. Front	50	50	50	50	40
B. Side	50	30	50	30	30
C. Rear	50	30	50	30	30
D. Corner Side (additional street frontage)	50	50	50	50	40
E. Front and Corner Side on Arterial or Collector Road	50	50	50	50	40
<b>NOTES:</b>					
(1) The minimum lot size shall be as required to meet other provisions of this article.					<i>PAD approved on 01/11/2024</i>
(2) See Subsection 5-103.4, Subpart 7 and 8-107.					
(3) See Subsection 5-103.4, Subpart 8, for special yard provisions applicable within M-2 Districts.					

b. **Reduction in Lot Area Prohibited** - No lot, even though it may consist of one or more adjacent lots of record, shall be reduced in area so that yards, lot width, building area, or other requirements of the zoning resolution are not maintained. This section shall not apply when a portion of a lot is acquired for a public purpose.





**Address Data Sou**  
 Sullivan County: Sull Co 91  
 Kingsport: Kpt GIS  
 Johnson City: JC GIS  
 Bristol: Bristol 911.

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

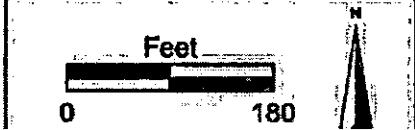
- Buildings
- Lot Lines
- Parcel Lines (20220325)
- Bristol UGB

**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



**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



364

## NOTICE OF REZONING REQUEST

March 27, 2024

Dear Property Owner:

Please be advised that your neighbors, **Noah & Sarah Hosburgh** have requested a one-acre portion of their property at **1234 Highway 126, Bristol** be rezoned from Single Family Residential (R-1) to Planned Artisan District (PAD) for the purpose of developing a Commercial Woodworking Shop. The property ID is Tax Map 036, part of Parcel 111.00 and the proposed lot is staked with surveying flags for your reference. The remaining 7.7 acres of their property will remain zoned R-1 as their primary residence. The following are the scheduled meeting dates for this request:

**Bristol Regional Planning Commission – Thursday, April 4, 2024 at 5:00PM**  
*(held at 104 8<sup>th</sup> Street, Bristol, TN within the Easley Annex Conference Room)*

**Sullivan County Commission's Work Session – Thursday, April 11, 2024 at 6:00 PM**  
*(held at the Sullivan County Historic Courthouse, 3411 Hwy 126, Blountville within the Commission Room, 2<sup>nd</sup> Floor)*

Please let me know if you need any special assistance for these public meetings. The 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](mailto:planning@sullivancountyttn.gov) or you may call me directly at 423.279.2603.

Regards,

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

*3<sup>rd</sup> notice - change of time for Bristol Planning*



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: February 1, 2024

Property Owner: Stephen Joel Smalling

Address: 436 Highway 150, Jasper TN 37347

Phone number: 423-255-8719 Email: stevejsmalling@outlook.com

Property Identification

Tax Map: 1240

Group: B

Parcel: 013.10

Zoning Map: 26

Zoning District: R-1

Proposed District: B-4

Civil District: 09

Property Location: Highway 11E, Piney Flats TN

Commission District: 5

Purpose of Rezoning: Rezoned from R-1 to B-4, probable sale for commercial purpose

Meetings

Planning Commission: Sullivan County

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

Date: MARCH 19 2024

Time: 6:00 PM

8 yes / 1 absent

Approved:

Denied:

County Commission:

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

Date: April 11 2024

Time: 6:00 PM

APPROVED 22 YES, 2 ABSENT

Approved:

Denied:

DEED RESTRICTIONS

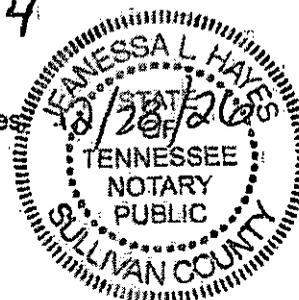
I understand that rezoning does not release my property from the requirements of private deed/Subdivision restrictions. The undersign, being duly sworn, hereby acknowledges that the information provided in this petition to Sullivan County for Rezoning is true and correct to the best of my information,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

Owner's Signature: Stephen J Smalling

Date: 2/1/24

Notary Public: Jeanessa Hayes

My Commission Expires



# Agenda subject voting report

Meeting name **Sullivan County Work Session April 11 2024**

3.2 Rezoning request #2 and public hearing  
Vote

**Description** Stephen Joel Smalling  
Commission District 7  
R-1 to B-4

**Chairman** Venable, Richard

**Total vote result**  
**Voting start time** 6:09:06 PM  
**Voting stop time** 6:09:25 PM  
**Voting configuration** Vote  
**Voting mode** Open  
**Vote result**

Yes	22
Abstain	0
No	0
Total Present	22
Absent	2

**Group voting result**

Group	Yes	Absent
No group	22	0
<b>Total result</b>	<b>22</b>	<b>0/2</b>

**Individual voting result**

Name	Yes	Abstain	No	Absent
Akard, David ()	X			
Calton, Darlene ()	X			
Carr, Joe ()	X			
Cole, Michael ()	X			
Crawford, Larry ()	X			
Cross, Andrew ()	X			
Crosswhite, Joyce ()	X			
Gardner, John ()	X			
Glover, Hershel ()	X			
Harvey, Cheryl ()	X			
Hayes, David ()	X			
Horne, Daniel ()				X
Ireson, Mark ()	X			
Jones, Sam ()	X			
King, Dwight ()	X			
Leonard, Tony ()	X			
Locke, Hunter ()	X			
McMurray, Joe ()				X
Means, Jessica ()	X			
Pierce, Archie ()	X			
Slagle, Matt ()	X			
Stidham, Gary ()	X			
Vanover, Zane ()	X			
Ward, Travis ()	X			

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

- *The chair read the opening statement regarding the rezoning procedures The Final Public Hearing is Scheduled for April 11, 2024, at 6:00PM During the County Commission Work Session*

**F1. REZONING REQUEST FROM R-1 (SINGLE-FAMILY RESIDENTIAL) TO B-4 (ARTERIAL BUSINESS)****FINDINGS OF FACT--**

<b>Landowner:</b>	Stephen Joel Smalling
<b>Applicants:</b>	same
<b>Representative:</b>	same
<b>Location:</b>	Hwy 11E, Piney Flats
<b>Mailing Address of Owners:</b>	436 Highway 150, Jasper, TN
<b>Civil district of rezoning:</b>	9 <sup>th</sup>
<b>Commission District of rezoning:</b>	5 <sup>th</sup>
<b>Parcel ID:</b>	Tax Map 1240, Group B, Parcel 013.10
<b>Subdivision of Record:</b>	n/a
<b>PC1101 Growth Boundary:</b>	Bluff City Urban Growth Boundary
<b>Existing Land Use of Lot:</b>	vacant
<b>Utility District:</b>	Johnson City Utility District
<b>Public Sewer:</b>	Johnson City Sewer and Bristol City Sewer
<b>Lot/Tract Acreage:</b>	3.37 acres
<b>Flood Plain:</b>	n/a
<b>Existing Zoning:</b>	R-1
<b>Surrounding Zoning:</b>	B-4 county and B-3 city
<b>Proposed Zoning Request:</b>	B-4 Arterial Business
<b>Surrounding Land Uses:</b>	commercial redevelopment and shopping center
<b>2006 Land Use Plan:</b>	Commercial Corridor
<b>Neighborhood Opposition:</b>	none

**Staff Field Notes and Findings of Facts:**

- The owner is requesting a rezoning of the vacant tract from residential to commercial for the purpose of selling the property for future commercial development.
- While this site is located with Bluff City's Urban Growth Boundary, the city does not have regional planning authority outside of city limits.
- Staff recommends in favor of this request for the following reasons:
  - Conforms to land use plan
  - Conforms to zoning plan
  - Extension of existing B-4 zoning along the Hwy 11E corridor
  - Public utilities in place to support future commercial development

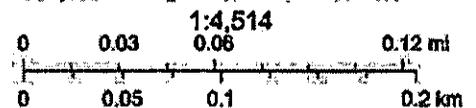
**Meeting Notes at Planning Commission:**

- *Staff read her report and recommendation.*
- *Steve Smalling and his cousin Brent Howse were present. Mr. Smalling stated that he and his sister own the land and would like to sell the property as commercial. He does not live locally anymore. Mr. Howse stated he owns the adjacent tract which is already zoned B-4 and their plan is to sell both parcels together for future commercial development. Mr. Howse stated that his family paid to have sewer connect to their parcel, so together, these parcels could be developed commercially with access to public water and sewer from Johnson City.*
- *Members discussed the request. Mary Ann Hager stated that this was one of the last residentially zoned parcels on the highway in Piney Flats that was still vacant in this vicinity.*
- *Mary Ann Hager motioned to forward a favorable recommendation to the County Commission for the rezoning request. Darlene Calton seconded the motion and the vote in favor passed unanimously.*



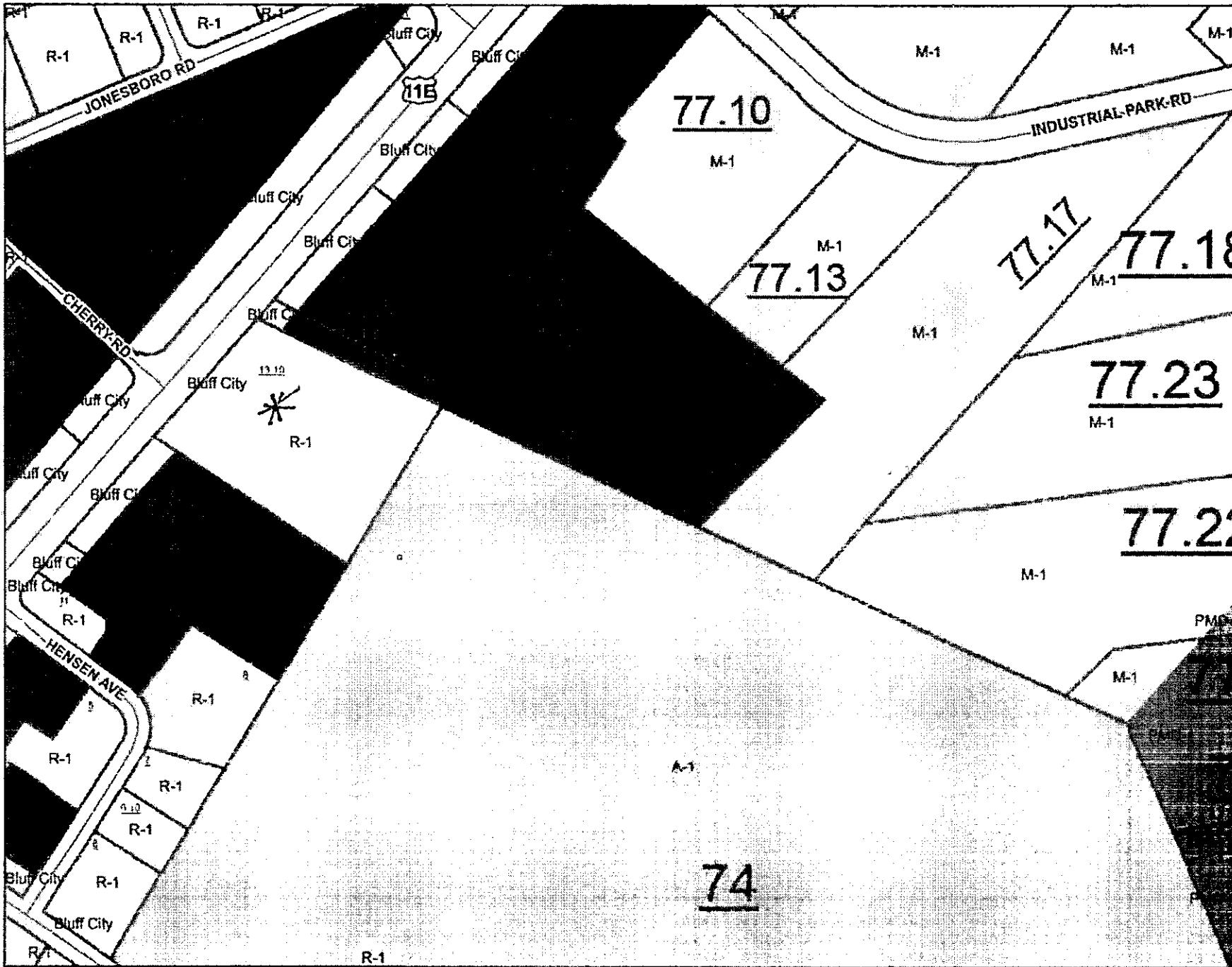
Date: February 29, 2024

County: Sullivan  
 Owner: SMALLING STEPHEN JOEL &  
 Address: HWY 11E  
 Parcel Number: 1240 B 013.10  
 Deeded Acreage: 3.37  
 Calculated Acreage: 0  
 Date of TDOT Imagery: 2019  
 Date of Vexcel Imagery: 2023



Esri Community Maps Contributors, City of Johnson City, TN, Tennessee  
 878 GIS, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph,  
 GeoTechnologies, Inc, METI/ANSA, USGS, EPA, NPS, US Census Bureau,  
 USDA, USFWS, State of Tennessee, Comptroller of the Treasury

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.



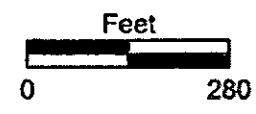
- Blountville**
- Conservation Districts Data Source
    - Sullivan County, Sull Co 911
    - Kingston, TN 37763
    - Blount County, TN GIS
    - Bristol, Bristol 911
  - Conservation District 2
    - A tax map has no legal standing, other than for assessment of taxes. It cannot be used to establish boundary lines or transfer and convey property. A land surveyor licensed to practice land surveying in the State of Tennessee should be retained for the locations of boundary lines or location of lot lines.
  - Conservation District 6
  - Historic - Current
  - Historic - Original
  - Blountville Historic District
  - Piney Flats Historic Dist
  - Parcel Lines (20220325)
  - Bristol UGB
  - Kingsport UGB

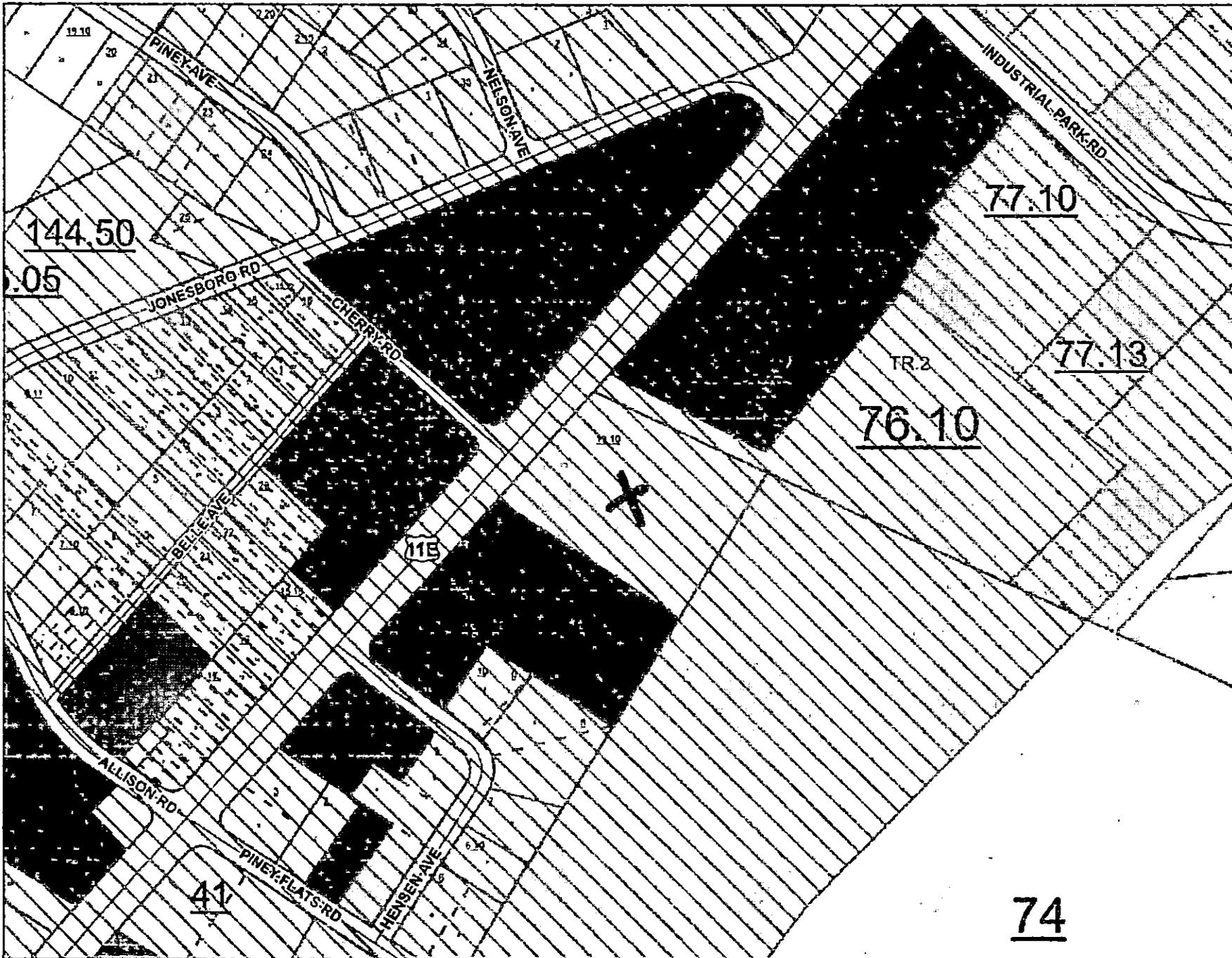
- Current Zoning**
- A-1
  - A-2
  - A-5
  - AR
  - B-1
  - B-2
  - B-3
  - B-4
  - M-1
  - M-2
  - PBD-3
  - PBD/SC
  - PMD-1
  - PMD-2
  - R-1
  - R-2
  - R-2A
  - R-3
  - R-3A
  - R-3B
  - U-1



Sullivan County, TN  
Planning and Codes Dept.

Flood Insurance Rate Map (FIRM) 2007  
 02 PC7 Annual Change Flood Hazard  
 Zone A - No Base Flood Elevation Determined  
 Zone AE - Base Flood Elevation Determined





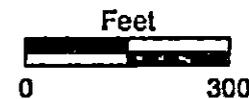
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 Johnson City: JC GIS  
 Bristol: Bristol 911

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- Lot Lines
- Parcel Lines (20220325)
- Future Growth Areas
  - Commercial
  - Comm. / Industrial
- Land Use Plan: 2006-2026
  - Ag / Single Fam Res
  - Ag / Open Space
  - Neighborhood Comm
  - Blountville-Mixed Use
  - General Commercial
  - Corridor Commercial
  - Manufac-Light Ind
  - High Impact Use
  - Plan Corridor
  - Comm
  - Plan General Comm
  - Plan Manufac-Lt Inc
  - Plan Manufac-Hvy Ind
  - Plan Unit Devel
  - Low Density Res
  - Medium Density Res
  - High Density Res
  - Mobile Home Park



Sullivan County, TN  
 Planning and Codes Dept.



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# SULLIVAN COUNTY

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



372

## NOTICE OF REZONING REQUEST

February 28, 2024

Dear Property Owner:

Please be advised that your neighbor, **Stephen Joel Smaling** has requested his property located at along Highway 11E in Piney Flats be rezoned from Single Family Residential (R-1) to Arterial Business (B-4) in order to sell the property in the future. The surround parcels along the highway are currently zoned B-4 as well. Their property ID is Tax Map 1240, Group B, Parcel 013.00. The following are the scheduled meeting dates for this request:

**Sullivan County Regional Planning Commission – Tuesday, March 19, 2024 at 6:00PM**

*(held at the Sullivan County Historic Courthouse, 3411 Hwy 126, Blountville within the Commission Room, 2<sup>nd</sup> Floor)*

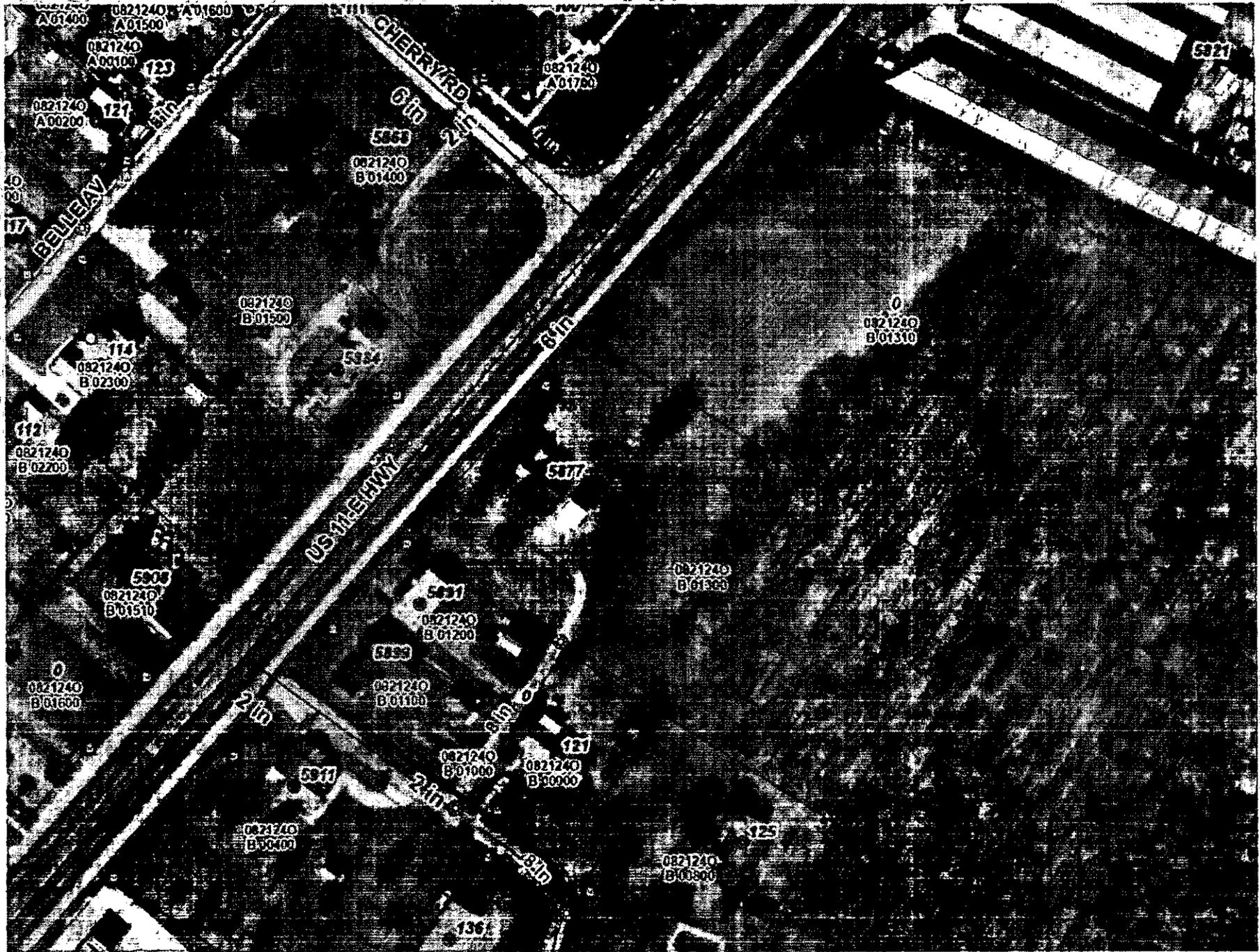
**Sullivan County Commission's Work Session – Thursday, April 11, 2024 at 6:00 PM**

*(held at the Sullivan County Historic Courthouse, 3411 Hwy 126, Blountville within the Commission Room, 2<sup>nd</sup> Floor)*

Please let me know if you need any special assistance for these public meetings. The 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](mailto:planning@sullivancountyttn.gov) or you may call me directly at 423.279.2603.

Regards,

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



Sullivan County  
Board of County Commissioners  
244<sup>th</sup> Annual Session

**RESOLUTIONS**

April 18, 2024

**OLD BUSINESS**

Item 1 Resolution 2024-03-14

Sponsors: Ward/Crosswhite; Carr

**A RESOLUTION TO AUTHORIZE SULLIVAN COUNTY SOLID WASTE TO ENTER INTO AN MEMORANDUM OF UNDERSTANDING WITH AMERICA'S THRIFT STORES FOR PLACEMENT OF COLLECTION BINS AT SULLIVAN COUNTY SOLID WASTE RECYCLING DROP OFF CENTERS LOCATED ON SULLIVAN COUNTY PROPERTY TO BENEFIT MAKE-A-WISH TENNESSEE.**

**NEWS BUSINESS**

Item 2 Resolution No. 2024-04-02

Sponsors: Locke/Horne

**RESOLUTION TO REDUCE THE NUMBER OF SULLIVAN COUNTY COMMISSIONERS TO FOURTEEN (14) MEMBERS WITH TWO (2) COMMISSIONERS ELECTED FROM SEVEN (7) DISTRICTS.**

Item 3 Resolution No. 2024-04-03

Sponsors: Vanover/Crosswhite

**RESOLUTION TO ACCEPT THE SULLIVAN COUNTY BOARD OF EDUCATION'S ACTION TO ENTER A PURCHASE AGREEMENT OF THE VACANT LOT LOCATED ON HENRY HARR ROAD.**

Item 4 Resolution No. 2024-04-04

Sponsors: Crosswhite/Vanover

**RESOLUTION TO APPROVE AN EXPENDITURE/APPROPRIATION FROM THE SULLIVAN COUNTY BOARD OF EDUCATION GENERAL PURPOSE SCHOOL FUND UNDESIGNATED FUND BALANCE TO SUPPLEMENT THE INNOVATIVE SCHOOLS MODEL GRANT PROJECT OF BUILDING A FOUR CLASSROOM ADDITION TO SULLIVAN EAST MIDDLE SCHOOL.**



Item 5 Resolution No. 2024-04-05

Sponsors: Crosswhite/Ireson

**RESOLUTION to APPROVE AN EXPENDITURE/APPROPRIATION FROM THE SULLIVAN COUNTY BOARD OF EDUCATION GENERAL PURPOSE SCHOOL FUND UNDESIGNATED FUND BALANCE TO PURCHASE AND REPLACE THE FOOTBALL STADIUM LIGHTING AT SULLIVAN EAST HIGH SCHOOL.**

Item 6 Resolution No. 2024-04-06

Sponsors: Ireson/Crosswhite

**RESOLUTION TO APPROVE AN EXPENDITURE/APPROPRIATION FROM THE SULLIVAN COUNTY BOARD OF EDUCATION GENERAL PURPOSE SCHOOL FUND UNDESIGNATED FUND BALANCE TO PURCHASE AND REPLACE THE BOILER FOR MILLER PERRY ELEMENTARY SCHOOL.**

Item 7 Resolution No. 2024-04-07

Sponsors: King/Crosswhite

**RESOLUTION TO AMEND THE SULLIVAN COUNTY SOLID WASTE BUDGET BY TRANSFERRING \$50,000 FROM SOLID WASTE FUND BALANCE TO CONTRACTED SERVICES.**

Item 8 Resolution No. 2024-04-08

Sponsors: Stidham/Carr

**RESOLUTION TO AMEND THE CURRENT FY 2023-2024 JAIL BUDGET TO TRANSFER \$300,000 INTO THE JAIL BUDGET FROM EXCESS PAYROLL FUNDS.**

Item 9 Resolution No. 2024-04-09

Sponsors: Gardner/Pierce

**RESOLUTION OF THE SULLIVAN COUNTY COMMISSION FOR ADOPTION OF A REDEVELOPMENT PLAN AND TAX INCREMENT FINANCING AMENDMENT FOR THE FRIENDSHIP DEALERSHIP PROJECT LOCATED WITHIN THE LYNN GARDEN REDEVELOPMENT DISTRICT.**



*Sullivan County  
Board of County Commissioners  
244<sup>th</sup> Annual Session*

Item 1  
Resolution No. 2024-03-14

To the honorable Richard S. Venable, Sullivan County Mayor, and the Board of Sullivan County Commissioners meeting in Regular Session this 18<sup>th</sup> day of April 2024

**A RESOLUTION TO AUTHORIZE SULLIVAN COUNTY SOLID WASTE TO ENTER INTO AN MEMORANDUM OF UNDERSTANDING WITH AMERICA'S THRIFT STORES FOR PLACEMENT OF COLLECTION BINS AT SULLIVAN COUNTY SOLID WASTE RECYCLING DROP OFF CENTERS LOCATED ON SULLIVAN COUNTY PROPERTY TO BENEFIT MAKE-A-WISH TENNESSEE.**

WHEREAS, both parties wish to establish a regular practice whereby ATS processes and recycles textiles and home goods collected through location of ATS kiosks or trailers placed at Sullivan County Recycling Drop Off points located on Sullivan County properties; and

WHEREAS, ATS will take ownership of the textiles and home goods once it leaves Sullivan County properties, to be recycled by ATS; and

WHEREAS, ATS will in return provide a portion of the resulting revenue stream to Make-A-Wish Northeast Tennessee to benefit children in Sullivan County and communities throughout the organization's service area; and

WHEREAS, either party may terminate this memorandum of understanding for any reason with written notice of at least 15 days prior to a scheduled textile collection.

THEREFORE, NOW BE IT RESOLVED the Sullivan County Board of Commissioners meeting in Regular Session authorizes Sullivan County Solid Waste to enter into a memorandum of understanding with America's Thrift Stores for placement of collection bins at the following locations:

Bristol Transfer Station  
804 Raytheon Rd, Bristol, TN 37620  
Proposed Assets: 2 Bins | Approved:2

Kingsport Transfer Station  
1921 Brookside LN, Kingsport, TN 37660  
Proposed Assets: 2 Bins | Approved:2

Blountville Middle School Football Field  
1651 Blountville Rd, Blountville Tn, 37617  
Proposed Assets: 2 Bins | Approved:2

Colonial Heights Convenience Center  
101 Lakecrest Dr, Colonial Heights, TN 37663  
Proposed Assets: 2 Bins | Approved:2



Holston Valley Middle School  
1717 Bristol Caverns Rd, Bristol Tn 37620  
Proposed Assets: 2 Bins | Approved:2

Indian Springs Elementary School  
333 Hill Rd, Kingsport TN 37664  
Proposed Assets: 2 Bins | Approved:2

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

Attested: \_\_\_\_\_

Approved:

\_\_\_\_\_  
Teresa Jacobs, County Clerk  
Richard S. Venable, County Mayor

**Sponsored by: Travis Ward**  
**Prime Co-Sponsor(s): Joyce Crosswhite, Joe Carr**

2024-03-14 ACTION: Introduced at the Work Session on March 14, 2024. First Reading at Regular Meeting on March 21, 2024.



*Sullivan County*  
*Board of County Commissioners*  
*244<sup>th</sup> Annual Session*

Item 2  
 No. 2024-04-02

To the Honorable Richard S. Venable, Sullivan County Mayor and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of April 2024.

**RESOLUTION TO REDUCE THE NUMBER OF SULLIVAN COUNTY COMMISSIONERS TO FOURTEEN (14) MEMBERS WITH TWO (2) COMMISSIONERS ELECTED FROM SEVEN (7) DISTRICTS.**

**WHEREAS**, Article 7, Section 1 of the Tennessee Constitution Article 7, Section 1 of the Tennessee Constitution and Tennessee Code Annotated Section 5-1-111 requires that the legislative body of the several counties of the State of Tennessee shall meet and, a majority of the members being present and concurring, shall change the boundaries of districts, or redistrict a county entirely if necessary, to apportion the county legislative body so that the members represent substantially equal populations; and

**WHEREAS**, pursuant to *Tennessee Code Annotated*, Section 5-1-111, the Sullivan County Commission established the boundaries for seven (7) board of education districts that were of substantially equal populations with the adoption of resolution number 2021-10-98 on October 21, 2021; and

**WHEREAS**, pursuant to *Tennessee Code Annotated*, Section 5-1-111, the Sullivan County Commission is hereby changing the boundaries of the legislative districts to the boundaries for the seven (7) board of education districts as established in resolution number 2021-10-98 adopted by the Sullivan County Commission on October 21, 2021; and

**WHEREAS**, the total number of commissioners shall be fourteen (14) with two (2) members elected from within and representing each of the seven (7) districts; and

**WHEREAS**, consistent with the provisions of *Tennessee Code Annotated*, Section 5-1-111, Sullivan County has prepared an official map setting forth the geographical boundaries for seven (7) Sullivan County Commission Districts pursuant to *Tennessee Code Annotated*, Section 5-1-110.

**NOW, THEREFORE, BE IT RESOLVED** by the Sullivan County Legislative Body meeting in Regular Session at Blountville, Tennessee, on this \_\_\_ day of \_\_\_, 2024, hereby authorize that:

**SECTION 1.** There is hereby adopted a district map for Sullivan County which provides for fourteen (14) commissioners, with two (2) commissioners in each district. The districts for members of the county legislative body are depicted on the official map for Sullivan County prepared pursuant to *Tennessee Code Annotated*, Section 5-1-110. A copy of the official map is attached as *Exhibit A* to this resolution and is incorporated herein by reference.

**SECTION 2.** All members of the county legislative body shall be elected at large within the district wherein the candidate seeks election. The two (2) candidates receiving the greatest number of votes in each district shall be elected.

**SECTION 3.** That the new boundaries for the districts as defined in *Exhibit A*, with two (2) members elected from each district for a total of fourteen (14) members shall be effective for the



regularly scheduled election for the Sullivan County Commission on August 6, 2026, and nothing in this Resolution shall be construed as abridging the status of any office holder prior to the end of such person's current term of office. That the Mayor shall notify the Sullivan County Election Commission of this action and provide any additional information that may be requested. That Sullivan County shall print *Exhibit A* and a legal description in a newspaper of general circulation in order to properly advise the citizens of Sullivan County of these changes. Provided that vacancies shall be filled in accordance with *Tennessee Code Annotated*, Section 5-1-104.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2024.

ATTEST: \_\_\_\_\_ APPROVE: \_\_\_\_\_  
 Teresa Jacobs, County Clerk Richard S. Venable, County Mayor

Sponsor: Hunter Locke  
 Cosponsor: Daniel Horne

2024-04-02 Actions: Introduced at Work Session on April 11, 2024. To be considered on 1<sup>st</sup> Reading on 04/18/24

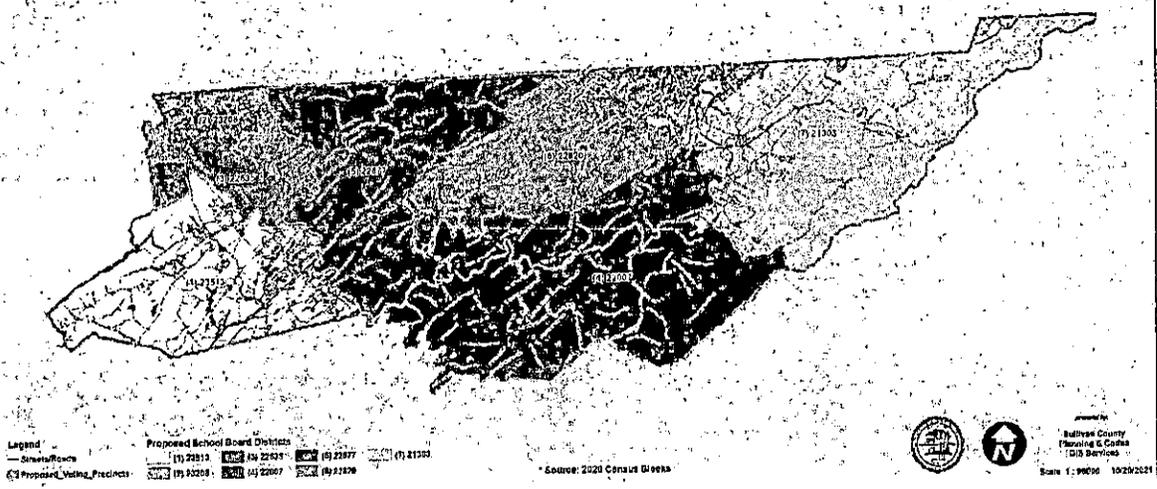


<b>CURRENT COUNTY COMMISSION REGISTERED VOTER POPULATION</b>					
<b>DISTRICT</b>	<b>COUNTY</b>	<b>BLUFF CITY</b>	<b>BRISTOL</b>	<b>KINGSPORT</b>	<b>JOHNSON CITY</b>
<b>1</b>	4,102 (98%)		64 (2%)		
<b>2</b>	446 (3%)		12,958 (97%)		
<b>3</b>	230 (5%)		4,430 (95%)		
<b>4</b>	12,445 (93%)		947 (7%)		
<b>5</b>	8,071 (82%)	1216 (12%)			572 (6%)
<b>6</b>	11,740 (84%)			2,254 (16%)	
<b>7</b>	6,610 (69%)			3,033 (31%)	
<b>8</b>	5,251 (57%)			3,890 (43%)	
<b>9</b>	855 (30%)			7,487 (70%)	
<b>10</b>	2,647 (30%)			6,034 (70%)	
<b>11</b>				12,727 (100%)	
<b>TOTAL</b>	52,397 (49%)	1,216 (1%)	18,399 (17%)	35,425 (33%)	572 (.05%)

<b>PROPOSED COUNTY COMMISSION REGISTERED VOTER POPULATION</b>					
<b>DISTRICT</b>	<b>COUNTY</b>	<b>BLUFF CITY</b>	<b>BRISTOL</b>	<b>KINGSPORT</b>	<b>JOHNSON CITY</b>
<b>1</b>	9,764 (59%)			6,921 (41%)	
<b>2</b>	3,502 (24%)			11,185 (76%)	
<b>3</b>				15,063	
<b>4</b>	13,732 (87%)	1,216 (8%)	253 (2%)		572 (4%)
<b>5</b>	13,837 (86%)			2,256 (14%)	
<b>6</b>	7,437 (48%)		8,078 (52%)		
<b>7</b>	4,125 (29%)		10,067 (71%)		
<b>TOTAL</b>	52,397 (49%)	1,216 (1%)	18,398 (17%)	35,425 (33%)	572 (.05%)

<b>CURRENT AND PROPOSED NUMBER AND PERCENTAGE OF COUNTY COMMISSIONERS BASED UPON MAJORITY OF REGISTERED VOTERS PER DISTRICT</b>		
<b>DISTRICT</b>	<b>CURRENT</b>	<b>PROPOSED</b>
<b>COUNTY</b>	13 (54%)	6 (43%)
<b>BLUFF CITY</b>	0	0
<b>BRISTOL</b>	4 (29%)	4 (29%)
<b>KINGSPORT</b>	7 (29%)	4 (29%)
<b>JOHNSON CITY</b>	0	0

Proposed School Board Districts \*  
Sullivan County, Tennessee



*I WILL ATTEMPT TO PRINT LARGER VERSION OF THIS FOR DISTRIBUTION THURSDAY --  
JOHN O*





Sull. y

*Board of County Commissioners  
244<sup>th</sup> Annual Session*

Item No. 2024-04-03

To the Honorable Richard S. Venable, Sullivan County Mayor and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of April 2024.

**RESOLUTION TO ACCEPT THE SULLIVAN COUNTY BOARD OF EDUCATION'S ACTION TO ENTER A PURCHASE AGREEMENT OF THE VACANT LOT LOCATED ON HENRY HARR ROAD.**

**WHEREAS**, TCA 49-6-2006 has to be read in the context of TCA 49-2-203(b)(10), which broadly grants the school system the power to "Lease or sell buildings and property or the portions of buildings or property it determines are not being used or are not needed at present by the public school system in the manner deemed by the board to be in the best interest of the school system and the community that the system serves" and further states "a local board of education may also dispose of surplus property as provided in §49-6-2006 and 49-6-2007, it being the legislative intent that a local board at its discretion may dispose of surplus property to private owners as well as civic or community groups."

**WHEREAS**, in accordance with Section 20(k) of Private Act 46, duly adopted by the State legislature in 2020, known as the "Sullivan County Financial Management System of 2020", provides: "The county legislative body shall make the final determination as to the disposition of all real property titled (sic), including property assigned to the board of education."

**WHEREAS**, The Sullivan County Board of Education has determined this property to be surplus;

**WHEREAS**, Lands2Home submitted the high bid of \$52,000.00 in an online auction ending March 21, 2024;

**WHEREAS**, The Sullivan County Board of Education at its regular session on April 4, 2024 has approved the sale of the vacant lot on Henry Harr Road to Lands to Home for a purchase price of \$52,000.00; and

CONTINUED



**NOW THEREFORE BE IT RESOLVED** by The Board of County Commissioners of Sullivan County, Tennessee assembled in regular session hereby approves the sale of the vacant lot on Henry Harr Road to Lands2Home for a purchase price of \$52,000.00.

*Waiver of the Rules Requested*

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists. Duly passed and approved this 18th day of April 2024.

Attest: \_\_\_\_\_  
Teresa Jacobs, County Clerk

Approve: \_\_\_\_\_  
Richard S. Venable, County Mayor

Sponsored By: Zane Vanover  
Co-Sponsor(s): Joyce Crosswhite, Mark Ireson

ACTIONS: Introduced during Work Session on April 11, 2024 with request for waiver of the rules when it comes for consideration at Regular Session on April 18.



*Sullivan County*  
*Board of County Commissioners*  
*244th Annual Session*

Item  
 No. 2024-04-04

To the Honorable Richard S. Venable, Sullivan County Mayor and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of April 2024.

**RESOLUTION TO APPROVE AN EXPENDITURE/APPROPRIATION FROM THE SULLIVAN COUNTY BOARD OF EDUCATION GENERAL PURPOSE SCHOOL FUND UNDESIGNATED FUND BALANCE TO SUPPLEMENT THE INNOVATIVE SCHOOLS MODEL GRANT PROJECT OF BUILDING A FOUR CLASSROOM ADDITION TO SULLIVAN EAST MIDDLE SCHOOL.**

**WHEREAS** on April 4, 2024, the Board of Education during its regularly scheduled meeting approved the expenditure from the Sullivan County Board of Education Undesignated Fund Balance to supplement the grant funds to complete the project of building a four-classroom addition to Sullivan East Middle School; and,

**WHEREAS** the Board of Education also approved a total expenditure to supplement the project of up to \$850,000.00;

**NOW THEREFORE BE IT FURTHER RESOLVED THAT** the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes said transfer of funds and for the Purchasing Agent to secure an architect and bids to complete this project. ~~850,000~~

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

*Waiver of Rules Requested*

Approved this 18th day of April 2024.

Attest: \_\_\_\_\_  
 Teresa Jacobs, County Clerk  
 County Mayor

Approve: \_\_\_\_\_  
 Richard S. Venable,

**Sponsored By: Joyce Crosswhite**  
**Co-Sponsor(s): Zane Vanover, Mark Ireson**

2024-04-04 ACTIONS: Introduced at Work Session on April 11, 2024 with request for waiver of rules when brought up for consideration at Regular Meeting on April 18.





Sullivan County

Board of County Commissioners  
244th Annual Session

Item  
No. 2024-04-05

To the Honorable Richard S. Venable, Sullivan County Mayor and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of April 2024.

**RESOLUTION to APPROVE AN EXPENDITURE/APPROPRIATION FROM THE SULLIVAN COUNTY BOARD OF EDUCATION GENERAL PURPOSE SCHOOL FUND UNDESIGNATED FUND BALANCE TO PURCHASE AND REPLACE THE FOOTBALL STADIUM LIGHTING AT SULLIVAN EAST HIGH SCHOOL.**

**WHEREAS** on April 4, 2024, the Board of Education during its regularly scheduled meeting approved the expenditure from the Sullivan County Board of Education Undesignated Fund Balance to purchase and replace the lighting of the football stadium at Sullivan East High School; and,

**WHEREAS** the Board of Education also approved a total expenditure of the project of up to \$250,000.00;

**NOW THEREFORE BE IT FURTHER RESOLVED THAT** the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes the transfer of said funds and for the Purchasing Agent to secure an architect and bids to complete this project.

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

*Waiver of Rules Requested*

Approved this 18th day of April 2024.

Attest: \_\_\_\_\_  
Teresa Jacobs, County Clerk

Approve: \_\_\_\_\_  
Richard S. Venable, County Mayor

**Sponsored By: Joyce Crosswhite**  
**Co-Sponsor(s): Mark Ireson, Zane Vanover**

2024-04-05 ACTIONS: Introduced at Work Session on April 11, 2024 with request for waiver of rules when brought up for consideration at Regular Meeting on April 18.



*Sullivan County*  
*Board of County Commissioners*  
*244<sup>th</sup> Annual Session*

Item  
No. 2024-04-06

To the Honorable Richard S. Venable, Sullivan County Mayor and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of April 2024.

**RESOLUTION TO APPROVE AN EXPENDITURE/APPROPRIATION FROM THE SULLIVAN COUNTY BOARD OF EDUCATION GENERAL PURPOSE SCHOOL FUND UNDESIGNATED FUND BALANCE TO PURCHASE AND REPLACE THE BOILER FOR MILLER PERRY ELEMENTARY SCHOOL.**

**WHEREAS** on April 4, 2024, the Board of Education during its regularly scheduled meeting approved the expenditure from the Sullivan County Board of Education Undesignated Fund Balance to purchase and replace the boiler for Miller Perry Elementary School; and,

**WHEREAS** the Board of Education also approved a total expenditure of the project of up to \$300,000.00;

**NOW THEREFORE BE IT FURTHER RESOLVED THAT the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes the transfer of said funds and for the Purchasing Agent to secure an architect and bids to complete this project.**

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

*Waiver of Rules Requested*

Approved this 18th day of April 2024.

Attest: \_\_\_\_\_  
Teresa Jacobs, County Clerk  
County Mayor

Approve: \_\_\_\_\_  
Richard S. Venable,

**Sponsored By: Mark Ireson**  
**Co-Sponsor(s): Joyce Crosswhite, Zane Vanover**

2024-04-06 ACTIONS: Introduced at Work Session on April 11, 2024, with request for waiver of rules when brought up for consideration at Regular Meeting on April 18.



*Sullivan County**Board of County Commissioners  
244<sup>th</sup> Annual Session*Item  
No. 2024-04-07

To the Honorable Richard S. Venable, Sullivan County Mayor and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of April 2024.

**RESOLUTION TO AMEND THE SULLIVAN COUNTY SOLID WASTE BUDGET BY TRANSFERRING \$50,000 FROM SOLID WASTE FUND BALANCE TO CONTRACTED SERVICES.**

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby amend the Solid Waste Fund appropriations as follows:

## FROM:

39000 Solid Waste Fund Balance \$50,000

## TO

55733-300 Operations and Maintenance-Supplies and Materials \$50,000

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Attested: \_\_\_\_\_  
Teresa Jacobs, County Clerk

Approved: \_\_\_\_\_  
Richard S. Venable, County Mayor

Sponsored By: Commissioner Dwight King

Co-Sponsor: Commissioner Joyce Crosswhite, Hershel Glover

2024-04-07 ACTIONS: Introduced at Work Session on April 11, 2024, with request for waiver of rules when brought up for consideration at Regular Meeting on April 18, 2024



Sullivan County

Board of County Commissioners  
244<sup>th</sup> Annual Session

Item  
No. 2024-04-08

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18<sup>th</sup> day of April 2024.

**RESOLUTION TO AMEND THE CURRENT FY 2023-2024 JAIL BUDGET TO TRANSFER \$300,000 INTO THE JAIL BUDGET FROM EXCESS PAYROLL FUNDS.**

**WHEREAS**, the sheriff's department budget has excess payroll funds due to staffing shortage in the patrol division/ admin divisions, 54110.100, in the amount of \$300,000 available this fiscal year to transfer to the Jail budget to offset uncontrollable costs that have been incurred directly related to the excessive number of inmates incarcerated in this facility, as well as the increase in cost of goods/services, in the current fiscal year.

**WHEREAS**, uncontrollable costs have been incurred directly related to the excessive number of inmates incarcerated in this facility, as well as the increase in cost of goods/services, in the current fiscal year in the 54210.300 account in the amount of \$15,000 for Maintenance & Repairs to the Jail Building (i.e., Floors, Drains, Walls, Fire Alarms, Sprinklers), Facility (i.e., Ceilings, Doors, Lights, Windows), and Equipment (i.e., Generators, Kitchen Eqpt, Elevator), as well as Indigent Care Medical Costs & Svcs and Pharmaceutical Drugs (Independent Health Svcs); and

**WHEREAS**, uncontrollable costs have been incurred directly related to the excessive number of inmates incarcerated in this facility in the current fiscal year in the 54210.400 account in the amount of \$285,000 for Food, Milk, Produce, Bakery, and Utilities (Electricity, Natural Gas, Water) and other Operational costs such as Fuel costs for transporting inmates, and Inmate clothing items; and

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby amend the FY 2023-2024 Sheriffs budget to transfer \$15,000 of excess payroll funds from account 54110.100 to the Jail budget 54210. 300 Account and transfer \$285,000 of excess payroll funds from account 54110.100 to the jail budget 54210.400.

*WAIVER OF RULES REQUESTED*

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this \_\_\_\_\_ day of April 2024.

Attested: \_\_\_\_\_ Approved: \_\_\_\_\_  
Teresa Jacobs, County Clerk Richard S. Venable, County Mayor

Sponsored by: Gary Stidham  
Cosponsor: Joe Carr

**2024-04-08 ACTIONS: Introduced at Work Session on April 11, 2024 with request for waiver of rules when resolution is considered on April 18.**



*Sullivan County*  
*Board of County Commissioners*  
*244<sup>th</sup> Annual Session*

Item 9  
No. 2024-04-09

To the Honorable Richard S. Venable, Sullivan County Mayor and the Board of Sullivan County Commissioners meeting in Regular Session this 18<sup>th</sup> day of April 2024.

**RESOLUTION OF THE SULLIVAN COUNTY COMMISSION FOR ADOPTION OF A REDEVELOPMENT PLAN AND TAX INCREMENT FINANCING AMENDMENT FOR THE FRIENDSHIP DEALERSHIP PROJECT LOCATED WITHIN THE LYNN GARDEN REDEVELOPMENT DISTRICT**

WHEREAS, Kingsport Housing & Redevelopment Authority (“KHRA”) pursuant to the provisions of Title 13, Chapter 20, Tennessee Code Annotated, as supplemented and amended, has the power and authority to administer redevelopment programs located within its statutory boundaries; and

WHEREAS, KHRA has prepared a Redevelopment Plan for the Lynn Garden Redevelopment District in conformance with Title 13, Chapter 20, Part 2, Tennessee Code Annotated, as supplemented and amended which has been adopted by the City of Kingsport, Tennessee; and

WHEREAS, as previously authorized by the Sullivan County Commission, KHRA conducted a public hearing on April 8, 2024, to determine the necessity for the adoption of a Redevelopment Plan for the Lynn Garden Redevelopment District on behalf of Sullivan County which includes the use of tax increment financing; and

WHEREAS, the comments and findings of said public hearing, along with the Friendship Dealership Project proposal for the Lynn Garden Redevelopment District have been presented to the Sullivan County Commission; and

WHEREAS, KHRA and the Board of Mayor and Aldermen of the City of Kingsport, Tennessee have recommended the adoption of the Redevelopment Plan and the proposed tax increment financing amendment and have also recommended approval of the use of tax increment financing for a redevelopment project which includes an automobile dealership and related amenities known as the Friendship Dealership Project to be located within the Lynn Garden Redevelopment District.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes:



1. That the Redevelopment Plan for the Lynn Garden Redevelopment District, along with the proposed Amendment, as presented and recommended by KHRA, a copy of the Plan and Amendment being attached hereto as Exhibit A and Exhibit B, respectively, are hereby approved, and the factual findings contained therein are affirmed and adopted by the Sullivan County Commission.

2. That use of tax increment financing as described in the Lynn Garden Redevelopment Plan as amended for use in support of the project known as Friendship Dealership Project is hereby approved.

3. That the Sullivan County Mayor and Sullivan County Assessor are hereby authorized and empowered to negotiate and execute all such documents as may be reasonably required to implement this Plan.

4. That KHRA is hereby authorized and empowered to implement the Redevelopment Plan as amended, including the use of tax increment financing, on behalf of Sullivan County through the execution of a Redevelopment Agreement and other agreements deemed appropriate by KHRA.

5. This resolution is restricted solely to the Lynn Garden Redevelopment District and Friendship Dealership Project is not an approval or denial of any other Redevelopment Plan, Project or District.

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

Attest: \_\_\_\_\_

Approve:

\_\_\_\_\_  
Teresa Jacobs, County Clerk

Richard S. Venable, County Mayor

**Sponsored by: Commissioner John Gardner**

**Cosponsors: Commissioners Archie Pierce; Gary Stidham, Jessica Means, everyone voting in the affirmative**

2024-04-09 ACTION: Introduced at Work Session on April 11, 2024. To be considered on 04/18/24



**LYNN GARDEN REDEVELOPMENT DISTRICT**  
**FRIENDSHIP DEALERSHIP PROJECT**  
**TAX INCREMENT FINANCING AMENDMENT**

Tax-increment financing ("TIF") is a redevelopment tool to be administered by housing and redevelopment authorities codified at Tenn. Code Ann. §§13-20-204 and 205, et. seq. The purpose of TIF is to provide an economic stimulus for blighted property in need of redevelopment. Upon adoption of this Amendment, TIF may be utilized to finance eligible redevelopment costs for redevelopment project which includes an automobile dealership and related amenities known as Friendship Project ("Friendship Dealership Project") to be located within the existing Lynn Garden Redevelopment District subject to the provisions of this Amendment. The TIF shall be administered as follows:

A. District History.

The Lynn Garden Redevelopment District was designated as a Redevelopment District by Kingsport Housing & Redevelopment Authority ("KHRA") in 2021. The Redevelopment District contains approximately 118 acres including the necessary right-of-way for the streets included in the District. The Lynn Garden Redevelopment District includes approximately 102 tax parcels. Redevelopment of area is critical to complete the transformation of the entire Redevelopment District. The Lynn Garden Redevelopment District is shown on the map attached as Exhibit One ("Redevelopment District"). The Friendship Dealership Project Area of the Lynn Garden Redevelopment District is shown on the map attached as Exhibit Two ("Project Area").

The commercial areas of the Redevelopment District are primarily located along or near Lynn Garden Drive and is generally characterized by single ownership and single structures occupying one or more parcels. The remainder of the District is primarily residential in nature and includes single family and multifamily housing. The Redevelopment District includes both standard and sub-standard properties for consideration. However, many of the structures are economically obsolete and physically deteriorated. The City Building Department has identified several structures that have deteriorated to the extent that major repairs may be impractical. The District also contains a high rate of vacant buildings; the overall state of repair of these buildings creates a condition that could be dangerous to the persons and property within the District and projects a negative image of the City.

The Project Area itself contains dilapidated and substandard structures which have received numerous citations from the Tennessee Department of Health and City of Kingsport Code Enforcement. The foundations of previously demolished buildings must be removed and disposed of. The asphalt area remaining on the property is dilapidated and constitutes a deleterious land use which negatively impacts the safety and welfare of the neighboring areas. Delay of the redevelopment of this site will continue to have a blighting influence on the adjacent commercial and residential areas. The existing blight within the Project Area would be eliminated by



implementation of the proposed Redevelopment Project. The presence of a new automobile dealership in the Project Area will increase economic activity in and around the Redevelopment District.

Based on the foregoing circumstances and conditions, the Board of Commissioners of KHRA has determined that the District is blighted as defined by TCA 13-20-201 et seq. The District experiences the following conditions:

1. Dilapidated and underutilized property.
2. Deleterious land use.
3. Blighting effect of the continued dilapidation and deterioration of the property and impact to the surrounding properties including increased crime in the Redevelopment District

It is recommended that the project be redeveloped, rehabilitated and/or renovated in order to correct such blighted and deteriorated conditions.

B. District Zoning and Land Use.

The redevelopment of the District shall comply with the Zoning Ordinances and building codes as well as other applicable rules, laws, ordinances, codes and regulations of the City. KHRA shall also review the Plan and any redevelopment projects within the District with appropriate City agencies and officials to ensure that the Plan and the proposed redevelopment activities conform with local objectives relating to appropriate land uses, improved traffic flow, public transportation, public utilities, recreation and community facilities and other public improvements and needs. For a more complete description of the requirements and restrictions of the Zoning Ordinances of the City, reference should be made to the Ordinances themselves. This property is currently zoned B-3 and R-1B and R1C by the City of Kingsport. A request to rezone the entire Property to B-3 is currently pending.

The City and KHRA will cooperate in the planning and construction of improvements to the streets, roadways, sidewalks, curbs and gutters, lighting, landscaping and traffic signalization and control.

C. Estimated Cost of the Project.

The total estimated costs of all the proposed improvements to be made by Friendship Properties, LLC (the "Developer") for the Friendship Dealership Project is \$13,150,000.00. The proposed improvements by the Developer include demolition of the existing structures, removal of the existing asphalt, grading, installations of storm water and utilities, construction of parking areas, construction of an approximately 24,800 square foot automobile dealership, installation of landscaping, lighting and other related amenities (the "Redevelopment Project").



In addition, KHRA will be paid an annual administration fee equal to five percent of the total annual tax increment revenue received by KHRA. The Project will be located upon the following six current tax parcels: Sullivan County Control Map 045D, Group K, Parcels 003.10, 004.00, 004.01, 007.00, 008.00 and 009.00 which are the only six tax parcels within the Project Area. The TIF shall be limited to eligible expenditures for the Redevelopment Project within the Project Area.

D. Sources of Revenue to Finance the Cost of the Project.

The primary sources of revenue to pay for the Redevelopment Project are proceeds in the approximate amounts of \$ 10,790,000 from a permanent loan to the Developer, Developer investment of \$ \$1,800,000.00 and tax increment based debt (to be issued by the KHRA in the form of bonds, notes, or other indebtedness) in an amount not to exceed \$ 560,000.00, but in no event in an amount to exceed the estimated amount of debt that can be amortized over a twenty five (25) year increment period which is hereby authorized by City of Kingsport (the "City") and Sullivan County, Tennessee (the "County"). Current projections suggest that the tax increment from the proposed improvements within the Project Area will be sufficient to retire this amount of indebtedness within a twenty five (25) year amortization period for both the City and the County.

The total current property tax assessment for the Project Area is \$559,665.00. This results in annual property tax payments to the City in the amount of \$11,137.33 and annual property tax payments to the County in the amount of \$ 13,466.66. The Redevelopment Project would result in a total estimated assessed value for property within the Project Area of \$1,909,040 (based on a \$4,772,600 tax appraised value). Based on current tax rates, this would result in total estimated annual city taxes of \$ \$37,989.90 and total estimated annual county taxes of \$45,935.32. Because Sullivan County has as of tax year 2023 dedicated \$0.3369 of its \$ 2.4062 tax rate for repayment of indebtedness and the City of Kingsport as of tax year 2023 has dedicated \$0.3369 of its \$1.99 tax rate for repayment of indebtedness, that portion of the increment, pursuant to Tenn. Code Ann. §§13-20-205 and 9-23-103, shall not be allocated as provided in Paragraph G below but shall be collected and paid to the respective taxing agency as all other property taxes are collected and paid. Thus, the estimated total available increment from Sullivan County taxes after the statutory debt service set aside but prior to any county holdback is \$ 27,922.62. The estimated total available increment from City of Kingsport taxes after statutory debt service set aside but prior to any holdback is \$23,089.16. However, this amendment provides in Paragraph G that five percent (5%) of the tax increment shall be retained by the City and County resulting in an estimated total annual available tax increment after holdbacks and KHRA administrative fees of \$ 46,038.12. The combined new tax revenue above the current base as a result of this Project would be \$5,942.18 to the County and \$4,917.86 for the City. A detailed calculation of these estimated projections is attached hereto as Exhibit Three. The redevelopment of the Project Area will not occur to the degree proposed without the use of tax-increment financing.



E. Amount and the Final Maturity of Bonded or other Indebtedness to be Incurred.

The amortization period for any indebtedness backed by the tax-increment revenue generated within the Project Area shall be no more than twenty five years. In any event, the final maturity date of all indebtedness issued pursuant to this Amendment shall be on or before May 15, 2051. Upon retirement of all bonds, loans, or other indebtedness incurred and payable from tax-increment funds, or at such time as monies on deposit in the tax-increment fund or funds are sufficient for such purpose, all property taxes resulting from the incremental development of the project shall be retained by the appropriate taxing agency for disbursement according to law.

F. Impact of the Tax-Increment Financing Provisions Upon Taxing Agencies.

The total assessment of the City of Kingsport's real property tax base for the 2019 tax year is approximately \$ 1,878,156,279. The total assessment of Sullivan County's property tax base for the 2023 tax year is approximately \$4,331,190,786. The current assessment of the Project Area represents 0.03% of the City of Kingsport's property tax base and 0.013 % of the Sullivan County property tax base. The estimated assessment of the Proposed Improvements would represent 0.1% of the current City of Kingsport tax base and 0.044% of the current Sullivan County tax base. Based on these small percentages, the City and the County (the two taxing agencies affected by this Redevelopment Project) will not be substantially impacted financially by this tax-increment financing provision.

The construction, development and long-term operation of the Redevelopment Project will result in additional economic activity within the Redevelopment District. It is estimated approximately 25 permanent jobs will result upon the opening of the Project which may increase to as many as 50 jobs within five years of opening all of which results in significant local taxes and other revenue for local governments. While all these numbers rely on certain assumptions and projections, the end result of the Redevelopment Project is that the City and County will receive a substantial economic boost.

G. Division of Property Taxes.

Upon approval of this Amendment, the taxes levied and collected over the Project Area shall be collected by the appropriate taxing authorities in the same manner as provided by law, except that said taxes shall be divided as follows:

1. The portion of the taxes which would be produced by the rate at which the tax is levied each year by each taxing agency, upon the assessed value of such property within the Project Area as of the 2024 tax year (which is the year of approval of this TIF amendment) ("Base Assessment"), shall be allocated to, and



when collected, shall be paid to, the respective taxing agencies as taxes levied by such taxing agencies on all other property are paid; provided, that in any year in which taxes of the Project Area are less than the Base Assessment and the Dedicated Taxes, there shall be allocated and paid to those respective taxing agencies only those taxes actually imposed and collected; and provided further, that, in any year or years in which the Base Assessment would be diminished solely due to a rate reduction under Title 67, Chapter 5, Part 17, of the Tennessee Code, the Base Assessment shall nevertheless be established at the amount originally determined.

2. Subject to the restraints herein and applicable law, ninety five percent (95%) of all the taxes levied in each year in excess of the Base Assessment and Dedicated Taxes shall be allocated to and, when collected, shall be paid into a special fund or funds of KHRA to pay the administration fee and to pay the principal of and interest on any bonds, loans or other indebtedness incurred or to be incurred by KHRA to finance or refinance, in whole or in part, eligible redevelopment expenses of the Redevelopment Project contemplated by the Redevelopment Plan, and such other expenses as may be allowed by law. The remaining five percent (5%) of all the taxes levied in each year in excess of the Base Assessment and Dedicated Taxes shall be allocated to and, when collected, shall be paid to the respective taxing agencies in the same manner as taxes on all other property are paid.

3. Upon retirement of all bonds, loans or other indebtedness incurred by KHRA and payable from such special fund or funds, or at such time as monies on deposit in such special fund or funds are sufficient for such purpose, all taxes levied each year in excess of the Base Assessment and Dedicated Taxes shall, when collected, be paid to the respective taxing agency as taxes levied by such taxing agencies on all other property are paid, and KHRA shall give notice to all affected taxing agencies of such retirement. Excess taxes beyond amounts necessary to fund or reserve for eligible expenditures may be applied to principal and interest of debt incurred to finance such eligible expenditures or shall revert to the taxing agency general fund. In any event, the division of property taxes required by this document shall not continue for any tax year beyond 2050.

#### H. Property Tax Assessments and Collection.

1. The appropriate assessor shall, in each year during the period in which taxes are to be allocated to KHRA pursuant to Paragraph G, compute and certify the net amount, if any, by which the current assessed value of all taxable property located within the Project Area which is subject to taxation by the particular taxing agency exceeds the base assessment. The net amount of any such increase is referred to in this subdivision as the incremental value for that particular year.

2. In any year in which there exists a tax increment to be allocated to KHRA, the appropriate assessor shall exclude it from the assessed value upon which the appropriate assessor computes the tax rates for taxes levied that year by



the taxing agency. However, the assessor shall extend the aggregate tax rate of such taxes against the Base Assessment and the incremental value and shall apply the taxes collected there from as provided herein.

3. If in any year property comprising a portion of the Project Area shall be removed from the tax rolls of a taxing agency, the Base Assessment for the Project Area shall be reduced by the amount of the Base Assessment allocable to the property so removed for each subsequent year in which taxes are to be allocated to a particular authority pursuant to the above provisions.

I. Documentation for Assessor's Office.

Upon approval of this Amendment, KHRA shall transmit to the assessor of property and the chief financial officer for each taxing agency affected, a copy of the description of all land within the Project Area (including tax parcel numbers), the date or dates of the approval of the redevelopment plan or amendment thereto, a copy of the resolution approving the redevelopment plan or approving an Amendment thereto, a map or plat indicating the boundaries of such property and the Base Assessment with respect to the Project Area, and taxes shall thereafter, when collected, be allocated and paid in the manner provided herein.

J. Excluded Taxes.

Notwithstanding anything to the contrary in this section, taxes levied upon property subject to tax-increment financing provisions by any taxing agency for the payment of principal of and interest on all bonds, loans or other indebtedness of such taxing agency, and taxes levied by or for the benefit of the State of Tennessee (herein "Dedicated Taxes"), shall not be subject to allocation as provided in Paragraph G but shall be levied against the property and, when collected, paid to such taxing agency as taxes levied by such taxing agency on all other property are paid and collected.

K. Interpretation.

This tax-increment financing amendment is being proposed pursuant to *Tenn. Code Ann. § 13-20-201, et. seq.* and *Tenn. Code Ann. § 9-23-101, et. seq.* and all relevant provisions are hereby incorporated herein by reference. All provisions of this Amendment shall be construed in a manner consistent with said Code sections.

L. Conditions of Tax Increment.

KHRA shall enter into a redevelopment agreement with Developer which requires Developer to pursue and complete the Redevelopment Project in a diligent manner, and in accordance with plans and specifications approved by KHRA



including provisions that obligate the Developer to construct or cause the construction of the Project as set forth in this plan. The redevelopment agreement to be entered into between KHRA and Developer shall contain such terms as KHRA believes reasonably necessary to accomplish this purpose.



EXHIBIT ONE  
MAP OF LYNN GARDEN REDEVELOPMENT DISTRICT

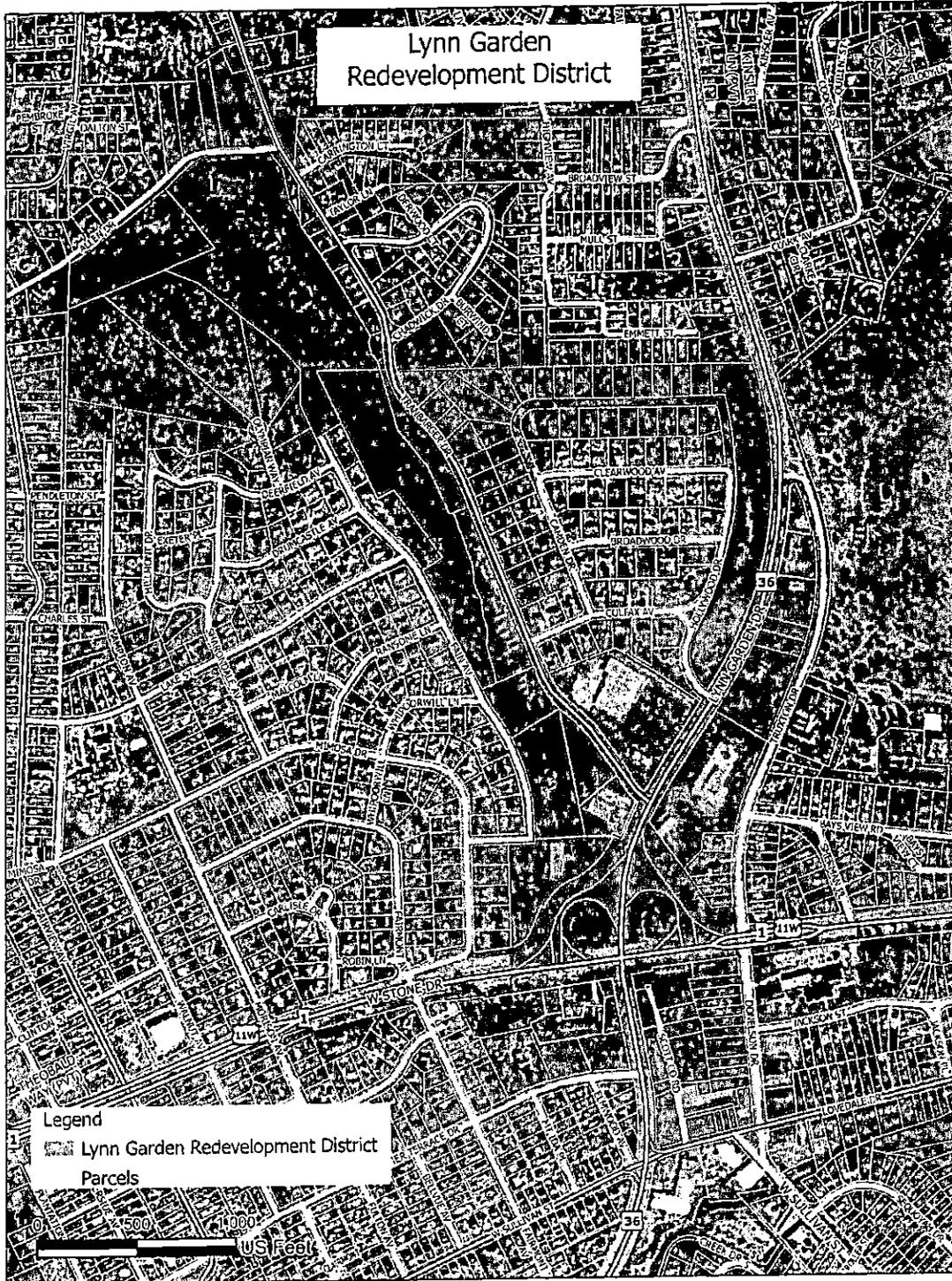


EXHIBIT TWO

MAP OF LYNN GARDEN REDVELOPMENT DISTRICT  
FRIENDSHIP DEALERSHIP PROJECT AREA

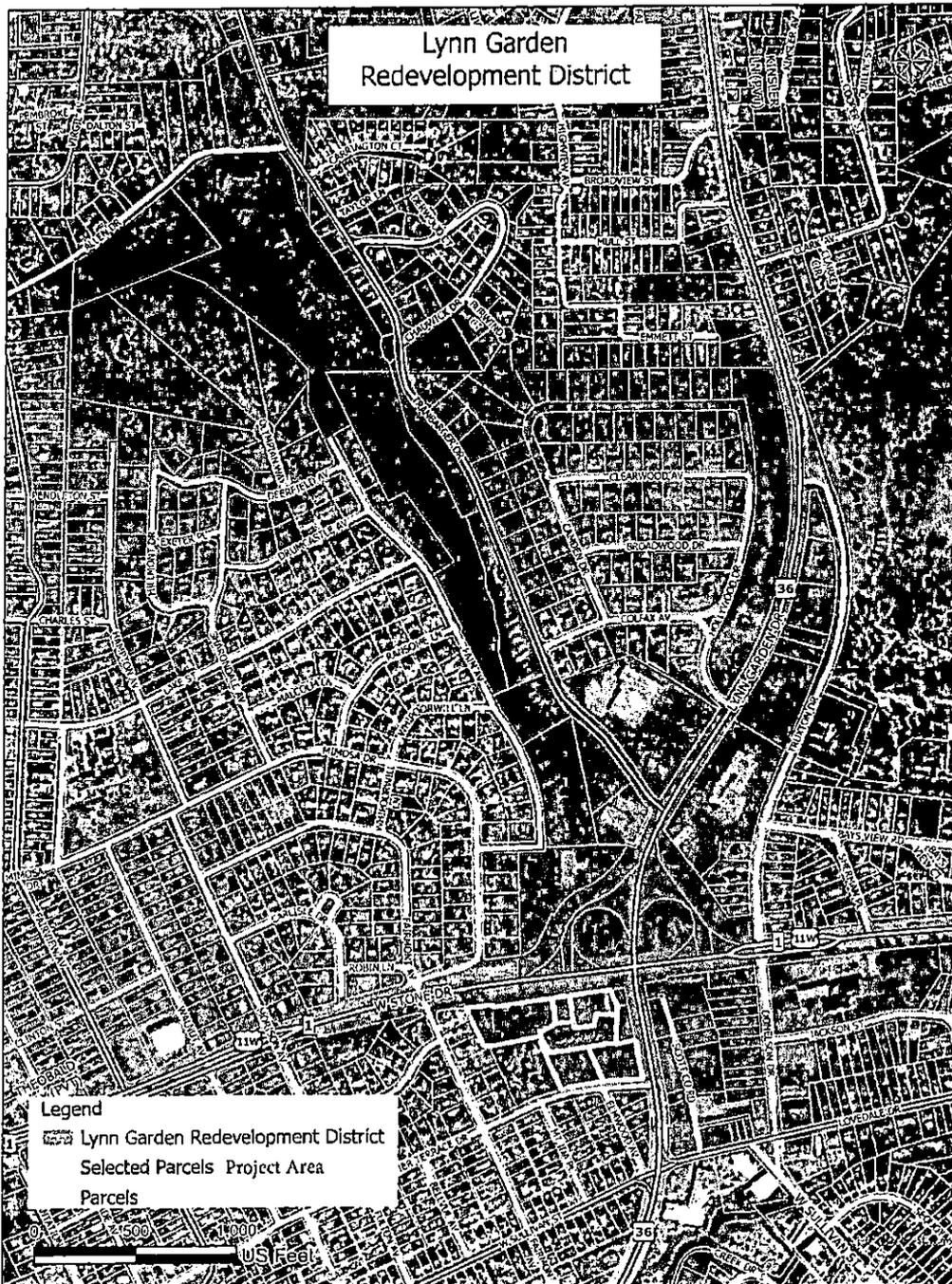


EXHIBIT THREE



TIF ESTIMATE  
FRIENDSHIP DEALERSHIP PROJECT AREA  
LYNN GARDEN

Total Original Assessed Base Value		\$559,665.00
County Tax Rate		2.4062
City Tax Rate		1.99
Total New Assessed Value		\$1,909,040.00
County Debt Service Rate		.3369
City Debt Service Rate		.2789
Total County Taxes		\$45,935.32
Base County Taxes		\$13,466.66
County Increment		\$32,468.66
County Debt Service Set Aside		\$4,546.04
Available County Increment after Debt Service		\$27,922.62
County Increment after Holdback of	5%	\$26,526.49
County Increment after Admin Fee		\$25,200.16
Total City Taxes		\$37,989.90
Base City Taxes		\$11,137.33
Proposed City Increment		\$26,852.56
City Debt Service Set Aside		\$3,763.41
Available City Increment after Debt Service		\$23,089.16
City Increment after Holdback of	5%	\$21,934.70
City Increment after Admin Fee		\$20,837.96
<b>Total City and County Increment available for Debt Service</b>		<b>\$46,038.12</b>





**Old Business:****Resolution 2021-58 Lynn Garden Redevelopment District**

Motion: Commissioner Jennings moved (seconded by Calvert) to approve the adoption of a Redevelopment Plan for the Lynn Garden Redevelopment District. Full resolution is attached as Exhibit One. Motion carried – unanimous.

**Resolution 2021-59 Downtown Kingsport Redevelopment District**

Motion: Commissioner Calvert moved (seconded by Rodolphe) to approve the adoption of an amendment to the Redevelopment Plan expanding the boundaries of the Downtown Kingsport Redevelopment District. Full resolution is attached as Exhibit Two. Motion carried – unanimous.

**Financial Reports:****Resolution 2021-60 August Financials- KHRA**

Motion: Commissioner Jennings moved (seconded by Calvert) to approve the August 2021 KHRA Financial Statements. Motion carried - unanimous.

**Resolution 2021-61 August Financials- Myrtle Street**

Motion: Commissioner Calvert moved (seconded by Jennings) to approve the August 2021 Myrtle Street Financial Statements. Motion carried - unanimous.

**Resolution 2021-62 August Financials – Riverview Place**

Motion: Commissioner Calvert moved (seconded by Rodolphe) to approve the August 2021 Riverview Place Financial Statements. Motion carried - unanimous.

**Resolution 2021-63 August 2021 Account Write-Offs**

Motion: Commissioner Jennings moved (seconded by Calvert) to approve the August 2021 vacated tenant account write-offs. Motion carried - unanimous.

**Resolution 2021-64 September Financials- KHRA**

Motion: Commissioner Jennings moved (seconded by Rodolphe) to approve the September 2021 KHRA Financial Statements. Motion carried - unanimous.

**Resolution 2021-65 September Financials- Myrtle Street**

Motion: Commissioner Rodolphe moved (seconded by Jennings) to approve the September 2021 Myrtle Street Financial Statements. Motion carried - unanimous.

**Resolution 2021-66 September Financials – Riverview Place**

Motion: Commissioner Jennings moved (seconded by Calvert) to approve the September 2021 Riverview Place Financial Statements. Motion carried - unanimous.

**Bills and Communications:****Leasing Updates:**

No comments or discussion.

**HQS Inspection Updates:**

No comments or discussion.

**Master Deadline Calendar:**

No comments or discussion.

**Staff Reports:**

No comments or discussion.

**New Business****Adjournment**

There being no further business to discuss at this time, Vice Chair, Seth Jervis declared the meeting adjourned at 1:01 pm.

Respectfully submitted,

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Seth Jervis, Vice Chair

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Terry W. Cunningham, Secretary

**RESOLUTION OF THE KINGSPORT HOUSING & REDEVELOPMENT AUTHORITY  
FOR ADOPTION OF A REDEVELOPMENT PLAN FOR THE  
LYNN GARDEN REDEVELOPMENT DISTRICT**

WHEREAS, Kingsport Housing & Redevelopment Authority ("KHRA") pursuant to the provisions of Title 13, Chapter 20, Tennessee Code Annotated, as supplemented and amended, has the power and authority to administer redevelopment programs located within its statutory boundaries; and

WHEREAS, KHRA has prepared a document entitled "Redevelopment Plan for Identified Districts & Study Areas" in conformance with Title 13, Chapter 20, Part 2, Tennessee Code Annotated, as supplemented and amended which has been previously adopted by the City of Kingsport, Tennessee and KHRA; and

WHEREAS, as previously authorized by the City of Kingsport, KHRA conducted a public hearing on November 3, 2021, to determine the necessity for the adoption of a Redevelopment Plan for the Lynn Garden Redevelopment District on behalf of the City of Kingsport, Tennessee; and

WHEREAS, the comments and findings of said public hearing for the Lynn Garden Redevelopment District have been presented to the KHRA and its commissioners; and

WHEREAS, KHRA based on the information set forth in the redevelopment plan presented at the public hearing and presented at the meeting of the KHRA Board of Commissioners has determined that the Lynn Garden Redevelopment District is a blighted area as defined by T.C.A. § 13-20-201 in need of redevelopment and KHRA hereby adopts and affirms the factual findings contained in the redevelopment plan;

WHEREAS, KHRA finds that the use of the redevelopment tools provided to redevelopment districts by T.C.A. § 13-20-201 et seq. will provide substantial assistance in the redevelopment of the Lynn Garden Redevelopment District;

NOW, THEREFORE, be it resolved as follows:

1. KHRA hereby adopts the factual findings contained in the Redevelopment Plan for the Lynn Garden Redevelopment District;
2. KHRA hereby adopts the Redevelopment Plan for the Lynn Garden Redevelopment District on behalf of the City of Kingsport, a copy of the Plan being attached hereto as Exhibit A and recommends the Plan be approved by the City of Kingsport;
3. That the KHRA staff is directed to forward to the City of Kingsport a summary of the comments on the Redevelopment Plan received at the public hearing and via other public solicitation methods; and



4. That the Executive Director is authorized to execute all documents as may be necessary to implement this Resolution.

## INTRODUCTION AND PLAN PURPOSE

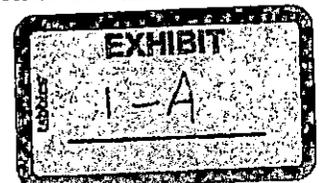
The City of Kingsport Tennessee has focused on economic development, and redevelopment in particular, to improve the overall economy and quality of life for City residents. In order to promote redevelopment, the KHRA and the City has previously designated Redevelopment Districts in blighted areas where redevelopment was determined to be most appropriate to provide incentives to encourage redevelopment activities. Within these designated Redevelopment Districts, in order to aid a specific redevelopment project, a project plan would be considered and if appropriate, recommended by Kingsport Housing & Redevelopment Authority ("KHRA") to the City of Kingsport and Sullivan County for tax increment financing assistance following the procedures set forth in Tennessee Code Annotated 13-20-201 et seq. There are currently six (6) areas identified as Redevelopment Districts in the City of Kingsport. Significant redevelopment has occurred in most of these districts.

This Plan Amendment is being proposed to continue this proactive policy by concentrating on the area known as the Lynn Garden Redevelopment District. This area contains approximately 118 acres, including the necessary right-of-way for the streets included in the district. The acreage is divided into 102 tax parcels of property appraised for property tax purposes at approximately \$24,781,000. The area of the proposed Lynn Garden Redevelopment District is shown on the map attached hereto as Exhibit ~~A-1~~ 1-A-1

## REDEVELOPMENT PLAN DESCRIPTION

The commercial areas of the District are primarily located along or near Lynn Garden Drive and is generally characterized by single ownership and single structures occupying one or more parcels. The remainder of the District is primarily residential in nature and includes single family and multifamily housing. The Redevelopment District includes both standard and sub-standard properties for consideration. However, many of the structures are economically obsolete and physically deteriorated. The City Building Department has identified several structures that have deteriorated to the extent that major repairs may be impractical. The District also contains a high rate of vacant buildings; the overall state of repair of these buildings creates a condition that could be dangerous to the persons and property within the District and projects a negative image of the City.

Approximately 39 of the 102 parcels included within the District have been subject to Code Enforcement Violations and Citations by the City of Kingsport Code Enforcement. The majority of those violations deal the residential portion of the district and include violations such as trash and junk on the property. Approximately 60% of the district is non-owner occupied housing. Dilapidated housing coupled with code enforcement violations have led to a decrease in property value. Property appraisal value has declined by approximately 20% between the last appraisal of 2017 and the current appraisal year 2021. That 20% results in a \$5,000,000 loss in value. While land value in the District has remained relatively stable, the improvement value is where the decline has been realized. This decline is a further evidence of the economic downturn and blighting factors in the District.



Over the past two decades, the District has seen the closing of numerous businesses, a low rate of development activity, and a continued decline in overall condition. As a result, a more aggressive approach to redevelopment is necessary for the purposes of removing, preventing and reducing blight, blighting factors and the causes of blight in the District.

The redevelopment project contemplated by this Plan is the redevelopment and economic revitalization of the District as a whole through the use of statutory redevelopment tools which will provide the stimulus needed to attract both public and private capital investment in the District ("Redevelopment Project"). The Redevelopment Project contemplated herein will consist of numerous developments within the District which, collectively with other private development stimulated by this Plan, is designed to achieve the goals of this Plan.

### **DISTRICT STUDY HISTORY AND PROJECT AREA BOUNDARY DESCRIPTION**

As stated above, the Redevelopment Plan includes the Lynn Garden Redevelopment Study Area as defined in the attached maps. This area serves as one of the primary gateways into the City of Kingsport and over time has fallen into a state of disrepair in several areas. There are also multiple parcels of property that remain vacant and could be redeveloped and repurposed to enhance economic prosperity for the City.

The Redevelopment Plan would allow consolidation of multiple parcels of land if required. The Plan would provide and promote the creation of larger high quality residential and commercial developments. The existing underutilized land, and marginal controlled vehicular access and topographic conditions along Lynn Garden Drive could be eliminated by implementation of a Redevelopment Plan. Redevelopment of this area would also provide the opportunity to introduce aesthetic improvements that would serve as a catalyst for adjoining property along this gateway into the community.

Based on the foregoing circumstances and conditions, the Board of Commissioners of KHRA and the Board of Mayor and Aldermen of the City of Kingsport shall determine that the Area is blighted as defined by TCA 13-20-201 (a). It is recommended that when appropriate the District be redeveloped, rehabilitated and/or renovated in order to correct such blighted, deteriorated and dilapidated conditions.

### **PLAN OBJECTIVES**

The primary objectives of this redevelopment plan include:

- Encourage the development and redevelopment of the District properties and reflect the significant commercial and service uses of the District with commercial, office, professional service, and residential uses.
- To provide an enhanced environment for economic growth and development
- To eliminate blight and blighting or deleterious influences in the area

- To reduce code enforcement violations in the area
- To foster a sense of community pride in the area

### ZONING AND LAND USE

The Lynn Garden District represents an area that is currently primarily utilized for neighborhood commercial stores, restaurants, lodging, and a mix of single family and multi-family residential uses. The residential property that exists within the boundary is dominated by non-owner dwellers. Multiple sites in the District have remained vacant over a long period of time. Many parcels within the study are currently underutilized and could be considered obsolete. Many of the parcels have aged and have declined in usage, a redevelopment plan would allow parcels within the study area to be developed into feasible, fully-utilized parcels. Many of the properties along Lynn Garden Drive have limited parking and access due to the proximity to Lynn Garden Drive. The obsolescence of the layout and improvements is evidenced by the properties' low utilization rates. Multiple parcels also contain dilapidated improvements. The ultimate redevelopment of this site should maintain the current mixed-use commercial, office and residential use of the property. Substantial investments in public and private projects should be preserved by the continued zoning for general commercial development.

The redevelopment of the Area shall comply with the Zoning Ordinances, other rules, laws, ordinances, codes and regulations of the City, including building codes and other ordinances shall apply. Further, the Authority shall review the Plan and any redevelopment plans within the Study Area with appropriate City agencies and officials to ensure that the Plan and the proposed redevelopment activities conform with local objectives relating to appropriate land uses, improved traffic flow, public transportation, public utilities, recreation and community facilities and other public improvements and needs. For a more complete description of the requirements and restrictions of the Zoning Ordinances of the City, reference should be made to the Ordinances themselves.

The City and the Authority will cooperate in the planning and construction of improvements to the streets, roadways, sidewalks, curbs and gutters, parking systems, lighting, landscaping and traffic signalization and control.

The Lynn Garden Redevelopment Study Area is shown on the maps included in this document. Other pertinent data includes the ownership of properties, the acreage, location and appraised value are available upon request at the KHRA office.

KHRA recommends that the project properties be redeveloped, rehabilitated and/or renovated in order to correct such blighted, deteriorated and dilapidated conditions, and where appropriate, incorporated into a redevelopment project. The redevelopment of this study area should result in expanded commercial, office, retail, cultural, and residential uses. The renovation of this area

will enhance the continual improvement and encourage continued investment throughout the study area.

## FINDINGS AND RECOMMENDATIONS

Specifically, the Board of Commissioners of the KHRA finds that the Lynn Garden Redevelopment District should be identified as a redevelopment district based on the following factors and conditions:

1. Obsolete buildings, layouts and other improvements.
2. Long term vacancy and underutilization of sites and buildings.
3. Deleterious land use and excess land coverage.
4. Dilapidated improvements.
5. Other factors detrimental to the welfare of the community.

Based on these factors and conditions and the condition of the District as a whole, the Board of Commissioners of the Kingsport Housing & Redevelopment Authority ("KHRA"), finds that the District is blighted as defined by Tenn. Code Ann. § 13-20-201 and should be redeveloped, rehabilitated, and renovated in order to correct such blighted, deteriorated, and dilapidated conditions. The KHRA recommends that the Board of Mayor & Alderman of the City of Kingsport ("BMA") and the Sullivan County Commission ("County Commission") adopt this finding and pledge their support of redevelopment activities within the District and offer their assistance in a public/private partnership as provided by the Plan.

## REDEVELOPMENT PROCESS

The overall purpose of this redevelopment plan is to identify the project area and properties with a potential for renovation or redevelopment while expanding the usable properties within the designated Redevelopment District that may qualify for redevelopment incentives. This identification of additional properties will offer the opportunity of private planning and investment with the potential of assistance for qualifying and approved redevelopment projects.

If a property owner, or potential owner, wishes to renovate or purchase and renovate an existing property and request financial assistance or other incentives to realize the project, the developer would contact staff to discuss the project who will consult with the City and staff. Should a project be deemed appropriate for consideration, a predevelopment plan for the specific property will be developed to include expected use of the property, expected investment and return on investments, site plan and or architectural drawings, and requested assistance either through an application of Tax Increment Financing or other incentives. The plan will include an evaluation of the planned redevelopment and requested, as well as the impact to the community, including financial benefit. As set forth in TCA 13-20-201 et seq., after notification of property owner(s), notice of public hearing has been completed and a public hearing held, if approved and recommended by the KHRA, the any redevelopment project requesting the use of tax increment financing will be forwarded to the City of Kingsport Board of Mayor and Aldermen and the Sullivan County Commission for consideration of the requested Tax Increment Financing or other incentives.

#### **RELOCATION OF RESIDENCE AND BUSINESSES**

It is not anticipated that any project developed through the provisions of this plan will result in the relocation of any residential dwellings or businesses. Should the temporary relocation of persons living in this area be required, all relocations would be in conformance with the Relocation Policy of KHRA which is available for review at the office of KHRA.

#### **LAND ACQUISITION AND DISPOSITION PLAN**

It is not anticipated that any properties will be acquired by either the KHRA or the City of Kingsport except for those properties already acquired and in public ownership.

#### **INTERPRETATION**

This amendment is intended to comply with and should be construed to be consistent with the provisions of Title 13 Chapter 20 Part 2 of the Tennessee Code and Title 9 Chapter 23 of the Tennessee code ("The Uniformity Tax Increment Financing Act of 2012").

# Proposed Lynn Garden Redevelopment District



Legend  
[Outline] Lynn Garden Redevelopment District  
[Grid] Lynn Garden Redevelopment District Parcels  
[Dotted] Parcels

**EXHIBIT**  
1-A-1

US Feet  
0 500 1000

**RESOLUTION OF THE KINGSPORT HOUSING & REDEVELOPMENT AUTHORITY**  
**FOR ADOPTION OF AN AMENDMENT TO THE REDEVELOPMENT PLAN**  
**EXPANDING THE BOUNDARIES OF THE DOWNTOWN KINGSPORT**  
**REDEVELOPMENT DISTRICT**

WHEREAS, Kingsport Housing & Redevelopment Authority ("KHRA") pursuant to the provisions of Title 13, Chapter 20, Tennessee Code Annotated, as supplemented and amended, has the power and authority to administer redevelopment programs located within its statutory boundaries; and

WHEREAS, KHRA has prepared a document entitled "Redevelopment Plan for Identified Districts & Study Areas" in conformance with Title 13, Chapter 20, Part 2, Tennessee Code Annotated, as supplemented and amended which has been previously adopted by the City of Kingsport, Tennessee and KHRA; and

WHEREAS, on May 17, 2005, pursuant to Resolution No. 2005-125, the Board of Mayor and Alderman of the City of Kingsport adopted an amendment to the City of Kingsport's Redevelopment Plan for Core Urban Areas which created a redevelopment district for the downtown area of the City of Kingsport; and

WHEREAS, on December 2, 2008, pursuant to Resolution No. 2009-135, the Board of Mayor and Alderman of the City of Kingsport adopted an amendment to Downtown Kingsport Redevelopment Plan titled the First Amended and Restated Redevelopment Plan for the Downtown Kingsport Redevelopment District a copy of which is attached hereto as Exhibit A ("the Downtown Kingsport Plan"); and

WHEREAS, the KHRA Board of Commissioners believes it is in the best interest of the City of Kingsport to enlarge the boundary of the Downtown Kingsport Redevelopment District as set forth in the current Downtown Kingsport Plan through the adoption of an amendment to the existing Downtown Kingsport Plan, a copy of the Plan Amendment being attached hereto as Exhibit B (the Plan Amendment"); and

WHEREAS, a public hearing was held on November 3, 2021, as required under T.C.A. § 13-20-201, et. seq. seeking public input on the proposed amendment of the Redevelopment Plan to the Downtown Kingsport Redevelopment District; and

WHEREAS, based upon input from the public hearing and other public solicitation methods and its own investigation, KHRA has determined that the area to be included in the expansion of the Downtown Kingsport Redevelopment District is a blighted area as defined by T.C.A. § 13-20-201 in need of redevelopment.

NOW, THEREFORE, be it resolved as follows:

1. KHRA hereby adopts the Plan Amendment and recommends the Plan Amendment be approved by the City of Kingsport;



2. KHRA hereby adopts the factual findings contained in the Plan Amendment for the Downtown Kingsport Redevelopment District;
3. That the KHRA staff is directed to forward to the City of Kingsport a summary of the comments on the Plan Amendment received at the public hearing and via other public solicitation methods; and
4. That the Executive Director is authorized to execute all documents as may be necessary to implement this Resolution.

**RESOLUTION NO. 2009-135**

**A RESOLUTION AMENDING THE REDEVELOPMENT PLAN OF THE DOWNTOWN KINGSPORT REDEVELOPMENT DISTRICT**

WHEREAS, by Resolution No. 2001-078 the board of mayor and aldermen established the Kingsport Redevelopment Program to implement a formal redevelopment program and to promote opportunities advantageous to the redevelopment of the City of Kingsport; and

WHEREAS, by Resolution No. 2005-125 the board approved the Redevelopment Plan for the Downtown Kingsport Redevelopment District; and

WHEREAS, state enabling legislation allows collection of tax increment financing (TIF) for the entire district rather than for a single parcel or project; and

WHEREAS, the amendment to the Plan would allow TIF for the entire Downtown Kingsport Redevelopment District wherein the real property taxes generated in the district and remitted to the city would be frozen at the 2008 assessment, and any additional real property tax revenue generated by increases in the assessed value of property in the district thereafter would be collected for the benefit of the Kingsport Housing and Redevelopment Authority for use in the redevelopment of downtown; and

WHEREAS, a public hearing was held by the Kingsport Housing and Redevelopment Authority concerning this amendment on November 17, 2008; and

WHEREAS, the amendment was approved by the Kingsport Regional Planning Commission at its November 20, 2008 meeting;

Now therefore,

**BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:**

SECTION I. That the Redevelopment Plan for the Downtown Kingsport Redevelopment District adopted in Resolution No. 2005 125 of the board of mayor and aldermen is amended as follows:

**FIRST AMENDED AND RESTATED REDEVELOPMENT PLAN FOR THE DOWNTOWN KINGSPORT REDEVELOPMENT DISTRICT**

WHEREAS, on May 17, 2005, pursuant to Resolution No. 2005-125, the Board of Mayor and Alderman of the City of Kingsport adopted an amendment to the City of Kingsport's Redevelopment Plan for Core Urban Areas which created a redevelopment district for the downtown area of the City of Kingsport ("the Downtown Kingsport Amendment"); and

WHEREAS, since the adoption of the Downtown Kingsport Amendment, Tennessee law governing redevelopment and the use of tax increment financing has been amended to allow for the use of "district wide" tax increment financing, and



WHEREAS, it is believed that the implementation of a "district wide" TIF concept will result in the more efficient and expeditious redevelopment of the Downtown Kingsport Redevelopment District; and

NOW, THEREFORE, the Downtown Kingsport Amendment is hereby revised and replaced in its entirety as follows.

A. District Description and History

The Downtown Redevelopment District is generally bounded by Clinchfield Street on the west, Sullivan to Watauga to Sevier to Poplar to Dale Streets on the north, Wilcox Drive on the east, and the Clinchfield Railroad on the south; the District then crosses the railroad tracks to include a southern area bounded by Lincoln Street on the north, Wheatley Street on the east, and Dunbar Street on the South and West. The district also includes the former Quebecor Site which is an approximately 16.30-acre area bounded by Clinchfield Street to the east, Center Street to the south, Roller Street to the west, and Sullivan Street to the north (collectively the "District")

The District contains approximately 60 city blocks and 600 business tenants, the public housing communities of Lee & Riverview, and the Old Washington School. The Downtown Redevelopment District is shown on the map attached hereto as Exhibit A.

The commercial area consists of the city's central business district and is generally characterized by single ownership and single structures occupying one or more parcels. Many of the structures are economically obsolete and physically deteriorated. The City Building Department has identified commercial structures that have deteriorated to the extent that major repairs may be impractical. The District also contains a high rate of vacant buildings; the overall state of repair of these buildings creates a condition that could be dangerous to the persons and property within the District and projects a negative image of the City.

The public housing communities were constructed in the 1940s and are economically obsolete, as they do not meet the current housing needs of the community in terms of design and amenities and have high maintenance costs. The Kingsport Housing & Redevelopment Authority ("KHRA") is currently analyzing how best to manage these structures. The Riverview public housing project is currently undergoing a complete demolition and reconstruction with single family residences and duplexes funded partially through a HOPE VI grant. Options for the Lee housing project include major rehabilitation, demolition, and new construction. Other residential units scattered throughout the District have various structural deficiencies and may be considered substandard.

The Downtown area of the City of Kingsport has been faced with the major economic trends that have been affecting other urban cores across the nation - namely a flight of retail dollars from Downtown shopping districts to suburban shopping malls, strip centers and office parks. Capital reinvestment in Downtown properties has been below desired thresholds for years. Faced with a continuing decline, some tenants of the Downtown have departed as their leases

have expired and prospective tenants and owners have elected to locate their operations on the City's fringe. All of these activities have a negative impact on the Downtown District, creating a situation where it becomes ever more difficult to serve the commercial and service needs of today's market.

A portion of the District was included as a study area in the Redevelopment Plan for Core Urban Areas which was initially adopted by the City of Kingsport in 2001. As a result of its inclusion as a study area, a November 7, 2001, report titled Economic Analysis of Redevelopment Areas was prepared for the KHRA by Economic Research Associates. This report documented numerous conditions and factors in the downtown area which supported a finding of blight. Specifically, the report noted the absence of any substantial activity at night, the high number of vacant and partially vacant buildings, the high percentage of fire code violations and the lack of retail diversity. The report recommended that while the Downtown area could potentially be considered blighted under a typical analysis a more conservative approach such as public infrastructure investment, more aggressive marketing, and other economic incentives should be considered to eliminate these conditions. In addition, a report prepared for KHRA by Basile Baumann Prost & Associates, Inc. dated July 11, 2007, found that the former Quebecor site met the definition of blight as set forth in Tennessee law.

Unfortunately, the more conservative approaches recommended by the report have not been as effective as hoped or have proven to be unfeasible for the Downtown area. Moreover, since the date of the report, the District has seen the closing of several major commercial businesses including the Kingsport Foundry and the Quebecor manufacturing plant resulting in significant vacant and underutilized property. As a result, an aggressive approach to redevelopment is necessary for the purposes of removing, preventing and reducing blight, blighting factors and the causes of blight in the District.

The redevelopment project contemplated by this Plan is the redevelopment and economic revitalization of the District as a whole through the use of statutory redevelopment tools which will provide the stimulus needed to attract both public and private capital investment in the District ("Redevelopment Project"). The Redevelopment Project contemplated herein will consist of numerous developments within the District which, collectively with other private development stimulated by this Plan, is designed to achieve the goals of this Plan.

Based on the foregoing facts and circumstances and the condition of the District as a whole, the Board of Commissioners of the Kingsport Housing & Redevelopment Authority ("KHRA"), finds that the District is blighted as defined by Tenn. Code Ann. § 13-20-201 and should be redeveloped, rehabilitated, and renovated in order to correct such blighted, deteriorated, and dilapidated conditions. The KHRA recommends that the Board of Mayor & Alderman of the City of Kingsport ("BMA") and the Sullivan County Commission ("County Commission") adopt this finding and pledge their support of redevelopment activities within the District and offer their assistance in a public/private partnership as provided by the Plan.

B. Tax Increment Financing

Tax increment financing ("TIF") is a redevelopment tool codified at Tenn. Code Ann. §§13-20-204 and 205, et seq. The purpose of TIF is to provide an economic stimulus for property within the District in need of redevelopment. Upon adoption of this Plan, TIF may be utilized to finance eligible redevelopment costs for the Redevelopment Project subject to the limitations herein. All property located within the District is referred to as "TIF Property." Any indebtedness issued by the KHRA pursuant to this Plan and for which tax increment revenue is pledged as collateral is hereafter referred to as "TIF Indebtedness "

Notwithstanding anything in this Plan to the contrary, the KHRA, in order to make the use of TIF expeditious and economically feasible for smaller redevelopment proposals, shall have the authority to approve redevelopment proposals in the District without further approval of the BMA or County Commission which do not involve TIF or which involve the issuance of TIF indebtedness of \$500,000.00 or less. However, at no time shall the total outstanding unpaid balance of all TIF Indebtedness for the District be in excess of \$10,000,000.00 without further approval of the BMA and County Commission as applicable. The evaluation and approval of redevelopment proposals by KHRA shall be made in accordance with the KHRA Procedures for Redevelopment Proposals. All redevelopment proposals involving TIF Indebtedness in excess of \$500,000.00 shall be approved by the BMA and County Commission as applicable.

The redevelopment objectives of the Downtown Kingsport Redevelopment Plan will not occur to the degree proposed in this Plan without the use of TIF.

C. Estimated Costs of the Project.

At this time, the following redevelopment concepts are under consideration by the KHRA for the Downtown Kingsport Redevelopment District:

<u>Concept Proposals</u>	<u>Est. Total Cost</u>
1. Quebecor redevelopment	\$20,000,000
2. Renovation or replacement of Lee Apartments	\$11,500,000
3. Downtown Kingsport Parking Garage	\$ 3,800,000

The KHRA's mission in the promotion and expansion of affordable and public housing opportunities is critical to providing decent, safe, and sanitary housing for low income persons in the KHRA's service area. The KHRA is dedicated to promoting and expanding affordable and public housing through utilization of available redevelopment tools.

In 2001 the BMA adopted by Resolution the development objectives identified in the "Downtown Kingsport Gateways Development Plan" as prepared by the firm McCarty Holsaple McCarty & Ross Fowier under contract from the Model City Coalition ("Model City Coalition Plan" ). The development objectives and proposals outlined in that plan are herein incorporated by reference and will

be pursued to the extent feasible by the KHRA as part of the Redevelopment Project for the District. Such redevelopment proposals shall be pursued with KHRA acting as the developer where appropriate, in support of City initiatives where appropriate, or in support of public/private partnerships, when available and appropriate. The KHRA shall apply priority to development proposals which work towards the creation of a 24-hour-A-Day Critical Mass of People in the downtown district. This was identified in the Model City Coalition Plan as the single most important endeavor in stimulating economic development activity within the district, and is acknowledged as critical to the downtown's economic revitalization. The costs for the redevelopment proposals contained in this plan are unknown at this time but are deemed to be significant.

In addition, other redevelopment proposals are anticipated to develop pursuant to this Plan, the estimated costs of which are unknown at this time. However, absent further approval by the BMA and County Commission, as applicable, at no time shall the total outstanding unpaid balance of all TIF Indebtedness for the District be in excess of \$10,000,000.00

D. Sources of Revenue to Finance the Cost of the Project.

The primary sources of revenue to pay for the Redevelopment Project instituted pursuant to this Plan will be private investment, TIF Indebtedness (to be issued by the KHRA in the form of bonds, notes, or other indebtedness), and other available local, state and federal funding. Based on current interest rates and a 20 year amortization, the estimated combined tax increment revenue needed to support TIF Indebtedness would be approximately 10.50 cents per year for every dollar of TIF Indebtedness issued.

E. Amount and the Final Maturity of Bonded or other Indebtedness to be Incurred

The final maturity date on any TIF Indebtedness issued pursuant to this Plan shall be no more than twenty years. The twenty year amortization period shall begin upon the KHRA's issuance of the TIF Indebtedness.

F. Impact of the Tax-Increment Financing Provisions Upon Taxing Agencies

Because any money pledged for repayment of TIF Indebtedness is based upon projected future tax revenue generated by future increases in the property tax base, the net effect upon the current revenue base of the local taxing agencies is minimal. The total current assessed value of property within the District is approximately \$29,518,990. The total assessed value of the City of Kingsport's property tax base for the 2007 tax year is approximately \$904,874,675 which resulted in approximately \$20,645,071 of real property taxes being levied. The total assessed value of Sullivan County's property tax base for the 2007 tax year is approximately \$2,994,475,336 which resulted in approximately \$75,760,226 of real property taxes being levied. The current assessed value of the District represents approximately 3.3% of the City of Kingsport's property tax base and 1.0 % of the Sullivan County property tax base. However, based on a maximum total outstanding unpaid balance of

\$10,000,000, the estimated tax revenue to repay this amount of indebtedness (based on a 20 year amortization and a 6% interest rate) would represent approximately 2.1% of the current City of Kingsport real property tax levy and - 0.6% of the current Sullivan County total real property tax levy assuming equal participation by both taxing agencies. Based on these percentages, neither the City of Kingsport, nor Sullivan County (the two taxing agencies affected by this Redevelopment Project) will be substantially impacted by this tax-increment financing provision.

In addition, pursuant to Tenn. Code Ann. §13-20-205 (g), any portion of the Sullivan County tax rate pledged for repayment of indebtedness shall not be allocated as provided in Paragraph G below but shall be collected and paid to Sullivan County as all other property taxes are collected and paid.

G. Division of Property Taxes.

Upon approval of this Plan, the taxes levied and collected on any TIF Property shall be collected by the appropriate taxing authorities in the same manner as provided by law, except that said taxes shall be divided as follows:

1. The portion of the taxes which would be produced by the rate at which the tax is levied each year by each taxing agency, upon the assessed value of the TIF Property as shown upon the assessment roll of the appropriate assessor, as of the date of the most recently determined valuation prior to the date of approval of this Amended Plan by the City pursuant to T.C.A. §13-20-203 (the assessed value prior to the approval of this Plan being called the "Base Assessment") shall be allocated to and when collected shall be paid to the respective taxing agencies as taxes levied by such taxing agencies as all other property taxes are paid; provided, that in any year in which the actual assessment of the TIF Property is less than the Base Assessment, there shall be allocated and paid to those respective taxing agencies only those taxes actually produced by the application of the current tax rates against such actual assessment.
2. All the taxes levied in each year in excess of the Base Assessment for all TIF Property shall be allocated to and, when collected, shall be paid into a special fund of the KHRA beginning with the tax year following the year in which the City approves this amended Plan. The taxes paid shall be used by the KHRA to pay the principal of and interest on any indebtedness incurred or to be incurred by the KHRA to finance or refinance, in whole or in part, for the Redevelopment Project including property acquisition, public improvements, TIF administration expenses, KHRA redevelopment fees, and such other expenses as may be allowed by law.
3. Upon retirement of all TIF Indebtedness incurred by the KHRA and payable from such special fund, or at such time as monies on deposit in such special fund are sufficient for such purpose, all taxes levied each year in excess of the Base Assessment of TIF Property shall, when collected, be paid to the respective taxing agency as taxes levied by such taxing agencies on all other property are paid, and the KHRA shall give notice to all affected taxing agencies of such retirement.

4. Notwithstanding anything to the contrary in this Plan, taxes levied upon property subject to tax increment financing provisions by any taxing agency for the payment of principal of and interest on all bonds, loans or other indebtedness of such taxing agency, and taxes levied by or for the benefit of the State of Tennessee, shall not be subject to allocation as provided in Paragraph 2 immediately above but shall be levied against the property and, when collected, paid to such taxing agency as taxes levied by such taxing agency on all other property are paid and collected.

H. Property Tax Assessments and Collection.

(A) The appropriate assessor shall, in each year during the period in which taxes are to be allocated to KHRA pursuant to Paragraph (G)(2), compute and certify the net amount, if any, by which the current assessed value of all TIF Property taxable property located within the redevelopment project which is subject to taxation by the particular taxing agency exceeds the Base Assessment. The net amount of any such increase is referred to in this subdivision as the incremental value for that particular year.

(B) In any year in which there exists a tax increment to be allocated to the KHRA, the appropriate assessor shall exclude it from the assessed value upon which the appropriate assessor computes the tax rates for taxes levied that year by the taxing agency. However, the assessor shall extend the aggregate tax rate of such taxes against the Base Assessment and the incremental value and shall apply the taxes collected therefrom as provided herein.

I. Documentation for Assessor's Office.

Upon approval of this Plan, the City Recorder and County Clerk shall transmit to the tax assessors and each taxing agency affected, a copy of the description of all land within the District and the date or dates of its acquisition by the Authority, a copy of the description of all property leased or sold to individuals or corporations for development in the Redevelopment District, a copy of the resolution approving the redevelopment plan or approving an Amendment thereto, and a map or plat indicating the boundaries of such property, and taxes shall thereafter, when collected, be allocated and paid in the manner provided above. In addition, the KHRA shall notify the tax assessor and each taxing agency affected upon each future acquisition of TIF Property and issuance of TIF Indebtedness within the District.

J. Excluded Taxes.

Notwithstanding anything to the contrary in this Plan, taxes levied upon property subject to tax increment financing provisions by any taxing agency for the payment of principal of and interest on all bonds, loans or other indebtedness of such taxing agency, and taxes levied by or for the benefit of the State of Tennessee, shall not be subject to allocation as provided in Paragraph G but shall be levied against the property and, when collected, paid to such taxing agency as taxes levied by such taxing agency on all other property are paid and collected.

K. Interpretation

This Plan is being proposed pursuant to T.C.A. § 13-20-201, et. seq. and all relevant provisions are hereby incorporated herein by reference. All provisions of this Plan shall be construed in a manner consistent with said Code sections.

L. Conditions of Tax-Increment.

The KHRA may enter into a Redevelopment Agreement with each Developer of TIF Property which shall contain such terms as the KHRA believes necessary to ensure the efficient and orderly completion of the project. The KHRA shall be paid a redevelopment services fee from the proceeds of each TIF Indebtedness equal to two percent (2%) of the principal amount of each TIF Indebtedness issued pursuant to this Plan and an annual administration fee to be paid from the annual tax increment received by the KHRA from the City and County pursuant to this Plan equal to five percent (5%) of the total annual tax increment received by the KHRA.

M. Relocation Assistance.

No action is anticipated at this time which will permanently reduce the number of residential dwelling units having rents within the financial reach of the income groups displaced from such substandard dwellings. However, if any residents are displaced either permanently or temporarily, such residents will receive relocation assistance in accordance with the KHRA Relocation Plan which is located at Appendix C of the Redevelopment Plan.

N. Replacement of Prior Redevelopment Plans.

This Plan replaces and supersedes the Redevelopment Plan adopted by the KHRA and the City of Kingsport for Downtown Kingsport in 1989 as well as any other Redevelopment Plans which may have been adopted for any part of this District by the KHRA, BMA or County Commission. However, the plan amendment approved on November 20, 2007 by the Board of Mayor and Alderman of the City of Kingsport pursuant to Resolution No. 2008 - 100, which incorporated the former Quebecor Site into the Downtown Kingsport Redevelopment District is incorporated herein by reference.

SECTION II. That this resolution shall take effect from and after its adoption, the public welfare requiring it.



Adopted this 2<sup>nd</sup> day of December, 2008.

ATTEST

*Elizabeth A. Gilbert*  
ELIZABETH A. GILBERT  
Deputy City Recorder

*Dennis R. Phillips*  
DENNIS R. PHILLIPS, Mayor

APPROVED AS TO FORM.

*J. Michael Billingsley*  
J. MICHAEL BILLINGSLEY, City Attorney

**FIRST AMENDMENT TO THE FIRST AMENDED AND RESTATED  
REDEVELOPMENT PLAN FOR THE DOWNTOWN  
KINGSPORT REDEVELOPMENT DISTRICT**

On May 17, 2005, pursuant to Resolution No. 2005-125, the Board of Mayor and Alderman of the City of Kingsport adopted an amendment to the City of Kingsport's Redevelopment Plan for Core Urban Areas which created a redevelopment district for the downtown area of the City of Kingsport ("the Downtown Kingsport Amendment"). On December 2, 2008, pursuant to Resolution No. 2009-135, the Board of Mayor and Alderman of the City of Kingsport adopted an amendment to Downtown Kingsport Redevelopment Plan titled the First Amended and Restated Redevelopment Plan for the Downtown Kingsport Redevelopment ("the Downtown Kingsport Plan").

The KHRA Board of Commissioners believes it is in the best interest of the City of Kingsport to enlarge the boundary of the Downtown Kingsport Redevelopment District as set forth in the current Downtown Kingsport Plan through the adoption of an amendment to the existing Downtown Kingsport Plan. The areas of the City of Kingsport being added to the Redevelopment District are commonly known as Cement Hill and Brickyard Park and are shown in yellow and orange respectively on Exhibit A attached hereto (the "Expansion Area").

The Cement Hill section of the Expansion Area consists of approximately 38 acres of vacant land which was previously industrially developed land used for the Penn-Dixie Cement Plant. This property currently is subject to restrictions on disturbing portions of the land due to its industrial nature with cement kiln dust being buried. As a result, this property has been vacant for decades and is in need of redevelopment.

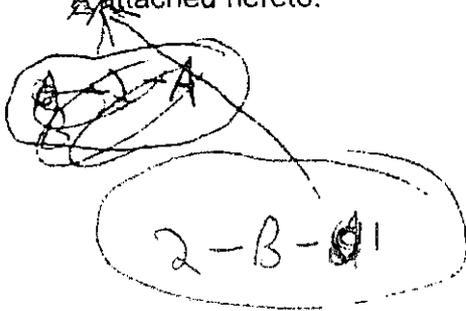
The Brickyard Park section of the Expansion Area consists of approximately 109 acres which was previously used for various industrial purposes including the production of bricks. However, this property has remained vacant and underutilized since the plant closed in 2008. Approximately 57 acres of this property is currently subject to a Brownfield Voluntary Agreement with the Tennessee Department of Environment and Conservation and is further subject to Land Use Restrictions of record in Deed Book 3465 Page 493 of the Register of Deeds of Sullivan County, Tennessee which place limits on the types of and manner of development of the property. This property also contains significant sections of deteriorated concrete and asphalt which will need to be removed prior to any redevelopment. A portion of this property has been redeveloped by the City of Kingsport as a park but the remaining portion remains vacant and in need of redevelopment.

Based on the foregoing facts and circumstances and the condition of the Expansion Area as a whole, the Board of Commissioners of KHRA finds that the Expansion Area is blighted as defined by Tenn. Code Ann. § 13-20-201 and should be redeveloped, rehabilitated, and renovated in order to correct such blighted, deteriorated, and dilapidated conditions. The KHRA recommends that the Board of Mayor & Alderman of the City of Kingsport adopt this finding and pledge their support of redevelopment

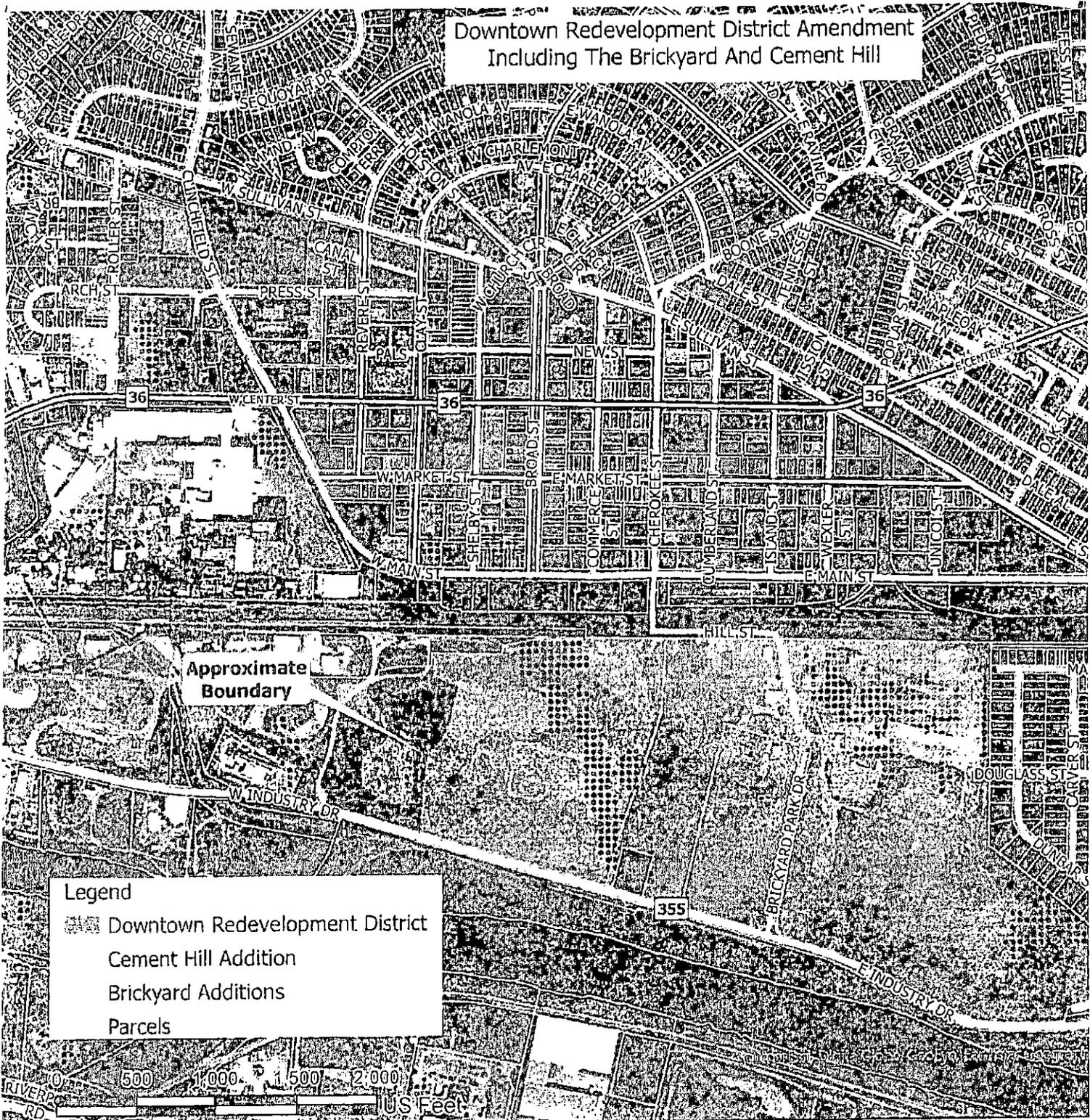


activities within the District and offer their assistance in a public/private partnership as provided by the Plan.

The Downtown Kingsport Amendment is hereby amended by deleting the existing Exhibit A of the Downtown Kingsport Plan and replacing it in its entirety with the Exhibit ~~A~~ attached hereto.



# Downtown Redevelopment District Amendment Including The Brickyard And Cement Hill



Approximate  
Boundary

**Legend**

- Downtown Redevelopment District
- Cement Hill Addition
- Brickyard Additions
- Parcels



**EXHIBIT**  
2-B-1

# *Sullivan County*



**AND THEREUPON COUNTY COMMISSION ADJOURNED AT 7:10 P.M. UPON MOTION MADE BY COMMISSIONER AKARD TO MEET AGAIN IN REGULAR SESSION ON APRIL 18, 2024.**

*Richard Venable*

**RICHARD VENABLE**

**COMMISSION CHAIRMAN**