Monday, August 19, 2019

A special meeting of the Bristol Virginia Planning Commission will be held at 12 Noon on Monday, August 19, 2019 in the City Council Chambers in City Hall, 300 Lee Street.

AGENDA

I. Call to Order

II. Consideration of Minutes of July 15, 2019 Regular Meeting

III. New Business
   A. Report on Re-appointments and appointments
   B. Election of Officers for FY 2019-2020
   C. Consideration of Final Plat #06-2019 for Wildflower Ridge – Phase 1B
   D. Review of Zoning Map Amendment Application 01-2019 – Long Crescent LLC

IV. Old Business
   A. Consideration of Planning Commission Annual Report for Consideration
   B. Consideration of Amendment(s) to Rules of Procedure for Planning Commission
   C. 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, August 26
Next Regular Meeting – Monday, September 16, 2019
BRISTOL VIRGINIA PLANNING COMMISSION  
Monday, July 15, 2019 Regular Meeting 
12:00 pm

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<th>MEMBERS PRESENT</th>
<th>MEMBERS ABSENT</th>
<th>STAFF:</th>
<th>OTHERS:</th>
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<tr>
<td>Breanne Forbes-Hubbard</td>
<td>Jordan Pennington</td>
<td>Sally Morgan</td>
<td>Aaron Lilly</td>
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<td>Todd Buchanan</td>
<td>Kevin Wingard</td>
<td>Amy Dula</td>
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<td>Bart Long</td>
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<td>Randall Eads</td>
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<td>Susan Long</td>
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<td>Michael Pollard</td>
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I. Call to Order
Mr. Buchanan called the meeting to order at 12:03 pm.

II. Status of Planning Commission terms and appointments

Ms. Morgan, City Planner, reported that there were two Planning Commissioners, Jordan Pennington and Breanne Forbes-Hubbard, whose terms had expired on June 30 and the City Council has not made re-appointments yet. She had been advised that those two members could not officially vote on any matter until they were re-appointed.

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

Mr. Long made a motion to approve the minutes of the June 17 meeting. Motion as seconded by Mr. Pollard and carried by the following votes:

Ayes: B. Long, Pollard, Buchanan 
Abstentions: S. Long

IV. New Business

A. Election of Officers for FY 2019-2020

City Planner, Ms. Morgan, reported that the Rules and Procedures 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. It was determined from Section 8 (a) of the Rules and Procedures that those rules could be suspended by a vote of the Commission. There was consensus that it would be best to have more voting members present to elect officers.
Mr. Long made a motion to suspend the rule stating that the election of Chairman and Vice-Chairman shall take place at the July Commission meeting and to table this item until next month. Motion was seconded by Mr. Pollard and carried by the following votes:

Ayes: B. Long, S. Long, Pollard, Buchanan

B. Consideration of Preliminary Plat for Wildflower Ridge – Phase 1B

City Planner, Ms. Morgan, reported that the applicant is seeking preliminary plat approval to create eight (8) new lots as Phase 1B of the Wildflower Ridge subdivision. Mr. Morgan stated that the Commission approved a preliminary plat for all of Phase 1 in May 2017 which at the time was a total of nine (9) lots and of those nine lots, a final plat of the first five lots (Phase 1A) was approved by City Council in August 2018. Mr. Morgan stated that 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. Mr. Morgan stated that the developer is submitting a new preliminary plat for approval because of the substantial change from the first preliminary plat.

Mr. Pollard asked for an explanation regarding the reduction in lot size. Mr. Aaron Lilly, the property owner and developer, stated that real estate agents have recommended reducing the lot size because families prefer smaller lot sizes.

Mr. Pollard asked if the comments regarding water and sewer from BVU will be included in the approval. Ms. Morgan stated that any comments regarding water and sewer will be addressed before approval of the final plat. Ms. Morgan also stated that there needs to be a revision to the staff report to change the reference to “detached” single family homes to “attached” single family homes (Page 3, first paragraph).

Mr. Long made a motion to approve the preliminary plat for Wildflower Ridge – Phase 1B. Motion was seconded by Mr. Pollard and carried by the following votes:

Ayes: B. Long, S. Long, Pollard, Buchanan

C. Presentation of Planning Commission Annual Report for Consideration

D. Consideration of Amendment to Rules of Procedure for Planning Commission

Prior to discussing items C. and D under new business, Mr. Long made a motion to table both items to allow all members time to review the annual report and allow the City Planner to review the recommendations submitted by Mr. Pollard.
to amend the Planning Commission Rules and Procedures. Motion was seconded by Ms. Long and carried by the following votes:

Ayes: B. Long, S. Long, Pollard, Buchanan

V. Old Business

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

Ms. Morgan proposed a work session to discuss proposed changes to the Zoning Map. Discussion ensued regarding prioritizing sections of the zoning map. The Commissioners came to a general consensus to begin revising the section with the most activity (Starting with the Exit 1/Mall area and then moving to the Exit 7 area).

VI. Adjournment
The meeting was adjourned at 12:51 pm.
AGENDA ITEM WORDDING:

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 Final Plat Approval for Plat #06-2019 for Wildflower Ridge – Phase 1B

ITEM BACKGROUND:
The applicant is seeking final plat approval to create eight (8) new lots as Phase 1B of the Wildflower Ridge subdivision. The Planning Commission approved a preliminary plat for Phase 1B at its July meeting which revised the original preliminary plat approved in May 2017.

Of the original nine lots approved, a final plat of the first five lots (Phase 1A) was approved by City Council in August 2018. Five single-family attached homes have been constructed on those five lots.

As shown in the preliminary plat approved in July, the developer is increasing 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. Comments were provided by city staff to the applicant and a final plat for recording has been prepared.

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).
- July 15, 2019 – Approval by Planning Commission of Preliminary Plat of Phase 1B

STAFF RECOMMENDATION:
Staff recommends Planning Commission approval of the final plat contingent on the following:

a) The proper reference to recorded deed covenants is added to the plat;
b) The applicant satisfies BVU on the required utility easements to be recorded;
c) The city Engineering Department is satisfied that the corrective actions required on erosion and sediment control and storm water are completed.

DOCUMENTATION: Included X Not Required
STAFF REPORT

To: Planning Commission
From: Sally H. Morgan, City Planner
Date: August 15, 2019
RE: Consideration of Final Plat #06-2019 – Wildflower Ridge Phase 1B
Attachments: Final Plat sheets (1 – 6)

1) Applicant/Agent: 2) Property Owner, if different: 3) Property Address
Aaron Lilly 1158 Holston Dr. Wildflower Ridge Rd.
Lilly Construction Bristol, TN 37620

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 final 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 attached 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 submitted a new preliminary plat for which was approved at the July 15 Planning Commission meeting.

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.
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 Bellhaven 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 final 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 on the bottom level 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).
- July 15, 2019 – Approval of Preliminary Plat of Phase 1B by Planning Commission.

11) Staff Analysis:
The preliminary plat was 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 provided comments to the applicant and surveyor regarding revisions needed to the plat which were incorporated in the final plat. Most of these revisions are details that were added or corrected regarding easements and labels, but that did not change the layout of the lots. See comments below:

1) Revise Sheet titles to the following:
   Sheets 1, 2, 3 should say Final Plat, not Preliminary
   Sheet 2A can be omitted. Do not need contours for final plat.
   Sheet 4 and 5 – Drainage and Utility Easement Plat
   Sheet 6 – Ingress and Egress Easement Plat

2) DB 645, Page 425 is the location of the existing covenants. Aaron mentioned having another homeowners assoc. separate from the first one, but I really don’t know how that would work as they both would be using Morning Glory Dr.

3) On Source of Title box (or somewhere prominent), please add reference to PB 4, Pages 580-585 for first phase of development

4) Sheet 3: Add Note: The private right-of-way for Morning Glory Drive shown on this plat supersedes and replaces the right-of-way shown on PB 4, Page 581.

5) Sheet 5: Add Note: The easement shown on this plat supersedes and replace easements shown on PB 4, Pg 583.

6) Sheet 6: Extend length of easement for Honeysuckle Lane beyond the end of lot 13 to match the dumpster location on Sheet 2 & 3.

The city does require that the private streets, common area, and storm water drainage facilities be maintained through the existence of a property owners association – one of which exists for Phase 1A and should be referenced on the final plat. Also, BVU will require recorded deeds for the utility easements that specifies responsibility for any future repairs to water and sewer lines. The applicant is aware of this requirement.
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; *(Note: Subject to city legal interpretation, staff may require that any further development past Phase 1 will require development of this roadway).*

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; *(This needs to be addressed in the site plan review process).*

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.

The staff has a concern that the applicant/developer is in violation of Erosion and Sediment control and storm water regulations at this site (for Phase 1) and in fact, as of August 15, was issued a stop-work order by the City. This will preclude the construction of the new units until specified corrective actions are met and the city lifts the order.

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:
The final plat is in order and staff recommends approval of the Final Plat contingent on the following:
   a) The proper reference to recorded deed covenants is added to the plat;
   b) The applicant satisfies BVU on the required utility easements to be recorded;
   c) The city Engineering Department is satisfied that the corrective actions required on erosion and sediment control and storm water are completed.
PLANNING COMMISSION
AGENDA ITEM SUMMARY

Meeting Date: August 19, 2019
Bulk Item: Yes ___ No X ___ Division: Community Development/Planning
Staff Contact: Sally Morgan, City Planner

AGENDA ITEM WORDING:

Presentation of Zoning Map Amendment (Rezoning) Application from Long Crescent LLC for Tax Map #221-A-2, 221-A-3, and 261-A-6A from R-1A to B-3

ITEM BACKGROUND:

An application was received on July 16 for a request for a map amendment of three tracts of land owned by Long Crescent LLC from R-1A (Single-Family Residential) to B-3 (Intermediate Business). The property is currently undeveloped but the applicant/property owner is proposing a campground and RV park which comes under the term of overnight recreational development.

Comments have been requested from city and BVU staff, and a preliminary staff report has been prepared to address the application. A joint public hearing with the Planning Commission and City Council will need to be held prior to the Commission’s consideration of its recommendation to the City Council. Following the Planning Commission recommendation, the City Council will need to either approve or deny the request. If approved, there will be two readings because a zoning map amendment is the same as an ordinance change.

STAFF RECOMMENDATION:

Staff recommends forwarding the application to the City Council for a joint public hearing.
PRELIMINARY STAFF REPORT

To: Bristol, VA Planning Commission
By: Sally Morgan, City Planner
Date: August 15, 2019

I MEETING DATE: Monday, August 19, 2019

II REQUEST:

a. Proposal: The petitioner proposes amending the City of Bristol Zoning Map, to change new Map Parcels 221-A-2, 221-A-3, and 261-A-6A from R-1A (Single Family Residence) zoning to B-3 (Intermediate Business)

b. Proposed Use: Overnight Recreational Development (Campground/RV Park/Cabins)

c. Location: Long Crescent Road, Map Parcels # 221-A-2, 221-A-3, and 261-A-6A

d. Owner: Long Crescent LLC

e. Applicant: same as Owner

III PROCESS:
Pursuant to Bristol City Code (BCC) §50-61, an applicant must present a request to the Planning Commission Director to be heard by the Planning Commission and City Council. This item will first be considered by the Planning Commission at a regularly scheduled meeting. Following its review, a joint public hearing will be held with City Council in accordance with Virginia State Statute §15.2-2204. This meeting shall also require notice be provided to adjoining property owners and to the adjoining locality of Washington County pursuant to Virginia State Statute §15.2-2204 as well as advertised twice in the newspaper.

IV PRIOR CITY ACTIONS:
There has been no previous similar zoning map amendment requests for this property to the knowledge of current city staff. The City Council adopted on July 9, 2019 a new section of city code 50-177 for Overnight Recreational Development and changes to Section 50-109 to allow this type of development as a permitted use in a B-3 zone.

V BACKGROUND INFORMATION:

a. Existing Land Use: Undeveloped and vacant
b. Existing Zoning Designation: R-1A (Single-Family Residential)
c. Future Land Use Map Designation: Regional Commercial

d. Size of Site: 3 parcels, 19 acres

e. Historic Land Use: Agricultural, Wooded, Mobile Home Park was located on northeast corner of property (up until mid-2000s)

f. Existing Vegetation: Trees and brush

g. Property Location Map and Aerial View of Property
h. Photos of Property

Looking to southwest from Long Crescent Drive. Woodmen Building in left foreground.

Panorama shot looking south from Interstate right of way, showing entrance to property
View from other side of Interstate showing powerline easement and nearest residence at 1737 Long Crescent Road

View of roadway going south toward Meadow Drive and residence at 1736 Long Crescent Road
i. Current Zoning

j. Legal Property Description
The property is legally described by a boundary survey prepared by John Rasnick. The survey shows 17.89 acres not including an approximately 1 acre tract that was added to the purchase when the property was bought by the current owner in 2018. The tax parcel maps include this tract as part of Tax Map No. 221-A-2 and it is included in the rezoning request.
VI. APPLICATION:
The applicant has submitted a zoning map amendment application and an application fee to the City. The applicant proposes to rezone the tract from the current R-1A residential zoning to B-3 business zone to be able to develop an overnight recreational development that would accommodate tent camping, recreational vehicles, and overnight cabins. A concept plan was submitted with the application which is attached to this staff report, and the applicant is working with a consulting engineer to develop more detailed plans.

VII. PROPERTY DESCRIPTION AND COMMUNITY CHARACTER OF IMMEDIATE VICINITY:
The subject property consists of three adjoining parcels – two of which have a combined estimated 1,900 linear feet of road frontage on Long Crescent Road. The third parcel adjoins both of the larger parcels on the southern side of the property. The property is now heavily vegetated with trees and shrubbery, however it appears from historical aerial photos that a significant portion of the largest tract was cleared pastureland up until the mid-2000s. There was a barn on the property that also confirms the earlier agricultural use of the land. The property was owned by the E. L. Byington family prior to its ownership by Highlands Union Bank and subsequent conveyance to the current owner and applicant in August 2018.

The land is immediately south of Interstate 81 and is accessed from Exit 5 via Lee Highway (U.S. Route 11) and Long Crescent Road. The subject property slopes upward from the northeastern corner of the property to the south and southwest. The highest point on the southern edge of the property is 2,300 feet in elevation as compared to the lowest point at about 1,810 at the northeastern edge, resulting in an increase of about 500 feet in slope. The map below shows the contours.
There is no evidence of any previous development on the property or any knowledge of development proposals in the past.

Vehicular access to the subject property is from Long Crescent Road which parallels Interstate 81 on the front of the property. There are currently two entrances into the property on the northern side, including one at the location of the former mobile home park. That entrance is about 4,000 feet from the intersection with Lee Highway (Route 11). The other entrance is about 150 feet to the east from this entrance.

Long Crescent Road is a two-lane paved city street with pavement width of about 22 feet for most of the frontage, but that width narrows down to about 18 feet or less on the uphill western side of the property. Long Crescent Road provides access to the Taylor TV shop, Kingsway Baptist Church, and the Woodmen Family Activity Center. Its intersection at Lee Highway is not signalized.

A 16-inch public water line with adequate pressure is available along the roadway and the closest fire hydrant is at the entrance of the Kingsway Baptist Church. There is no public sewer serving this property which has no doubt limited its development. The closest sewer line is about 1,750 feet away at the Briarwood subdivision (Lawndale Drive). There are two BVU overhead electric lines that cross the property. The aerial photo on Page 2 shows the path of the lines by the vegetation cut.

The existing uses bordering the subject tract are semi-public (Woodmen Center) and woodland on the east, large lot single-family residential on the south, and woodland, undeveloped land to the west across Long Crescent. Of course, the Interstate lies to the immediate north. Across I-81 is a mixture of low-density residential development and undeveloped property. The property has substantial visibility from the Interstate. Visibility of the property is limited from the closest residences due to the slope of the property.

**VIII. LAND USE AND ZONING HISTORY:**
The original zoning of this area was done under the Washington County Zoning Ordinance before it was annexed into the City in 1974. The oldest city zoning map in our offices (un-dated but likely from the mid to late 1970’s following annexation) shows the subject property as being zoned R-1A, except for a small part on the northern edge along the road frontage that was zoned B-3. Subsequent zoning maps including the current one show that most of that business-zoned frontage is now part of the VDOT right of way for the Interstate. It is possible that this happened when Exit 3 (I-381) was built and improved and additional right of way was needed at this location.

As mentioned previously, the property proposed for rezoning has never been developed and has been used only for agricultural purposes, except for the mobile home park that existed up until the mid-2000s on the one acre piece in the northeastern corner. We have been unable to find any records from the county or city health department.

**IX. LEGISLATIVE AUTHORITY AND PROCESS FOR ZONING MAP AMENDMENTS**
Section 50-44 of the City Code and Section 15.2-2285 and 15.2286 of the Code of Virginia, as amended, allow for a process to amend the zoning ordinance including zoning map amendments.
Code of Virginia Section 15.2286 (7) states that the governing body may amend the regulations, district boundaries, or classifications of property due to “public necessity, convenience, general welfare, or good zoning practice.”

VA Code Section 15.2-2284 states that the drawing of a zoning map (and changes thereof) shall be done “with reasonable consideration given to the existing use and character of property, the comprehensive plan, the suitability of property for various uses, the trends of growth or change, the current and future requirements of the community as to land for various purposes as determined by population and economic studies and other studies, the transportation requirements of the community, the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services, the conservation of natural resources, the preservation of flood plains, the protection of life and property from impounding structure failures, the preservation of agricultural and forestal land, the conservation of properties and their values and the encouragement of the most appropriate use of land throughout the locality.”

X. STAFF ANALYSIS
The following sections of the report provide staff analysis for these issues:

(a) **Compatibility with Neighboring Land Uses and Effects on Community Character:**

The subject property is bordered on the south by single-family homes at the top of Long Crescent Road as it goes over the ridge and back down toward Meadow Drive and Virginia Heights. The concept layout of the recreational development shows the closest cabin site to be approximately 50 feet to the southern boundary line. The closest house to that boundary line (1737 Long Crescent Dr.) is about 120 feet from the rear property line. There is another dwelling (1736 Long Crescent Dr.) that is across the street but within about 130 feet of the subject property. A third house which sits on the top of the hill above the property at 2,100 feet in elevation is located over 300 feet from the property line.

Due to current vegetation and slope, visibility of the adjoining subject property is limited. Clearing and cutting the vegetation would increase the visibility, but the slope would still provide some barrier to viewing activity on the subject property from the residences. The other adjoining land uses which border the east side are semi-public assembly uses – the Woodman Family Center and the Kingsway Baptist Church. Commercial B-3 zoning would be compatible with these uses.

(b) **B-3 Zone Characteristics and Description:** Although the applicant is proposing the use of the property for a campground and RV park, a zoning map amendment, if approved, would allow any use permitted by right in the B-3 zone. Pursuant to BCC §50-72(11), the purpose of the B-3 District is to “provide a place for business uses that do not require a central location. It shall provide areas for development of retail and personal service commercial, community and regional shopping centers of integrated design and high-density development of commercial businesses in certain areas adjacent to major transportation arteries or thoroughfares within the city.”
Pursuant to BCC §50-109, permitted (“as-of-right”) uses in B-3 are:

(1) Bank
(2) Barbershop or beauty parlor.
(3) Church.
(4) Day care center for adults.
(5) Decorator’s shop.
(6) Laundry establishments.
(7) Coin-operated laundry establishments.
(8) Automobile service station.
(9) Automobile service center.
(10) Indoor restaurants.
(11) Dry cleaning establishments.
(12) Car or truck wash (manual or automatic).
(13) Automobile sales and services, not to include heavy repairs.
(14) Bus terminals.
(15) Hotels.
(16) Motor hotels.
(17) Indoor theaters.
(18) Manufacture of articles to be sold at retail on the premises, provided such manufacturing is incidental to the retail business and employs not more than five operators.
(19) Newspaper offices.
(20) Offices and studios.
(21) Parking lots.
(22) Parking garages.
(23) Places of amusement.
(24) Printing and engraving establishments.
(25) Public buildings and public or private utilities.
(26) Public or private clubs.
(27) Retail businesses.
(28) Radio and TV stations.
(29) Wholesale businesses, not to include warehouses.
(30) Signs utilizing a constant, uninterrupted source of light advertising a use conducted on the premises
(31) Animal clinics without outside kennels.
(32) Clinics.
(33) Drive-in restaurants.
(34) Drive-in theaters.
(35) Funeral homes.
(36) Child care centers.
(37) Motels and motor hotels.
(38) Used car lots.
(39) Public or private health clubs.
(40) Body piercing salon.
(41) Body piercing school.
(42) Tattoo parlor.
(43) **Tattoo school**
(44) **Overnight recreational development**

The B-3 district has no minimum lot size. Setbacks required are: 10’ front, 20’ rear yard, and 10’ side yard if adjoining a residential district. The B-3 zone is designed for highway-oriented and more intensive commercial land uses as opposed to the other two business districts (B-2 which is downtown business district and B-1 which is neighborhood commercial for less intensive business uses). An overnight recreational development is only allowed by right in the B-3 and A zones and is subject to the standards adopted in city code Section 50-177.

(c) **Development Potential:** Pursuant to BCC §50-72 (2), the purpose of the existing R-1A district (single family residential) is “to protect single-family uses in protected areas of established development. This district applies only to lots of record as of the date of adoption of the ordinance from which this article was derived where the minimum lot size shall not be less than 15,000 square feet.”

Although there are single-family homes on large lots adjoining the subject property to the south, the location immediately next to Interstate 81 may not be conducive to the expansion of single-family residential development. The property has been vacant for many years with no expansion of residential use proposed. Also, it should be considered whether this area needs to continue to be zoned residential for the purpose of “protecting areas of established development.” The sloped terrain provides somewhat of a natural separation between the established neighborhood to the south and the Interstate and business-oriented uses near Exit 5.

Easy access and proximity to Interstate 81 and visibility from the highway are features that make the subject property appropriate for commercial development. The 19-acre tract is large enough to accommodate a commercial business or even multiple businesses. The site does have a significant amount of street frontage, although the Long Crescent Road access is only suitable for commercial traffic coming from the east direction due to the narrowing of the roadway as it goes southward. Commercial access from this direction would not be appropriate.

The location more than 4,000 feet from U.S. 11 and Exit 5 will likely limit its potential for some of the permitted uses in the B-3 zone. For example, a restaurant or convenience store would likely need to locate on a roadway with much higher traffic counts, however an office building or wholesale business may be more appropriate for this location. The proposed use of the property as an overnight recreational development for camping would appear to be less intensive than other potential commercial uses.

(d) **Consistency with the 2017 Adopted City Comprehensive Plan:** The 2017 City Comprehensive Plan addresses future commercial development in the Exit 5 and 7 areas and encourages continued efforts to grow that area into the premier shopping destination within the Tri-Cities area. (Page 53, Objective #3). Objective #4 on the same page addresses aesthetics and design of commercial areas with strategy 4(G): “Encourage the transition and
redevelopment of incompatible land use arrangements, as identified on the Land Use Map, into more compatible land use arrangements” (p. 53).

The Future Land Use map (updated and revised in 2019) shows the subject property as “Regional Commercial.” This land use designation is to encourage establishments that “draw from a regional consumer traveling along I-81,” as opposed to the “Local Commercial” land use category that is “intended to provide daily goods and services conveniently to nearby neighborhoods (P. 33).

Due to its proximity to the Interstate, most of the area along Long Crescent Road up to where the roadway narrows is designated Regional Commercial. The ridge south of the road frontage property provides a relatively substantial barrier to further commercial development, and serves as a natural buffer between the proposed commercial site and the low density Virginia Heights neighborhood to the south.

(c) Impacts

*Local Traffic:* The proposed use of the property for an overnight recreational development, as defined in city code, will increase the level of traffic on Long Crescent Road. It is difficult to estimate the amount of traffic based only on the concept plan that has been submitted, however the city transportation planner used the number of campsites and cabins depicted and the available trip generation data to provide at least a preliminary estimate. Average estimated weekday morning trips would be 26 (13 entering and 13 exiting) and average estimated weekday afternoon trips would be 40 (20 entering and 20 exiting).

Traffic volume is not anticipated to be a problem as this road is not heavily travelled, however there are two other traffic concerns due to the size of vehicles associated with an RV park. There would be a negative impact on the roadway and neighborhood if heavy vehicles use Long Crescent Road going west from the property entrance due to the narrowness and slope of the roadway in that direction. Also, vehicles leaving the site and
traveling eastbound to Lee Highway may have difficulty turning left because of heavy traffic on Lee Highway and multiple driveway entrances.

Once a more detailed site plan is submitted to the City, a traffic study could be required by the city Engineering Department if there are concerns about negative impacts on the roadway and the service level of the intersection at Lee Highway or the City may require certain signage to direct traffic and increase safety.

**Natural Resources:** There should be no adverse impacts on natural resources if the proposed rezoning is allowed. City staff will require all environmental-related permitting to be obtained and approved prior to development, including soil and erosion control and storm water management. All design standards found in city code section 50-177 will need to be adhered to, including adequate buffer with adjoining property. Landscaping plans will need to be submitted during the site plan review process and the Planning Commission can have input and approval of landscaping as provided for in Bristol City Code §50-40. Connection to public sewer will be required for commercial development of this property. Any septic tanks and drain lines that existing for the mobile home park will need to be properly and safely removed or destroyed.

**Public Facilities:**
**School System.** The proposed map amendment will not impact the local school system.

**Parks and Recreation.** The proposed map amendment will not impact the local parks and recreation facilities and services.

**Emergency Services.** The proposed amendment does not present additional issues for law enforcement, or other emergency services, except for fire protection. The Fire Marshal has reported that there will need to be a fire hydrant installed as the distance between fire hydrants at this location is over 2,000 feet.

**Water, Wastewater, and Electrical Utilities.** In addition to the fire hydrant, the applicant or developer of the property will need to pay the cost of extending sanitary sewer to serve the proposed project. This could likely involve easements on nearby private property, although there may be opportunities for joint participation in the cost by those landowners. Utility plans will be reviewed by BVU and city engineering staff in the site plan process.

**Public Transit.** Rezoning of this property for commercial use will not adversely impact transit resources. The city bus service presently serves the Exit 5 area but does not serve Long Crescent Road.

**Government Services.** The map amendment will have a negligible impact on the provision of other government services. Garbage collection services will be addressed during the site plan review process.

X. **CONCLUSION AND RECOMMENDATION**

*This will be provided in the final Staff Report following the joint public hearing.*
PLANNING COMMISSION
AGENDA ITEM SUMMARY

Meeting Date: August 19, 2019
Bulk Item: Yes ___  No  X  Staff Contact: Sally Morgan, City Planner
Division: Community Development/Planning

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.
CITY OF BRISTOL, VIRGINIA
Planning Commission
2019 Annual report
Reporting period July 1, 2018 - June 30, 2019

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 <a href="#">Plat #11-2018</a> – 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 <a href="#">Plat #12-2018</a> – 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 <a href="#">Wildflower Ridge – Phase 1A</a></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 <a href="#">ZMA #01-2019</a> 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>
</tr>
<tr>
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</tr>
<tr>
<td>08/20/18</td>
<td>Presentation of <strong>Annual Report</strong> 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 Weatherly-Carter Subdivision (Lee Highway and Terrace Drive)</strong></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 – <strong>629 State Street</strong></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 The Falls – Phase 3 Subdivision Preliminary Plat and Final Plat</strong></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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<td>--------</td>
</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 01-2018-1777 Wendover Road, 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>9/17/18</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 Gate City Highway</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>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>
</table>
| 09/11/18     | Joint Public Hearing with the Planning Commission and City Council on **ZMA#01-2018** - 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) | 9-17-2018 Commission recommended approval of ZMA #01-2019  
09-25-2018 City Council approved Zoning Map Amendment |
| 04/9/19      | Joint Public Hearing with the Planning Commission and City Council on Special Exception Application **SE #02-2019** 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. | 4/15/19 Commission recommended approval of the SE #02-2019  
4/23/19 City Council approved SE #02-2019. |
| 04/9/19      | Joint Public Hearing with the Planning Commission and City Council on Proposed **Future Land Use Map Revisions** to Comprehensive Plan | No comments were made regarding the proposed Future Land Use Map revisions to the Comprehensive Plan.  
04-15-19 Commission recommended approval of proposed revisions.  
04-23-19 City Council approved revisions. |
<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>04/23/19</td>
<td>Two Joint Public Hearings with Planning Commission and City Council on Special Exception</td>
<td>4/30/19 City Council approved the Special Exception (SE #04-2019) to allow a pharmaceutical processing operation.</td>
</tr>
<tr>
<td></td>
<td>Applications [SE #03-2019 and SE #04-2019] for 500 Gate City Highway.</td>
<td></td>
</tr>
<tr>
<td>05/28/19</td>
<td>Joint Public Hearing with Planning Commission and City Council on Zoning Ordinance Revision for</td>
<td>6/03/19 The Commission voted to revise recommendation to City Council to increase minimum lot area size requirement.</td>
</tr>
<tr>
<td></td>
<td>Overnight Recreational Development Standards.</td>
<td></td>
</tr>
</tbody>
</table>

6) Activity Summary

<p>| Zoning Map Amendment Applications (ZMA #01-2019) | 1 |
| Zoning Map Amendment Recommendations            | 1 |
| Zoning Text Amendments Considered (ZTA #01-2019) | 1 |
| Zoning Text Amendments Approved                  | 1 |
| Special Exception Applications                    | 3 |
| Special Exceptions Recommended for Approval       | 3 |
| Subdivision Plat Applications                     | 4 |
| Subdivision Plats Approved                        | 4 |
| Applications for Approval of Activity in Floodplain | 1 |
| Approvals of Activity in Floodplain               | 1 |
| Requests for Determinations of Camouflaged Wireless Facilities | 1 |
| Determinations of Camouflaged Wireless Facilities | 1 |
| Applications for Residential Use in Business Zone | 1 |
| Approval of Residential Use in Business Zone      | 1 |
| Administrative Modification Requests Reported     | 1 |</p>
<table>
<thead>
<tr>
<th>Subdivision Ordinance Amendments Considered</th>
<th>1</th>
</tr>
</thead>
<tbody>
<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: August 19, 2019

Bulk Item: Yes  No  X

Department: Planning/Community Development

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.

Changes made to City Charter Dec 2018

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.