BRISTOL VIRGINIA PLANNING COMMISSION
REGULAR MEETING

Monday, July 15, 2019

A special meeting of the Bristol Virginia Planning Commission will be held at 12 Noon on Monday, July 15, 2019 in the City Council Chambers in City Hall, 300 Lee Street.

AGENDA

I. Call to Order

II. Consideration of Minutes of June 17, 2019 Regular Meeting

III. New Business
    A. Election of Officers for FY 2019-2020
    B. Consideration of Preliminary Plat for Wildflower Ridge – Phase 1B
    C. Presentation of Planning Commission Annual Report for Consideration
    D. Consideration of Amendment to Rules of Procedure for Planning Commission

IV. Old Business
    A. Proposed Zoning Map Changes – West third of city (west of Commonwealth Avenue) – Proposal to hold work session

V. Adjournment

Possible Work Session on Zoning Map – Monday, July 29

Next Regular Meeting – Monday, August 19, 2019
I. Call to Order
Mr. Pennington called the meeting to order at 12:00 pm.

II. Consideration of Revised Agenda, adding new Item V. C.

City Planner, Ms. Morgan asked for a motion to revise the agenda by adding a new item, V. (C). Plat #03-2019 – The Falls –Phase 3. Request for extension of time to record and variance to allow overhead power line along rear property line.

Mr. Pollard made a motion to revise the agenda by adding a new item under old business. Motion as seconded by Mr. Wingard and carried by the following votes:

Ayes: Forbes – Hubbard, B. Long, Pollard, Wingard, Buchanan, Pennington

III. Consideration of Minutes of April 15, April 30, May 20, and June 3 Meetings

Ms. Morgan made a recommendation to accept the May 20 minutes as unofficial minutes because there was not a quorum at the May 20 regular meeting. Ms. Morgan also stated that there is a minor correction to the June 3 meeting minutes.

Mr. Wingard made a motion to approve the minutes of April 15, April 30 and June 3 regular meetings. Mr. Pollard seconded the motions and was carried by the following votes:

Ayes: Pollard, Wingard, Buchanan, Pennington
Abstentions: Forbes-Hubbard, B. Long

The Planning Commission accepted the minutes of the May 20 regular meeting as unofficial minutes.

IV. New Business – There was no new business on the agenda.
V. Old Business

A. Update on Proposed Zoning Ordinance Amendments for Overnight Recreational Development standards

Ms. Morgan reported that the City Council at its June 12 regular meeting had tabled action on the proposed Overnight Recreational Development standards ordinance. A question had been raised at that meeting about the minimum lot size of two (2) acres and an opinion was expressed that the minimum acreage was two small. Ms. Morgan presented some maps to the Planning Commission showing B-3 zoning in the city by lot size ranges (two to five acres, five to ten acres, and ten or more acres).

Ms. Morgan also reported that Council members also raised an issue about the duration of occupancy being a maximum of 60 days and not matching the city policy of 30 days for the Sugar Hollow campground. Mr. Pollard stated that this was already discussed and that it should be a matter of policy if a public or private campground owner wanted to be more stringent than the 60 days.

Mr. Long made a motion to revise the Commission recommendation to the City Council to increase the minimum lot size from two (2) acres to ten (10) acres, recognizing that anything less than that size requirement will require a special exception permit under an individual case review. Mr. Buchanan seconded the motion and the motion was carried by the following votes:

Ayes: Forbes-Hubbard, B. Long, Pollard, Buchanan, Pennington
Abstentions: Wingard

B. Work Session – Zoning Ordinance Revision Project

1. Division 5 – Floodplain District

Ms. Morgan presented a map showing flood zone areas in the city and showed an example of what the flood maps look like showing both floodway and floodplain. and explained that reported that she spoke with the department of conservation recreation regarding the floodplain district whom recommended several revisions to the ordinance. Ms. Morgan presented a map showing the areas that are flood zones and highlighted the recommended revisions.

Ms. Morgan reported that she has had the floodplain program manager at the Virginia Department of Conservation and Recreation review our current ordinance and recommend changes. She said that some of the terminology needs updating, particularly the term “100 year floodplain” which is now called “Special Flood Hazard Area” and is defined as one percent chance of flooding in any given year.

Ms. Morgan also pointed out the “floodway” is closest to the stream and is most prone to flooding, therefore is restricted in terms of construction, but that construction is permitted in the flood plain area, however, the floor has to be at least one foot about flood elevation.
2. Division 18 – Definitions and Completion Schedule

Ms. Morgan reported that she is about 75% complete with the last chapter which is Definitions. She reviewed the proposed schedule to work on the zoning map revisions from July through September and present the full document and maps to the City Council in October. She also proposed public input sessions in the fall and then presentation of the final document in January with public hearing next February.

Mr. Wingard stated that this was too prolonged a schedule and requested that it be shortened so that work could be completed and the changes adopted this calendar year. Other members shared this concern, so Ms. Morgan stated that she would go ahead and finish the entire draft document by July 1 and then work on the maps could follow. Mr. Wingard expressed concern that City Council would need a significant amount of time to review such a large volume of information. There was consensus to go ahead and provide the draft document to the City Council members when it was complete. Ms. Morgan agreed to do this.

C. Plat #03-2019 – The Falls –Phase 3. Request for extension of time to record and variance to allow overhead power line along rear property line.

Ms. Morgan reported that the final plat of this subdivision was approved on March 18 by the Planning Commission and March 26 by City Council, however it was not recorded within sixty (60) days which is required by the subdivision code. Ms. Morgan recommended that the Commission approve a 60-day extension to record the final plat as allowed by city code.

Mr. Wingard made a motion to provide a 60-day extension to record the final plat. Mr. Pollard seconded the motion and carried by the following votes: Ayes: Forbes-Hubbard, B. Long, Pollard, Wingard, Buchanan, Pennington

Ms. Morgan reported that the approved plat shows an overhead powerline to be removed. The developer has requested that he be allowed to put back a overhead power line along the rear portion of the property. The city subdivision code prohibits overhead powerlines unless a variance is approved by the Planning Commission.

Mr. Long made a motion to approve the installation of the overhead powerline near the rear of the property. Mr. Pollard seconded the motion and the vote was carried by the following:

Ayes: Forbes-Hubbard, B. Long, Pollard, Wingard, Buchanan, Pennington

VI. Adjournment

Next Regular Meeting – **Monday, July 15, 2019**
Meeting Date: July 15, 2019

Bulk Item: Yes __ No X __

Department: Planning/Community Development

Staff Contact: Sally Morgan, City Planner

AGENDA ITEM WORDING:

Election of Officers

ITEM BACKGROUND:

The Rules of Procedure for the Planning Commission state that the election of Chairman and Vice-Chairman shall take place at the Commission’s July meeting and the elected officers assume office immediately. The current officers are eligible for reelection.

PREVIOUS RELEVANT ACTION:

January 23, 2018: Mr. Pennington automatically replaced Kevin Corbett to fill his unexpired terms as Chairman following Mr. Corbett’s resignation. Mr. Pollard was elected Vice-Chairman.

July 16, 2018: Mr. Pennington was elected to serve as chairman and Mr. Todd Buchanan to serve as vice-chairman for the fiscal year of 2019.

STAFF RECOMMENDATION:

None
AGENDA ITEM WORDING:
Consider Granting Preliminary Plat Approval for Plat #06-2019 for Wildflower Ridge – Phase 1B

ITEM BACKGROUND:
The applicant is seeking preliminary plat approval to create eight (8) new lots as Phase 1B of the Wildflower Ridge subdivision. The Planning Commission approved a preliminary plat for all of Phase 1 in May 2017 which at the time was a total of nine (9) lots. Of those nine lots, a final plat of the first five lots (Phase 1A) was approved by City Council in August 2018. Single-family detached homes have been constructed on those five lots.

The developer is now proposing to increase the remaining number of lots from four to eight, and decrease the size of the new lots to about half the size of the existing lots. Because this is a substantial change from the approved preliminary plat, the developer is submitting a new preliminary plat for approval at this time. A final plat will come back to the Planning Commission at a later date.

PREVIOUS RELEVANT ACTION:
- May 15, 2017 – Approval of preliminary plat of Phase 1 and R-T overlay (allowing for construction of townhouse and private streets as per City Code 50-92 and 50-356).
- June 18, 2018 – Approval of Final Plat of Phase 1A. (Approved by City Council in August 2018).

STAFF RECOMMENDATION:
Staff recommends Planning Commission approval of the revised preliminary plat contingent on all city and BVU comments being addressed in the final plat (which will come back to the Planning Commission at a later date).

DOCUMENTATION: Included _X_ Not Required__
STAFF REPORT

To: Planning Commission
From: Sally H. Morgan, City Planner
Date: July 15, 2019
RE: Consideration of Preliminary Plat #06-2019 – Wildflower Ridge Phase 1B
Attachments: Preliminary Plat sheets

1) Applicant/Agent: Aaron Lilly
   Lilly Construction

2) Property Owner, if different: 1158 Holston Dr.
   Bristol, TN 37620

3) Property Address: Wildflower Ridge Rd.

4) Property Zoning: R-3 C (Moderate Density Residential - Conditional)

5) Property Location: Wildflower Ridge Road
(6) Property Photos

Wildflower Ridge Phase 1A – Five lots

Proposed Area of Phase 1B – Eight lots

View of Phase 1B area from rear of Phase 1A
7) Request: The applicant is seeking preliminary plat approval to create eight (8) new lots as Phase 1B of the Wildflower Ridge subdivision. The Planning Commission approved a preliminary plat for all of Phase 1 in May 2017 which at the time was a total of nine (9) lots. Of those nine lots, a final plat of the first five lots (Phase 1A) was approved by City Council in August 2018. Single-family detached homes have been constructed on those five lots.

The developer is now proposing to increase the remaining number of lots from four to eight, and decrease the size of the new lots to about half the size of the existing lots. Because this is a substantial change from the approved preliminary plat, the developer is submitting a new preliminary plat for approval at this time. A final plat will come back to the Planning Commission at a later date.

8) Ordinance Requirements:
The subdivision process is regulated by Section 50, Article III, of the City Code. This article is broken into nine (9) divisions which regulate the submission and review of subdivision plats. These regulations stipulate required content for each plat as a condition of approval. The article provides for a process of preliminary approval and then final approval. The intent of the code is to provide the preliminary process as a mechanism for safeguarding the “subdivider from unnecessary loss of time and expense”. The final plat is the final recordable document and serves as the permanent record of the proposed and approved subdivision. The Planning Commission is charged with approval of both the preliminary and final plat. Final plats go to the City Council for approval and certification. Sometimes subdivisions are submitted with a request for preliminary and final plat review to proceed concurrently. The Planning Director grants this request at his or her discretion.
9) Existing Conditions and Plat Description:
The subject property is part of a larger 12.7 acre tract owned by Aaron Lilly and located adjacent to Quail Run condominiums and Seven Oaks townhouses. In addition to the adjacent multi-family housing developments, the subject property is just east of a larger undeveloped tract of land known as the Harber tract, and is bordered on the south by the Bellehaven IV subdivision, a single-family neighborhood that was platted in the mid to late 1980’s. The property is zoned R-3 C (Moderate Density Residential – Conditional) and the R-T overlay district was approved in May 2017 to allow for townhouse development.

Phase 1 of Wildflower Ridge is located on newly-constructed Wildflower Ridge Road which intersects with Quail Way and Beaver View Rd at an existing cul-de-sac. The first five lots (Phase 1B) are accessed by private streets (Morning Glory Dr. and Honeysuckle Lane). The new proposed eight lots (Lots 6 through Lot 13) will be served from the same private streets but on an extension of Honeysuckle Lane running west from Morning Glory Dr. The private streets are 22 feet in width of pavement.

The townhome lots are 22 feet wide and the length or depth of the lots varies from 135 feet on the eastern end to 154 feet on the western end. The size of the lots range from 3,093 square feet (Lot 7) to 5,053 square feet (Lot 13). The different sizes of lots are due to the 10 foot required side yard setback on the end lots and also a slightly more angled orientation of the proposed structure (as compared to Phase 1A) which varies the depth of the lots.

The preliminary plat shows the required 25 foot front setback and 30 foot rear setback to comply with R-3 yard requirements. As was allowed with the first section, a portion of the rear yard is included in the proposed private street access behind the units (which is a future street). Future development of that next phase will require cross access easements across the rear of the lots, although that should also be covered in the deed covenants. Below is an excerpt from the plat sheets that are attached.
The developer has said the architectural design and exterior siding color pattern will be similar to Phase 1A. The units will also be built to be energy efficient with solar panels. Each unit will have a one-car garage and parking for at least one other vehicle in front of the unit.

10) Previous Relevant Planning Commission Actions:
- May 15, 2017 – Approval of preliminary plat of Phase 1 and R-T overlay (allowing for construction of townhouse and private streets as per City Code 50-92 and 50-356).
- June 18, 2018 – Approval of Final Plat of Phase 1A. (Approved by City Council in August 2018).

11) Staff Analysis:
The preliminary plat has been distributed to city engineering staff, BVU, city Building Official, Transit, GIS, Police Department, and the Fire Department regarding this proposed property division. The city engineering and planning staff have provided initial comments to the applicant and surveyor regarding revisions needed to the plat which will be incorporated in the final plat to be presented back to the Planning Commission. Most of these revisions are details that need to be added or corrected regarding easements and labels, but that would not change the general layout of the lots. The layout does comply with zoning regulations for R-3. It is important to point out that when the property was rezoned to R-3 in 1980, there were conditions on the rezoning which are summarized below:

1) The property owner is required to construct a 60-foot street or road over the property as it progressively develops extending from Spring Lake to the property line of the Harber tract to the west;
2) The property owner is required to erect natural screening by evergreen trees and natural berms where feasible, and the screening shall be subject to review of the Planning Commission;
3) Any apartment buildings erected shall be subject to minimum sizes and minimum construction standards as listed in the conditional zoning agreement;
4) Certain land uses are prohibited: cemeteries, family day care homes, child care centers, day care centers for adults, group homes, or home for adults, as defined by the city zoning ordinance.
5) There was a requirement that the property owner donate a sixty-foot right-of-way at the request of the City, however that condition only lasted for twenty years from the date of the agreement, so was no longer in effect after May 13, 2000.

12) Authority of the Planning Commission to Act:
Bristol, Virginia City Code §50-269 states that:
"From and after the passage of the ordinance from which this article was derived, the planning commission shall be the official platting authority, and no plat of a land subdivision shall be entitled to be recorded in the office of the clerk of the circuit court of the city unless it shall have the approval of the planning commission inscribed thereon."
The filing or recording of a plat of a subdivision without the approval of the planning commission as required by this resolution is declared to be a misdemeanor.

13) Conclusion and Staff Recommendation:
Staff recommends Planning Commission approval of the revised preliminary plat contingent on all city and BVU comments being addressed in the final plat (which will come back to the Planning Commission at a later date).
AGENDA ITEM SUMMARY

Meeting Date: July 15, 2019
Bulk Item: Yes [ ] No [X] Division: Community Development/Planning

Staff Contact: Sally Morgan, City Planner

AGENDA ITEM WORDING:

Planning Commission Annual Report for FY 2018-2019

ITEM BACKGROUND:

One of the duties of the Planning Commission is to provide an annual report to the governing body concerning the operation of the Commission. Staff has prepared the attached report and would like the Commission’s review and approval to send it to the City Council.

STAFF RECOMMENDATION:

The staff recommends that the Planning Commission forward the Annual Report for FY 18-19 to the City Council.
Introduction
The Code of Virginia §15.2-2221 requires that a locality’s Planning Commission submit annually a report of its activities to the governing body. The following shall satisfy this requirement.

Personnel
The Planning Commission consists of seven (7) members. They are appointed by the City Council for a term not to exceed three (3) years. The City Charter was changed in December 2018 to change the length of term to four (4) years starting July 1, 2019. The Planning Commission members during 2018-2019 were:

<table>
<thead>
<tr>
<th>Member</th>
<th>Position</th>
<th>Term Expiration</th>
<th>Regular Meetings Attended</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kevin Wingard</td>
<td>City Council Representative</td>
<td>Concurrent with Council term 06/30/2020</td>
<td>12</td>
</tr>
<tr>
<td>Jordan Pennington</td>
<td>Chairman</td>
<td>06/30/2019</td>
<td>10</td>
</tr>
<tr>
<td>Michael Pollard</td>
<td>Member</td>
<td>6/30/2018 Reappointed for new term ending 06/30/2021</td>
<td>12</td>
</tr>
<tr>
<td>Todd Buchanan</td>
<td>Vice-Chairman</td>
<td>06/30/2020</td>
<td>11</td>
</tr>
<tr>
<td>Susan Long</td>
<td>Member</td>
<td>06/30/2020</td>
<td>8</td>
</tr>
<tr>
<td>Anthony Farnum</td>
<td>Member</td>
<td>Reappointed for term ending 06/30/19 Resigned 11/13/18 due to appt. to City Council</td>
<td>4</td>
</tr>
<tr>
<td>Bart Long</td>
<td>Member</td>
<td>Filled Kevin Corbett’s previous indefinite term</td>
<td>10</td>
</tr>
<tr>
<td>Kevin Corbett</td>
<td>Member</td>
<td>Appointed 01/10/2019 to replace Farnum. Passed away while serving.</td>
<td>1</td>
</tr>
<tr>
<td>Breanne Forbes-Huffman</td>
<td>Member</td>
<td>Replaced Kevin Corbett after his death. Term Ending 6-30-2019</td>
<td>2</td>
</tr>
</tbody>
</table>

The Planning Commission is served by staff from the City Community Development and Planning Department. The City Planner serves as the staff liaison, prepares the agenda packet, and presents each agenda item under the Direction of the Director of Community
Development. The minutes for each meeting are taken by the Administrative Assistant for the Department of Community Development.

1) Meeting Time
Regular meetings of the Planning Commission are held the third Monday of each month starting at 12:00 pm. Special called meetings may be held at the Chairman’s request. This year there were four (4) special meetings held on the following dates in calendar year 2019: April 3, April 30, March 4, and June 3. Meetings are generally about one hour in length, although that varies with the length and nature of the agenda.

2) Expenses
The Planning Commission is not a paid body. The City does not reimburse travel to and from meetings. Costs incurred by the City are minimal and consist of soft costs associated with printing of agenda packets and hand-out materials for meetings, and staff time.

3) Action Summary
During the 2018-19 reporting year, the Planning Commission held twelve (12) regular meetings. The Commission considered twenty-five (25) agenda items requiring action. The following table provides a summary of action for this reporting year. Note: Approval of meeting minutes and other routine business are not included in this summary.

<table>
<thead>
<tr>
<th>Meeting Date</th>
<th>Action Agenda Item</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>07/16/18</td>
<td>Election of Officers for FY 2019</td>
<td>The Commission elected Mr. Pennington as Chairman and Mr. Buchanan as Vice-Chairman.</td>
</tr>
<tr>
<td>07/16/18</td>
<td>Consideration of Approval of Plat #11-2018 – Replat of Linden Square – Parcel A</td>
<td>The Commission approved preliminary and final plat of Plat#11-2018 – Replat of Linden Square – Parcel A</td>
</tr>
<tr>
<td>07/16/18</td>
<td>Consideration of Approval of Plat #12-2018 – Clarence Dishman Subdivision</td>
<td>The Commission approved the preliminary and final plat of Plat #12-2018 to change the zone from R-1 to B-3.</td>
</tr>
<tr>
<td>07/16/18</td>
<td>Consideration of Revisions to Subdivision Ordinance regarding Street Names and Blocks (City Code Sections 50-356 and 50-357)</td>
<td>The Commission recommended approval of the revision to subdivision ordinance regarding street names and blocks.</td>
</tr>
<tr>
<td>07/16/18</td>
<td>Update on Wildflower Ridge – Phase 1A</td>
<td>The Commission approved granting the developer a 60 day extension beginning July 16, 2018 contingent upon providing the two required items.</td>
</tr>
<tr>
<td>08/20/18</td>
<td>Presentation of Zoning Map Amendment Application ZMA #01-2019 from Clarence Dishman for Tax Map #190-A-6A (5.4 acre portion) from R-1 to B-3</td>
<td>The Commission approved forwarding the application to the City Council in a joint public hearing regarding the rezoning of 5.4 acres of the Clarence Dishman property.</td>
</tr>
<tr>
<td>Meeting Date</td>
<td>Action Agenda Item</td>
<td>Action</td>
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<tr>
<td>08/20/18</td>
<td>Presentation of <em>Annual Report</em> for Fiscal Year 2017-2018 and Comprehensive Plan Review</td>
<td>The Commission approved forwarding the Annual Report for Fiscal Year 2017-2018 and attached Comprehensive Plan Review to the City Council with the addition of a summary section to the plan review document.</td>
</tr>
<tr>
<td>09/17/18</td>
<td>Consideration of Recommendation on <strong>ZMA #01-2019</strong> from Clarence Dishman to rezone Tax Map #190-4-1 (a 5.4 acre portion of the former Tax Map No. 190-A-6A) from R-1 (Single-family Residential) to B-3 (Intermediate Business)</td>
<td>The Commission recommended approval of the Zoning Map Amendment application from Clarence Dishman to rezone Tax Map #190-4-1 (a 5.4 acre portion of the former Tax Map No. 190-A-6A) from R-1 (Single-family Residential) to B-3 (Intermediate Business)</td>
</tr>
<tr>
<td>11/19/18</td>
<td>Consideration of Preliminary and Final Plat for <strong>Plat #16-2018</strong> Weatherly-Carter Subdivision (Lee Highway and Terrace Drive)</td>
<td>The Commission approved the preliminary and final plat to create three new lots.</td>
</tr>
<tr>
<td>01/14/19</td>
<td>Determination of Camouflaged Wireless Communications Facility – 629 State Street</td>
<td>The Commission approved the determination of the Camouflaged Wireless Communications Facility.</td>
</tr>
<tr>
<td>02/19/19</td>
<td>Consideration of Residential Use in a Business Zone at <strong>1205 Euclid Avenue</strong></td>
<td>The Commission made a motion to respond to the applicant and approve the request by using the service being connected as the indicator that the residential use was not discontinued.</td>
</tr>
<tr>
<td>03/18/19</td>
<td>Consideration of <strong>Plat #03-2019</strong> The Falls – Phase 3 Subdivision Preliminary Plat and Final Plat</td>
<td>The Commission approved the preliminary plat and final plat of The Falls – Phase 3 Subdivision.</td>
</tr>
<tr>
<td>03/18/19</td>
<td>Consideration of Special Exception Application <strong>SE #02-2019</strong> for a concrete block production operation at 200 Bob Morrison Boulevard (Zoned M-1)</td>
<td>The Commission approved sending the Special Exception application 02-2019 for a concrete block production operation at 200 Bob Morrison Boulevard to City Council for a joint public hearing.</td>
</tr>
<tr>
<td>03/18/19</td>
<td>Consideration of Future <strong>Land Use Map Revisions</strong> to Comprehensive Plan</td>
<td>The Commission made a motion to send revised changes to the Future Land Use Map to City Council for a joint public hearing.</td>
</tr>
<tr>
<td>03/18/19</td>
<td>Consideration of <strong>Zoning Text Amendment (ZTA #01-2019)</strong> to add new Section 50-177 and revise existing Section 50-109 (b)</td>
<td>The Commission tabled the item to allow more time for staff to research and learn about existing campgrounds in the region.</td>
</tr>
<tr>
<td>04/01/19</td>
<td>Consider moving <strong>SE #03-2019</strong> and <strong>SE #04-2019</strong> for 500 Gate City Highway to City Council for a joint public hearing.</td>
<td>The Commission recommended approval to move SE #03-2019 and #04-2019 for 500 Gate City Highway to City Council for a joint public hearing.</td>
</tr>
<tr>
<td>04/15/19</td>
<td>Consideration of <strong>SE #02-2019</strong> for a concrete block production operation at 200 Bob Morrison Boulevard (Zoned M-1)</td>
<td>The Commission recommended approval of the Special Exception Application #02-2019.</td>
</tr>
<tr>
<td>Meeting Date</td>
<td>Action Agenda Item</td>
<td>Action</td>
</tr>
<tr>
<td>--------------</td>
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</tr>
<tr>
<td>04/15/19</td>
<td>Consideration of Recommendation on <strong>Future Land Use Map</strong> Revisions to Comprehensive Plan</td>
<td>The Commission recommended approval of the Future Land Use Map Revisions to Comprehensive Plan.</td>
</tr>
<tr>
<td>04/15/19</td>
<td>Consideration of Approval for Activity in the Flood Hazard Zone (Floodplain) – <strong>200 Bob Morrison Boulevard</strong></td>
<td>The Commission recommended approval of the proposed activity in the 100-year floodplain.</td>
</tr>
<tr>
<td>04/30/19</td>
<td>Consideration of Recommendation on Special Exception Application <strong>SE #03-2019</strong> for pharmaceutical processing at 500 Gate City Hwy – Par Ventures, Inc., Tax Map #22-1-15A</td>
<td>The Commission recommended approval of SE #03-2019 to City Council.</td>
</tr>
<tr>
<td>04/30/19</td>
<td>Consideration of <strong>ZTA #01-2019</strong> to add new Section 50-177 (Overnight Recreational Development Standards); revise existing Section 50-109 (b) and 50-123 (b); and add Definitions to Section 50-28.</td>
<td>The Commission recommended approval to forward the proposed city code changes to City Council for a joint Public Hearing.</td>
</tr>
<tr>
<td>06/3/19</td>
<td>Consideration of Recommendation to City Council on Proposed Zoning Ordinance Amendments (<strong>ZTA #01-2019</strong>) for Overnight Recreational Development standards</td>
<td>The Commission recommended forwarding the draft to City Council for the adoption of the proposed zoning ordinance amendment.</td>
</tr>
<tr>
<td>06/17/19</td>
<td>Update on Proposed Zoning Ordinance Amendments (<strong>ZTA #01-2019</strong>) for Overnight Recreational Development standards.</td>
<td>The Commission approved a revised recommendation to increase the minimum overall lot size from two acres to ten acres.</td>
</tr>
<tr>
<td>06/17/19</td>
<td>Consideration of a request for a time extension to record <strong>Plat #03-2019</strong> (The Falls – Phase 3) and a variance to allow overhead power line along rear property line at The Falls – Phase 3.</td>
<td>The Commission approved extending time to record and a variance to allow overhead power line along rear property at The Falls – Phase 3.</td>
</tr>
</tbody>
</table>

4) **Information Summary**

During the 2018-19 reporting year, the Planning Commission considered several agenda items which did not require action, but were informational items. Most of this activity was discussion as a part of the zoning ordinance revision project which occurred at regular meetings in addition to special called work sessions.
The following table provides a summary of reviewed items for this reporting year. *Note: The table below serves as a summary of informational activity and discussion rather than a comprehensive list.*

<table>
<thead>
<tr>
<th>Meeting Date</th>
<th>Information Agenda Item</th>
<th>Information or Action (If Applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>08/20/18</td>
<td>Zoning Ordinance Revision Project</td>
<td>The Commission discussed draft Division 10 – Designs and Use Standards.</td>
</tr>
<tr>
<td>08/20/18</td>
<td>Report about Virginia Chapter of American Planning Association (VAPA) Annual Conference and Commonwealth Plan of the Year award</td>
<td>City Planner, Ms. Morgan, informed the Commission that she attended the VAPA Annual Conference and accepted the Commonwealth Plan of the Year Award on behalf of the City of Bristol.</td>
</tr>
<tr>
<td>09/17/18</td>
<td>Notification of Administrative Modification Request 01-2018-<strong>1777 Wendover Road</strong>, Tax Map No. 3-1-8-6A</td>
<td>City Planner, Ms. Morgan, informed the Commission of an Administrative Modification Request. The Commission discussed the yard requirements and modifications of older homes in residential zones.</td>
</tr>
<tr>
<td>09/17/18</td>
<td>Zoning Ordinance Revision Project</td>
<td>The Commission discussed proposed sections 50-153 through 50-155 regarding manufactured homes and parks, industrialized building units, and recreational vehicles.</td>
</tr>
<tr>
<td>10/15/18</td>
<td>Zoning Ordinance Revision Project</td>
<td>The Commission discussed the agricultural uses on residential property. The City Planner informed the Commission that she drafted a replacement division addressing wireless communication facilities.</td>
</tr>
<tr>
<td>11/19/18</td>
<td>Zoning Ordinance Revision Project (Signs)</td>
<td>The Commission made recommendations to revise items in the temporary sign chart.</td>
</tr>
<tr>
<td>12/17/18</td>
<td>Zoning Ordinance Revision Project (Signs)</td>
<td>The Commission discussed interpretations of what constitutes “vehicular signs.” The City Planner stated she would revise Section 50-238 (b) to eliminate restrictions.</td>
</tr>
<tr>
<td>12/17/18</td>
<td>Reschedule January and February Meeting dates due to holidays</td>
<td>The Commission voted to reschedule the January and February regular meetings to Monday, January 14, 2019 and Tuesday, February 19, 2019.</td>
</tr>
<tr>
<td>01/14/19</td>
<td>Zoning Ordinance Revision Project (Signs)</td>
<td>The Commission discussed making revisions to the Temporary signs category.</td>
</tr>
<tr>
<td>03/04/19</td>
<td>Comprehensive Plan – Future Land Map Revisions</td>
<td>The Commission discussed revisions to the Future Land Map Areas: Exit 1 and 5, Bonham Rd. Williams St. and Beacon Rd.</td>
</tr>
<tr>
<td>Meeting Date</td>
<td>Information Agenda Item</td>
<td>Information or Action (If Applicable)</td>
</tr>
<tr>
<td>--------------</td>
<td>----------------------------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>03/18/19</td>
<td>Report on Special Exception Applications <strong>SE #03-2019</strong> and <strong>SE #04-2019</strong> for 500</td>
<td>The City Planner reported about two new applications for pharmaceutical processing at: 1 acre undeveloped site adjoining the former Bristol Mall and the former JC Penny store at the Mall property.</td>
</tr>
<tr>
<td></td>
<td>Gate City Highway</td>
<td></td>
</tr>
<tr>
<td>05/20/19</td>
<td>Zoning Ordinance Revision Project (Mixed Use Districts)</td>
<td>The City Planner presented the draft chapter on Mixed Use Districts – Division 9.</td>
</tr>
<tr>
<td>06/3/19</td>
<td>Zoning Ordinance Revision Project (Mixed Use Districts)</td>
<td>The City Planner presented a revised Division 9 for Mixed Use Districts and the Commission recommended forwarding to City Council.</td>
</tr>
<tr>
<td>06/17/19</td>
<td>Zoning Ordinance Revision Project (Floodplain District)</td>
<td>The City Planner discussed revisions to Floodplain District and proposed presenting a draft at the next regular meeting.</td>
</tr>
</tbody>
</table>

**5) Joint Public Hearing Summary.** Below are the joint public hearings that were held this reporting period with the City Council for Comprehensive Plan amendments, zoning ordinance or map amendments, and special exceptions.

<table>
<thead>
<tr>
<th>Meeting Date</th>
<th>Joint Public Hearing Agenda Item</th>
<th>Information or Action (If Applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>09/11/18</td>
<td>Joint Public Hearing with the Planning Commission and City Council on <strong>ZMA#01-2018</strong> - Request to amend the Bristol, Virginia Zoning Map to Rezone a 5.4 Acre Subdivision Portion of Map #190-A-6A from R-1(Single-Family Residence) to B-3 (Intermediate Business)</td>
<td>9-17-2018 Commission recommended approval of ZMA #01-2019</td>
</tr>
<tr>
<td></td>
<td></td>
<td>09-25-2018 City Council approved Zoning Map Amendment</td>
</tr>
<tr>
<td>04/9/19</td>
<td>Joint Public Hearing with the Planning Commission and City Council on Special Exception Application <strong>SE #02-2019</strong> from Kilo Delta LLC for 200 Bob Morrison Boulevard for the installation of a block manufacturing operation associated concrete plant in an M-1 Zone.</td>
<td>4/15/19 Commission recommended approval of the SE #02-2019</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4/23/19 City Council approved SE #02-2019.</td>
</tr>
<tr>
<td>04/9/19</td>
<td>Joint Public Hearing with the Planning Commission and City Council on Proposed <strong>Future Land Use Map Revisions</strong> to Comprehensive Plan</td>
<td>No comments were made regarding the proposed Future Land Use Map revisions to the Comprehensive Plan.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>04-15-19 Commission recommended approval of proposed revisions.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>04-23-19 City Council approved revisions.</td>
</tr>
<tr>
<td>Meeting Date</td>
<td>Joint Public Hearing Agenda Item</td>
<td>Information or Action (If Applicable)</td>
</tr>
<tr>
<td>-------------</td>
<td>------------------------------------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>04/23/19</td>
<td>Two Joint Public Hearings with Planning Commission and City Council on Special Exception Applications <strong>SE #03-2019</strong> and <strong>SE #04-2019</strong> for 500 Gate City Highway.</td>
<td>4/30/19 City Council approved the Special Exception (SE #04-2019) to allow a pharmaceutical processing operation.</td>
</tr>
<tr>
<td>05/28/19</td>
<td>Joint Public Hearing with Planning Commission and City Council on Zoning Ordinance Revision for <strong>Overnight Recreational Development Standards.</strong></td>
<td>6/03/19 The Commission voted to revise recommendation to City Council to increase minimum lot area size requirement.</td>
</tr>
</tbody>
</table>

6) Activity Summary

<table>
<thead>
<tr>
<th>Activity Description</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning Map Amendment Applications (ZMA #01-2019)</td>
<td>1</td>
</tr>
<tr>
<td>Zoning Map Amendment Recommendations</td>
<td>1</td>
</tr>
<tr>
<td>Zoning Text Amendments Considered (ZTA #01-2019)</td>
<td>1</td>
</tr>
<tr>
<td>Zoning Text Amendments Approved</td>
<td>1</td>
</tr>
<tr>
<td>Special Exception Applications</td>
<td>3</td>
</tr>
<tr>
<td>Special Exceptions Recommended for Approval</td>
<td>3</td>
</tr>
<tr>
<td>Subdivision Plat Applications</td>
<td>4</td>
</tr>
<tr>
<td>Subdivision Plats Approved</td>
<td>4</td>
</tr>
<tr>
<td>Applications for Approval of Activity in Floodplain</td>
<td>1</td>
</tr>
<tr>
<td>Approvals of Activity in Floodplain</td>
<td>1</td>
</tr>
<tr>
<td>Requests for Determinations of Camouflaged Wireless Facilities</td>
<td>1</td>
</tr>
<tr>
<td>Determinations of Camouflaged Wireless Facilities</td>
<td>1</td>
</tr>
<tr>
<td>Applications for Residential Use in Business Zone</td>
<td>1</td>
</tr>
<tr>
<td>Approval of Residential Use in Business Zone</td>
<td>1</td>
</tr>
<tr>
<td>Administrative Modification Requests Reported</td>
<td>1</td>
</tr>
<tr>
<td>Subdivision Ordinance Amendments Considered</td>
<td>1</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>---</td>
</tr>
<tr>
<td>Subdivision Ordinance Amendments Recommended</td>
<td>1</td>
</tr>
<tr>
<td>Subdivision Variance Requested</td>
<td>1</td>
</tr>
<tr>
<td>Subdivision Variance Approved</td>
<td>1</td>
</tr>
<tr>
<td>Plat Time Extension Granted</td>
<td>1</td>
</tr>
</tbody>
</table>

6) Review of **Bristol, Virginia Comprehensive Plan**

The Comprehensive Plan was adopted in March 2017 by City Council following recommendation of the Planning Commission. Last year, an annual review was done of the Implementation Action Agenda found in the Plan. During fiscal year 2018-19, the Planning Commission worked on reviewing and revising the Future Land Use map component of the Comp Plan. Changes were made to some land use categories in the following areas: Exits 1 (Gate City Highway and Island Rd), Exit 5 (Long Crescent Rd), Bonham Rd. Williams St. and Beacon Rd. The City Council adopted these recommended changes on April 23, 2019 and the revised maps are on file in the Community Development Department.
Meeting Date: July 15, 2019  Department: Planning/Community Development
Bulk Item: Yes  No  X  Staff Contact: Sally Morgan, City Planner

AGENDA ITEM WORDING:

Consideration of Revision to Planning Commission Rules of Procedure

ITEM BACKGROUND:

The City Council made changes to the City Charter on December 11, 2018, including the terms for the Planning Commission changing from three-year terms to four-year terms. The current Rules of Procedure document (dated May 21, 2001) still reflects the three-year terms as well as one term being indefinite. This has also been changed in the City Charter to eliminate the indefinite term.

PREVIOUS RELEVANT ACTION:


December 11, 2018: The City Charter was amended by ordinance.

STAFF RECOMMENDATION:

The staff recommends that the Planning Commission amend its Rules of Procedure to reflect the new terms adopted in the City Charter.

The Commission may want to take time to review and discuss any other revisions to the Rules of Procedure, if desired.
§ 8.04. - City planning commission.

There shall be a city planning commission consisting of seven members, one of whom shall be a member of the city council selected by the council for a term coincident with his term on the council, and the remaining members shall be citizens appointed by council for four-year terms, to be staggered, beginning July 1, 2019. All citizens of the City of Bristol, Virginia, owning real property shall be eligible for appointment to the planning commission, and all appointees shall take the oath of office before entering into their duties. Each appointee, other than the councilmanic and employee appointees, shall be eligible for only two consecutive terms.

The planning commission’s duties shall be to:

1. Exercise general supervision of and make regulations for the administration of its affairs;
2. Prescribe rules pertaining to its investigations and hearings;
3. Supervise its physical affairs and responsibilities, under rules and regulations as prescribed by the governing body;
4. Keep a complete record of its proceedings and be responsible for the custody and preservation of its papers and documents;
5. Make recommendations and an annual report to the governing body concerning the operation of the commission and the status of planning within its jurisdiction;
6. Prepare, publish and distribute reports, ordinances and other material relating to its activities;
7. Prepare and submit an annual budget estimate in the manner prescribed by the city council;
8. Review, amend and recommend a comprehensive city plan to city council as provided for by state law and this charter and amendments thereto as needed;
9. Exercise such authority and perform such duties relative to zoning, subdivisions and other matters related to development within the City of Bristol, Virginia, as are provided for in the respective ordinances provided for the same by city council; and
10. Perform such other duties as council may from time to time assign to the planning commission.

The planning commission shall be staffed by the director of the department of planning and employees of that department until and unless the council shall by ordinance provide for a separate staff for the planning commission. The planning commission may, with the approval of the city manager, call upon the heads of other departments for staff functions as the need may arise.

(Acts 1996, Ch. 678, § 1; Ord. No. 18-13, 12-11-18)
RULES OF PROCEDURE
of the
BRISTOL VIRGINIA PLANNING COMMISSION

The following rules of procedure are adopted by the Bristol Virginia Planning Commission to facilitate the performance of its duties and the exercise of its powers as outlined in Chapter 8 of the City Charter as amended.

Composition
There shall be a city planning commission consisting of seven members, one of whom shall be a member of the city council selected by the council for a term coincident with his term on the council, one of whom shall be selected by the council for an indefinite term and the remaining members shall be citizens appointed by council for three-year terms.

All citizens of the City of Bristol, Virginia, owning real property shall be eligible for appointment to the planning commission, and all appointees shall take the oath of office before entering into their duties. Each appointee, other than the councilmanic and employee appointees, shall be eligible for only two consecutive terms as set forth in Section 8.04 of the Charter and any amendments thereto.

Organization
(a) Election of Officers
The Commission shall elect a Chairman and Vice-Chairman at its July meeting for a term of one year and they shall assume office immediately. An officer shall serve until a successor is elected. The elected officers shall be eligible for reelection.

(b) Duties
The Chairman shall preside at all meetings, appoint committees and perform such other duties as may be requested by the Commission.

The Vice-Chairman shall act in the capacity of the Chairman in his absence and in the event the office of the Chairman becomes vacant, the Vice-Chairman shall succeed to this office for the unexpired term and the Commission shall select a successor to the Vice-Chairman for the unexpired term. In the absence of both the Chairman and the Vice-Chairman, those members present shall select a temporary chairman.

SECTION 1

(a) Regular meetings
The Commission shall hold its regular meetings on the 3rd Monday in each month. When the regular meeting day falls on a legal holiday, or for some other special reason the scheduled date is an undesirable meeting date, the meeting shall be held the following week unless otherwise determined by the Commission.
The Chairman or four members of the Commission may call special meetings. Notices of such special meetings shall be given to all the members of the Commission at least 48 hours prior to such meetings and shall state the purpose, place and time of the meeting.

(b) **Order of Business**

The order of business of such regular or special meetings shall normally be as follows and in each case general subjects shall include items continued from prior meetings.

1. Meeting called to order
2. New Business
3. Old Business
4. Other Business
5. Adjournment

(c) **Public**

All meetings, hearings and records shall be open to the public as prescribed by the Virginia Freedom of Information Act.

(d) **Quorum**

Four members shall constitute a quorum for the transaction of business and the taking of official action. A majority vote of those present shall be necessary for approval or disapproval of any item before the Commission.

Whenever a quorum is not present at any meeting, those present may adjourn the meeting to another day or hold the meeting for the purpose of considering such matters as are on the agenda.

No action taken at such a meeting shall be final or official unless and until the Commission ratifies and confirms it at a subsequent meeting at which a quorum is present.

(e) **Minutes**

The Commission shall keep minutes of its meetings and shall have them spread in suitable volumes. Said minutes shall be the official records of the activities of the Commission.

**SECTION 2**

**Hearings**

(a) The Commission (with the City Council) shall conduct joint public hearings on all matters for which public hearings are required by the City Charter or the City Code.

(b) On all other matters appearing on the Commission's agendas, the Commission shall afford an opportunity for both proponents and opponents to present their statements in a reasonable time. The Chairman may place time limits on the amount of time available for proponents and opponents to make statements based on the complexities of the issue and number of items on the agenda. In any case, questions of persons in attendance may be asked by any member of the Commission in order to obtain needed information.
(c) In every case where a public hearing by the Commission is required by the City Charter or the City Code, the Secretary of the Commission shall see that proper legal notice is given and that the hearing is scheduled sufficiently in advance to allow for such notice.

SECTION 3

Conflict of Interest
No member of the Commission shall participate in the vote on any ordinance, resolution, motion or vote in which he, or any person, firm or corporation for which he is attorney, officer, director, employee or agent has a financial interest other than as a minority stockholder of a corporation or as a citizen of the City.

SECTION 4

Matters Subject to Consideration by the Commission
(a) Amendments to the Comprehensive Plan.
(b) Proposed amendments to the zoning ordinance and zoning maps.
(c) Applications for special use permits.
(d) Planned Unit Developments.
(e) All matters referred to it by City Council.
(f) Subdivision plats.
(g) Reports and plans prepared at the request of the Commission.
(h) All other matters requiring consideration by the Commission in accordance with Chapter 8 of the Charter.
(i) Matters considered by the Commission to be appropriately related to the duties and responsibilities set forth in Chapter 8 of the Charter.
(j) Reports and recommendations initiated by the staff shall not be distributed to the general public until presented to the Commission.
(k) Make recommendations and an annual report to the governing body concerning the operation of the Commission and the status of planning within its jurisdiction;

SECTION 5

Director
The Director of Community Development and Planning shall provide such staff services as the Commission may require in making and adopting a Comprehensive Plan or any revisions thereof; in preparing and revising a comprehensive zoning plan; in the consideration of
subdivision plats; and in the performance of any other duties and functions assigned to the City Planning Commission by Chapter 8 of the Charter of the City of Bristol, Acts of the General Assembly of Virginia or by ordinance.

The Director shall perform the following duties for the Commission:
(a) Administration of all programs funded by federal, state or other monies as assigned to the Department of Planning by City Council for administration;

(b) Administration of the zoning ordinance and the subdivision ordinance and as such, the planning director shall serve as staff for the Board of Zoning Appeals, the Planning Commission and City Council on zoning matters that are before each of such entities. Nevertheless, it shall remain the duty of the building code official to determine the proper zoning of all proposed developments for purpose of issuance of requisite building permits, site plan permits and other required permits;

(c) Development of the comprehensive city plan and the amendments thereto for approval by city council;

(d) Transportation planning of road improvements on major thoroughfares;

(e) Serving as staff to the Metropolitan Planning Organization Board created by Bristol, Virginia; Bristol, Tennessee; Sullivan County, Tennessee and Washington County, Virginia;

(f) Serve as staff to the joint Bristol, Tennessee/Virginia Planning Commission;

(g) Such other duties as may from time to time be assigned to the Planning Department by the City Council or the City Manager;

(h) Execute documents in the name of the Commission when in accordance with Commission action;

(i) Shall take action or make recommendations in the name of the Commission in accordance with such plans, policies and procedures as are approved or established by the Commission from time to time;

(j) Shall sign the final subdivision plat when it is in accordance with the tentative plat approved by the Commission. In the absence of the Director, the City Manager may sign final subdivision plats;

(k) Shall provide, in conjunction with the staff reports on items before the Commission, both a detailed plan and a vicinity map where applicable, showing the relation of the item under consideration to the surrounding neighborhood; and

(l) Shall report all expressions received from interested citizens regarding any matters before the Commission.
SECTION 6

Secretary
The Director of Community Development and Planning shall serve as Secretary of the Commission. The duties of said Secretary shall be as follows:

(a) Record the minutes of the Commission as provided in Section 1, paragraph (e) hereof.

(b) Prepare an agenda for all meetings in accordance with the order of business as provided in Section 1, paragraph (b) hereof.

(c) Notify the members of the Commission of all meetings in accordance with Section 1, Paragraph (a). In addition, the Secretary shall telephone each member on the day of the meeting to determine the attendance of said meeting.

(d) Forward all recommendations of the Commission to the proper agency and shall forward the necessary number of copies to the City Manager for placement of Commission items on the City Council agenda for which the matter will be considered.

(e) Such other duties as the Commission or the Director may assign.

SECTION 7

Committees
(a) Ad Hoc Committees may be appointed by the Chairman to study special matters related to planning. Ad Hoc Committees may include nonmembers of the Commission, if desired by the Commission.

(b) All matters coming before the Commission shall be studied and the Committees’ recommendations made to the Commission at a regular meeting.

(c) Reports from consultants or advisory agencies should be delivered to the Director of Community Development and Planning for distribution to Committee members, preferably at a committee meeting.

SECTION 8

Miscellaneous
(a) Suspension or Amendment of Rules. The Commission may suspend or amend any of these rules by not less than four affirmative votes at any meeting.

(b) Preliminary subdivision plats are due in the office of the Director of Community Development and Planning 45 days before the date of the meeting. All other requests are due in said office 15 days prior to the date of the meeting.