



City of Bristol, Virginia

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PUBLIC NOTICE

**A SPECIAL CALLED MEETING OF THE CITY OF BRISTOL,
VIRGINIA PLANNING COMMISSION WILL BE HELD ON
MONDAY, JUNE 3, 2019 AT 12:00 PM IN COUNCIL CHAMBERS
FOR THE PURPOSE OF CONSIDERING RECOMMENDATION TO
CITY COUNCIL ON PROPOSED ZONING ORDINANCE
AMENDATIONS FOR OVERNIGHT RECREATIONAL
DEVELOPMENT STANDARDS.**

05/31/19



CITY OF BRISTOL, VIRGINIA
COMMUNITY DEVELOPMENT DEPARTMENT
300 LEE STREET
BRISTOL, VIRGINIA 24201
(276) 645-7470

**BRISTOL VIRGINIA PLANNING COMMISSION
SPECIAL MEETING**

Monday, June 3, 2019

A special meeting of the Bristol Virginia Planning Commission will be held at **12 Noon** on Monday, June 3, 2019 in the City Council Chambers in City Hall, 300 Lee Street.

AGENDA

- I. Call to Order
- II. Review of Minutes of May 20, 2019 Meeting (No action due to no quorum present)
- III. New Business – None Scheduled
- IV. Old Business
 - A. Consideration of Recommendation to City Council on Proposed Zoning Ordinance Amendments for Overnight Recreational Development standards
 - B. Work Session – Zoning Ordinance Revision Project (*Note: Please Bring Your Zoning Notebooks*)
 - 1. Review of Mixed Use Districts – Division 9
 - 2. Division 5 – Floodplain District
 - 3. Division 18 – Definitions (Partial Completion)
- V. Adjournment

Next Regular Meeting – **Monday, June 17, 2019**

BRISTOL VIRGINIA PLANNING COMMISSION
Monday, May 20, 2019
12:00 pm

MEMBERS PRESENT:	MEMBERS ABSENT:	STAFF:	OTHERS:
Michael Pollard	Todd Buchanan	Sally Morgan	David McGee
Breanne Forbes-Hubbard	Bart Long	Amy Dula	
Kevin Wingard	Susan Long		
	Jordan Pennington		

- I. Call to Order
Mr. Pollard called the meeting to order at 12:02 p.m

- II. Approval of the Minutes of March 4 Work Session, March 18 Regular Meeting, and April 1 Called Meeting.-
No action was taken because the Planning Commission did not have a quorum.

- III. Public Comment (for items not on the agenda)
No comments were made for items not on the agenda.

- IV. New Business – None Scheduled

- V. Old Business – Work Session

Zoning Ordinance Revision Project – Presentation of Draft Chapters

A. Division 9 – Mixed Use Districts
 - 1. Flexible Redevelopment District (FRD) §50-130
 - 2. Lee Highway Mixed Use District §50-131

Ms. Morgan made a presentation about mixed uses and how this type of zoning is becoming more of a trend in cities, including both horizontally or vertically mixed uses or both and she showed examples in photographs. She pointed out that the advantages included more compact, walkable places where people live near where they work which often appeals to millennials and empty nesters.

Ms. Morgan reported that the Comprehensive Plan recognized two potential categories of mixed uses with one called “Flex” on the future land use map and the other being the area across from The Falls shopping center – called Lee Highway Mixed Use. The members discussed the draft of Division 9 with two new proposed zoning districts (that correspond with these areas) that had been drafted by staff and mailed out with the agenda packet.

She indicated that the FRD District is designed to implement the Future Land Use map that shows “Flex Use” as a category with those being largely older industrial or

business tracts like the former mall and the former Reclaimed Resources industrial site on Williams Street. She also noted that the flex use category on the map was recently expanded to include a former industrial area north of E. Mary St.

There was much discussion regarding the material presented and Commissioners made several recommendations for revisions to the Division 9 draft regarding Flex Use and Mixed Use Districts. Mr. Pollard recommended revising the title names of the Division and/or the districts, so there would be less redundancy and confusion.

Ms. Forbes-Hubbard asked the City Planner why tattoo parlors were specifically excluded under 50-131(b) 2 m. Ms. Morgan stated that there was no particular reason and she would change that by eliminating the exclusion. In addition, Mr. Pollard recommended that it be considered to move the uses listed as needing a special use permit and just including them with permitted use. (Sec. 50-131c, although there was a typo pointed out on the draft that shows this section as 50-132c).

There was further discussion about the difference between the two districts as well as what made them that much different from existing zones. Mr. Wingard said that he thought this was a good idea in that we needed more businesses close to residential zones, but thought that the minimum acreage on the FRD district was too large. Ms. Morgan stated that she was following the future land use map to only include those larger tracts that had been identified and classified as Flex. Mr. Pollard suggested perhaps having a 3-acre minimum size standard would be better. Ms. Morgan noted that she knew this was new material for everyone and appreciated the discussion. She would make some changes to the draft and present it back to the Commission

B. Division 17 – Administration and Enforcement

The City Planner informed members that she had drafted Division 17 – Administration and Enforcement to replace Division 11 (which was distributed earlier). She said it was being reviewed by the city attorney.

C. Zoning Map and Proposed Schedule

Ms. Morgan discussed the proposed schedule for the Zoning Revision project:

June 3 - Work Session for last two sections of ordinance

June 17 - Regular Meeting with full document draft

July – September – Zoning Map revision and finalizing draft document

November – open house for public comments

December – work on revisions

January 2020 - Presentation of Final Draft Ordinance and Maps

February – Joint Public Hearing

March - Adoption

VI. Adjournment

The work session was adjourned at 1:23 pm.

**BRISTOL, VIRGINIA PLANNING COMMISSION
AGENDA ITEM SUMMARY**

Meeting Date: June 3, 2019

Department: Planning/Community Development

Bulk Item: Yes No

Staff Contact: Sally Morgan, City Planner

AGENDA ITEM WORDING:

Consideration of Zoning Amendment to add new Section 50-177 (Campground and RV Park Standards); revise existing Section 50-109 (b); and add Definitions to Section 50-28.

ITEM BACKGROUND:

As discussed at the March 4 Work Session, the city zoning ordinance has no mention of campgrounds and RV parks. There has been an interest expressed by a landowner which prompted the drafting of a proposed amendment to City Code Section 50-177 (Supplemental Regulations) for Campground and RV Park Standards. There would also need to be a revision to Section 50-109 (b) to add “Campgrounds and RV Parks” to list of permitted uses in the B-3 and A Districts as well as some additions to Section 50-28 Definitions.

The Planning Commission has reviewed, discussed, and revised the draft and voted to forward it to City Council for a joint public hearing which was held on May 28. No public comments were received at the public hearing. The Mayor did make a couple comments regarding the proposed ordinance, including an inquiry about the extent and location of B-3 zoning in the city due to concerns about proximity to residential areas.

City staff will present two revisions to the draft code – one of which might help respond to the Mayor’s concern and that would be to establish a minimum lot area. The second proposed change would be just to clarify the section regarding road construction. Attached is a latest draft with two changes marked in red type.

PREVIOUS RELEVANT ACTION:

March 18, 2019 – Planning Commission voted to table the draft for further input

April 15, 2019 – Planning Commission asked that a meeting be held on April 30 to continue discussion

April 30, 2019 – Planning Commission voted to forward the latest draft to City Council for a joint public hearing.

May 13 and 20 – Joint Public Hearing was advertised in Bristol Herald-Courier

May 28, 2019 – Joint Public Hearing was held

STAFF RECOMMENDATION:

Staff recommends the Planning Commission recommend adoption of the proposed amendment to the City Council with two possible revisions.

Proposed New City Code Section 50-177 under Supplementary Regulations

Overnight Recreational Development Standards

- (a) Purpose: The purpose of these standards is to provide regulations for the development of attractive, well-maintained commercial campgrounds, recreational vehicle parks, and recreational cabins. This section is intended for unified developments occupying a single or adjacent tracts of land under one ownership, and not a subdivision with individual landowners.
- (b) Procedure for application: Each application for an overnight recreational development shall follow the following procedure:
1. Initial Application Meeting. Prior to submittal of a site plan for an overnight recreational development and before any site improvements are made, the applicant shall meet with appropriate city staff to review conceptual site plans, and other information relating to the proposed application.
 2. Formal Application. Following the initial meeting, a formal application shall be filed with a preliminary Site Plan drawn on a scale of not less than one inch equals fifty (50) feet with the following information. If the proposed location requires a special exception permit, this step shall be required as part of the special exception application.
 - a. Project location, present zoning, adjacent zoning, adjacent land use, acreage and general topographic contours;
 - b. Proposed private street layout and dimensions, including a typical cross section of proposed streets and proposed minimum and maximum grades;
 - c. Location of all individual campsites, structures, parking spaces and pads, and common recreational space facilities;
 - d. Existing utilities and proposed connections to existing or proposed new water, sewer, electric, and storm water drainage facilities.
 - e. Landscaping and buffering plan for the development;
 - f. Flood plain information, including identified floodway and flood elevation data;
 - g. Existing easements, covenants, right-of-ways, or other restrictions located on the property;
 - h. Other additional information as may be reasonably required by city staff on the preliminary site plan, including but not limited to, utilities, drainage, lighting, and other features.
 3. Final Site Plan and Final Construction Drawings. Following approval of the preliminary site plan or the application for Special Exception, if applicable, the applicant shall prepare a final site plan and construction drawings consistent with the provisions of Article VII, Division 3.

- (c) Phased Development. In the case of a phased development, final approval may be granted in phases. All improvements for each phase shall be completed prior to the issuance of a letter of completion, and no campsites or overnight cabins shall be occupied in the applicable phase until a certificate of occupancy or letter of completion has been issued. Improvements may be required within the development but outside the proposed phase, when it is determined by the City Engineer, Building Official, or the Virginia Department of Health to be necessary for public health or safety.
- (d) In accordance with Section 50-601 (d), the final site plan is null and void if construction or development has not commenced within six months of site plan approval. A time extension may be granted in compliance with 50-601 (d) (3). In the case of a required Special Exception, any substantial design changes in the final site plan from the preliminary site plan as presented to the Planning Commission shall require approval of the Planning Commission and City Council through the special exception process, provided in Section 50-39.
- (e) Applicable State or City Requirements. An overnight recreational development shall comply with the following requirements:
1. Any campground shall be properly approved by the Virginia Department of Health and comply with applicable standards in Code of Virginia Title 35.1 and related Virginia administrative code;
 2. Any cabin structures must meet requirements of the Virginia Residential Code;
 3. Any development under this Section shall comply with city and/or state standards for land disturbance, storm water management, and any other applicable city or state requirements.
- (f) Development Standards
1. **There shall be a minimum lot area of two (2) acres for any development.**
 2. All campsites and cabins shall be designed to provide a setback of at least thirty-five (35) feet from a public right-of-way and twenty-five (25) feet from any adjoining property boundary, and each site shall be a width of at least twenty-five (25) feet.
 3. Any accessory uses or structures shall meet the setbacks in (f) 1. Any accessory structure shall be at least fifteen (15) feet from the edge of any internal street.
 4. Each campsite shall have pads and/or parking spaces improved with asphalt, concrete, crushed stone, impermeable or permeable pavers, or other material if approved by the City Engineer.
- (g) Road Access and Internal Streets. An overnight recreational development shall meet the following street access and construction requirements:
1. The development shall have a minimum of fifty (50) feet of street frontage on a public, city-maintained street which provides sufficient access to an arterial roadway.

2. Each campsite and overnight cabin must have direct access to an internal street in the development. All internal streets shall be private and shall, at a minimum, be constructed to standards contained in this section.
 3. Access shall be constructed to ensure all vehicles utilize transportation circulation within the development and are only permitted ingress and egress from the development from approved, limited access driveway entrances, as shown on the approved site plan.
 4. Private streets shall be indicated on the approved site plan. All private streets shall:
 - a. Be a minimum sixteen (16) feet in width if two-way streets are utilized or a minimum ten (10) feet in width if one-way streets are utilized, with adequate turning radius at all intersections.
 - b. Be paved for a minimum of forty (40) feet from the intersection with the public, city-maintained street or the full length of the street if it is less than forty (40) feet in length from the public street. The remaining portion of the internal streets shall be improved with asphalt, concrete, crushed stone, impermeable or permeable pavers, or other material if approved by the City Engineer.
 - c. Unless otherwise approved, all dead end streets/drives shall be designed with a cul-de-sac having a minimum pavement radius of 30 feet.
- (h) Utilities. Overnight recreational developments shall meet the following utility infrastructure requirements:
1. The development shall be provided with public water service with adequate fire flow.
 2. Fire hydrants shall be located at each entrance of the development.
 3. The development shall provide for solid waste disposal utilizing an adequate number of waste dumpsters that are shielded from view with proper screening.
- (i) Fires. Any fire pits for recreational use and cooking shall be no more than a 3 foot by 3 foot in size. Any local, state, and federal restrictions on burning bans shall apply within the development.
- (j) Accessory Uses. The overnight recreational development may include other structures and uses that are a component of the overall development and for use only by those guests staying at the development. These uses shall be only incidental to the primary use of the property for overnight accommodations. These types of uses would include the following:
1. Small grocery store and concessions
 2. Bathhouse and restroom facilities
 3. Laundry facilities
 4. Common living or clubhouse space
 5. Recreational facilities such as playgrounds, swimming pools, tennis courts, ballfields, picnic areas, and game rooms.

- (k) Landscaping and Buffering. The overnight recreational development shall meet the following requirements to provide sufficient open space and protect adjoining properties:
1. A minimum of twenty-five (25) percent of the overall Overnight Recreational Development must be green space including the required landscaping and buffering areas.
 2. The green space should be dispersed to provide a break in the impervious surfacing of the development and be landscaped to improve the esthetic quality of the development.
 3. A peripheral boundary shall be provided. The area within the peripheral boundary shall remain as open space without any type of development, except for the direct ingress and egress to and from the property, signage, and fencing.
 4. The peripheral boundary shall be along the full length of all outer property line boundaries of the proposed development site. Its width shall be a minimum of twenty-five (25) feet along the length of property lines that abut residentially used or zoned property and shall be a minimum width of ten (10) feet along the length of property lines which abut non-residentially used or zoned property and along public roadways.
- (l) Permanent and Long-Term Occupancy Prohibited No campsite or overnight cabin shall be used as a permanent or long-term living place.
1. Continuous occupancy beyond sixty (60) days in any 12-month period shall be presumed to be permanent occupancy and is prohibited.
 2. Any action toward removal of wheels of an RV, except for temporary short-term repair, is prohibited.
 3. No permanent external appurtenances such as carports, additions, or patio may be attached to any camping unit or RV.
 4. Any operator of a campground, RV park, or overnight cabin development shall maintain records of occupancy sufficient to demonstrate compliance with the prohibition against permanent occupancy. Such records shall include the initial date of arrival and final departure for the party of each responsible camper, RV, or cabin renter.
- Also Need to Revise **Section 50-109 (b) adding (44)** Overnight Recreational Development as a permitted use in B-3 zone and to **Section 50-123 adding (b) 11** Overnight Recreational Development as a permitted use in the A (Agricultural) zone
 - Add Definitions to current section 50-28:

Overnight Recreational Development: An area that is occupied or intended for temporary occupancy in recreational vehicles, tents, yurts, or recreational cabins, and is governed by an overall site development plan. The terms “campground,” “RV

park,” and “overnight cabin development” are all considered overnight recreational developments.

Recreational Vehicle (or RV): A mobile unit primarily designed as temporary living quarters for recreational or camping use, whether independently mobile or pulled by another vehicle.

Campsite: A designated plot of ground within a campground or recreational vehicle park intended for the occupancy of camping tents or recreational vehicles.

Cabin: A small dwelling built and designed for temporary, recreational use as a part of an overnight recreational development.

**BRISTOL, VIRGINIA PLANNING COMMISSION
AGENDA ITEM SUMMARY**

Meeting Date: June 3, 2019

Department: Planning/Community Development

Bulk Item: Yes No

Staff Contact: Sally Morgan, City Planner

AGENDA ITEM WORDING:

Zoning Ordinance Revision Project – Work Session

ITEM BACKGROUND:

The Planning Commission will have a work session to go over the below sections:

1. Review of Mixed Use Districts – Division 9
2. Division 5 – Floodplain District
3. Division 18 – Definitions (Partial Completion)

These are attached in the agenda packet for review prior to the meeting.

Due to feedback received at the May 20 regular meeting, staff has amended Division 9 to eliminate the Lee Highway Mixed Use District in that what was proposed in that district can be achieved through the proposed Division 8 Planned Unit Development District. Staff will explain this further at the meeting. Attached is a revised (note date of May 30 at top) version for review.

Division 5 - The floodplain district was sent out previously via email.

Division 18 – Definitions is in process of being drafted.

PREVIOUS RELEVANT ACTION:

March 20, 2017 – The Commission discussed and voted to pursue the updating and revising of the Zoning Ordinance using city staff resources.

STAFF RECOMMENDATION:

For information and discussion.

DIVISION 9. – MIXED USE DISTRICTS

Section. 50-130 (a) Flexible Redevelopment District (FRD) – Purpose

The purpose of this district is to encourage the creative redevelopment of certain previously-developed properties by allowing a mix of compatible land uses in conformity with the city Comprehensive Plan and with an approved site plan. This may entail the re-use of existing structures or the redevelopment of former commercial or industrial sites for new construction, or a combination of both activities. The intent is to rejuvenate economic activity to relatively large tracts that have been vacant, thereby providing jobs and increased tax base. This district would be appropriate for those areas shown on the Future Land Use Map as “Flex” land uses, and it may be suitable for other smaller redevelopment projects. As an alternative, mixed use development can be achieved through the Planned Unit Development (PUD) zone (Division 8) that provides more flexibility in yard requirements and a wider range of land uses in a unified, cohesive manner through a master plan.

Sec. 50-130 (b) Permitted uses

- (1) Art gallery
- (2) Business support service, including customer care or call center
- (3) Day care center (children and adults)
- (4) Data center and other technology-based services such as cyber-security
- (5) Distribution warehouse
- (6) Education and training facility
- (7) Equipment, appliance, or furniture repair with no outside storage
- (8) Financial institution
- (9) Food and beverage processing, packing, bottling, and sales
- (10) Health club or fitness center
- (11) Hotel and conference center
- (12) Indoor amusement or entertainment facility
- (13) Indoor sports and recreation facility
- (14) Indoor vehicle and recreational equipment sales and storage
- (15) Laboratory for products testing and research
- (16) Light manufacturing involving only assembly of products or components and no heavy machining or outside noise, vibration, odors, or storage
- (17) Micro-brewery or distillery
- (18) Mini-warehouse storage
- (19) Museum
- (20) Offices, general and medical
- (21) Parcel processing
- (22) Personal services such as hair and nail salon, or spa

- (23) Plant growing (inside only), processing, and packaging for pharmaceutical products
- (24) Printing production and services
- (25) Radio or TV Station
- (26) Recording Studio
- (27) Research and development center
- (28) Restaurants and catering services
- (29) Retail sales – General
- (30) Retail sales – Specialty products
- (31) Studio for art, photography, dance, or music

Sec. 50-130 (c). Permitted uses- with special use permit

- (1) Manufacturing with more intense activity than light assembly and packaging
- (2) Outdoor entertainment facility
- (3) Outdoor recreation and sports facility
- (4) Outdoor horticulture and nursery
- (5) Outdoor vehicle and equipment sales
- (6) Outdoor storage associated with light manufacturing or distribution
- (7) Residential uses
- (8) Other land uses that are deemed similar to the uses in (b) or (c)

Sec. 50-130 (d). Accessory Uses. Any accessory building or use customarily incidental to the above permitted and special uses is permitted.

Sec. 50-130 (e) Minimum Lot Area. There shall be no minimum lot area for non-residential uses, but developments with residential uses shall conform to the following: Single-family dwellings (R-1 lot area in 50-60), townhouses (Sec. 50-136), two-family dwellings (R-2 lot area in 50-60), and multi-family dwellings (R-3 lot area in Sec. 50-60).

Sec. 50-130 (f) Lot Coverage. Lot coverage shall not exceed 40% of the total area with green space and common area, including parking, comprising the other 60% or more of the total acreage.

Sec. 50-130 (g) Height. Height limit of 45 feet, excluding items listed in Section 50-62.

Sec. 50-130 (h) Setbacks. The yard requirements for non-residential uses shall comply with setbacks of the B-1 district. The setbacks for residential uses shall conform to the following: Single-family dwellings (R-1 in 50-60), townhouses (Sec. 50-136), two-family dwellings (R-2 in 50-60), and multiple family dwellings (R-3 in Sec. 50-60).

Sec. 50-130 (i) Compatibility of Land Uses. The land uses proposed shall be arranged so that compatibility both internal to the site and external to adjoining land uses is maximized and use conflicts are minimized.