

2023 Sullivan County Minor Text Amendments

Property Information	County-wide		
Address			
Tax Map, Group, Parcel			
Civil District			
Overlay District			
Land Use Designation			
Acres			
Existing Use		Existing Zoning	
Proposed Use		Proposed Zoning	
Owner /Applicant Information			
Name: Sullivan County Address: 3411 TN-126 #30 City: Blountville State: TN Zip Code: 37617 Email: planning@sullivancountyttn.gov Phone Number: (423) 323-6440		Intent: To make minor amendments the Sullivan County Zoning Resolution.	
Planning Department Recommendation			
(Approve, Deny, or Defer) The Kingsport Planning Division recommends APPROVAL			
Planner:	Jessica McMurray	Date:	1/26/2023
Planning Commission Action		Meeting Date:	2/16/2023
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

INTENT

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

Presentation:

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

1. Deleting the words “enforcement duty or”, as is it mandatory local government enforce the stormwater management plan.
2. Adding a separate line to distinguish between Major and Minor Home Occupation Provision to ensure applicants know when it can be approved by staff and when it must be considered by the BZA

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

The City of Kingsport’s Stormwater Management plan states that private property owners are responsible for the control of stormwater runoff on their property. This responsibility includes the regular inspection and maintenance of stormwater management facilities to ensure their proper operation, as implied in the City-approved design for such facilities.

The City of Kingsport does not differentiate between Major and Minor Home Occupations. Home occupation is defined as professional offices, studios or customary incidental home occupations conducted within the principal building, but only by a person resident in the dwelling, provided that: (1) Not more than one person, not a resident of the premises, is employed;(2) Not more than 25 percent of the total floor area in any dwelling unit is devoted to such use; and(3) The use does not adversely affect the uses permitted in the immediate neighborhood by excessive traffic generation, parking, noise or other disturbing characteristics.

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

Recommendation:

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

From: [Weems, Ken](#)
To: [McMurray, Jessica](#)
Subject: FW: more county ZTAs
Date: Friday, January 27, 2023 10:25:39 AM
Attachments: [01_17_2023_PC_MINUTES.pdf](#)
[ZTA Table 3-102A - Minor and Major Home Occupations - who can approve - staff or BZA.pdf](#)
[Process for ZTA B-105.1 part 11 Supplemental Regulations for all .pdf](#)
[Process for ZTA A-103.6 part 4 - Minor and Major Home Occ Definitions.pdf](#)
[ZTA 8-103.10 \(3\) \(i\) Peak Stormwater Management Plan - Maintenance of Drainage Plan.pdf](#)
[image001.png](#)

Here is this. I haven't even looked at it yet

Thanks,

Ken Weems, AICP

Planning Manager

City of Kingsport

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kenweems@kingsporttn.gov



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Kingsport, TN 37660

www.kingsporttn.gov

From: Ambre Torbett [<mailto:planning@sullivancountytn.gov>]
Sent: Thursday, January 26, 2023 9:10 AM
To: Weems, Ken; Garland, Savannah; Cherith Young; Heather Moore (hmoore@bristoltn.org)
Subject: more county ZTAs

Good afternoon fellow planners,

My apologies but we found a few more discrepancies in our Zoning Code that needed to be refined.

The first is to delete three words from Article 8-103.10 Part 3, Section (i); then the next three amendments shall be considered all together as we are better defining Minor versus Major Home Occupations.

Attached are the full Draft minutes from our Planning Commission meeting last week, which includes my staff report.

Can you please review during your February PC meetings.

Thank you all so much.

Ambre M. Torbett, AICP

Director of Planning & Community Development

Stormwater Administrator



MINUTES
SULLIVAN COUNTY REGIONAL PLANNING COMMISSION
SULLIVAN COUNTY
JANUARY 17, 2023 – 6:00 PM

- A. **CALL TO ORDER:** *The chairman called the meeting to order. The chairman led the Pledge of Allegiance followed by introduction of members present.*

MEMBERS PRESENT – Mark Webb (chair and Bristol PC rep); Linda Brittenham (vice-chair); ~~Mary Ann Hager (Historic Zoning Commission Liaison/alternate secretary)~~; Darlene Calton (County Commissioner Liaison); John Moody (Kingsport PC rep); Mary Rouse; Calvin Clifton, vacancy, and Laura McMillan.

STAFF – Jason VanHoy (Building Official); Ambre Torbett (Planning Director/PC Secretary); Luke Meade (Community Planner) and SCSO Lte Steven Whetsell.

GUESTS/CITIZENS IN ATTENDANCE – See sign-in sheet. All were present except Mary Ann Hager.

- B. **MINUTES:** *Linda Brittenham motioned to approve the Minutes from the regular monthly meeting held on December 20, 2022. Mary Rouse seconded the motion and the vote in favor passed unanimously.*
- C. **SWEARING IN OF WITNESSES:** *The public, applicants, staff, and any persons planning to speak for or against any scheduled application on the agenda shall be sworn in under oath. The Planning Director led the oath.*
- D. **SUBDIVISION PLATS AND PLANS:** NONE SUBMITTED
- E. **COMPREHENSIVE DEVELOPMENT PLAN/SITE PLANS:** NONE SUBMITTED
- F. **REZONING REQUESTS:** ZONING PLAN AMENDMENT: ZONING MAP CHANGE

THE CHAIRMAN SHALL READ THE OPENING STATEMENT REGARDING THE REZONING PROCEDURES

F1. REZONING REQUEST FROM A-1 TO B-4 (SPLIT ZONING FOR OFFICE BUILDING/FUNERAL HOME CHAPEL ONLY)

FINDINGS OF FACT –

Landowner:	Ardmore Investments, LLC (Tri-Cities Memory Gardens Inc @ East TN Funeral Home and Services)
Applicants:	Chad Correll
Representative:	same
Location:	2630 Highway 75, Blountville, TN
Mailing Address of Owners:	P. O Box 27, Kingsport, TN 37662
Civil district of rezoning:	18 th
Commission District of rezoning:	7 th
Parcel ID:	Tax Map 094, Part of Parcel 016.00
Subdivision of Record:	n/a
PC1101 Growth Boundary:	Sullivan County Planned Growth Area

Utility District:	Kingsport Utility District
Public Sewer:	Kingsport Public Sewer in proximity
Lot/Tract Acreage:	2.25 acres for rezoning request
Existing Zoning:	A-1
Surrounding Zoning:	A-1, R-1 (County) and MX (Kingsport Zoning)
Requested Zoning:	B-4 – split zoning
Existing Land Use:	Funeral Home/Chapel/Crematory/Office and Mausoleum Building
State of TN Existing Land Use:	Commercial
Surrounding Land Uses:	airport, cemetery, single family, highway commercial, office park
2006 Land Use Plan:	Cemetery/Open Space
Neighborhood Opposition:	none received prior to meeting; however, several calls of inquiry

Staff Field Notes and Findings of Facts:

- Ardmore Investments, LLC recently purchased the property in September of 2022. During the due-diligence of the appraisal findings that was requested of staff, it was discovered that the existing building on the property is being used as a Funeral Home/Chapel, Crematory/funeral offices in addition to the Mausoleum.
- In 2003, the Zoning Office issued a Zoning Compliance Permit for a Mausoleum for Tri-City Memory Gardens. However, over time, the building must have been expanded to include the crematory and office building.
- Sullivan County Zoning Resolution allows for cemeteries, chapels, religious facilities, tombs and mausoleums to be permitted in any agricultural zone. However, the crematory and funeral services functions are considered a business and must be located within a business zone. Therefore, the new owner would like to bring the existing facilities into zoning compliance. The remaining cemetery and open space lands may remain in the A-1 zoning.
- This property fronts along Hwy 75 in the Planned Growth Area of the county and has access to public utilities to support the existing use.
- Staff recommends in favor of the split zoning request (see boundary survey plan)

Meeting Notes at Planning Commission:

- *The Planning Director read her Field Notes and Findings.*
- *Hayden Correll, son of applicant, Chad Correll, was present to address the Commission. He confirmed that the need the Zoning Compliance Report in order to secure the State transition license from previous landowner. Discussion followed.*
- *Linda Brittenham stated that this request seemed straightforward and made a motion to forward a favorable recommendation on to the County Commission.*
- *Darlene Calton seconded the motion and the vote in favor passed unanimously.*

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

F2. REZONING REQUEST FROM R-1 TO A-2 (RURAL AGRICULTURAL/LOW DENSITY/SINGLE FAMILY RESIDENTIAL)

FINDINGS OF FACT –

Landowner:	John & Dana Longo
Applicants:	same
Representative:	same
Location:	2160 Enterprise Road, Piney Flats
Mailing Address of Owners:	same
Civil district of rezoning:	8 th
Commission District of rezoning:	5 th
Parcel ID:	Tax Map 110, Parcel 001.08
Subdivision of Record:	Lot 1, Plat Book 52, Page 399 – Clinton Steele Property
PC1101 Growth Boundary:	Sullivan County Planned Growth Area

Utility District:	Blountville Utility District but served by Bristol-Bluff City Utility District (4"line)
Public Sewer:	septic
Lot/Tract Acreage:	Lot 1, 4.130 acres
Existing Zoning:	R-1
Surrounding Zoning:	R-1 and A-1
Requested Zoning:	A-2
Existing Land Use:	Single-Family/Low Density
Surrounding Land Uses:	Single-Family, Vacant, Farmland
2006 Land Use Plan:	Low Density Residential/General Agricultural & Outdoor Recreational Overlay
Neighborhood Opposition:	none received prior to meeting.

Staff Field Notes and Findings of Facts:

- The applicant has amended her rezoning request for A-2, which requires a minimum of 2 acres of land. They have over 4 acres in this lot. They also own the adjacent lot 2 and parcels across the road that are vacant.
- A-2 zoning is for large tracts not otherwise planned for further development.
- Due to the steep and rocky hillside of her rear yards and established dwelling, the recommendation is to not further develop the property into additional house lots; therefore, a rezoning to A-2 would be an appropriate zoning district.
- The A-2 zoning district allows up to a maximum of 2,600 square feet of detached residential accessory structure square footage. Prior to the zoning code update February of 2020, all lots could have up to 2,000 square feet. However, the updated zoning code restricts R-1 lots to up to 1,200 square feet. Therefore, this rezoning, if approved would help bring her property into conformance with the square footage limitation of detached storage structures.
- Attached is the engineering report letter regarding the stormwater management recommendations from a local civil engineer. The report noted that the additional landscaping and tree plantings shall improve the stormwater absorption of the property from natural drainage patterns.

Meeting Notes at Planning Commission:

- *The Planning Director read her Field Notes and Findings of Facts.*
- *Dana Longo was present to address the Commission.*
- *There was no opposition expressed during the hearing. Staff explained that this request would bring her property into zoning conformance due to the change in the zoning code restricting the square footage of detached accessory structures from 2,000 to 1,200 in R-1 Zoning. The A-2 district would allow her to keep her garage and shed as well as the added carport, if approved.*
- *Laura McMillian motioned to forward a favorable recommendation on to the County Commission. John Moody seconded the motion and the vote in favor passed unanimously.*

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

F3. REZONING REQUEST FROM R-1 TO R-2

FINDINGS OF FACT –

Landowner:	Julie Kitzmiller
Applicants:	same
Representative:	same
Location:	356 Ellis Road, Blountville
Mailing Address of Owners:	same
Civil district of rezoning:	5 th
Commission District of rezoning:	4 th
Parcel ID:	Tax Map 065, Parcel 149.00
Subdivision of Record:	n/a

PC1101 Growth Boundary:	Sullivan County Planned Growth Area
Utility District:	Blountville
Public Sewer:	n/a - septic
Lot/Tract Acreage:	1.2 acres
Existing Zoning:	R-1
Surrounding Zoning:	R-1 and R-2
Requested Zoning:	R-2
Existing Land Use:	Single-Family Residential – house burned
Surrounding Land Uses:	Single-Family site built, modular and singlewide mobile homes
2006 Land Use Plan:	Low Density/Agricultural
Neighborhood Opposition:	none received prior to meeting.

Staff Field Notes and Findings of Facts:

- The applicant has requested a rezoning to R-2 in order to be able to purchase and set up a single-wide mobile home. The existing site built home recently burned and is no longer habitable. The owners have expressed they cannot afford to build back and need a place to live.
- The surrounding homes are site built or manufactured housing.
- Her lot also has a storage building on site and a shed. The property has several large rock outcroppings, which might make it more challenging to rebuild.

Meeting Notes at Planning Commission:

- *The Planning Director read her Field Notes and Findings. Julie Kitzmiller was present and addressed the commission. She stated that she was trying to salvage the wood and tin from the existing home that recently burned. She confirmed she and her family were working on tearing the old home themselves and would like to replace it with a single-wide mobile home. She stated she was on a fixed income and could not afford a doublewide or to rebuild. She is temporarily living at 230 Hwy 75. She confirmed her goal was to be able to have it all cleaned up by summer.*
- *Staff read an email from an adjacent property owner who had concerns about the site conditions. The email from Tonya Light stated that due to the existing site conditions it was making it difficult for her to sell her home.*
- *Ms. Johnnie Freeman spoke in opposition to the rezoning request. She was concerned that if rezoned it would become a trailer park. Staff explained that the R-2 zoning district would only allow one mobile home on the lot and it could not legally become a mobile home park. Staff further explained that without public sewer, the site is restricted from higher density such as a mobile home park. With only a septic system, the lot can only support one dwelling.*
- *Delores Anderson spoke in opposition to the request stating that she thought it was not a good idea.*
- *Linda Brittenham confirmed that this request was for only one single wide mobile home and not a mobile home park.*
- *Staff also confirmed the restriction of the zoning district.*
- *Calvin Clifton asked the applicant if she would consider purchasing a modular or double wide. Ms. Kitzmiller stated she could not afford it. She explained that even used modular homes were out of her budget as the cost of the homes has gone up.*
- *Linda Brittenham motioned to send a favorable recommendation for the request to the County Commission.*
- *Darlene Calton seconded the motion and the vote in favor passed unanimously. The chairman announced that all of these cases will be heard during the final public hearing on February 16, 20023 at 6PM here in the Commission Room.*

F4. ZTA: Article 8-103.10 Part 3, Section (i) – Stormwater Management Plan – Maintenance of Facilities

Staff is recommending amending the Zoning Resolution to delete the words “enforcement duty or”

- (i) Maintenance of Stormwater Management Facilities Drainage Plan* – Upon final site plan or subdivision plat approval, the maintenance of the stormwater plan shall remain the responsibility of the current landowner(s) and shall by no means be the ~~enforcement duty or~~ maintenance responsibility of the county except for those stormwater systems within county rights-of-way or other county-owned properties.

Meeting Notes at Planning Commission:

- *The Planning Director explained the need to just delete the words “enforcement duty or” as it is mandatory that local governments enforce the stormwater management plan. However, the maintenance of such facilities is the responsibility of the landowner.*
- *Calvin Clifton motioned to send a favorable recommendation for this minor Zoning Text Amendment. Mary Rouse seconded the motion and the vote in favor passed unanimously.*

F5. ZTA: Article 3 – Table 3-102A – Uses and Structures Allowable within Agricultural & Residential Districts - Home Occupation Uses:

Staff is recommending the text to add a separate line to distinguish between Major and Minor Home Occupation Provision to ensure applicants know when it can be approved by staff and when it must be considered by the BZA

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

USES Cont.	DISTRICTS					
	A-5/A-2 A-1	AR / A-RV / RRC	R-1	R-2/R-2A	R-3A/R-3B	R-3
ACCESSORY USES AND ACTIVITIES per A-103.6						
Accessory Apartment (amended 2018)	SUP	SUP	SUP	SUP	X	X
Accessory Cargo Shipping Containers (Adaptive Reuse of Steel)	X/X/BZA*	X	X	X	X	X
Accessory Forest Operations	PC	PC	X	X	X	X
Accessory Plant Raising and Animal Care	P	P	SUP	SUP	SUP	SUP
Bed and Breakfast Homestay (Home Occupation – 1 to 3 rooms)	BZA	BZA	X	X	BZA	X
Bed and Breakfast Inn (4 to 12 rooms)	BZA	BZA	X	X	BZA	X
Columbarium/Mausoleum	SUP	SUP	X	X	X	X
Farm Employee Housing	SUP	SUP	X	X	X	X
Family Child Care Facility (Major Home Occ./Accessory Use)	SUP	SUP	X	SUP	SUP	X
Group Child Care Facility (Major Home Occ./Accessory Use)	SUP	SUP	X	X	X	X
Home Occupations (Minor and Major) see appendix B-105.1	SUP	SUP	SUP	SUP	SUP	SUP
Home Occupations (Major) see appendix B-105.1	BZA	BZA	BZA	X	X	X
In-Home Day Care (Minor Home Occupation – less than 4 unrelated children)	SUP	SUP	SUP	SUP	SUP	SUP
Off-Street Parking (depends on road classification and HOA's)	X	P	P	P	P	P
Parents Day Out	SUP	SUP	SUP	SUP	SUP	SUP
Private Recreation Facilities	P	P	P	P	P	P
Special Public Event on Private Property	BZA	BZA	BZA	BZA	X	X

KEY TO INTERPRETING USE CLASSIFICATIONS

X = Specifically not permitted. P = Use Permitted by Right Within the District. SUP = Principal Use Permitted with Supplemental Provisions.

BZA = Subject to approval by the Board of Zoning Appeals PC = subject to the Regional Planning Commission approval of site plan.

* See Supplemental Design Guidelines in Appendix B-105.2 #7 as amended on 05/16/2011

F6. Amendment to A-103.6 Accessory Uses to Define Minor versus Major Home Occupations

4. **Home Occupation** – An accessory use of a dwelling unit for gainful employment which: a) is clearly incidental and subordinate to the use of the dwelling unit as a residence; b) is carried on solely within the main dwelling and does not alter or change the exterior character or appearances of the dwelling; c) is located in a residential district; and no article is for sale except such services produced by such home occupation.
- 4(a) – Minor Home Occupation** – An accessory use that meets the above restrictions of an in-home business, which shall comply with all supplemental regulations as required in Appendix B-105 Part 11 and will not require customers, clients or students to come to the home for services; rather all business activities are restricted to on-line or off-site sales, trades or services.
- 4(b) – Major Home Occupation** – An accessory use that meets the above restrictions of an in-home business however may require customers, clients or students coming to the home in-person for sales, trade or services. Such Major Home Occupation shall require consideration for approval by the Board of Zoning Appeals, who may consider conditions of approval to ensure the zoning principals are upheld. Such Conditions of Approval may include by-appointment-only or a limit of clients per day to safeguard the residential neighborhood.

F7. Amendment to B-105.1 Part II – Supplemental Regulations for Home Occupations

11. **Home Occupation** - In all zones permitting residences and home occupations therein ~~that exceed the standards for minor home occupations~~ may be approved as conditional accessory uses subject to the following **Supplemental Regulations**:
- Participants** - The home occupation is to be conducted only by members of the family residing in the dwelling unit, plus no more than one (1) nonresident assistant or employee. Persons engaged in the building trades or similar fields, using their dwelling units or residential premises as an office for business activities carried on off the premises, may have more employees that the limitation set forth above, if such persons are not employed on the premises.
 - Hours of Operation** - In no case shall a home occupation be open to the public at times earlier than **8:00 a.m.**, or later than **10:00 p.m.**
 - Scale** - A home occupation shall be conducted within a dwelling and shall be clearly incidental to the use of the structure as a dwelling. No more than five hundred (500) square feet or twenty-five (25) percent of the floor area of the dwelling, whichever is less, may be utilized by the home occupation.
 - Residential Appearance and Character** - In no way shall the appearance of the structure be altered or the occupation, within the residence be conducted in a manner that would cause the premises to differ from its residential character either by use of colors, materials, construction, lights, signs, or the emission of noise or vibration.
 - Noise, Equipment and Process Restrictions** - No equipment or process shall be used in any home occupation that creates noise, vibration, glare, fumes, odors or electrical interference detectable to the formal senses off the lot. In the case of electrical interference, no equipment or processes shall be used which creates visual or audible interference in any radio or television receivers off the premises.
 - Restriction of Wholesale and Retail Sales** - There shall not be conducted on the premises the business of selling stocks of merchandise, supplies or products, provided that orders previously made by telephone or at a sales party may be picked up and products or goods produced or fabricated on the premises as a result of the home occupation may be sold. However, direct sales of products produced off premises are not permitted.
 - Deliveries and Large Vehicle Storage** - The home occupation shall not involve the use, parking, storage or repair of any vehicle exceeding a gross vehicle weight of eleven thousand (11,000) pounds, except deliveries by parcel post, United Parcel Service, or similar in town delivery service trucks.
 - Outside Storage** - There shall be no storage of equipment, vehicles, or supplies associated with the home occupation outside the dwelling or accessory building.
 - Display of Products Prohibited** - There shall be no display of products visible in any manner from outside the dwelling.

- j. Hazards - No home occupation shall require internal or external alterations or involve construction features or the use of mechanical or electrical equipment that would change the fire rating of the structure or the district in which the structure is located. No hazardous materials shall be used or stored on the property in conjunction with any home occupation permitted, hereunder. No use shall be permitted which involves the manufacture or storage of products that are dangerous in terms of risk of fire, explosion or hazardous emissions.
- k. Heavy Transportation and Construction Equipment Prohibited - No home occupation shall involve the on-site use or storage of tractor-trailers, semi-trucks, or heavy construction equipment.
- l. Parking - A parking plan shall be presented with each request for a conditional use permit presented, hereunder. The plan shall demonstrate:
 - i. That adequate off-street parking can be provided on the site to accommodate the additional needs generated by the home occupation.
 - ii. That any added parking would not detract from the visual appearance of the residence or adversely impact adjoining properties.

Meeting Notes at Planning Commission:

- *Staff explained that the Minor and Major Home Occupation table needed to match the policy and application process. The amendment is to add a line in the Use Table to distinguish between the two types. Minor Home Occupations can be approved administratively so long as there is no retail or customers coming to the home. A major home occupation shall be considered by the Board of Zoning Appeals for approval as a Conditional Use Permit. The following three sections of the zoning code reflect the amendments needed to better clarify the approval process. Darlene Calton motioned to approve ZTA F5, F6 and F7 together regarding Minor and Major Home Occupation use table and definitions. Mary Rouse seconded the motion and the motion passed unanimously to send a favorable recommendation to the County Commission.*

G. NEW BUSINESS: - RECREATIONAL PLANNING – ASSISTANCE FROM TDEC

- *The Planning Director shared that they will be working with surrounding cities in collecting data and inventory. The State's Recreational Specialist will be meeting with her to discuss content of the plan to ensure it will meet State standards for future grant funding. Discussion followed.*

H. OLD BUSINESS: - CONTINUING EDUCATION – TACIR REPORTS

- *The Planning Director asked all members to report back if they have read and studied the TACIR Report on the State's Planning Effort on Electric Vehicle Infrastructure. This report shall serve as continuing education.*
- *She introduced Luke Meade as the new Community Planner. Luke will be assisting the department on the Recreational Facilities Plan, research and other planning tasks.*

I. OTHER MATTERS OF MUTUAL INTEREST: Planning Updates

11. Subdivision Plat List: Last Month's Recorded Plats – 17 new lots

ASHFORD FOREST SUBDIVISION	BERT & RUTH ELLEN WALSH	SULLIVAN COUNTY REGIONAL PLANNING COMMISSION	2	12/5/2022	PLAT BOOK 58 PAGE 443	THOMAS TODD GRAYSON	CHESHIRE LANE
MICHAEL SMITH	MICHAEL SMITH	SULLIVAN COUNTY REGIONAL PLANNING COMMISSION	2	12/5/2022	PLAT BOOK 58 PAGE 442	CULBERTSON SURVEYING	CAVE HILL ROAD
T.G. RODEFER SUBDIVISION	T.G. RODEFER	SULLIVAN COUNTY REGIONAL PLANNING COMMISSION	2	12/5/2022	PLAT BOOK 58 PAGE 441	KEVIN L. CROSS	RODEFER DR
TRINKLE PROPERTY & WINEGAR PROPERTY	KRAJECK	SULLIVAN COUNTY REGIONAL PLANNING COMMISSION	2	12/5/2022	PLAT BOOK 58 PAGE 440	CHARLES J. WELLS	BARGER HOLLOW ROAD AND ISLAND RD
TAYLOR 2 LOT PROPERTY PARTITION	JANE TAYLOR	SULLIVAN COUNTY REGIONAL PLANNING COMMISSION	2	12/6/2022	PLAT BOOK 58 PAGE 450	CHARLES T. JOHNSON JR	MOUNTAIN VIEW DRIVE
THOMAS LAWSON PROPERTY	THOMAS LAWSON	KINGSPORT REGIONAL PLANNING COMMISSION	1	12/6/2022	PLAT BOOK 58 PAGE 444	JONATHAN W. WILLIS	GLEN ALPINE ROAD
SUBDIVISION OF THE SAINT TIKHON RUSSIAN CHURCH	SAINT TIKHON RUSSIAN CHURCH	SULLIVAN COUNTY REGIONAL PLANNING COMMISSION	2	12/8/2022	PLAT BOOK 58 PAGE 447	STEVEN G. CROSS	FRANKLIN DRIVE
HERMAN SMITH PROPERTY LOT 1	RHONDA BETTIS & JANE HUFF	SULLIVAN COUNTY REGIONAL PLANNING COMMISSION	1	12/15/2022	PLAT BOOK 58 PAGE 453	MIZE & ASSOCIATES	MUDDY CREEK ROAD
LOT 3 BARKER FAMILY REVOCABLE LIVING TRUST PROPERTY	BARKER FAMILY REVOCABLE LIVING TRUST	SULLIVAN COUNTY REGIONAL PLANNING COMMISSION	1	12/21/2022	PLAT BOOK 58 PAGE 473	STEVEN C. LYONS	CAVERN ROAD
JODY MILLSAP	JODY MILLSAP	SULLIVAN COUNTY REGIONAL PLANNING COMMISSION	1	12/27/2022	PLAT BOOK 58 PAGE 462	CULBERTSON SURVEYING	RESERVOIR ROAD AND LONG HOLLOW ROAD
ANNA HOLTZCLAW	ANNA HOLTZCLAW	KINGSPORT REGIONAL PLANNING COMMISSION	2	12/30/2022	PLAT BOOK 58 PAGE 464	CULBERTSON SURVEYING	ROCK CITY RD

I2. County Commission Updates:

Upcoming Commission meeting on January 19th

I3. Next Month's Rezoning Cases:

- R-2 to A-5 at 409 Smoky Hill Pvt Drive, Blountville – Charles Bruce
- B-4 to R-1 at 5899 Hwy 11E, Piney Flats – Susan Ramsey

J. **UNSCHEDULED PUBLIC COMMENTS:** *Anyone wishing to address the Planning Commission on matters of concern other than a scheduled agenda application is welcome to sign in on the list. In the interest of conducting business in a timely manner, citizens shall be limited to 3-5 minutes each. No action shall be made by the Planning Commission on matters otherwise not on the published agenda.*

K. **ADJOURNMENT:** *Members adjourned at approximately 7:00PM.
The next regularly scheduled meeting will be held on **February 16th at 6:00PM.***

Approval of Minutes:

Sign: _____
Secretary of Planning Commission

Date: _____

Attest: _____
Alternate Secretary of the Planning Commission

Date: _____

SULLIVAN COUNTY ZONING RESOLUTION

TEXT AMENDMENT PROCESS AND CHECKLIST:

Date: January 17, 2023

Article Reference (Pg #): B-105.1 (11) | Page B-47

Proposed Zoning Resolution Text Amendment: added in Highlighted yellow text

11. Home Occupation - In all zones permitting residences and home occupations therein ~~that exceed the standards for minor home occupations~~ may be approved as conditional accessory uses subject to the following **Supplemental Regulations** :
- a. Participants - The home occupation is to be conducted only by members of the family residing in the dwelling unit, plus no more than one (1) nonresident assistant or employee. Persons engaged in the building trades or similar fields, using their dwelling units or residential premises as an office for business activities carried on off the premises, may have more employees that the limitation set forth above, if such persons are not employed on the premises.
 - b. Hours of Operation - In no case shall a home occupation be open to the public at times earlier than **8:00 a.m.**, or later than **10:00 p.m.**
 - c. Scale - A home occupation shall be conducted within a dwelling and shall be clearly incidental to the use of the structure as a dwelling. No more than five hundred (500) square feet or twenty-five (25) percent of the floor area of the dwelling, whichever is less, may be utilized by the home occupation.
 - d. Residential Appearance and Character - In no way shall the appearance of the structure be altered or the occupation, within the residence be conducted in a manner that would cause the premises to differ from its residential character either by use of colors, materials, construction, lights, signs, or the emission of noise or vibration.
 - e. Noise, Equipment and Process Restrictions - No equipment or process shall be used in any home occupation that creates noise, vibration, glare, fumes, odors or electrical interference detectable to the formal senses off the lot. In the case of electrical interference, no equipment or processes shall be used which creates visual or audible interference in any radio or television receivers off the premises.
 - f. Restriction of Wholesale and Retail Sales - There shall not be conducted on the premises the business of selling stocks of merchandise, supplies or products, provided that orders previously made by telephone or at a sales party may be picked up and products or goods produced or fabricated on the premises as a result of the home occupation may be sold. However, direct sales of products produced off premises are not permitted.
 - g. Deliveries and Large Vehicle Storage - The home occupation shall not involve the use, parking, storage or repair of any vehicle exceeding a gross vehicle weight of eleven thousand (11,000) pounds, except deliveries by parcel post, United Parcel Service, or similar in town delivery service trucks.
 - h. Outside Storage - There shall be no storage of equipment, vehicles, or supplies associated with the home occupation outside the dwelling or accessory building.
 - i. Display of Products Prohibited - There shall be no display of products visible in any manner from outside the dwelling.
 - j. Hazards - No home occupation shall require internal or external alterations or involve construction features or the use of mechanical or electrical equipment that would change the fire rating of the structure or the district in which the structure is located. No hazardous materials shall be used or stored on the property in conjunction with any home occupation permitted, hereunder. No use shall be permitted which involves the manufacture or storage of products that are dangerous in terms of risk of fire, explosion or hazardous emissions.

- k. Heavy Transportation and Construction Equipment Prohibited - No home occupation shall involve the on-site use or storage of tractor-trailers, semi-trucks, or heavy construction equipment.
- l. Parking - A parking plan shall be presented with each request for a conditional use permit presented, hereunder. The plan shall demonstrate:
 - i. That adequate off-street parking can be provided on the site to accommodate the additional needs generated by the home occupation.
 - ii. That any added parking would not detract from the visual appearance of the residence or adversely impact adjoining properties.

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

- To codify in the Zoning Resolution (Code) what has been the policy and practice.

Initiated by: staff

Sullivan County Regional Planning Commission ☐

Landowner/Developer ☐

Review and Recommendation Timeline:

<u>Public Review</u>	<u>Date</u>	<u>Recommendation</u>	<u>Vote Tally</u>
Initial Discussion by SCRPC	01/17/2023	Yes	8 yes/1absent
2 nd Review by SCRPC			
Bristol Staff			
Bristol Regional PC			
Kingsport Staff			
Kingsport Regional PC			
Public Notice			
County Commission Public Hearing			
<i>If CC Denies/Remands back for further Study – repeat full public review process</i>			

SULLIVAN COUNTY ZONING RESOLUTION

TEXT AMENDMENT PROCESS AND CHECKLIST:

Date: January 17, 2023

Article Reference (Pg #): 8-103.10 (3) (i) – Maintenance of Drainage System | page 87

Existing Zoning Resolution Text:

- (i) Maintenance of Stormwater Management Facilities Drainage Plan – Upon final site plan or subdivision plat approval, the maintenance of the stormwater plan shall remain the responsibility of the current landowner(s) and shall by no means be the enforcement duty or maintenance responsibility of the county except for those stormwater systems within county rights-of-way or other county-owned properties.

Proposed Zoning Resolution Text Amendment:

- (i) Maintenance of Stormwater Management Facilities Drainage Plan – Upon final site plan or subdivision plat approval, the maintenance of the stormwater plan shall remain the responsibility of the current landowner(s) and shall by no means be ~~the enforcement duty~~ or maintenance responsibility of the county except for those stormwater systems within county rights-of-way or other county-owned properties.

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

- It is mandated by the EPA – Clean Water Act – National Pollutant Discharge Elimination System/Stormwater Pollution Prevention Program that all local governments enforce the regulations, which includes maintenance of all stormwater management systems. **Sullivan County shall not maintain systems on private property**; however, the department shall enforce the regulations which requires the landowner or Homeowners' Association to maintain such facilities.

Initiated by: Sullivan County Planning & Codes Department – Building Official

Planning Director ☐

Sullivan County Regional Planning Commission ☐

Landowner/Developer ☐

Review and Recommendation Timeline:

<u>Public Review</u>	<u>Date</u>	<u>Recommendation</u>	<u>Vote Tally</u>
Initial Discussion by SCRPC	01/17/2023	Yes	8 yes/ 1 absent
2nd Review by SCRPC	n/a		
Bristol Staff			
Bristol Regional PC			
Kingsport Staff			
Kingsport Regional PC			
Public Notice			
County Commission Public Hearing			
<i>If CC Denies/Remands back for further Study – repeat full public review process</i>			

SULLIVAN COUNTY ZONING RESOLUTION

TEXT AMENDMENT PROCESS AND CHECKLIST:

Date: January 17, 2023

Article Reference (Pg #): A-103.6 (4) | page A 17

Proposed Zoning Resolution Text Amendment: added in Highlighted yellow text

4. **Home Occupation** – An accessory use of a dwelling unit for gainful employment which: a) is clearly incidental and subordinate to the use of the dwelling unit as a residence; b) is carried on solely within the main dwelling and does not alter or change the exterior character or appearances of the dwelling; c) is located in a residential district; and no article is for sale except such services produced by such home occupation.

4(a) – Minor Home Occupation – An accessory use that meets the above restrictions of an in-home business, which shall comply with all supplemental regulations as required in Appendix B-105 Part 11 and will not require customers, clients or students to come to the home for services; rather all business activities are restricted to on-line or off-site sales, trades or services.

4(b) – Major Home Occupation – An accessory use that meets the above restrictions of an in-home business however may require customers, clients or students coming to the home in-person for sales, trade or services. Such Major Home Occupation shall require consideration for approval by the Board of Zoning Appeals, who may consider conditions of approval to ensure the zoning principals are upheld. Such Conditions of Approval may include by-appointment-only or a limit of clients per day to safeguard the residential neighborhood.

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

- To codify in the Zoning Resolution (Code) what has been the policy and practice.

Initiated by: staff

Sullivan County Regional Planning Commission ☐

Landowner/Developer ☐

Review and Recommendation Timeline:

<u>Public Review</u>	<u>Date</u>	<u>Recommendation</u>	<u>Vote Tally</u>
Initial Discussion by SCRPC	01/17/2023	Yes	8 yes/1absent
2 nd Review by SCRPC			
Bristol Staff			
Bristol Regional PC			
Kingsport Staff			
Kingsport Regional PC			
Public Notice			
County Commission Public Hearing			
If CC Denies/Remands back for further Study – repeat full public review process			

SULLIVAN COUNTY ZONING RESOLUTION

TEXT AMENDMENT PROCESS AND CHECKLIST:

Date: January 17, 2023

Article Reference (Pg #): Table 3-102A | Page 14

Proposed Changes in Highlighted Yellow

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

<i>USES Cont.</i>	DISTRICTS					
	A-5/A-2 A-1	AR / A-RV / RRC	R-1	R-2/R-2A	R-3A/R-3B	R-3
<u>ACCESSORY USES AND ACTIVITIES</u>						
Accessory Apartment (amended 2018)	SUP	SUP	SUP	SUP	X	X
Accessory Cargo Shipping Containers (Adaptive Reuse of Steel)	X/X/BZA*	X	X	X	X	X
Accessory Forest Operations	PC	PC	X	X	X	X
Accessory Plant Raising and Animal Care	P	P	SUP	SUP	SUP	SUP
Bed and Breakfast Homestay (Home Occupation – 1 to 3 rooms)	BZA	BZA	X	X	BZA	X
Bed and Breakfast Inn (4 to 12 rooms)	BZA	BZA	X	X	BZA	X
Columbarium/Mausoleum	SUP	SUP	X	X	X	X
Farm Employee Housing	SUP	SUP	X	X	X	X
Family Child Care Facility (Major Home Occ./Accessory Use)	SUP	SUP	X	SUP	SUP	X
Group Child Care Facility (Major Home Occ./Accessory Use)	SUP	SUP	X	X	X	X
Home Occupations (Minor and Major) see appendix B-105.1	SUP	SUP	SUP	SUP	SUP	SUP
Home Occupations (Major) see appendix B-105.1	BZA	BZA	BZA	X	X	X
In-Home Day Care (Minor Home Occupation – less than 4 unrelated children)	SUP	SUP	SUP	SUP	SUP	SUP
Off-Street Parking (depends on road classification and HOA's)	X	P	P	P	P	P
Parents Day Out	SUP	SUP	SUP	SUP	SUP	SUP
Private Recreation Facilities	P	P	P	P	P	P
Special Public Event on Private Property	BZA	BZA	BZA	BZA	X	X

KEY TO INTERPRETING USE CLASSIFICATIONS

X = Specifically not permitted. P = Use Permitted by Right Within the District. SUP = Principal Use Permitted with Supplemental Provisions.

BZA = Subject to approval by the Board of Zoning Appeals PC = subject to the Regional Planning Commission approval of site plan.

* See Supplemental Design Guidelines in Appendix B-105.2 #7 as amended on 05/16/2011

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

- *To distinguish between Minor and Major Home Occupations to align with the policies, application and process.*

Initiated by: *Sullivan County Building Official*

Planning Director ☐

Sullivan County Regional Planning Commission ☐

Landowner/Developer ☐

Review and Recommendation Timeline:

<u>Public Review</u>	<u>Date</u>	<u>Recommendation</u>	<u>Vote Tally</u>
Initial Discussion by SCRPC	01/17/2023	Yes	8 yes / 1 absent
2nd Review by SCRPC			
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