KINGSPORT REGIONAL PLANNING COMMISSION

AGENDA

City Hall – Boardroom

415 Broad Street

This meeting is an open and accessible meeting. If interested parties request special assistance or accommodations, please notify the Planning Department three (3) days in advance of the meeting.

March 17, 2022 5:30 p.m.

I. INTRODUCTION AND RECOGNITION OF VISITORS

II. APPROVAL OF THE AGENDA

III. APPROVAL OF THE MINUTES OF THE WORK SESSION MEETING ON FEBRUARY 14, 2022 AND THE REGULAR MEETING ON FEBRUARY 17, 2022.

IV. CONSENT AGENDA Consent items are those items that have previously been brought before the Planning Commission, which have been reviewed by the Planning Commission in previous meetings or work sessions, or are minor subdivisions and final plats not requiring any variances.

V. UNFINISHED BUSINESS

VI. NEW BUSINESS

3-01 Shipp Springs Annexation

The Kingsport Regional Planning Commission is requested to send a positive recommendation to the Kingsport Board of Mayor and Aldermen for the annexation, zoning, and plan of services for the Shipp Springs Annexation. The property is located in the 11th Civil District of Sullivan County. (Rowe)

3-02 Fieldcrest Annexation

The Kingsport Regional Planning Commission is requested to send a positive recommendation to the Kingsport Board of Mayor and Aldermen for the annexation, zoning, and plan of services for the Fieldcrest Annexation. The property is located in the 7th Civil District of Sullivan County. (Rowe)

3-03 Saint Andrews Garth Amended Preliminary PD Phases 2 & 3

The Kingsport Regional Planning Commission is requested to approve the amended Saint Andrews Garth Preliminary PD Phases 2 & 3. The property is located in the 13th Civil District of Sullivan County. (Garland)

3-04 Westview Park Addition, Minor Subdivision with Variance Request

The Kingsport Regional Planning Commission is requested to approve the Resubdivision of Lot 8, Block 4 of the Westview Park Addition Subdivision along with the associated street frontage variance request. The property is located in the 11th Civil District of Sullivan County. (Garland)

3-05 The Retreat at Hunts Crossing, Ph 1A, Irrevocable Letter of Credit

The Kingsport Regional Planning Commission is requested to approve an irrevocable letter of credit for The Retreat at Hunts Crossing Ph 1A in the amount of $160,033.05. The property is located in the 13th Civil District of Sullivan County. (Garland)

3-06 Sullivan County Minor Zoning Text Amendments
The Kingsport Regional Planning Commission is requested to send a positive recommendation to the Sullivan County Commission in support of the County zoning text amendment proposals. The proposal impacts property governed by Sullivan County Zoning. (Weems)

3-07 Decorative Lighting Zoning Text Amendment (City of Kingsport)
The Kingsport Regional Planning Commission is requested send a positive recommendation to the Kingsport Board of Mayor and Aldermen in support of the zoning text amendment. The proposal will impact decorative lighting proposals within the City of Kingsport. (Weems)

VII. OTHER BUSINESS

3-08 Receive, for Information Purposes, the February-March 2022 Approved Subdivisions

VIII. PUBLIC COMMENT (Speakers are limited to 5 minutes per item.)

IX. ADJOURNMENT

MINUTES OF THE WORK SESSION OF THE

KINGSPORT REGIONAL PLANNING COMMISSION

City Hall
415 Broad Street, Kingsport, TN 37660

February 14, 2022 12:00 noon

Members Present
Sam Booher
Pat Breeding
James Phillips
Travis Patterson

Members Absent
Paula Stauffer
Sharon Duncan
Brad Blackwell
Phil Rickman
John Moody

Staff Present
Ken Weems, AICP
Savannah Garland

Visitors
none

At 12:00 p.m., Secretary Weems called the meeting to order. Mr. Weems inquired as to whether anyone on the Commission identified any necessary changes to the minutes from the January 2022 work session or regular meeting. With no corrections identified, Mr. Weems stated that the minutes would be presented during the regular meeting for approval. No official action was taken.

IV. CONSENT AGENDA Consent items are those items that have previously been brought before the Planning Commission, which have been reviewed by the Planning Commission in previous meetings or work sessions, or are minor subdivisions and final plats not requiring any variances.

V. UNFINISHED BUSINESS

VI. NEW BUSINESS

2-01 Cul-de-sac Dimensional Requirements

The Kingsport Regional Planning Commission is requested to approve upgraded residential cul-de-sac dimensional requirements. The proposal impacts the Minimum Regulations for Subdivision Development Within the Kingsport Planning Region. Staff presented the details of the item that changes the different standards for lanes, residential streets, and local streets to a single standard. Staff stated that both Kingsport City Schools and the Kingsport Fire Department are supportive of the measure. Staff further stated that tests with city fire trucks and school buses demonstrated the need for a larger turnaround at the end of dead end streets. The proposed 85 feet of pavement diameter and 100 feet of cul-de-sac bulb diameter, as identified by staff, also represent a compromise between the 90 foot paved diameter in Bristol, TN and the 80 foot paved diameter found in Johnson City. The Commission inquired as to whether the enlarged cul-de-sac bulbs would lengthen the distance between a new house and the street. Staff noted that the distance would remain the same as it is today, but with more available street frontage. No official action was taken.

VII. OTHER BUSINESS

2-02 Receive, for Information Purposes, the January-February 2022 Approved Subdivisions

VIII. PUBLIC COMMENT (Speakers are limited to 5 minutes per item.)

IX. ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 12:30p.m.

Respectfully Submitted,
Ken Weems, AICP, Planning Commission Secretary

MINUTES OF THE REGULAR MEETING OF THE

KINGSPORT REGIONAL PLANNING COMMISSION

City Hall
415 Broad Street, Kingsport, TN 37660

February 17, 2022 5:30p.m.

Members Present
Pat Breeding
James Phillips
Phil Rickman
Brad Blackwell
Travis Patterson

Members Absent
Sam Booher
Paula Stauffer
Sharon Duncan
John Moody

Staff Present
Ken Weems, AICP
Savannah Garland

Visitors
none

At 5:30 p.m., Vice Chairman Breeding called the meeting to order and introduced Commissioners and staff. The Vice Chairman called for approval of the agenda. A motion was made by Phil Rickman, seconded by James Phillips to approve the agenda as presented. The motion passed unanimously, 5-0. The Vice Chairman inquired as to whether anyone on the Commission identified any necessary changes to the minutes from the January 2022 work session or regular meeting. Phil Rickman identified two minor typos. A motion was made by James Phillips, seconded by Phil Rickman, to approve the amended minutes of the January 18, 2022 work session and the January 20, 2022 regular meeting. The motion passed unanimously, 5-0.

IV. CONSENT AGENDA Consent items are those items that have previously been brought before the Planning Commission, which have been reviewed by the Planning Commission in previous meetings or work sessions, or are minor subdivisions and final plats not requiring any variances.

V. UNFINISHED BUSINESS

VI. NEW BUSINESS

2-01 Cul-de-sac Dimensional Requirements

The Kingsport Regional Planning Commission is requested to approve upgraded residential cul-de-sac dimensional requirements. The proposal impacts the Minimum Regulations for Subdivision Development Within the Kingsport Planning Region. Staff presented the details of the item that changes the different standards for lanes, residential streets, and local streets to a single standard. Staff stated that both Kingsport City Schools and the Kingsport Fire Department are supportive of the measure. Staff further stated that tests with city fire trucks and school buses demonstrated the need for a larger turnaround at the end of dead end streets. The proposed 85 feet of pavement diameter and 100 feet of cul-de-sac bulb diameter, as identified by staff, also represent a compromise between the 90 foot paved diameter in Bristol, TN and the 80 foot paved diameter found in Johnson City. Staff commented that the required 30 notice had been printed in the

Kingsport Times-News and that the 30 days had passed. A motion was made by Travis Patterson, seconded by Phil Rickman, to approve the subdivision text amendment. The motion passed unanimously, 5-0.

VII. OTHER BUSINESS

2-02 Receive, for Information Purposes, the January-February 2022 Approved Subdivisions

VIII. PUBLIC COMMENT (Speakers are limited to 5 minutes per item.)

IX. ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 5:48 p.m.

Respectfully Submitted,

_____

Ken Weems, AICP, Planning Commission Secretary

Kingsport Regional Planning Commission

Annexation Report **File Number 21-301-00003**

ANNEX21-0136

Property Information	Groseclose Property		
Address	Shipp Springs Rd		
Tax Map, Group, Parcel	Tax Map 030J, Group A, Parcel 005.00 & Tax map 030O, Group A, Parcel 015.00		
Civil District	11th		
Overlay District	None		
Land Use Plan Designation	Single Family		
Acres	71.23 acs +/-		
Existing Use	Vacant/Agricultural	**Existing Zoning**	County R-1
Proposed Use	Residential	**Proposed Zoning**	R-3

Owner Information	**Owner Information**
Name: Groseclose Heirs **Address: 221 Cumberland St** **City: Kingsport** **State: TN** **Zip Code:37660** **Email: jerrypetzoldt@tcigroup.com** **Phone Number: 423-677-2486**	

Planning Department Recommendation

RECOMMENDATION: APPROVAL to recommend the Annexation, Zoning, and Plan of Services to the BMA

The Kingsport Planning Division recommends approval for the following reasons:

- *The City of Kingsport should utilize annexation as urban development occurs and is necessary for present and future growth in an orderly manner.*
- *It is reasonably necessary for the welfare of the residents and property owners of the affected territory.*
- *The City of Kingsport can provide services through its Plan of Services that the County cannot provide to the area.*
- *Annexation spurs economic growth by providing basic services at a reasonable cost and allows those costs to be spread fairly to all who enjoy those services.*
- *It is reasonably necessary for the welfare of the residents and property owners of the municipality as a whole.*

Staff Field Notes and General Comments: This is a property owner-requested annexation. The annexation is being requested to bring approximately 71 acres or land into the City limits for the purpose of residential development. Property is to be re-zoned from County R-1 to City R-3, and is currently served by City water and sewer utilities surrounding the property. No new roadway is included with this annexation.

Planner:	Elizabeth Rowe	Date:	October 1, 2021
Planning Commission Action		**Meeting Date:**	**March 17, 2022**
Approval:			
Denial:		Reason for Denial:	

Kingsport Regional Planning Commission

Annexation Report **File Number 21-301-00003**

ANNEX21-0136

Location Map

Zoning Map

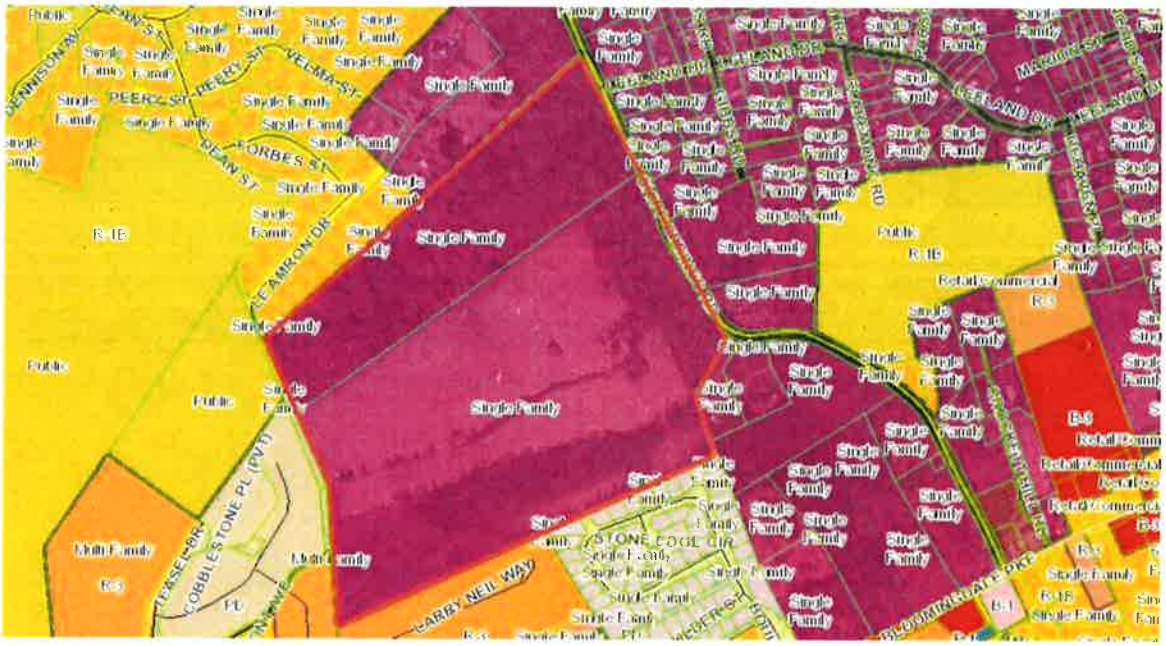
Prepared by Kingsport Planning Department for the
Kingsport Regional Planning Commission Meeting on March 17, 2022

Kingsport Regional Planning Commission

Annexation Report **File Number 21-301-00003**

ANNEX21-0136

Future Land Use Map



Water/Sewer Map

Prepared by Kingsport Planning Department for the
Kingsport Regional Planning Commission Meeting on March 17, 2022

View of Property from Western Property Line

View Driving N on Shipp Springs

View Driving S on Shipp Springs

Cost

Shipp Springs Annexation

Cost Estimate/ tax records as of 1 June 2021

Revenues	One Time	Reoccuring (annual)	
Property Taxes	X	$11,255.84	
State Shared	X	$0.00	Vacant
Sewer Tap Fees	X	$0.00	Vacant
Water & Sewer Rev (loss)	X		Vacant
Total	$0.00	$11,255.84	

Expenses	One Time	Reoccuring (annual)
Operating Budget		
Police & Fire Service	0.00	0.00
Transit Service	0.00	0.00
Street Lighting	0.00	0.00
Traffic Controls	0.00	0.00
Streets & Sanitation	0.00	0.00
Subtotal	0.00	0.00
Capital Budget		
Water	0.00	0.00
Sewer	0.00	0.00
Streets	0.00	0.00
Subtotal	0.00	0.00
Grand Total	$0.00	$11,255.84

****Property is being annexed to facilitate mixed-use residential development on the property. Any water/sewer improvements required to serve the increased demand will be at the cost of the developer as the property is already served with City water and sewer services. Potential City revenues from this property at full buildout will be significantly higher than the revenues projected above.****

Shipp Springs
Plan of Services

1. Police Protection

A. On the date of annexation the Kingsport Police Department will respond to all calls for service for police protection, including criminal calls, traffic accidents and traffic related occurrences, and other prevention and interdiction calls for service.

B. Effective with annexation, all resources currently available within the Kingsport Police Department will become available to the citizens of the area. The Kingsport Police Department has an authorized accredited force of 116 police officers and approximately 60 civilian personnel to provide services 24-hours per day, 365 days a year.

C. The Kingsport Police Department is accredited with the Commission on Accreditation for Law Enforcement Agencies and has met 358 mandatory and 72 other-than mandatory standards in order to attain this status. Kingsport Police Department was only the third accredited department in the State of Tennessee and the first in northeast Tennessee.

D. Upon annexation, existing police department personnel will be utilized to provide services by expanding the contiguous patrol sections to include the newly incorporated area. Existing police personnel and equipment will be shifted to provide needed coverage of the area. Each section will be patrolled by units of the Kingsport Police Department and will be augmented by other departments and units such as investigators, specialized assigned details etc.

E. When needed, the Kingsport Police Department will hire additional police officers to provide more response to annexed areas. The officers will undergo 450 hours of basic recruit training before being certified as a police officer. Upon completion of the classroom training, the officers will undergo 480 hours of field officer training where they will work and be trained by designated training officers.

F. The Kingsport Police Department will provide upon request crime prevention programs, traffic safety education programs, drug education/awareness programs including D.A.R.E. to the citizens of the area. Additional programs include department personnel to address groups on law enforcement topics or concerns, home and business security checks and establishing and maintaining neighborhood watch programs.

G. The Kingsport Police Department currently maintains an approximate 5 minute average response time to emergency and urgent calls within the corporate limits.

2. Fire Protection

A. On the operative date of annexation, the City of Kingsport will answer all calls for service for fire, disaster, hazardous materials, special rescue and medical first responder. The Kingsport Fire Department goes beyond the basic fire services required of a City Government.

B. Free fire safety inspections will be available upon request on the effective date of annexation. Water lines will be upgraded within five (5) years after the effective date of annexation to provide needed fire flow to protect the properties.

C. All structures must be brought into compliance with the City-wide smoke detector ordinance within thirty (30) days of the effective date of annexation. This is strictly to provide residents with the best fire protection service available.

D. The City of Kingsport Fire Department has a Hazardous Materials Response Team, which has state-of-the-art equipment to handle all calls of an emergency nature dealing with incidents relating to hazardous chemicals. The department also has a Technical Rescue Team that has specialized rescue capabilities and equipment for all types of hazards.

E. The City of Kingsport Fire Department provides First Responder emergency medical services to all life-threatening medical emergencies resulting from serious illness or injury. We provide advanced life support (paramedics) for victims until ambulance service arrives for transport.

3. Water

A. Water will be billed at in City rates rather than out of City rates, which will result in a reduction in water rates for annexed citizens already receiving City water. Those not currently receiving City water will be required to obtain a water-tap in order to obtain City water.

B. Water line upgrades and the installation of fire hydrants will commence for adequate fire protection and will be completed within five (5) years after the effective date of annexation.

C. The City of Kingsport Water Department meets or exceeds water quality standards set forth by the State of Tennessee and the United States Environmental Protection Agency. The plant has been the recipient of the EPA Partnership for Safe Drinking Water award for nine consecutive years.

D. The Water Distribution Division is managed with a professional staff who are members of key professional organizations such as: American Water Works Association, Tennessee Association of Utility Districts, National Society of Professional Engineers, American Society of Civil Engineers. Several key members of the staff also hold certificates and licenses in the operations of a distribution system in the State of Tennessee.

4. <u>Electricity</u>

Electric service in this area is currently under the jurisdiction of American Electric Power and is currently available.

5. <u>Sanitary Sewer</u>

A. City of Kingsport sanitary sewer serves the annexation site. At properties where sewer services must be extended, the upgrades will be complete within five (5) years of the effective date of the annexation.

B. Sanitary sewer fees are based on usage of water and are direct reflection of the amount of water used by the resident.

C. The City of Kingsport operates and maintains a 12.4 MGD wastewater treatment plant, 88 sewer lift stations and approximately 525 miles of sanitary sewer collection lines to provide sewer service to our customers.

D. The City of Kingsport Wastewater Treatment Plant recently experienced over 21 million dollars of improvements to provide a reliable and dependable infrastructure.

E. The wastewater treatment plant is staffed with State Certified Operators 24 hours a day, 365 days a year. Treatment plant operators exceed State of Tennessee

training requirements, and the Wastewater Treatment Plant is the recipient of multiple operations excellence awards.

F. The Sewer Collection Division is managed with a professional staff who are members of key professional organizations such as: Water Environment Federation, Tennessee Association of Utility Districts, National Society of Professional Engineers, American Society of Civil Engineers. Several key members of the staff also hold certificates and licenses in the operations of a collection system in the State of Tennessee.

6. Solid Waste Disposal

Sanitation garbage (routine household refuse), and trash (grass clippings, tree trimmings, bulky items) collection will be provided to the annexed area on the same basis as that received by properties located within the existing City Limits. Collection will begin within thirty (30) days following the effective date of annexation. Members of the collection crews receive ongoing training in their fields. The City of Kingsport also owns and operates a demolition landfill that residents can use for a fee. That landfill is supervised by a SWANA certified Manager of Landfill Operations. This supervisor also holds other certifications from SWANA and TDEC.

7. Public Road/Street Construction & Repair

A. Emergency and routine maintenance of streets and street signs, pavement markings and other traffic control devices will begin on the operative date of annexation. Emergency pothole repairs are generally made within 24 hours of notification. Crews are available on a 24 hour basis for major emergency call-outs.

B. Cleaning of streets of snow and ice clearing will begin on the operative date of annexation on the same basis as now provided within the present City limits. This includes major thoroughfares, State highways and emergency route to hospitals as first priority, with secondary/collector streets and finally residential streets in that order as priority II. Snow removal crews receive yearly training to help keep them up to date with changes in procedures and techniques. Snow removal crews also respond on a 24 hour emergency call in basis.

C. Streets affected by utility construction will be repaired as soon as possible after the utility construction is completed.

D. Routine Right of Way maintenance is also provided on the effective date of annexation. Tasks include Mowing, Tree Maintenance and Weed Control by

certified personnel as needed to respond to routine maintenance requests and emergencies.

E. The Streets and Sanitation Division is managed and supervised by a professional staff who are members in good standing of several Professional Organizations such as the Tennessee Chapter of the American Public Works Association, the national chapter of the American Public Works Association, the Volunteer Chapter of the Solid Waste Association of North America, the national chapter of the Solid Waste Association of North America, the Tennessee Urban Forestry Council, the Tennessee Nursery and Landscape Association, National Arbor Day Association, Tennessee Vegetation Management Association, and the Keep Kingsport Beautiful Council. The staff receives ongoing training through these Professional Organizations. Members of the staff are active in their respective organizations. Members of the staff also serve as trainers and instructors for various training venues.

8. Recreational Facilities

A. Residents of the annexed area may use existing City recreational facilities, programs, parks, etc. on the effective date of annexation at City rates rather than out of City rates.

B. Residents of the annexed area may use all existing library facilities and will be exempt from the non-residential fee on the effective date of annexation.

C. Residents of the annexed area (50 years or older) will be eligible to use the Senior Citizens Center with no non-residential fees and with transportation provided on the effective date of annexation.

D. The Department of Parks and Recreation has more than 4,800 acres of city-owned land to provide parks and recreation programs to all our citizens. The amenities and programs offered by many of the parks and recreation areas through the Leisure Services Department include playing fields for baseball and softball, basketball courts, play grounds, volley ball, tennis courts, a skate park and concession areas and restrooms to serve these facilities. Other amenities offered include General meeting areas, multi-function areas, Community Centers, senior programs, Theater and Cultural Arts programs. Many of the parks have walking and hiking trails and Bays Mountain, the City's largest park, includes animal habitats, a farm area, camping sites, and a Planetarium.

9. Street Lighting

Within five years of the operative date of annexation the City will take over responsibility (including payment) for dusk-to-dawn lights presently in place that meet City standards. The City will request that AEP install additional streetlights on collector-class and lower streets in accordance with the policy on roadway lighting within five (5) years of the effective date of annexation.

10. Zoning Services

A. The area will be zoned R-3 (Low Density Apartment District).

B. The Kingsport Regional Planning Commission is the comprehensive planning agency and administers zoning and land subdivision regulations for the City of Kingsport as provided in State law. The Kingsport Regional Planning Commission consists of nine (9) commissioners appointed by the Mayor of the City of Kingsport.

C. The Kingsport Regional Planning Commission will exercise planning and zoning activities for the area being annexed upon the operative date of annexation.

D. Appeals to the Zoning regulations are heard by the Board of Zoning Appeals and variances are granted if the request meets the criteria established for granting variances under Tennessee Code Annotated.

11. Schools

A. Upon annexation, children currently attending County schools will be allowed to attend City of Kingsport schools or remain in County schools per the prevailing County policy at the time.

B. Tuition paid by non-city residents now attending City schools will cease upon the effective date of annexation and those students may continue to attend City schools without charge until graduation.

The previous sections are titled and listed in the order prescribed by Tennessee Code Annotated 6-51-102(b) (2). The following sections are provided by the City of Kingsport in addition to the minimum requirements.

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12. Traffic Control

The City will verify all street name signs and traffic control devices in accordance with the Manual on Uniform Traffic Control Devices.

13. Inspection Services

All inspection services now provided by the City on a fee basis (building, electrical, plumbing, gas, housing, sanitation, etc.) will begin in the annexed area on the effective date of annexation. A free safety inspection of plumbing vents will be required at the time sewer connections are made to make sure that proper protection is available to prevent sewer gas from entering houses.

14. Animal Control

Animal control service equivalent to that presently provided within the City will be extended to the annexed area on the effective date of annexation.

15. Storm Sewers

Maintenance of existing storm sewer systems within the public ROW is provided on an as needed basis. Response to emergency storm drainage calls is also provided on a 24 hour call in basis.

16. Leaf Removal

The City will collect loose leaves with the vacuum truck between October 15 and January 15, and it will be provided to the annexation area on the same basis as it is currently provided to other City residents beginning on the effective date of annexation. Bagged leaves are collected year round. Leaves are transported to the City's Demolition Landfill where they are composted and used as an amendment to existing dirt stockpiles. This enhanced dirt is then used on City Projects for backfill and topsoil applications.

17. Litter Control

The City's litter control program will be extended to the area on the effective date of annexation. It is provided on a regular schedule along major routes and on an "as needed" basis throughout the City.

18. Graffiti Control

The City's graffiti control program, which is aimed at eliminating graffiti on public rights-of-way such as bridge abutments, street signs, railroad underpasses, and the like, will be extended to the area on the effective date of annexation. It is provided on an "as needed/on call" basis. Response time for "offensive" graffiti removal is generally within 48 hours.

19. Other Services

All other services not classified under the foregoing headings such as Executive, Judicial, Legal, Personnel, Risk Management, Fleet Maintenance, Finance and Administration and other support services will be available upon the effective date of annexation.

CONCLUSION

The Kingsport Planning Division recommends sending a favorable recommendation to the Board of Mayor and Alderman for the annexation, zoning, and Plan of Services for the Flagship Drive Annexation based on the following reasons:

- *The City of Kingsport should utilize annexation as urban development occurs and is necessary for present and future growth in an orderly manner.*
- *It is reasonably necessary for the welfare of the residents and property owners of the affected territory.*
- *The City of Kingsport already provides services to the properties in this area.*
- *Annexation spurs economic growth by providing basic services at a reasonable cost and allows those costs to be spread fairly to all who enjoy those services.*
- *It is reasonably necessary for the welfare of the residents and property owners of the municipality as a whole.*

Kingsport Regional Planning Commission

Annexation Report **File Number ANNEX2-0049**

Property Information	Fieldcrest Property Annexation		
Address	592 Catawba Ln		
Tax Map, Group, Parcel	Tax Map 063, Parcel 128.00		
Civil District	7th		
Overlay District	None		
Land Use Plan Designation	Industrial		
Acres	204 acs +/-		
Existing Use	Agricultural	**Existing Zoning**	County A-1
Proposed Use	Mixed Use	**Proposed Zoning**	PD, R-3, R-5, B-1

Owner Information	**Owner Information**
Name: PARKER EVELYN HOLT **%SUSAN PARKER** **Address: 369 ISLAND RD** **City: Kingsport** **State: TN** **Zip Code:37664** **Email: tomp3733@gmail.com** **Phone Number: 423-418-4795**	

Planning Department Recommendation

RECOMMENDATION: APPROVAL to recommend the Annexation, Zoning, and Plan of Services to the BMA

The Kingsport Planning Division recommends approval for the following reasons:

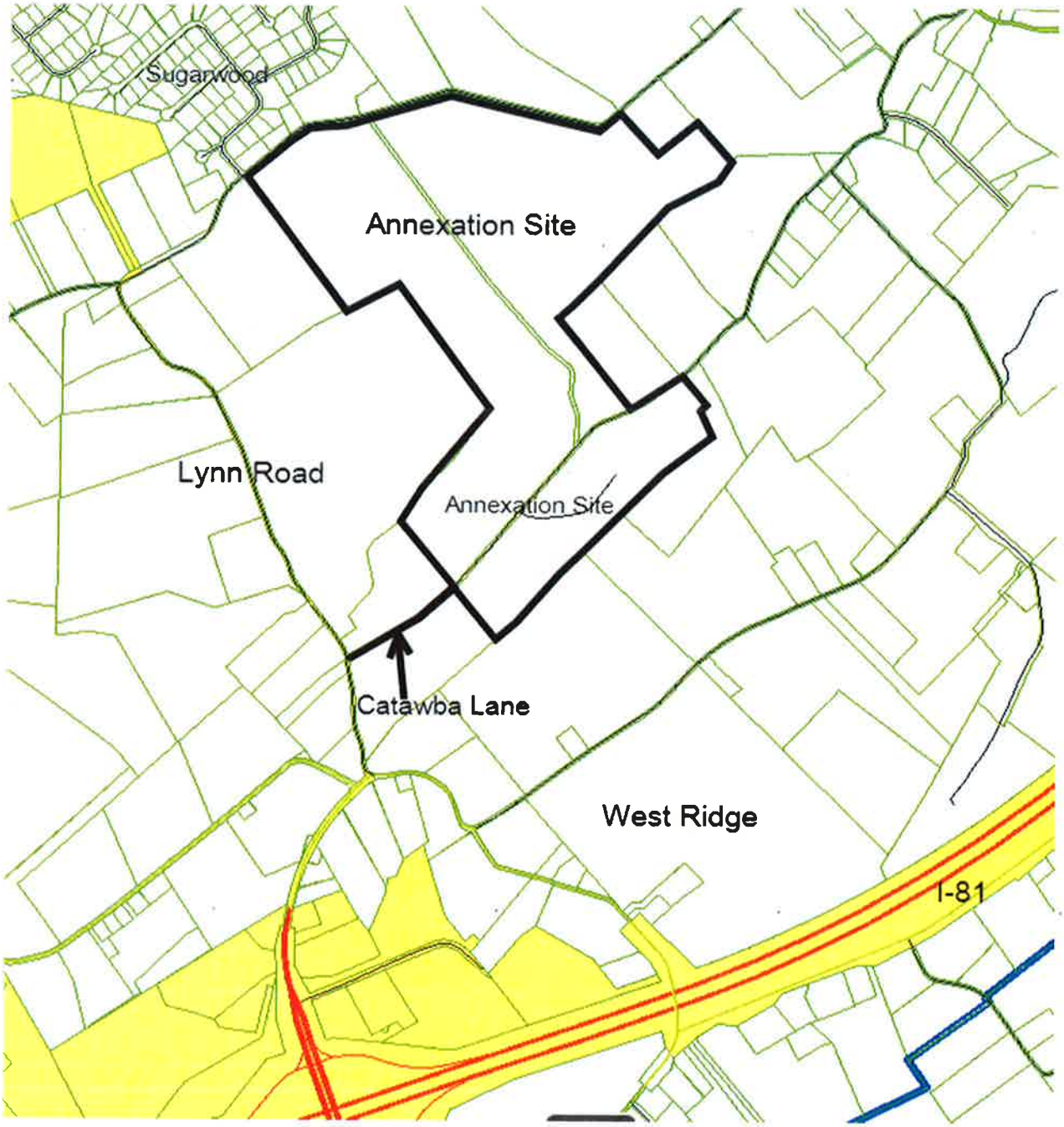
- *The City of Kingsport should utilize annexation as urban development occurs and is necessary for present and future growth in an orderly manner.*
- *It is reasonably necessary for the welfare of the residents and property owners of the affected territory.*
- *The City of Kingsport can provide services through its Plan of Services that the County cannot provide to the area.*
- *Annexation spurs economic growth by providing basic services at a reasonable cost and allows those costs to be spread fairly to all who enjoy those services.*
- *It is reasonably necessary for the welfare of the residents and property owners of the municipality as a whole.*

Staff Field Notes and General Comments: This is a property owner-requested annexation. The annexation is being requested to bring approximately 204 acres of land into the City limits for the purpose of residential, commercial and public development. Property is to be re-zoned from County A-1 to City R-3, PD, R-5 and B-1. The property is currently not served by any City utilities or services.

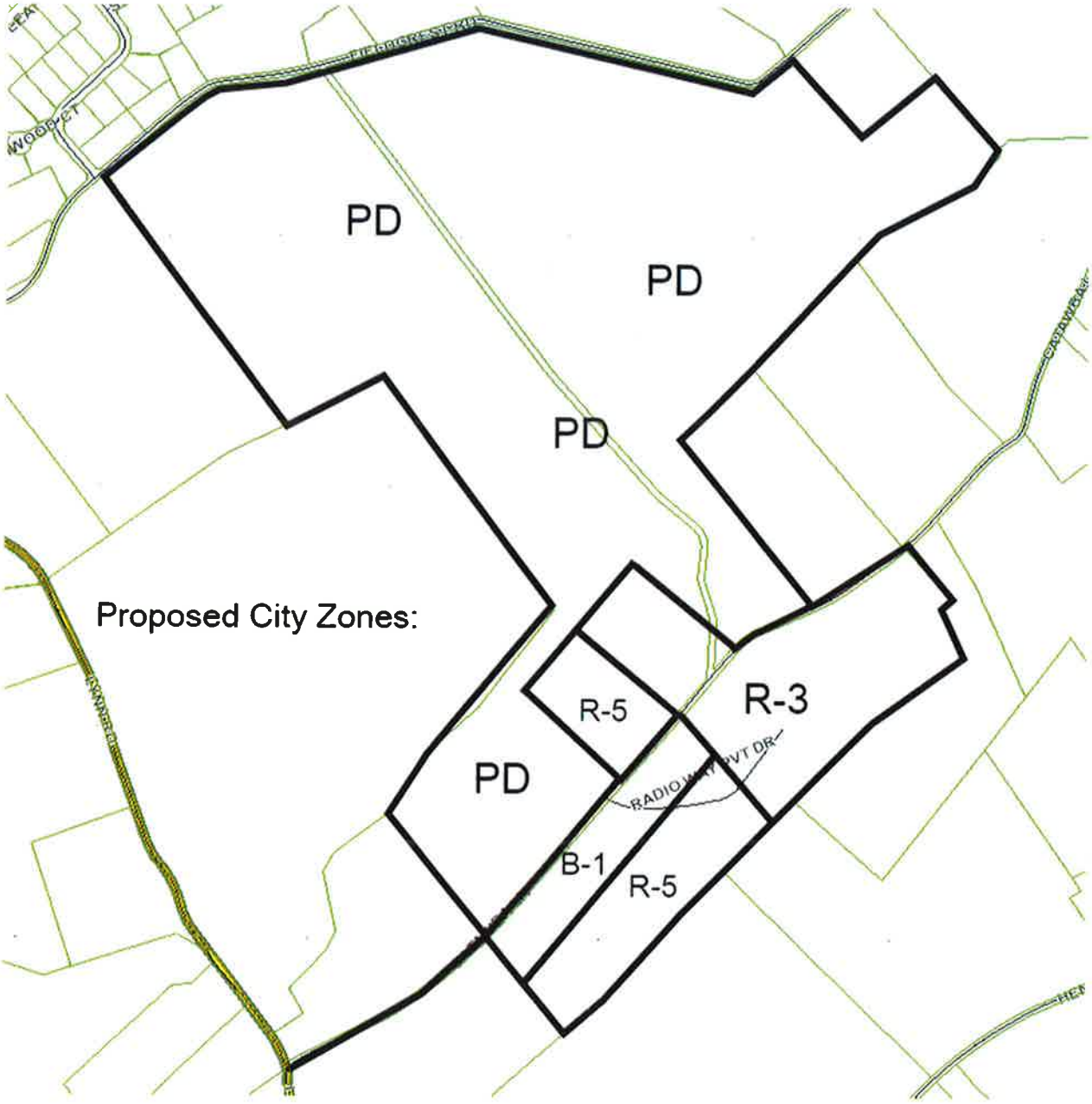
Planner:	Elizabeth Rowe	Date:	February 25th, 2022
Planning Commission Action		**Meeting Date:**	**March 17, 2022**
Approval:			
Denial:		Reason for Denial:	

Prepared by Kingsport Planning Department for the
Kingsport Regional Planning Commission Meeting on March 17, 2022

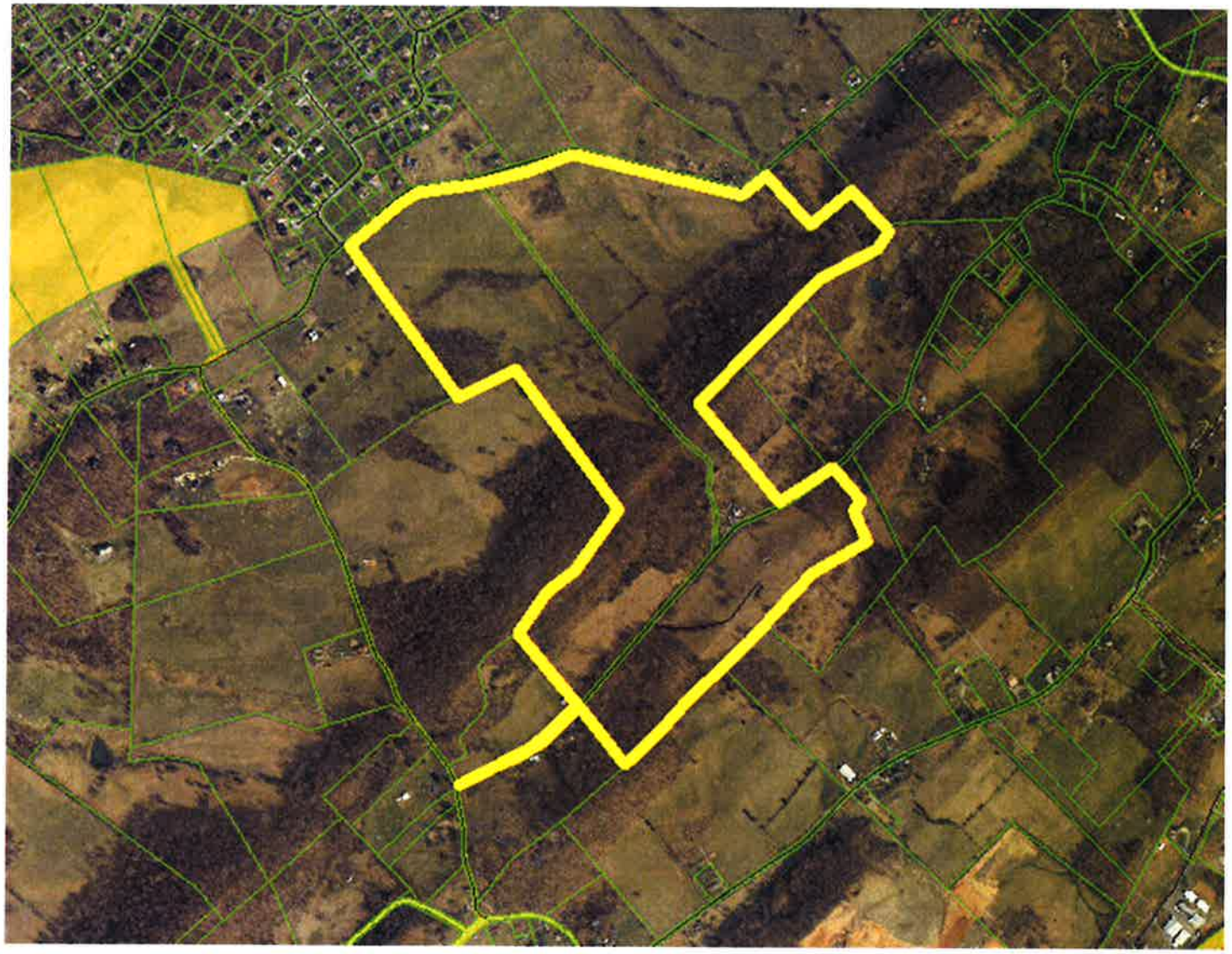
Location Map



Zoning Map



Aerial



CONCLUSION

The Kingsport Planning Division recommends sending a favorable recommendation to the Board of Mayor and Alderman for the annexation, zoning, and Plan of Services for the Fieldcrest Annexation based on the following reasons:

- *The City of Kingsport should utilize annexation as urban development occurs and is necessary for present and future growth in an orderly manner.*
- *It is reasonably necessary for the welfare of the residents and property owners of the affected territory.*
- *The City of Kingsport already provides services to the properties in this area.*
- *Annexation spurs economic growth by providing basic services at a reasonable cost and allows those costs to be spread fairly to all who enjoy those services.*
- *It is reasonably necessary for the welfare of the residents and property owners of the municipality as a whole.*

Current Annual Revenue (Vacant Property)		
Property Tax	$	2,768
State Shared Tax	$	372
Water/Sewer Fees	$	-
Total Current Revenue (Vacant)	$	3,140
Proposed Annual Revenue After Buildout		
Property Tax (breakdown below)	$	1,153,250
State Shared Tax (breakdown below)	$	286,440
Water/Sewer Fees	$	60,659
Proposed One Time Revenue After Buildout		
Water/Sewer Taps (one time)	$	1,762,000
Total One Time Revenue After Buildout		
$		1,762,000
Total Annual Revenue After Buildout		
$		1,500,349
One Time Operating Expenses		
Police Department	$	788,003
Street Lighting	$	89,369
Traffic Controls	$	5,810
Building Department	$	4,000
Streets & Sanitation	$	937,000
One Time Capital Expenses		
Water	$	1,200,000
Sewer	$	1,400,000
Building	$	28,000
Streets	$	765,000
Total One Time Expenses		
$		5,217,182
Annual Operating Expenses		
Police Service	$	647,364
Street Lighting	$	11,369
Traffic Controls	$	2,010
Building Department	$	58,000
Streets & Sanitation	$	397,000
Annual Capital Expenses		
Streets	$	120,000
Total Annual Expenses	$	1,235,743

Property Tax Estimates for Total Buildout

# of SF Units		400	Total	
Average Appraised Value	$	285,000	$	114,000,000
Assessed Value	$	71,250	$	28,500,000
Assumed Tax Rate	$	2	$	570,000
# of Townhome Units		250	Total	
Average Appraised Value	$	185,000	$	46,250,000
Assessed Value	$	46,250	$	11,562,500
Assumed Tax Rate	$	2	$	231,250
# of Multifamily Units		400	Total	
Average Appraised Value	$	110,000	$	44,000,000
Assessed Value	$	44,000	$	17,600,000
Assumed Tax Rate	$	2	$	352,000
	Total		**$**	**1,153,250**

State Shared Tax for Total Buildout

Est. State Shared Tax/person	$	124
Est population/house (census)		2.2
Total number of Units		1,050
Est popultion total		2,310
Total Est. State Shared	**$**	**286,440**

Water/Sewer Billing Revenue

Water Bill assume avg. 5,000 gallons				
First 2,000 gallons	$	4.40		
each additional 1,000 gallons	$	3.54	$	10.62
Total Water Bill	$	15.02		
Sewer Bill assumes avg. 5,000 gallons				
each 1,000 gallons	$	8.55	$	42.75
Total Sewer Bill	$	42.75		
Full Utility Bill	$	57.77		
Total for 1,050 units	**$**	**60,658.50**		

Total Annual Revenue	**$**	**1,500,348.50**
SF/TH Water Taps	$	635
650 Water Taps	$	412,750
SF/TH Sewer Taps	$	1,950
650 Sewer Taps	$	1,267,500
Total SF/TH Tap Fees	$	1,680,250
MF Water Taps	*can not estimate	

400 Water Taps	*can not estimate	
MF Sewer Taps	$1,950 + $200 ea.	
400 Sewer Taps	$	81,750
Total MF Tap Fees	$	81,750

*can not estimate. Construction type must be known

Total One Time Revenue	**$**	**1,762,000**

Revenue 1 Year Full Buildout	$	1,500,349
Revenue 5 Year Full Buildout	$	7,501,743
Revenues 10 Year Full Buildout	$	15,003,485
Revenues 20 Year Full Buildout	$	30,006,970
Revenues 30 Year Full Buildout	$	45,010,455
One Time Total Cost	$	5,217,182
One Time Revenue After Buildout	$	1,762,000
Annual Expenses	$	1,235,743
Annual Revenues	$	1,500,349

Fieldcrest
Plan of Services

1. Police Protection

A. On the date of annexation the Kingsport Police Department will respond to all calls for service for police protection, including criminal calls, traffic accidents and traffic related occurrences, and other prevention and interdiction calls for service.

B. Effective with annexation, all resources currently available within the Kingsport Police Department will become available to the citizens of the area. The Kingsport Police Department has an authorized accredited force of 119 police officers and approximately 43 civilian personnel to provide services 24-hours per day, 365 days a year.

C. The Kingsport Police Department is accredited with the Commission on Accreditation for Law Enforcement Agencies and has met 363 mandatory and 54 other-than mandatory standards in order to attain this status. Kingsport Police Department was only the third accredited department in the State of Tennessee and the first in northeast Tennessee.

D. When needed, the Kingsport Police Department will hire additional police officers to provide more response to annexed areas. The officers will undergo approximately 500 hours of basic recruit training before being certified as a police officer. Upon completion of the classroom training, the officers will undergo approximately 696 hours of field officer training where they will work and be trained by designated training officers.

E. The Kingsport Police Department will provide upon request crime prevention programs, traffic safety education programs and drug education/awareness programs to the citizens of the area. Additional programs include department personnel to address groups on law enforcement topics or concerns, home and business security checks and establishing and maintaining neighborhood watch programs.

F. The Kingsport Police Department currently maintains an approximate 3 minute and 7 second average response time to emergency and urgent calls within the corporate limits.

2. Fire Protection

A. On the operative date of annexation, the City of Kingsport will answer all calls for service for fire, disaster, hazardous materials, special rescue and medical first responder. The Kingsport Fire Department goes beyond the basic fire services required of a City Government.

B. Free fire safety inspections will be available upon request on the effective date of annexation. Water lines will be upgraded within five (5) years after the effective date of annexation to provide needed fire flow to protect the properties.

C. All structures must be brought into compliance with the City-wide smoke detector ordinance within thirty (30) days of the effective date of annexation. This is strictly to provide residents with the best fire protection service available.

D. The City of Kingsport Fire Department has a Hazardous Materials Response Team, which has state-of-the-art equipment to handle all calls of an emergency nature dealing with incidents relating to hazardous chemicals. The department also has a Technical Rescue Team that has specialized rescue capabilities and equipment for all types of hazards.

E. The City of Kingsport Fire Department provides First Responder emergency medical services to all life-threatening medical emergencies resulting from serious illness or injury. We provide advanced life support (paramedics) for victims until ambulance service arrives for transport.

3. <u>Water</u>

A. Water will be billed at in City rates rather than out of City rates, which will result in a reduction in water rates for annexed citizens already receiving City water. Those not currently receiving City water will be required to obtain a water-tap in order to obtain City water.

B. Water line upgrades and the installation of fire hydrants will commence for adequate fire protection and will be completed within five (5) years after the effective date of annexation.

C. The City of Kingsport Water Department meets or exceeds water quality standards set forth by the State of Tennessee and the United States Environmental Protection

Agency. The plant has been the recipient of the EPA Partnership for Safe Drinking Water award for nine consecutive years.

D. The Water Distribution Division is managed with a professional staff who are members of key professional organizations such as: American Water Works Association, Tennessee Association of Utility Districts, National Society of Professional Engineers, American Society of Civil Engineers. Several key members of the staff also hold certificates and licenses in the operations of a distribution system in the State of Tennessee.

4. Electricity

Electric service in this area is currently under the jurisdiction of American Electric Power and is currently available.

5. Sanitary Sewer

A. City of Kingsport sanitary sewer will be installed and extended to the property within five (5) years after the effective date of annexation. Citizens in the annexed territory will be responsible and required to obtain a sewer-tap from the City of Kingsport before connection to the sanitary sewer system.

B. Sanitary sewer fees are based on usage of water and are direct reflection of the amount of water used by the resident.

C. The City of Kingsport operates and maintains a 12.4 MGD wastewater treatment plant, 100 sewer lift stations and approximately 550 miles of sanitary sewer collection lines to provide sewer service to our customers.

D. The City of Kingsport Wastewater Treatment Plant continually invests in improvements to provide a reliable and dependable infrastructure.

E. The wastewater treatment plant is staffed with State Certified Operators 24 hours a day, 365 days a year. Treatment plant operators exceed State of Tennessee training requirements, and the Wastewater Treatment Plant is the recipient of multiple operations excellence awards.

F. The Sewer Collection Division is managed with a professional staff who are members of key professional organizations such as: Water Environment Federation, Tennessee Association of Utility Districts, National Society of Professional Engineers, American Society of Civil Engineers. Several key members of the staff

also hold certificates and licenses in the operations of a collection system in the State of Tennessee.

6. **Solid Waste Disposal**

Sanitation garbage (routine household refuse), trash (grass clippings, tree trimmings, bulky items), and access to recycling centers will be provided to the annexed area on the same basis as that received by properties located within the existing City Limits. Collection will begin within thirty (30) days following the effective date of annexation. Members of the collection crews receive ongoing training in their fields. The City of Kingsport also owns and operates a demolition landfill that residents can use for a fee. That landfill is supervised by a SWANA certified Manager of Landfill Operations. This supervisor also holds other certifications from SWANA and TDEC.

7. **Public Road/Street Construction & Repair**

A. Emergency and routine maintenance of streets and street signs, pavement markings and other traffic control devices will begin on the operative date of annexation. Emergency pothole repairs are generally made within 24 hours of notification. Crews are available on a 24 hour basis for major emergency call-outs.

B. Cleaning of streets of snow and ice clearing will begin on the operative date of annexation on the same basis as now provided within the present City limits. This includes major thoroughfares, State highways and emergency route to hospitals as first priority, with secondary/collector streets and finally residential streets in that order as priority II. Snow removal crews receive yearly training to help keep them up to date with changes in procedures and techniques. Snow removal crews also respond on a 24 hour emergency call in basis.

C. Streets affected by utility construction will be repaired as soon as possible after the utility construction is completed.

D. Routine Right of Way maintenance is also provided on the effective date of annexation. Tasks include Mowing, Tree Maintenance and Weed Control by certified personnel as needed to respond to routine maintenance requests and emergencies.

E. The Streets and Sanitation Division is managed and supervised by a professional staff who are members in good standing of several Professional Organizations such as the Tennessee Chapter of the American Public Works Association, the national chapter of the American Public Works Association, the Volunteer Chapter of the Solid Waste Association of North America, the national chapter of the Solid Waste

Association of North America, the Tennessee Urban Forestry Council, the Tennessee Nursery and Landscape Association, National Arbor Day Association, Tennessee Vegetation Management Association, and the Keep Kingsport Beautiful Council. The staff receives ongoing training through these Professional Organizations. Members of the staff are active in their respective organizations. Members of the staff also serve as trainers and instructors for various training venues.

8. Recreational Facilities

A. Residents of the annexed area may use existing City recreational facilities, programs, parks, etc. on the effective date of annexation at City rates rather than out of City rates.

B. Residents of the annexed area may use all existing library facilities and will be exempt from the non-residential fee on the effective date of annexation.

C. Residents of the annexed area (50 years or older) will be eligible to use the Senior Citizens Center with no non-residential fees and with transportation provided on the effective date of annexation.

D. The Department of Parks and Recreation has more than 4,800 acres of city-owned land to provide parks and recreation programs to all our citizens. The amenities and programs offered by many of the parks and recreation areas through the Leisure Services Department include playing fields for baseball and softball, basketball courts, play grounds, volley ball, tennis courts, a skate park and concession areas and restrooms to serve these facilities. Other amenities offered include General meeting areas, multi-function areas, Community Centers, senior programs, Theater and Cultural Arts programs. Many of the parks have walking and hiking trails and Bays Mountain, the City's largest park, includes animal habitats, a farm area, camping sites, and a Planetarium.

9. Street Lighting

Within five years of the operative date of annexation the City will take over responsibility (including payment) for dusk-to-dawn lights presently in place that meet City standards. The City will request that AEP install additional streetlights on collector-class and lower streets in accordance with the policy on roadway lighting within five (5) years of the effective date of annexation.

10. Zoning Services

A. The area will be zoned PD (Planned Development District), R-3 (Low Density Apartment District), R-5 (High Density Apartment District, and B-1 (Neighborhood Business District).

B. The Kingsport Regional Planning Commission is the comprehensive planning agency and administers zoning and land subdivision regulations for the City of Kingsport as provided in State law. The Kingsport Regional Planning Commission consists of nine (9) commissioners appointed by the Mayor of the City of Kingsport.

C. The Kingsport Regional Planning Commission will exercise planning and zoning activities for the area being annexed upon the operative date of annexation.

D. Appeals to the Zoning regulations are heard by the Board of Zoning Appeals and variances are granted if the request meets the criteria established for granting variances under Tennessee Code Annotated.

11. Schools

A. Upon annexation, children currently attending County schools will be allowed to attend City of Kingsport schools or remain in County schools per the prevailing County policy at the time.

B. Tuition paid by non-city residents now attending City schools will cease upon the effective date of annexation and those students may continue to attend City schools without charge until graduation.

The previous sections are titled and listed in the order prescribed by Tennessee Code Annotated 6-51-102(b) (2). The following sections are provided by the City of Kingsport in addition to the minimum requirements.

---

12. Traffic Control

The City will verify all street name signs and traffic control devices in accordance with the Manual on Uniform Traffic Control Devices.

13. Inspection Services

All inspection services now provided by the City on a fee basis (building, electrical, plumbing, gas, housing, sanitation, etc.) will begin in the annexed area on the effective date of annexation. A free safety inspection of plumbing vents will be required at the time sewer connections are made to make sure that proper protection is available to prevent sewer gas from entering houses.

14. Animal Control

Animal control service equivalent to that presently provided within the City will be extended to the annexed area on the effective date of annexation.

15. Storm Sewers

Maintenance of existing storm sewer systems within the public ROW is provided on an as needed basis. Response to emergency storm drainage calls is also provided on a 24 hour call in basis.

16. Leaf Removal

The City will collect loose leaves with the vacuum truck between October 15 and January 15, and it will be provided to the annexation area on the same basis as it is currently provided to other City residents beginning on the effective date of annexation. Bagged leaves are collected year round. Leaves are transported to the City's Demolition Landfill where they are composted and used as an amendment to existing dirt stockpiles. This enhanced dirt is then used on City Projects for backfill and topsoil applications.

17. Litter Control

The City's litter control program will be extended to the area on the effective date of annexation. It is provided on a regular schedule along major routes and on an "as needed" basis throughout the City.

18. Graffiti Control

The City's graffiti control program, which is aimed at eliminating graffiti on public rights-of-way such as bridge abutments, street signs, railroad underpasses, and the like, will be extended to the area on the effective date of annexation. It is provided on an "as needed/on call" basis. Response time for "offensive" graffiti removal is generally within 48 hours.

19. Other Services

All other services not classified under the foregoing headings such as Executive, Judicial, Legal, Personnel, Risk Management, Fleet Maintenance, Finance and Administration and other support services will be available upon the effective date of annexation.

PROPERTY INFORMATION	**Saint Andrews Garth Preliminary Development Plan PH 2 & 3**
ADDRESS	**Saint Andrews Drive**
DISTRICT, LAND LOT	**13th Civil District, TM 119 Parcel 15.20**
OVERLAY DISTRICT	**Not Applicable**
EXISTING ZONING	**PD**
PROPOSED ZONING	**No Change**
ACRES	**6.947**
EXISTING USE	**Vacant**
PROPOSED USE	**Residential**

APPLICANT: Todd Stevens
ADDRESS: 2323 Rock Springs Road Kingsport, TN 37664

REPRESENTATIVE: Alley and Associates
PHONE 423-392-8896

INTENT

The applicant is requesting amended Preliminary Development Plan approval for Phase 2 & 3 of the Saint Andrews Garth development located off Rock Springs Road and Saint Andrews Drive.

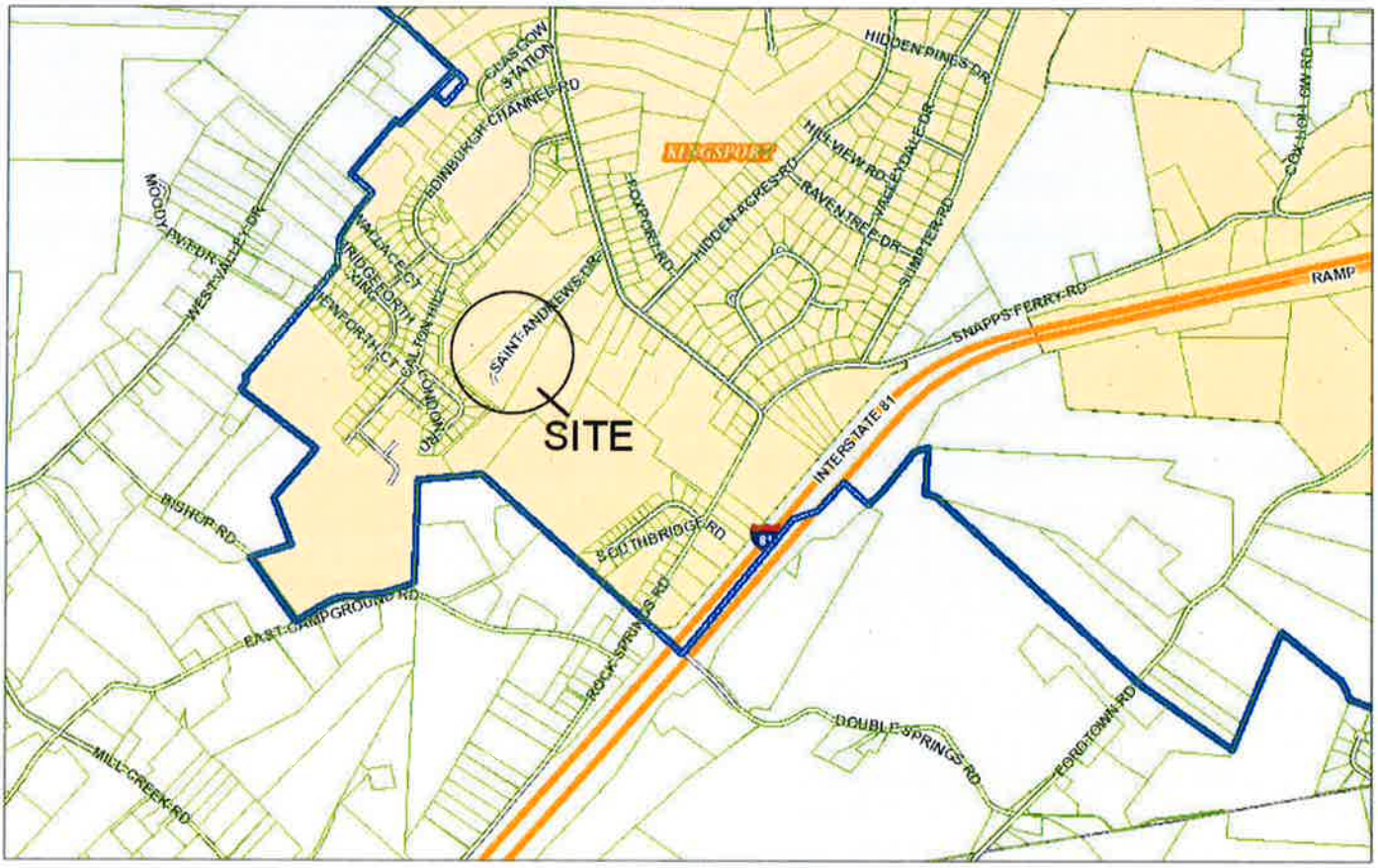
Phase 2 & 3 is a total of 6.947 acres and consists of 25 lots. Saint Andrews Drive will be extended from the existing temporary cul-de-sac. The street will be a 50' right-of-way with a 28' pavement width. Sidewalks currently exist on one side of the street. The applicant received a variance to the street cross sections pertaining to no mountable curbs and sidewalks only on one side of the street during the July 2019 Planning Commission meeting. Phase one has detached concrete curbs, so the variance request would keep the consistency of the existing street. This development is seeking approval for a variance reduction. The length of street has been reduced from 1,520' to 1,487', but is still over the 1,250 minimum length. The variance is now for the 237' difference in length.

The plan shows the development free periphery yard around the perimeter of the property as well as a note stating that all structures must be 25' away from the areas designated as open space. The open space for the area has remained unchanged and is still shown to be located at the rear of the property totaling 2.247 acres.

Phase two & three Development Plan

Total Acreage: 6.947
Open Space: 32.3%
New Road: 0.932 acres (0.14 miles)
Acres/Lots: 3.768/25 (15.1%)

Location



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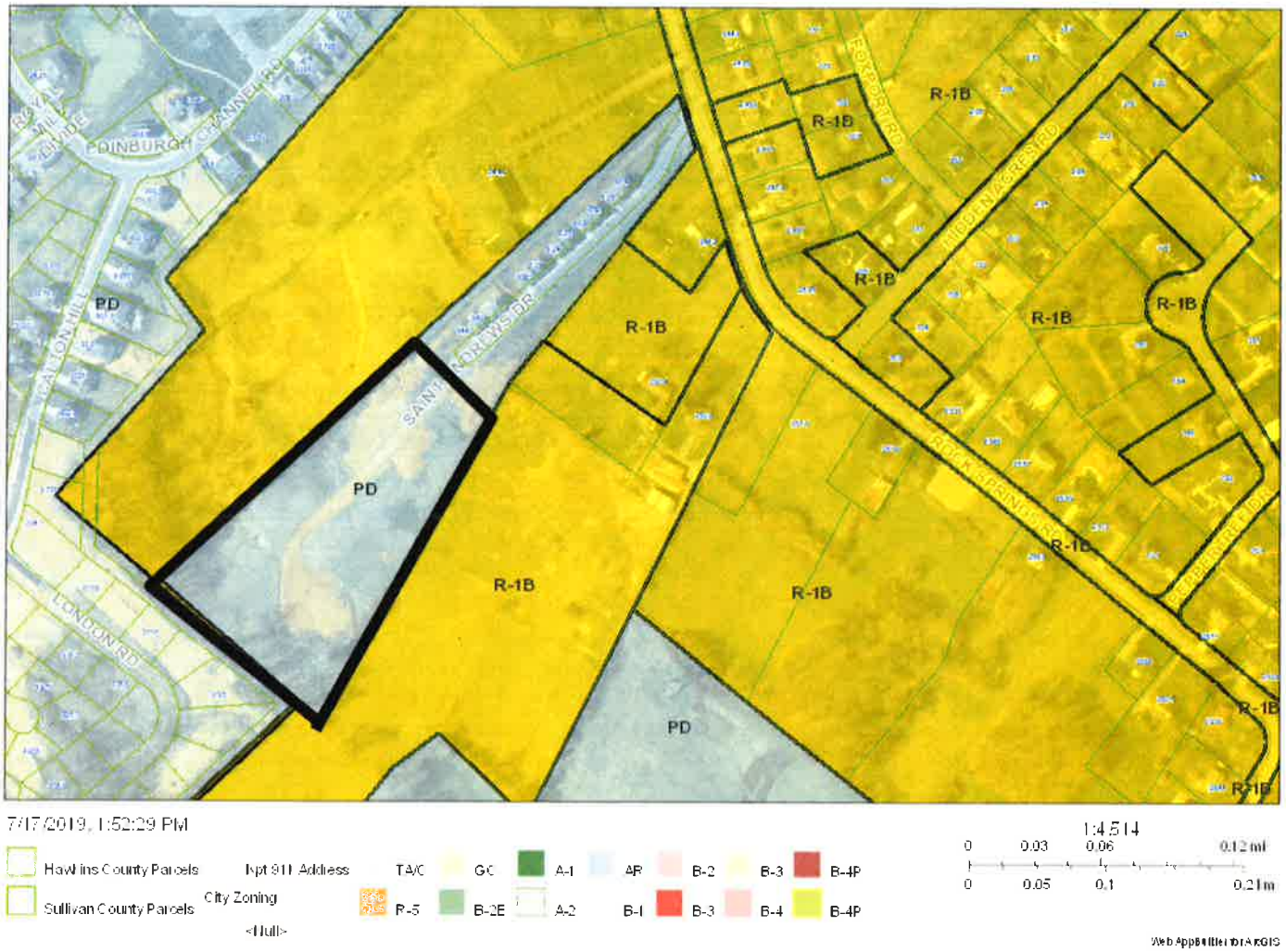
Hawkins County Parcels

Urban Growth Boundary

Sullivan County Parcels

Web AppBuilder for ArcGIS

Zoning


EDINBURGH CHANNEL RD
PD
SAINT ANDREWS DR
PD
R-1B
R-1B
R-1B
R-1B
R-1B
R-1B
R-1B
R-1B
R-1B
R-1B
R-1B
R-1B
R-1B
PD
PD
LONDON RD
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Hawkins County Parcels
Sullivan County Parcels
Input 911 Address
City Zoning
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TA/C
GC
A-1
AR
B-2
B-3
B-4P
R-5
B-2E
A-2
B-1
B-3
B-4
B-4P
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0.1
0.2 km
Web AppBuilder for ArcGIS

Future Land Use

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Hawkins County Parcels
Sullivan County Parcels
Apt 911 Address
Future Land Use
Agri/Vacant
Single Family
Multi-Family
Industrial
Retail/Commercial
Public
Utilities

Web AppBuilder for ArcGIS

Aerial

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Hawkins County Parcels

Sullivan County Parcels

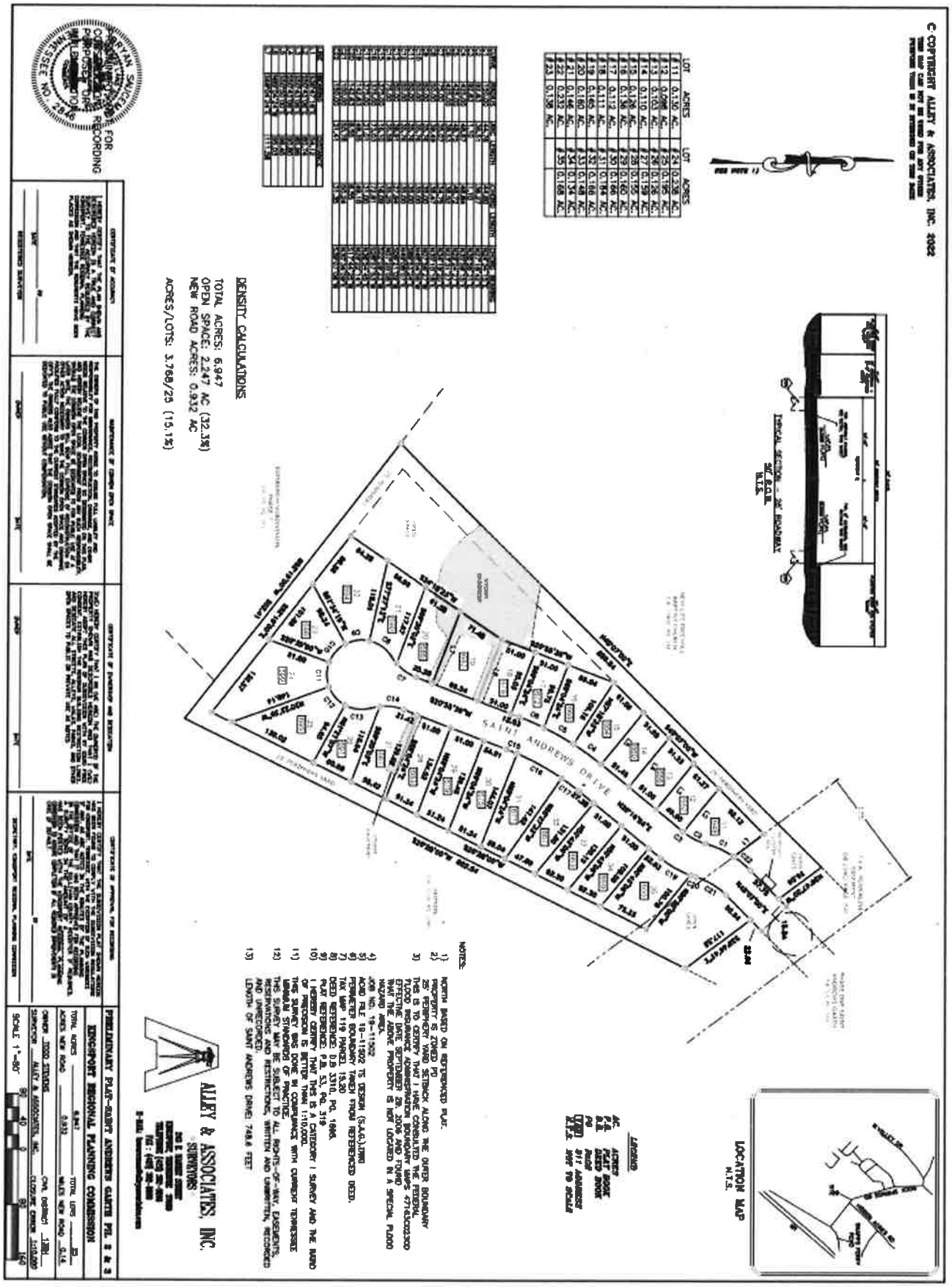
Kpt 911 Address

Water Lines

Sewer Mains

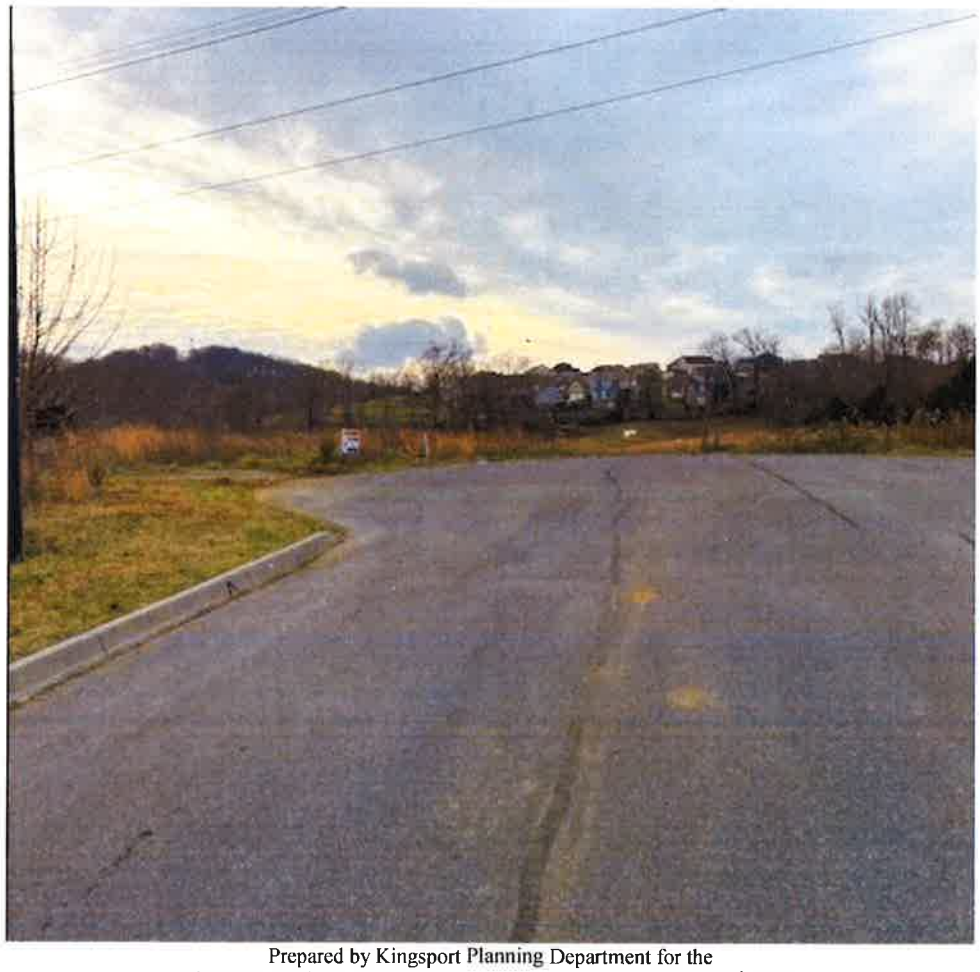
Urban Growth Boundary

Web AppBuilder for ArcGIS


© COPYRIGHT ALLEY & ASSOCIATES, INC. 2022
LOT ACRES
DENSITY CALCULATIONS
TOTAL ACRES: 6.947
OPEN SPACE: 2.247 AC (32.3%)
NEW ROAD ACRES: 0.932 AC
ACRES/LOTS: 3.768/23 (15.1%)
SAINT ANDREWS DRIVE
NOTES:
LEGEND
LOCATION MAP
N.T.S.
ALLEY & ASSOCIATES, INC.
SURVEYORS
PRELIMINARY PLAT-SAINT ANDREWS GARTH PHS. 2 & 3
KINGSPORT REGIONAL PLANNING COMMISSION
SCALE 1"=80'

View of property from end of Phase 1

Cul-de-Sac end of Phase 1



View of Phase 1

CONCLUSION

Staff recommends approval of the Preliminary Development Plan for Phase 2 & 3 of Saint Andrews Garth based upon conformance to the Planned Development District Design Standards along with the previous variances to keep the consistency of the neighborhood throughout all phases.

Kingsport Regional Planning Commission

Subdivision Report
MINSUB22-0035

Property Information	Westview Park Addition		
Address	626 Riverside Ave.		
Tax Map, Group, Parcel	TM 045E, Group A, Parcels 013.00		
Civil District	11th Civil District		
Overlay District	N/A		
Land Use Designation	Single Family Residential		
Acres	+/- 0.205		
Major or Minor / #lots	Minor – 2	**Concept Plan**	
Two-lot sub		**Prelim/Final**	Final

Owner /Applicant Information	**Surveyor Information**
Name: Gerald Begley Jr.	**Name:** Alley & Associates
Address: 672 Lakeside Dr.	**Address:** 243 E. Market St.
City: Kingsport	**City:** Kingsport
State: TN **Zip Code:** 37663	**State:** TN **Zip Code:** 37660
Email:	**Email:** mstrickler@alleyassociates.com
Phone Number: N/A	**Phone Number:** 423-392-8896

Planning Department Recommendation

(Approve, Deny, or Defer)

The Kingsport Planning Division recommends final plat approval for the following reasons:

- **Plat meets the minimum subdivision regulations**

A request for final resubdivision of Lot 8, Block 4 for property located inside the City Limits has been received. The property is located off of Riverside Avenue and Plantation Road.

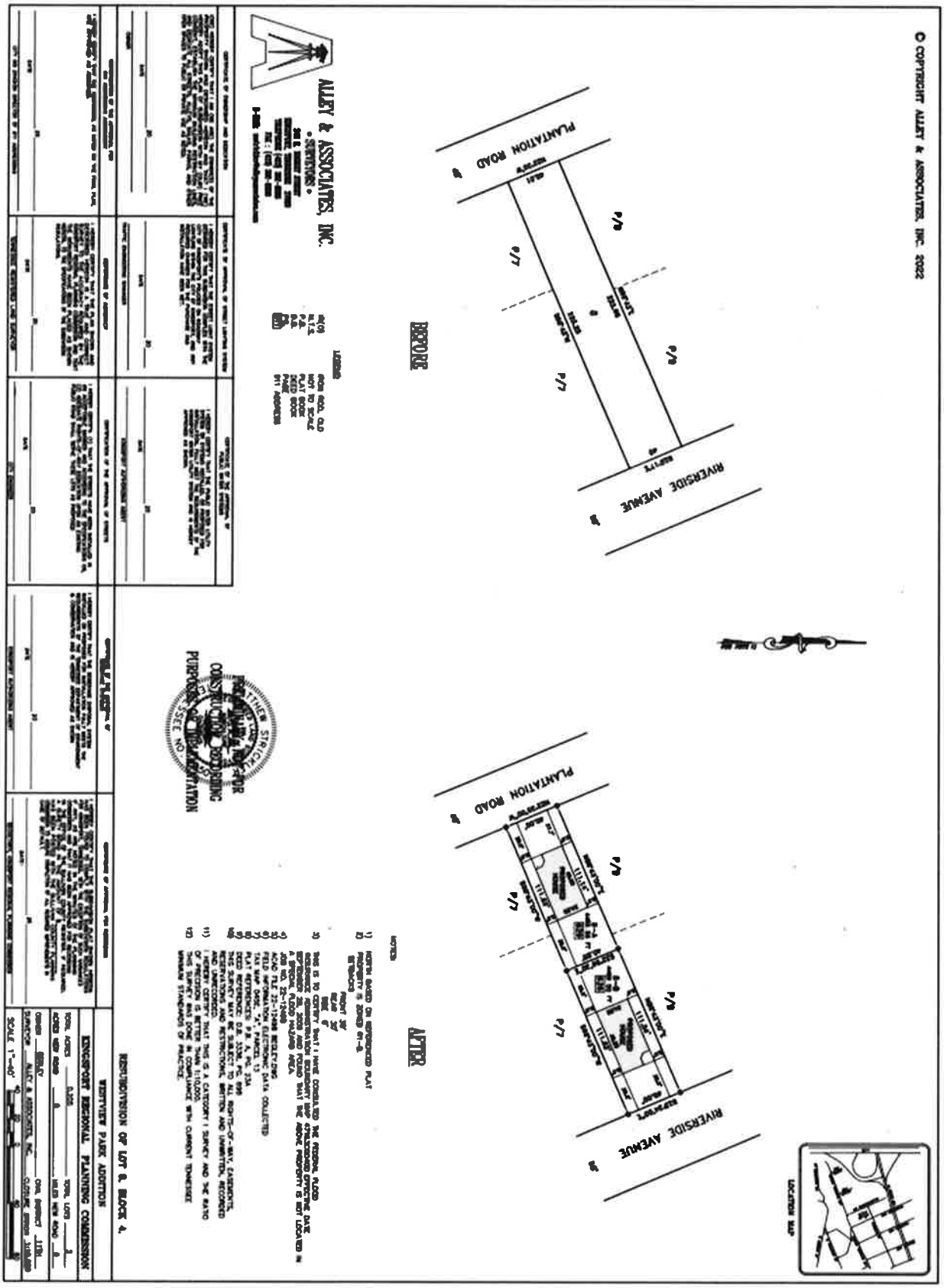
The submitted plat divides the 0.205+/- acre tract into two lots. Lot 8-A will be 4,459 square feet. Lot 8-B will be 4,459 square feet. Lot 1 and 2 are zoned R1-B. The owner is requesting a variance to section 3.1 of the Subdivision Regulations. The variance letter states that the justification is this is a previously platted lot (Plat Book A, Page 23A) and only has 40 feet of road frontage. It further conforms to other lots in the same development area.

The Board of Zoning Appeals granted a variance approval on March 3rd, 2022 for minimum lots under 5,000 square feet.

Staff recommends final plat approval of the resubdivision of Lot 8, Block 4 property. It is staff's opinion that the requested variance will preserve a built environment similar to the surrounding properties.

Planner:	Garland	Date: 02/21/22	
		Meeting Date:	**March 17, 2022**

Prepared by Kingsport Planning Department for the
Kingsport Regional Planning Commission Meeting on March 17th, 2022



Prepared by Kingsport Planning Department for the
Kingsport Regional Planning Commission Meeting on March 17th, 2022

Alley & Associates, Inc.
Surveyors • Planners • Managers
243 East Market Street
Kingsport, Tennessee 37660
Telephone: (423) 392-8896
FAX: (423) 392-8898

February 25, 2022

Kingsport Regional Planning Commission

Ref: 626 RIVERSIDE AVENUE
LOT 8, BLOCK 4, WEST VIEW PARK ADDITION

To Whom It May Concern:

On behalf of my client, Gerald Begley, Jr. I would respectfully request the Planning Commission grant a lot frontage variance from the Minimum Regulations for Subdivision Development within the Kingsport, Tennessee Planning Region Article IV, Section 4–3, Paragraph 3.3 and 3.4 (A) from 50 feet to 40 feet. The justification is this is a previously platted lot (Plat Book A, Page 23A) and only has 40 feet of road frontage. It further conforms to other lots in the same development area.

Should you require additional information, we would be glad to provide it.

Thank you,

Tim Lingerfelt, PLS

Site Map

2/21/2022. 11:13:29 AM

1:4,514

0 0.03 0.06 0.12 mi

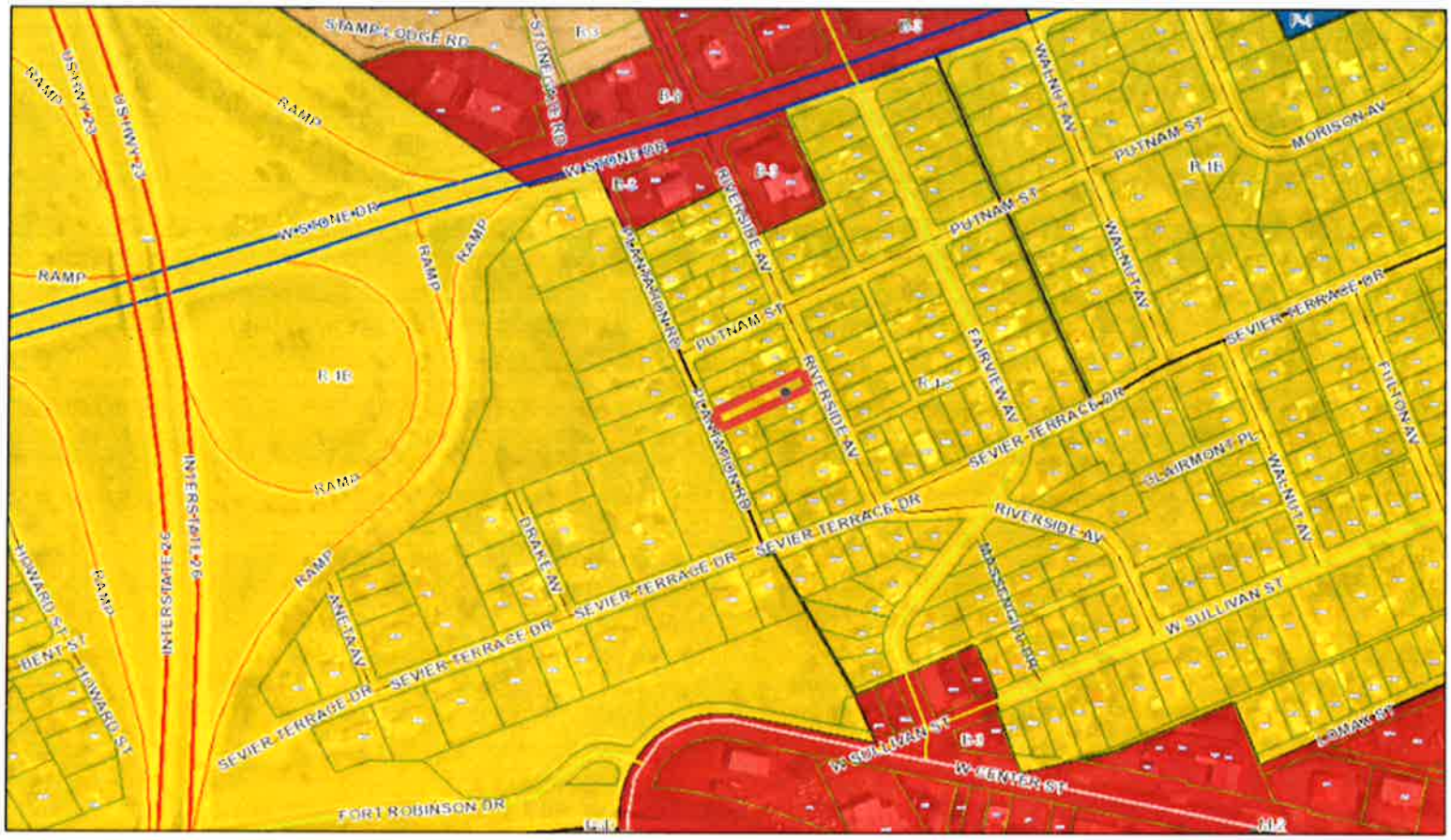
0 0.05 0.1 0.2 km

Hawkins County Parcels		Sullivan County Parcels		Washington County Parcels	
Lake_Pond	Railroad_ROW	Lake_Pond	Railroad_ROW	Lake_Pond	Railroad_ROW
Parcel_Conflict	River	Parcel_Conflict	River	Parcel_Conflict	River
Parcels	Street_ROW	Parcels	Street_ROW	Parcels	Street_ROW
					Kpt 911 Address

Web AppBuilder for ArcGIS

Prepared by Kingsport Planning Department for the
Kingsport Regional Planning Commission Meeting on March 17th, 2022

Zoning Map



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Hawkins County Parcels	Railroad_ROW	Sullivan County Parcels	Railroad_ROW	Washington County Parcels	Railroad_ROW
Lake_Pond	River	Lake_Pond	River	Lake_Pond	River
Parcel_Conflict	Street_ROW	Parcel_Conflict	Street_ROW	Parcel_Conflict	Street_ROW
Parcels		Parcels		Parcels	Kpt 911 Address

Web AppBuilder for ArcGIS

Future Land Use

2/21/2022, 11:29:03 AM

Hawkins County Parcels
Lake_Pond
Parcel_Conflict
Parcels
Railroad_ROW
River
Street_ROW

Sullivan County Parcels
Lake_Pond
Parcel_Conflict
Parcels
Railroad_ROW
River
Street_ROW

Washington County Parcels
Lake_Pond
Parcel_Conflict
Parcels
Railroad_ROW
River
Street_ROW
Kpt 911 Address

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Web AppBuilder for ArcGIS

Aerial with Utilities

2/21/2022, 11:41:50 AM

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0 0.05 0.1 0.2 km

Hawkins County Parcels
- Lake_Pond
- Parcel_Conflict
- Parcels
- Railroad_ROW
- River
- Street_ROW

Sullivan County Parcels
- Lake_Pond
- Parcel_Conflict
- Parcels
- Railroad_ROW
- River
- Street_ROW

Washington County Parcels
- Lake_Pond
- Parcel_Conflict
- Parcels
- Railroad_ROW
- River
- Street_ROW
- Kpt 911 Address

Web AppBuilder for ArcGIS

Riverside Ave.

Plantation Road

CONCLUSION : Staff recommends final plat approval of the resubdivision of Lot 8, Block 4, and the 10 foot street frontage variance.

KINGSPORT
TENNESSEE
Development Services

MEMORANDUM

TO: KINGSPORT REGIONAL PLANNING COMMISSION

FROM: SAVANNAH GARLAND, PLANNER

DATE: MARCH 17TH, 2022

SUBJECT: IRREVOCABLE LETTER OF CREDIT FOR HUNT'S CROSSING PH 1

FILE NUMBER: PLNCOM22-0031

The City Engineering Division has calculated an estimate to cover the cost of the required improvements to meet the Minimum Subdivision Regulations for the Final Plat of Hunt's Crossing Phase I. The estimate is for the amount of $160,033.05. A letter of credit from the developer was submitted to the City for the amount matching that estimate.

The Irrevocable Letter of Credit states that the improvements will be completed on or before the Performance Date, which is set to December 8th, 2022 and expiration date of March 8th, 2023.

Staff recommends approval the Irrevocable Letter of Credit in the amount of $160,033.05, as calculated by the City Engineering Division, to cover all remaining improvements for Hunt's Crossing.

THE RETREAT AT HUNTS CROSSING
PHASE 1A
13TH CIVIL DISTRICT
SULLIVAN COUNTY, TENNESSEE
MARCH 3, 2022

SURVEY CO. INC.
744 ALLISON RD.
PINEY FLATS, TN
(423) 391-8200

LOCATION MAP
(NOT TO SCALE)

LEGEND

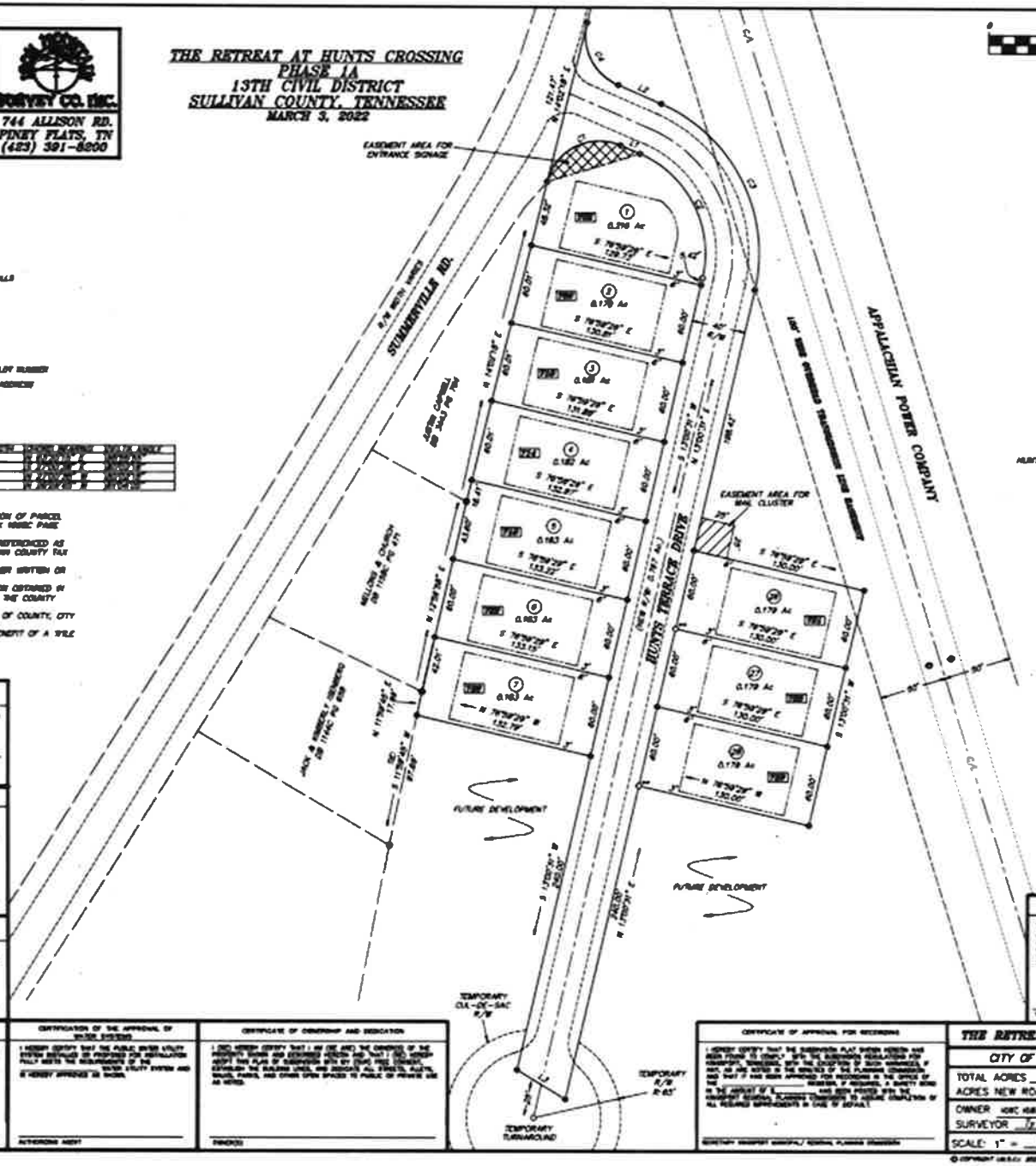
- IRON ROD OLD (FOUND)
- IRON ROD NEW (SET) (1/2" REBAR CAPPED "LARUE TN#3060")
- UNMONUMENTED POINT
- DESIGNATES A PROPERTY CORNER THAT FALLS ON AN ELECTRIC TRANSFORMER BOX.
- O/H UTILITY LINE
- COVERLINE
- BUILDING SETBACK
- EASEMENT MARGIN
- PAVED ROAD
- BOUNDARY LINE (SURVEYED)
- ADJOINER LINE/ R.O.W. MARGIN (NOT SURVEYED UNLESS NOTED)
- DB DEED BOOK
- PG PAGE
- R/W RIGHT OF WAY
- (2) LOT NUMBER
- 0.210 ACREAGE

LINE	BEARING	DISTANCE
L1	N 17°00'29" E	50.00'
L2	N 17°00'29" E	50.00'
L3	N 17°00'29" E	50.00'
L4	N 17°00'29" E	50.00'

CURVE	DELTA	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1	90°00'00"	157.08'	100.00'	N 62°00'29" E	141.42'
C2	90°00'00"	157.08'	100.00'	S 62°00'29" W	141.42'
C3	90°00'00"	157.08'	100.00'	N 62°00'29" E	141.42'
C4	90°00'00"	157.08'	100.00'	S 62°00'29" W	141.42'
C5	90°00'00"	157.08'	100.00'	N 62°00'29" E	141.42'
C6	90°00'00"	157.08'	100.00'	S 62°00'29" W	141.42'
C7	90°00'00"	157.08'	100.00'	N 62°00'29" E	141.42'
C8	90°00'00"	157.08'	100.00'	S 62°00'29" W	141.42'

SURVEY NOTES

1. TITLE REFERENCE: THIS PROPERTY IS A PORTION OF PARCEL NO. 1 OF THE LAND DESCRIBED IN DEED BOOK 1888C PAGE 308.
2. THIS PROPERTY IS A PORTION OF THE LAND REFERENCED AS TAX MAP 092 PARCEL 026.00 BY THE SULLIVAN COUNTY TAX OFFICE.
3. SURVEY IS SUBJECT TO ANY EASEMENTS, EITHER WRITTEN OR UNWRITTEN.
4. DEED REFERENCES ARE BASED ON INFORMATION OBTAINED IN THE COUNTY TAX ASSESSOR'S OFFICE AND IN THE COUNTY REGISTER OF DEEDS OFFICE.
5. PROPERTY SUBJECT TO ANY EXACT LOCATION OF COUNTY, CITY OR STATE RIGHT-OF-WAY.
6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.
7. BUILDING SETBACKS: FRONT: 35' REAR: 30' SIDES: 5' AND 6' (SEE PLAT)



SCALE: 1" = 50'

REMAINDER
HUNTS, HUNT, BARKER, & REVES PARTNERSHIP
DEED BOOK 1888C PAGE 318
TAX MAP 092 PARCEL 026.00

I HEREBY CERTIFY THAT THIS IS A CATEGORY I SURVEY AND THAT THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS NOT LESS THAN 1:10,000 AS SHOWN HEREON AND IS DONE IN COMPLIANCE WITH THE "TENNESSEE MINIMUM STANDARDS OF PRACTICE".

Ty LaRue
TN RLS# 3060

CERTIFICATE OF THE APPROVAL FOR DIVISIONS/ASSESSMENT

I HEREBY CERTIFY THAT THE ADDRESSES, AS NOTED ON THE FINAL PLAT, ARE APPROVED AS ASSIGNED.

CITY G.I.S. DIVISION OR SULLIVAN COUNTY DIRECTOR OF 911 ADDRESSING OR HIS/ HER AUTHORIZED REPRESENTATIVE

CERTIFICATION OF THE APPROVAL OF STREETS AND STORMWATER SYSTEMS

I HEREBY CERTIFY: (1) THAT CONSTRUCTION PLANS HAVE BEEN APPROVED; (2) THAT STREETS AND STORM WATER SYSTEMS HAVE BEEN INSTALLED IN AN ACCEPTABLE MANNER AND ACCORDING TO THE SPECIFICATIONS; (3) WITHOUT RIGHTS-OF-WAY PROVISION UPON AN EXISTING PUBLIC ROAD SHALL MAKE THEM LEGAL AS PROPOSED.

CITY ENGINEER OR COUNTY ROAD COMMISSIONER

CERTIFICATE OF THE APPROVAL OF STREET LIGHTING SYSTEM

I HEREBY CERTIFY THAT THE STREET LIGHT SYSTEM DESIGNED FOR THIS SUBDIVISION COMPLIES ON THE CITY OF KINGSPORT'S POLICIES ON PUBLIC LIGHTING WITH THE CITY OF KINGSPORT, AND ANY REQUIRED CHARGES FOR THE PURCHASE AND INSTALLATION PLANS HAVE BEEN MET.

TRAFFIC ENGINEERING MANAGER

CERTIFICATION OF THE APPROVAL OF SEWERAGE SYSTEMS

I HEREBY CERTIFY THAT THE SEWERAGE DISPOSAL SYSTEM INSTALLED OR PROPOSED FOR INSTALLATION FULLY MEETS THE REQUIREMENTS OF THE TENNESSEE DEPARTMENT OF ENVIRONMENT & CONSERVATION AND IS HEREBY APPROVED AS SHOWN.

KINGSPORT AUTHORIZING AGENT

CERTIFICATION OF THE APPROVAL OF WATER SYSTEMS

I HEREBY CERTIFY THAT THE PUBLIC WATER UTILITY SYSTEM INSTALLED OR PROPOSED FOR INSTALLATION FULLY MEETS THE REQUIREMENTS OF THE WATER UTILITY SYSTEM AND IS HEREBY APPROVED AS SHOWN.

AUTHORIZING AGENT

CERTIFICATE OF OWNERSHIP AND DEDICATION

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY (OUR) FREE CONSENT, ESTABLISH THE MINIMUM BUILDING LINES, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

OWNER(S)

CERTIFICATE OF APPROVAL FOR RECORDING

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS FOR KINGSPORT, TENNESSEE, WITH THE EXCEPTION OF SUCH VARIANCES, IF ANY, AS ARE NOTED IN THE MINUTES OF THE PLANNING COMMISSION, AND THAT IT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE _____ REGISTER, IF REQUIRED, A SURETY BOND IN THE AMOUNT OF $ _____ HAS BEEN POSTED WITH THE KINGSPORT REGIONAL PLANNING COMMISSION TO INSURE COMPLETION OF ALL REQUIRED IMPROVEMENTS IN CASE OF DEFAULT.

SECRETARY KINGSPORT REGIONAL/ REGIONAL PLANNING COMMISSION

THE RETREAT AT HUNTS CROSSING PHASE 1A

CITY OF KINGSPORT PLANNING COMMISSION

TOTAL ACRES	2.811 Ac.	TOTAL LOTS	10
ACRES NEW ROAD	0.767 Ac.	MILES NEW ROAD	0.155 Mi.
OWNER	HUNT, HUNT, BARKER, & REVES PART.	CIVIL DISTRICT	13TH
SURVEYOR	Ty LaRue	CLOSURE ERROR	1: 10,000
SCALE: 1" = 50'			

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C-2019-14

ENGINEERS ESTIMATE
Roadways and Utilities - Hunts Crossing Development

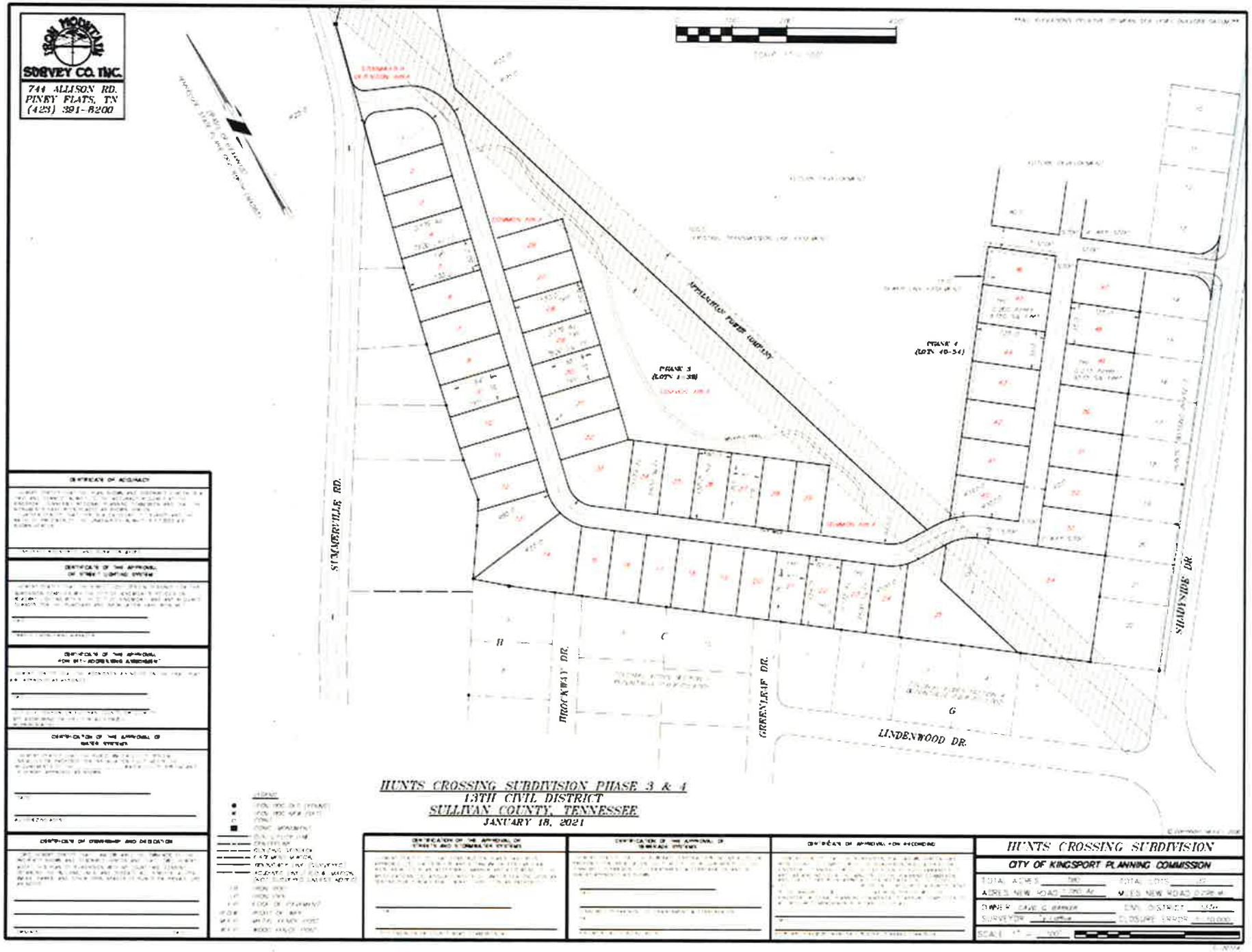
FILE NO. 2021-D7

February 17, 2022

ITEM NO.	QUANTITY	UNIT	DESCRIPTION	UNIT COST	TOTAL COST
General Items					
1	1	LS	Mobilization	$ 38,684.90	$ 38,684.90
2	1	LS	Topsoil, Mulching, Seeding and Strawing	$ 15,000.00	$ 15,000.00
Paving					
2	145	TON	1" Asphaltic Concrete Surface Mix (PG64-22, Grade D)	$ 150.15	$ 21,728.31
				Total	$ 21,728.31
Sidewalks					
3	4,500	S.F.	4" Concrete Sidewalk, 5' Wide	$ 6.91	$ 32,649.75
Erosion Control					
4	1	LS	Erosion Control	$ 10,000.00	$ 10,000.00
				SUBTOTAL	$ 139,791.28
			CONTINGENCIES (6%)		$ 8,387.48
					$ 148,178.75
			CONSTRUCTION CONTRACT ADMINISTRATION & INSPECTION (8%)		$ 11,854.30
				TOTAL	$ 160,033.05

David Harris
Civil Engineer I
City of Kingsport

February 17, 2022
Date


IRON MOUNTAIN SURVEY CO. INC.
744 ALLISON RD.
PINEY FLATS, TN
(423) 391-8200
SUMMERVILLE RD.
APPALACHIAN POWER COMPANY
PHASE 3
PHASE 4
(LOTS 40-54)
COMMON AREA
B
C
G
TIROCKWAY DR.
GREENLEAF DR.
LINDENWOOD DR.
SHADYSIDE DR.
HUNTS CROSSING SUBDIVISION PHASE 3 & 4
13TH CIVIL DISTRICT
SULLIVAN COUNTY, TENNESSEE
JANUARY 18, 2021
HUNTS CROSSING SUBDIVISION
CITY OF KINGSPORT PLANNING COMMISSION

Sullivan County Minor Zoning Text Amendments

Property Information	Planning Region-wide		
Address			
Tax Map, Group, Parcel			
Civil District			
Overlay District			
Land Use Designation			
Acres			
Existing Use		**Existing Zoning**	
Proposed Use		**Proposed Zoning**	

Owner /Applicant Information	
Name: Sullivan County Planning and Zoning **Address:** **City:** **State:** **Zip Code:** **Email:** **Phone Number:**	**Intent:** To implement minor zoning text amendments concerning ADA parking standards and an update of the legal but non-conforming chapter on damage or destruction of buildings or other structures section of Sullivan County zoning text.

Planning Department Recommendation			
(Approve, Deny, or Defer) Staff recommends approval			
Planner:	Ken Weems	Date:	2/24/22
Planning Commission Action		**Meeting Date:**	**3/17/22**
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

INTENT

To implement minor zoning text amendments concerning ADA parking standards and an update of the legal but non-conforming chapter on damage or destruction of buildings or other structures section of Sullivan County zoning text.

Kingsport Regional Planning Commission Sullivan County Minor Zoning Text Amendments

Introduction:

This Sullivan County zoning text amendment addresses several areas of their code. More specifically, a summarized list is provided below

1. Conformance with state vesting requirements (Kingsport took action to mirror state vesting requirements years ago).
2. Expansion of nonconforming uses to mirror state law (the same standard that Kingsport uses)
3. Requirement of electronic plan submittal (this is a Kingsport requirement too, but if the applicant is unable to submit electronic plans, our department will scan them and make them digital for the customer).
4. Adoption of ADA parking requirements (Kingsport relies on the ADA requirements alone and does not specifically require such in our zoning code).
5. Driveway access buffer from an intersection of 35' (Kingsport's driveway permits are administered and issued by our Traffic Department)

Staff recommends sending a positive recommendation to the Sullivan County Commission in support of the proposed county zoning text amendment.

Staff Field Notes and Findings of Facts:

- The owner is requesting to rezone the small house to General Business in order to convert the brick home into an office. He owns and operates M2 Renovations.
- The surrounding land uses: farmland, residential, Gateway Self-Storage, Commercial Businesses
- Staff recommends in favor of this request for the following reasons:
  - Conformance with adopted 2006-2026 Land Use Plan for commercial land uses;
  - Public water to meet the requested land use change.
  - Adjacent to existing business.
  - Small lot with home close to the highway, not as ideal for continued residential along the highway.

Meeting Notes at Planning Commission:

- *The chair introduced the rezoning request and asked staff for her report and recommendation.*
- *Staff confirmed that the owners were present. She read her report and findings. Upon inspection and placement of the rezoning sign, she took pictures of the surrounding land uses. Discussion followed.*
- *Matt Means addressed the board. He stated that he had replaced the roof with a new metal roof, upgraded the electrical and plumbing to bring it up to code. He owns M Squared Renovations and would like to make this structure his commercial office. There was no opposition present, nor anyone left in the audience to address the commission.*
- *Linda Brittenham motioned to forward a favorable recommendation to the County Commission for this rezoning request. Laura McMillian seconded the motion and the vote in favor passed unanimously with 7 voting yes, and 2 absent.*

G. NEW BUSINESS: - *NEW ITEMS FOR DISCUSSION AND/OR ACTION*

G1. Subdivision Regulations Amendment – Discussion on Amending Performance Guarantee Policy – Surety Bond or ILOC for one-year maintenance of Streets and Infrastructure as well as minor corrections to document (see attached Draft Subdivision Regulations 2022 amendments as highlighted in yellow)

- *Due to the on-going issue of damages to the pavement within newly constructed subdivision roads while houses are being built, staff recommends that a minimum of a one-year maintenance bond for all new roads be a requirement. This would require an amendment to the Subdivision Regulations: Performance Guarantee Standards.*
- *Staff distributed copies of the full Subdivision Regulations document. She explained that the base document was prepared in 1971 when the Local Planning Assistance technical staff were on contract with Sullivan County. There were multiple references to that agency in the document and that agency no longer exists. In addition, she included updated text to source the State Law on Vesting Rights as well as terminology to match the State law on planning. She and the commission went through each page and section. Where noted in strikethrough text, those areas would be deleted and replaced with text highlighted in yellow. Discussion continued.*
- *Calvin Clifton suggested adding some wording to help clarify the required Maintenance Bond Period for new developments. Upon conclusion of presentation of changes and discussion, staff confirmed that if approved she would schedule the public hearing on these changes for the next meeting. Calvin Clifton motioned to accept the draft Subdivision Regulations update as presented and to proceed with the scheduling of the public hearing for final adoption. Laura McMillian seconded the motion and the vote in favor passed unanimously.*

Excerpt from the 2/15/2022 Sullivan County Planning Commission

G2. Minor Zoning Text Amendments:

Staff will present a few minor text amendments per recommendation of the department to clarify policy with practice.
Staff recommends updating the ADA Parking Standards to match the U.S. Department of Justice ADA Brief as well as include updating the Legal but Non-Conforming Chapter on Damage or Destruction of Buildings or Other Structures section.

- *Staff distributed copies of the highlighted section of the Zoning Resolution reflecting the areas to be updated. As proposed the following sections of the Zoning Resolution were considered for recommended changes:*
  - *Delete Article 3-102.9 paragraph as it was already replaced with 3-103.2 (5) regarding number of buildings per lot.*
  - *Add the third column to Illustration 7-104.3 to match verbatim the US Department of Justice ADA Compliance Brief on the Minimum number of Accessible Parking Spaces per facility.*

- *Update Article 7-106.3 on the point of access for new driveway connections from an intersection to increase length to 35 feet to match county policy on driveway connections, sight-visibility clearances guidelines and Appendix C exhibit. Staff explained the code should match the practice and policy between departments.*
- *Update Article XI, Section 11-102.2 to include the three year vesting period pursuant TCA 13-3-413; add a line in 11-102.6 to include the reference to the "grandfather clause" of the State Law as it pertains to legal but non-conforming industrial, commercial or other business establishments; Delete the paragraph 11.102.6 (3) on the 50% valuation of damage or destruction of facilities and buildings as this language came about prior to TCA 13-3-208 updates; and similarly update 11-102.7 (4) on Damage or Destruction of Buildings to insert the thirty (30) month language per State Law; update the discontinuance of use by land use within 11-102.8 to be one year for residential and 30 months per State Law and to delete the entire paragraph of 11-103.4 (2).*
- *Update the Site Plan Check List 12-102.3 (3) to include requirement of submittal of digital plans as well as the option to also include paper set; and add 12-102.6 section on the Vesting Period for Approved Plans, verbatim from TCA 13-3-413 applicable to County Zoning.*
- *Jason VanHoy commented that the time limit for building permits is 180 days as opposed to one year or 90 days. Staff confirmed she would change that typo to match the Building Code and the Permit Fee schedule as published.*
- *Considerable discussion ensued regarding each update. Staff explained the primary purpose of these changes were to include language per updated Zoning Enabling legislation to avoid conflicting regulations. Discussion continued.*
- *Calvin Clifton motioned to forward a favorable recommendation to the County Commission and the Bristol and Kingsport Planning Commissions for adoption of the included zoning text amendments. Laura McMillian seconded the motion and the vote in favor passed unanimously with 7 yes and 2 absent.*

H. **OLD BUSINESS:** - NONE

I. **OTHER MATTERS OF MUTUAL INTEREST:**

I1. Next Month's Rezoning Cases: for Sullivan County Regional Planning Commission 03-15-2022
196 Cash Avenue, Blountville (PMD-2 to R-1) for expansion of residential lot

I2. 2021 Annual Report: Planning & Codes Department –

- *Ambre Torbett distributed updated copies of the annual report stating that a few totals were not added properly before. The chairman highlighted that many more commercial developments were approved this past year than in recent past. Discussion continued.*

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

- *No one was left in the audience to address the commission.*

K. **ADJOURNMENT:** *Members adjourned at approximately 8:04PM.*
The next regularly scheduled meeting will be held ***March 15, 2022 at 6:00PM.***

Approval of Minutes:

Sign: _____ Date: _____
Secretary of Planning Commission

Attest: _____ Date: _____
Alternate Secretary of the Planning Commission

ARTICLE XI

NONCONFORMING USES AND NONCOMPLYING BUILDINGS OR OTHER STRUCTURES

SECTIONS

11-101 STATEMENT OF PURPOSE
11-102 PROVISIONS GOVERNING NONCONFORMING USES
11-103 NONCOMPLYING BUILDINGS OR OTHER STRUCTURES
11-104 SUBSTANDARD RESIDENTIAL LOTS

11-101 STATEMENT OF PURPOSE - The districts established in this resolution (as set forth in district regulations, in ARTICLES III through V) are designed to guide the future use of land in Sullivan County, Tennessee, by encouraging the development of desirable residential, commercial, and manufacturing areas with appropriate groupings of compatible and related uses and thus promote and protect the public health, safety, and general welfare.

As a necessary corollary, in order to carry out such purposes, nonconforming uses, which adversely affect the development of such areas, must be subject to certain limitations. The provisions governing nonconforming uses set forth in this article are, therefore, established to contain the existing undesirable conditions resulting from such incompatible nonconforming uses, which are detrimental to the achievement of such purposes. While such uses are generally permitted to continue, this resolution is designed to restrict any expansion of such uses beyond the site, which the use occupied upon the effective date of this resolution.

In the case of buildings or other structures not complying with the bulk regulations of this resolution, the provisions governing non-complying buildings or other structures set forth in this article are established in order to permit the continued use of such buildings or other structures, but to limit the creation of additional noncompliance or increase in the degree of noncompliance.

These provisions are thus designed to preserve the character of the districts established in this resolution in light of their suitability to particular uses, and thus to promote the public health, safety, and general welfare. The following provisions are pursuant to TCA 13-7-109, 13-7-208 and all other State codes.

11-102 PROVISIONS GOVERNING NONCONFORMING USES

11-102.1 Applicability - The provisions of this article are applicable to all uses that are not permitted within the districts wherein they are located. Additionally, buildings and other structures located within the floodplain are considered within the regulation of nonconforming uses.

11-102.2 Nothing contained herein shall require any change in the overall layout, plans, construction, site or designated use of any development, building, structure, or part thereof where official approvals and required building permits have been granted before the enactment of this resolution, or any amendment thereto, the construction of which, conforming with such plans, shall have been started prior to the effective date of this resolution and completion thereof carried on in a normal manner ~~within the subsequent twelve (12) months period, and not discontinued~~ until completion except for reasons beyond the builder's control. If In the event that the activity or construction of such building or other structures is not ***substantially*** underway and being diligently pursued within three (3) years pursuant TCA 13-3-413 of the vesting ~~twelve (12) month~~ period following the issuance of a building permit, then such permit shall automatically lapse and the provisions of this resolution shall apply.

11-102.3 Repairs and Alterations - Nothing in this article shall prevent the strengthening or restoring to a safe condition of any part of any building or structure declared unsafe by proper authority.

11-102.4 Continuation of Nonconforming Use - Any nonconforming use which existed lawfully at the time of enactment of this resolution and which remains nonconforming under the provisions contained herein or any use which shall become nonconforming upon enactment of this resolution, or any subsequent amendments thereto, may be allowed to continue in operation and be permitted provided that no change in use (see Subsection 12-102.5) is undertaken.

11-102.5 Change of Nonconforming Use

1. General Provisions - For the purpose of this article, a change in use is a change to another use either under the same activity type or any other activity type or major class of activity; however, a change in occupancy or ownership shall not, by itself, constitute a change of use. A nonconforming use may be changed to any conforming use, when determined by the Planning Commission as a lesser offensive use, and the applicable bulk regulations and accessory off-street parking requirements shall apply to such change of use or to alterations made in order to accommodate such conforming use.

2. Land with Incidental Improvements - In all districts a nonconforming use of land, not involving a building or structure, or in connection with which any building or structure thereon is incidental or accessory to the principal use of the land, shall be changed only to a conforming use.

3. Nonconforming to Conforming Use - Whenever a nonconforming use is changed to a conforming use, such use shall not thereafter be changed to a nonconforming use.

4. Nonconforming to Less Intense Use - Any building containing a nonconforming use shall not be changed to another nonconforming use unless it is determined by the Planning Commission that such use is less offensive with regards to impact upon adjacent properties than the previous use.

11-102.6 Expansion of Nonconforming Uses - Any nonconforming use which shall become nonconforming upon enactment of this resolution, or any subsequent amendments thereto, may be allowed to expand operations and construct additional facilities which involve an actual continuance and expansion of the nonconforming use provided that any such expansion shall not violate the provisions set out below. Any industrial, commercial or other business establishment in operation shall be permitted to operate subject to the provisions setforth in TCA 13-7-208 as applicable to county zoning regulations.

1. Land with Incidental Improvements - In all districts a nonconforming use of land, not involving a building or structure, or in connection with which any building or structure thereon is incidental or accessory to the principal use of the land, shall not be allowed to expand through the addition of buildings or other structures.

2. Adequate Space for Expansion - No expansion of any nonconforming use shall infringe upon, or increase the extent of any infringement existing at the time of adoption of this resolution, upon any open space required by this resolution.

3. Application of Other Provisions to Expanded Facilities - ~~In the event that any proposed expansion or addition is valued at less than fifty (50) percent of the assessed valuation (as recorded on the most current edition of the property tax records) of the improvements located upon the site, all provisions of this resolution other than those which would act to eliminate the use of the property, shall be applicable to the expansion or addition. In the event, however, that the proposed expansion or addition is valued at fifty (50) percent or more of the assessed valuation of the improvements located upon the site, all provisions of this resolution other than those which would act to eliminate the use of the property, shall apply both to the existing facilities, as well as the expansion or addition.~~

4. Expansion Limited - Any expansion of a nonconforming use permitted under the provisions of this section shall take place only upon the zone lot(s) on which said use was operating at the time the use became nonconforming, and said expansion is approved by the **Sullivan County Regional Planning Commission.** Nothing within this provision shall be construed so as to permit expansion of any nonconforming use through the acquisition and development of additional land. Where parking, open space or other provisions of this resolution may so require, future expansions or additions shall be limited to that which can be accommodated without creating any new noncompliance.

5. Expansion upon Land Subject to Flood - No expansion of any nonconforming use shall violate the provisions of the Flood Hazard Prevention Ordinance as adopted by Sullivan County pursuant to the Federal Flood Insurance Program.

11-102.7 **Damage or Destruction** - Any use which shall become nonconforming upon enactment of this resolution, or any subsequent amendments thereto, may be permitted to reconstruct damaged or destroyed facilities which involve an actual continuance of the nonconforming use provided that any such reconstruction shall not violate the provisions set out below.

1. Change in Use Prohibited - No reconstruction of damaged or destroyed facilities may occur which shall act to change the nonconforming use (as regulated in Subsection 11-102.5, above) to other than a permitted use.

2. Land with Minor Improvements - In all districts, when a nonconforming building or other structure or improvements located on "land with Incidental improvements" (as defined by this resolution) is damaged or destroyed to the extent of fifty (50) percent or more of the assessed valuation of all buildings, and other structures or other improvements located thereon (as determined from the assessment rolls effective on the date of damage or destruction), such nonconforming use shall be reviewed for approval by the Planning Commission and the tract of land shall, thereafter, be used only for a conforming use.

3. Infringement upon Open Space Restricted - No reconstruction of damaged or destroyed facilities utilized by a nonconforming use shall increase the extent of any infringement upon any open space required by this resolution.

4. Damage or Destruction of Buildings or Other Structures - In all districts, when any building or other structure which is substantially occupied by a nonconforming use is damaged or destroyed ~~to the extent of fifty (50) percent or more of the assessed valuation (as recorded on the most current edition of the property tax records) of the improvements located upon the site~~, such building or other structure may be reconstructed provided that no such action shall increase the extent of any infringement upon any open space required by this resolution and that the reconstructed buildings, structures and other site improvements, shall comply as fully as possible with all other provisions of this resolution. ~~When the extent of damage or destruction is less than fifty (50) percent of the assessed valuation of the improvements,~~ the nonconforming use may be continued and the buildings or other structures may be restored provided that:
   a. A building permit pertaining to such restoration, repair or replacement is applied for and issued within one (1) year of such damage, destruction or removal of such residential structure and within thirty (30) months for industrial, commercial, or multi-family per State Law.
   b. ~~A certificate of zoning compliance is issued within one (1) year after the issuance of the building permit~~.
   c. Such restoration shall not cause a new nonconformance nor increase the degree of nonconformance or noncompliance existing prior to such damage or destruction. Otherwise, the nonconforming use shall be deemed to have ceased active operation and the provisions of Subsection 11-102.8, shall apply.

5. Reconstruction of Flood Damaged Property - The provisions of the Sullivan County Flood Damage Prevention Ordinance, Special Provisions Governing All Buildings Within Floodplain Districts, shall apply to the reconstruction of all buildings and structures associated with any nonconforming use located within the floodplain district.

11-102.8 **Discontinuance** - When a nonconforming use of land or the active operation of substantially all the nonconforming uses in any building or other structure or tract of land is discontinued for a period of **one (1) year for one (1) and two (2) family residential land uses and thirty (30) months for industrial, commercial and multi-family**, then the land or building or other structure shall thereafter be used only for a conforming use. Intent to resume active operations shall not affect the foregoing provision.

11-103 NONCOMPLYING BUILDINGS OR OTHER STRUCTURES

11-103.1 **General Provisions** - The provisions of this section shall control buildings and other structures, which do not meet the bulk or any other provisions applicable in the districts in which they are located, except those provisions, which pertain to activity or use.

11-103.2 **Continuation of Use** - The use of a non-complying building or other structure or parcel may be continued, except as, otherwise, provided by this section.

11-103.3 **Repairs and Alterations** - Repairs, incidental alterations, or structural alterations may be made in non-complying buildings or other structures subject to the provisions of Subsection 11-103.4.

11-103.4 **Enlargement of Conversion**

1. Adequate Space for Expansion - No expansion or enlargement of any non-complying building or other structure may be made which would either create a new noncompliance or increase the degree of any previously existing noncompliance of any building or other structure or parcel or portion, thereof.

2. ~~Application of Other Provisions to Expanded Facilities - In the event that any proposed expansion or addition to a non-complying building or structure is valued at less than fifty (50) percent of the assessed valuation (as recorded on the most current edition of the property tax records) of the improvements located upon the site, all provisions of this ordinance shall be applicable to the expansion or addition. In the event, however, that the proposed expansion or addition is valued at fifty (50) percent or more of the assessed valuation of the improvements located upon the site all provisions of this ordinance shall apply to both the existing facilities, with the exception of any pre-existing non-complying conditions, and the expansion or addition.~~

11-103.5 **Damage or Destruction of Non-complying Buildings and Other Structures** - In all districts, when any non-complying building or other structure is damaged or destroyed such building or other structures may be restored provided that such restoration shall not cause a new noncompliance nor increase the degree of noncompliance existing prior to such damage or destruction.

11-104 **SUBSTANDARD RESIDENTIAL LOTS** - Within all districts where residential uses are authorized, one dwelling may be built upon a lot, which was of record upon the date of adoption of this ordinance or amendments herein, providing such lot has a permit for a subsurface sewage disposal system (SSDS) through the State of Tennessee, Department of Environment and Conservation or is connected to public sewer. This means, that as long as the deed for a parcel of land was recorded prior to the adoption of this ordinance or any subsequent amendments, and was legal at the time of said recordation, then it will be classified as a legal lot-of-record. However, if the deed was recorded and did not conform to the local regulations at the time and still does not meet these requirements herein, then the parcel is not determined to be a legal lot-of-record. Substandard parcels will only be given legal, but non-conforming status if they met all legal requirements at the time of said recordation. Proof of public or private sewage permits and copy of recorded deed shall be required prior to any issuance of a building permit.

2. Site Plans Required for All Other Buildings and Activities - This procedure is to be utilized for all buildings and activities except those subject to the provisions of Subpart 1, of this section. Unless otherwise specified, the reviewing agency shall be the Sullivan County Regional Planning Commission and/or planning staff. Such plans shall be prepared by a licensed and qualified professional, such as an engineer, surveyor, or landscape architect. Additional information may be required for certain uses such as multi-family dwellings or manufactured home parks. In such instance this information shall be in addition to the basic information required by this section. All site plans shall be drawn to scale using a standard engineering scale.

3. The Following Information Shall Be Included in the Site Plan:
   a. General Location Sketch Map at a Scale Not Smaller Than 1"=2,000', Showing:
      i. The approximate boundaries of the site.
      ii. External (public access streets or roads in relation to the site).
      iii. Surrounding development (i.e. residential, commercial, and manufacturing areas) within the general vicinity of the site.
   b. A Site Development Plan Drawn at a Scale No Smaller Than 1"=50' Showing:
      i. The actual shape, location, and dimensions of the lot.
      ii. The shape, size, and location of all buildings or other structures already on the lot.
      iii. The existing and intended use of the lot and of such structures upon it, including, for residential activities, the number of dwelling units the buildings are intended to accommodate.
      iv. Topographic features, both existing and proposed, with contours at a vertical, interval no greater than five (5) feet (requirement may be waived per staff discretion).
      v. Location of all driveways and entrances.
      vi. Location of all accessory off-street parking areas to include a plan showing design and layout of such parking facilities where five (5) or more accessory off-street parking spaces are to be provided. (Dimensions shall be shown.)
      vii. Location of all accessory off-street loading docks.
      viii. Location of open space.
      ix. Proposed ground coverage, floor area, and building heights.
      x. Position of fences and walls to be utilized for screening (materials specified).
      xi. Position of screen planting (type of planting specified).
      xii. Proposed means of surface drainage, including all drainage ways and facilities.
      xiii. Location of all easements and rights-of-way.
      xiv. Location of areas subject to flooding.
      xv. Location and size of all utilities including all fire hydrants.
      xvi. Location, type, and size of proposed signs.
      xvii. Signature of the owner, operator or developer of the property.
      xviii. Location and plan for erosion and sediment controls per Subsection 8-103.4.
      xix. Electronic/digital plans shall be submitted in the portable digital file format (pdf) for purposes of the preliminary review, attachment to permit and Certificate of Occupancy, as well as for archival reference.
      xx. One complete set of Development Plans may also be required on paper size 18"x24" or 24"x 36" for final review.
      ~~**AND reduced to 8 ½ "x 11" to be attached to Certificate of Occupancy after final inspection.**~~

12-102.4 **Fees** - The Sullivan County Commission shall establish a schedule of fees and a collection procedure for Building Permits. The schedule of fees shall be posted in the Office of the Building Commissioner. Only the County Commission may alter or amend the fee schedule. Until the appropriate fee has been paid in full, no action shall be taken on any application. All fees are controlled by Section 12-109 of this Article.

12-102.5 **Issuance of Permit** - If the proposed excavation, construction, moving, or alteration as set forth in the application is in conformity with the provisions of this resolution, the Building Commissioner shall issue a building permit for such excavation or construction. If an application for a building permit is not approved, the Building Commissioner shall state in writing on the application the cause for such disapproval. Issuance of a permit shall in no case be construed as waiving any provisions of this resolution. **Acceptance of the building application does not constitute approval of plans or guarantee issuance of a permit.**

ILLUSTRATION 7-104.2
PARKING SPACE AND AISLE DIMENSIONS

(corrections adjusted August 2009 – See diagrams following Appendices)

DIMENSIONS IN FEET

Parking Angle	*Stall Width*	*Stall Depth Perpendicular*	*Wall Aisle Length*	*Interlock Module Width*	*Module*
90-Degree Parking Angle, Two-Way Aisle					
90	9.00'	19.0'	24.0	62.0	62.0
75-Degree Parking Angle, One-Way Aisle					
75	9.0'	19.0'	22.0	63.0	61.0
60-Degree Parking Angle, Two-Way Aisle					
60	9.0'	19.0'	22.0	64.0	59.5
45-Degree Parking Angle, One-Way Aisle					
45	9.0'	19.0'	15.0	42.0	48.5
30-Degree Parking Angle, One-Way Aisle					
30	9.0'	19.0'	20.0	62.0	57.5
Parallel Parking - One-Way Aisle					
0	9.0'	22.0'	15.0	24.0	24.0

ILLUSTRATION 7-104.3
ADA ACCESSIBLE (HANDICAPPED) PARKING REQUIREMENTS

DESIGN DETAILS FOR HANDICAPPED PARKING SPACES

~~*Total Parking Spaces*~~	~~*Minimum Number of Handicapped Spaces*~~
~~1 to 25~~	~~1~~
~~26 to 50~~	~~2~~
~~51 to 75~~	~~3~~
~~76 to 100~~	~~4~~
~~101 to 150~~	~~5~~
~~151 to 200~~	~~6~~
~~201 to 300~~	~~7~~
~~301 to 400~~	~~8~~
~~401 to 500~~	~~9~~
~~501 to 1000~~	~~2% of total~~
~~1001 and over~~	~~20, plus 1 for each 100 over 1000~~

delete

replace

Total Number of Parking Spaces Provided in Parking Facility (per facility)	(Column A) Minimum Number of Accessible Parking Spaces (car and van)	Minimum Number of Van-Accessible Parking Spaces (1 of 6 accessible spaces)
1 to 25	1	1
26 to 50	2	1
51 to 75	3	1
76 to 100	4	1
101 to 150	5	1
151 to 200	6	1
201 to 300	7	2
301 to 400	8	2
401 to 500	9	2
500 to 1000	2% of total parking provided in each lot or structure	1/6 of Column A*
1001 and over	20 plus 1 for each 100 over 1000	1/6 of Column A*

*one out of every 6 accessible spaces

U.S. Department of Justice

Civil Rights Division

Disability Rights Section

Americans with Disabilities Act

ADA Compliance BRIEF:

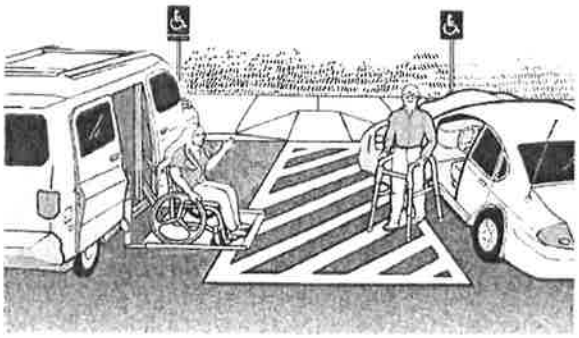
Restriping Parking Spaces

Accessible Parking Spaces

When a business or State or local government restripes parking spaces in a parking lot or parking structure (parking facilities), it must provide accessible parking spaces as required by the 2010 ADA Standards for Accessible Design (2010 Standards).

In addition, businesses or privately owned facilities that provide goods or services to the public have a continuing ADA obligation to remove barriers to access in existing parking facilities when it is readily achievable to do so. Because restriping is relatively inexpensive, it is readily achievable in most cases. State and local government facilities also have an ongoing ADA obligation to make their programs accessible, which can require providing accessible parking.

This compliance brief provides information about the features of accessible car and van parking spaces and how many accessible spaces are required when parking facilities are restriped.



One of six accessible parking spaces, but always at least one, must be van-accessible.

The required number of accessible parking spaces must be calculated separately for each parking facility, not calculated based on the total number of parking spaces provided on a site. One of six (or fraction of six) accessible parking spaces, but always at least one, must be van accessible.

Parking for hospital outpatient facilities, rehabilitation facilities, outpatient physical therapy facilities or residential facilities have substantially different requirements for accessibility (see 2010 Standards 208.2).

Minimum Number of Accessible Parking Spaces
2010 Standards (208.2)

Total Number of Parking Spaces Provided in Parking Facility (per facility)	(Column A) Minimum Number of Accessible Parking Spaces (car and van)	Mininum Number of Van-Accessible Parking Spaces (1 of six accessible spaces)
1 to 25	1	1
26 to 50	2	1
51 to 75	3	1
76 to 100	4	1
101 to 150	5	1
151 to 200	6	1
201 to 300	7	2
301 to 400	8	2
401 to 500	9	2
500 to 1000	2% of total parking provided in each lot or structure	1/6 of Column A*
1001 and over	20 plus 1 for each 100 over 1000	1/6 of Column A*

*one out of every 6 accessible spaces

7-106.3 No point of access shall be allowed within thirty-five (35) feet of the public right-of-way intersection, to ensure safety and clear sight-visibility clearance area (See Appendix C).

7-106.4 Where sidewalks exist and/or required, the area existing between the street and an interior parking space or driveway parallel to the street shall have a curb at least six (6) inches in height and six (6) inches in width separating the parking area from the sidewalk to prevent encroachment of vehicles onto the sidewalk area.

7-106.5 No curbs on county streets or rights-of-way shall be cut or altered without written approval of the County Road Commissioner and/or his designee *(see department for application form).*

7-106.6 Cases requiring variances relative to this action, and hardships not caused by the property owner shall be heard and acted upon by the Board of Zoning Appeals, provided, further, that no curb cuts for off-street parking or storage shall be permitted where the arrangement would require that vehicles back directly into a public street.

7-106.7 Access control on property abutting State or Federal highways shall be governed by official regulations of the Tennessee Department of Transportation, Division of Highways or the provisions of this resolution, whichever is more restrictive.

7-106.8 Unless access point (driveway connection) is shared with an adjoining property as noted on an approved site plan, approved subdivision plat, and/or recorded easement agreement, the minimum separation between access points is forty (40) feet for all non-residential land uses.

7-106.9 Sight Distance Clearance – Where possible, in order to protect the safety of the property owner and on-coming motorists, all driveway connections shall be appropriately sited on the available public road frontage that will ensure proper sight distance clearance at a minimum of one hundred (100) feet in all directions on local residential roads, and a minimum of two hundred (200) feet in all directions on collector streets and arterial streets. All driveway connections onto local roads within the county shall be approved by the Sullivan County Highway Department and onto State Highways shall be approved by the Tennessee Department of Transportation.

7-106.10 Corner Lots – Where possible, driveway connections shall correspond to the E-911 address of the property and located on the interior street rather than a collector street, as interior streets such as cul-de-sacs, lanes and loop streets are lesser traveled. Refer to the adopted Major Thoroughfare Plan list for roadway classification. *(Amended by County Commission on September 21, 2009)*

7-107 Stacking Lane for Drive-Thru Pick-Up Window Service

Any use, such as restaurants or dry-cleaners, which has service windows, such a drive-thru lane must accommodate the traffic off the public road as the vehicle is in queue. For restaurants and high traffic-generated uses, the drive-up lane must accommodate a minimum of eight (8) vehicles for the first pick-up and six (6) vehicles for each additional pick-up window. For all other uses with drive-up window services, a minimum of three (3) vehicles for each pick-up window shall be required. All stacking vehicle distances shall be calculated at the property line excluding any internal aisles or roads. Any public deceleration or acceleration lanes in the public rights-of-way shall not be used for this purpose.

12-102.6 **Construction Progress/Vesting Period for Approved Plans** - Due to changing conditions within the planning region, it is necessary to establish specific time periods after the passage of which approved plans shall become null and void, thereby assuring that no new development will, due to altered conditions, etc., damage the public interest. Pursuant **TCA 13-3-413**, the following regulations (As excerpted from the State Law) apply to approved Development Plans or Plot Plans regarding continuance of construction and the vesting rights for such approved plan:

(a) A regional planning commission shall have the power to promulgate provisions in its subdivision regulations and recommend amendments to the zoning ordinance for the establishment of review and approval powers for site plans and the establishment under the zoning provisions for review and approval of planned unit developments, overlay districts, mixed use developments, condominiums and other types of sustainable design and development of property. The provision of well-designed and properly constructed infrastructure within such developments is vital to the health, safety and welfare of the public utilizing such development and the community as a whole. These types of development typically contain infrastructure that may be dedicated to a governmental entity or may be controlled by other types of bodies or nongovernmental entities including, but not limited to, property owner associations. These infrastructure and internal development improvements such as, but not limited to, public and nonpublic roads, water and sewer lines, landscaping, green space, sustainable design features and other improvements as required by the planning commission, either through its subdivision regulation or through the zoning resolution, shall be subject to bonding or other methods of guaranteeing their installation. The planning commission may set and hold these guaranteeing instruments.

(b) A vested property right shall be established with respect to any property upon the approval, by the county in which the property is situated, of a preliminary development plan or a final development plan where no preliminary development plan is required by ordinance or regulation or a building permit allowing construction of a building where there was no need for prior approval of a preliminary development plan for the property on which that building will be constructed. During the vesting period described in subsections (c) and (d), the locally adopted development standards which are in effect on the date of approval of a preliminary development plan or the date of approval of a building permit, as described by this subsection (b), shall remain the development standards applicable to that property or building during the vesting period.

(c) Unless an extension is granted by the county, the vesting period applicable to an approved construction project for which a building permit has been issued shall begin on the date of issuance of the building permit by the county and shall remain in effect for the time period authorized by the approved building permit, including any approved renewal obtained by the applicant prior to the expiration or termination of the permit to be renewed; provided, that the applicant pursues with reasonable diligence site preparation, if applicable, and construction.

(d)
(1) The vesting period applicable to a development plan shall be a period of three (3) years, beginning on the date of the local government's approval of the preliminary development plan; provided, that the applicant obtains local government approval of a final development plan, secures any necessary permits and commences site preparation within the vesting period. If the applicant obtains local government approval of a final development plan, secures any necessary permits, and commences site preparation within the vesting period, then the vesting period shall be extended an additional two (2) years to commence construction from the date of the expiration of the three-year period. During the two-year period, the applicant shall commence construction and maintain any necessary permits to remain vested.
(2) If construction commences during the vesting period, the development standards applicable during the vesting period shall remain in effect until the county has certified final completion of the development or project; provided, that the total vesting period for the project shall not exceed ten (10) years from the date of the approval of the preliminary development plan unless the local government grants an extension pursuant to an ordinance or resolution; provided further, that the applicant maintains any necessary permits during the ten-year period.
(3) In the case of developments which proceed in two (2) or more sections or phases as described in the development plan, there shall be a separate vesting period applicable to each section or phase. The development standards which are in effect on the date of approval of the preliminary development plan for the first section or phase of the development shall remain the development standards applicable to all subsequent sections or phases of the development; provided, that the total vesting period for all phases shall not exceed fifteen (15) years from the date of the approval of the preliminary development plan for the first section or phase unless the local government grants an extension pursuant to an ordinance or resolution; provided further, that the applicant maintains any necessary permits during the fifteen-year period.

(e) The county, by adoption of this amendment, shall specifically identify the type or types of development plans within the county's jurisdiction that will cause property rights to vest; provided, that regardless of nomenclature used in the resolution to describe a development plan, a plan which contains any of the information described in subdivision (k)(5) or (k)(6) shall be considered a development plan that will cause property rights to vest

according to this section. Any such resolution shall also specify what constitutes approval of a development plan within the county.

(f)

(1) During the vesting period described in subsections (c) and (d), the adopted development standards which are in effect on the date of approval of a preliminary development plan or the issuance of a building permit, whichever applies, shall remain the development standards applicable to the property described in such preliminary development plan or permit, except such rights shall terminate upon a written determination by the county under the following circumstances pursuant to subdivision (f)(2):

(A) When the applicant violates the terms and conditions specified in the approved development plan or building permit; provided, the applicant is given ninety (90) days from the date of notification to cure the violation; provided further, that the county may, upon a determination that such is in the best interest of the county, grant, in writing, an additional time period to cure the violation;

(B) When the applicant violates any of the terms and conditions specified in the resolution; provided, the applicant is given ninety (90) days from the date of notification to cure the violation; provided further, that the local government may, upon a determination that such is in the best interest of the county, grant, in writing, an additional time period to cure the violation;

(C) Upon a finding by the county that the applicant intentionally supplied inaccurate information or knowingly made misrepresentations material to the issuance of a building permit or the approval of a development plan or intentionally and knowingly did not construct the development in accordance with the issued building permit or the approved development plan or an approved amendment for the building permit or the development plan; or

(D) Upon the enactment or promulgation of a state or federal law, regulation, rule, policy, corrective action or other governance, regardless of nomenclature, that is required to be enforced by the county and that precludes development as contemplated in the approved development plan or building permit, unless modifications to the development plan or building permit can be made by the applicant, within ninety (90) days of notification of the new requirement, which will allow the applicant to comply with the new requirement.

(2) A written determination by the county of the occurrence of any of the circumstances provided in subdivision (f)(1) shall cause the vested property rights to terminate; provided, however, that the county may allow a property right to remain vested despite such a determined occurrence when a written determination is made that such continuation is in the best interest of the county.

(g)

(1) A vested development standard shall not preclude the county enforcement of any development standard when:

(A) The county obtains the written consent of the applicant or owner;

(B) The county determines, in writing, that a compelling, countervailing interest exists relating specifically to the development plan or property which is the subject of the building permit that seriously threatens the public health, safety or welfare of the county and the threat cannot be mitigated within a reasonable period of time, as specified in writing by the county, by the applicant using vested property rights;

(C) Upon the written determination by the county of the existence of a natural or man-made hazard on or in the immediate vicinity of the subject property, not identified in the development plan or building permit, and which hazard, if uncorrected, would pose a serious threat to the public health, safety, or welfare and the threat cannot be mitigated within a reasonable period of time, as specified in writing by the local government, by the applicant using vested property rights;

(D) A development standard is required by federal or state law, rule, regulation, policy, corrective action, order or other type of governance that is required to be enforced by county, regardless of nomenclature; or

(E) The county is undertaking an action initiated or measure instituted in order to comply with a newly enacted federal or state law, rule, regulation, policy, corrective action, permit, order or other type of governance, regardless of nomenclature.

(2) A vested property right does not preclude, change, amend, alter or impair the authority of the county to exercise its eminent domain powers as provided by law.

(3) This section shall not preclude, change, amend, alter or impair the authority of the county to exercise its zoning authority, except a vested property right, once established as provided for in this section, precludes the effect of any zoning action by the county which would change, alter, impair, prevent, diminish, or otherwise delay the development of the property, while vested, as described in an approved development plan or building permit.

(4) In the event the county enacts a moratorium on development or construction, the vesting period authorized pursuant to this section shall be tolled during the moratorium period.

(h)

(1) An amendment to an approved development plan by the developer must be approved by the county to retain the protections of the vested property right. An amendment may be denied based upon a written finding by the local government that the amendment:

(A) Alters the proposed use;
(B) Increases the overall area of the development;
(C) Alters the size of any nonresidential structures included in the development plan;
(D) Increases the density of the development so as to affect traffic, noise or other environmental impacts; or
(E) Increases any local government expenditure necessary to implement or sustain the proposed use.
(2) If an amendment is denied by the local government based upon such a written finding, then the applicant may either proceed under the prior approved plan with the associated vested property right or, alternatively, allow the vested property right to terminate and submit a new application under this section. Notwithstanding this subsection (h), a vested property right shall not terminate if the county determines, in writing, that it is in the best interest of the community to allow the development to proceed under the amended plan without terminating the vested property right.

(i) The county shall not require an applicant to waive the applicant's vested rights as a condition of approval or as a consideration of approval of a development plan or the issuance of a building permit.

(j) A vested property right shall attach to and run with the applicable property and shall confer upon the applicant the right to undertake and complete the development and use such property under the terms and conditions of a development plan, including any amendments thereto or under the terms and conditions of any building permit that has been issued with respect to the property.

(k) As used in this section:
(1) "Applicant" means a landowner or developer who is responsible for filing with the county an application for a building permit, a development plan or application for a permit requisite to a development plan, or the representatives, assigns, successors, transferees, heirs or agents of such landowner or developer;
(2) "Construction" means the erection of construction materials in a permanent position and fastened in a permanent manner. Where excavation, demolition or removal of an existing building has been substantially begun prior to rebuilding, such excavation, demolition or removal shall be deemed to be construction; provided, that work shall be carried on diligently and complies with all applicable requirements;
(3) "Development plan" means both a preliminary development plan and a final development plan;
(4) "Development standards":
(A) Means all locally adopted or enforced standards, regulations or guidelines applicable to the development of property, including, but not limited to, planning; local storm water requirements, layout, design; local construction standards for buildings, streets, alleys, curbs, sidewalks; zoning as provided for in subsection (g); lot size; lot configuration; yard dimensions; and off-site improvements, including public or private infrastructure, in which an applicant may acquire vested rights or vested property rights according to this section; and
(B) Does not include standards required by federal or state law; or building construction safety standards which are adopted pursuant to authority granted under § 68-120-101;
(5)
(A) "Final development plan" means a plan which has been submitted by an applicant and approved by the county describing with reasonable certainty the type and intensity of use for a specific parcel or parcels of property. Such plan may be in the form of, but not be limited to, any of the following plans or approvals:
(i) A planned unit development plan;
(ii) A subdivision plat;
(iii) General development plan;
(iv) Subdivision infrastructure construction plan;
(v) Final engineered site plan; or
(vi) Any other land-use approval designation as may be utilized by the county;
(B) Unless otherwise expressly provided by the county, such a plan shall include the boundaries of the site; significant topographical and other natural features affecting development of the site; the location on the site of the proposed buildings, structures, and other improvements; the dimensions, including height, of the proposed buildings and other structures or a building envelope; and the location of all existing and proposed infrastructure on the site, including water, sewer, roads, and pedestrian walkways. A variance shall not constitute a final development plan, and approval of a final development plan with the condition that a variance be obtained shall not confer a vested property right unless and until the necessary variance is obtained. Neither a sketch plan nor any other document which fails to describe with reasonable certainty the type of use, the intensity of use, and the ability to be served with essential utilities and road infrastructure for a specified parcel or parcels of property may constitute a final development plan;
(6) "Preliminary development plan" means a plan which has been submitted by an applicant and that depicts a single-phased or multi-phased planned development typically used to facilitate initial public feedback and secure preliminary approvals from local governments. Examples of information found on development plans include proposed land uses, density and intensity of development, public utilities, road networks, general location of off-street parking, building location, number of buildable lots, emergency access, open space, and other environmentally

sensitive areas such as lakes, streams, hillsides, and view sheds. An approved preliminary development plan serves as a guide for all future improvements within defined boundaries; and
(7) "Site preparation" means excavating, grading, demolition, removing excess debris to allow for proper grading, or providing a surface for a proper foundation, drainage, and settling for a development project, and physical improvements including, but not limited to, water and sanitary sewer lines, footings, or foundations installed on the site for which construction permits are required.

1. ~~Time Limit on Site Development Plans - Any site development plan approved under the provisions of this resolution shall become null and void one (1) year after the date of its approval, unless a building permit for the project has been obtained in such case the provisions of Subpart, 2, of this section, shall apply, provided, however, that in no instance shall an approved plot plan or site development plan become null and void in less than one (1) year.~~

2. Time Limit on Building Permit - Any building permit issued becomes invalid if work authorized is not commenced within one hundred and eighty (180) days (per International Code Congress standard) ~~one (1) year~~ of the date of issuance. All ~~exterior~~ construction shall be completed within (36) thirty-six months from the date of permit, and a Certificate of Occupancy requested and approved or such permit shall become invalid and a new permit must be purchased.

12-102.7 Construction to be in Accordance with Approved Plans - In general, all site construction and development activity shall proceed in strict compliance with the final site development plan as approved. Minor modifications in the terms and conditions of the approved development plans may be made from time to time as provided in the following paragraphs. Any proposed modification, which is not permitted under these provisions, may be approved only as an amendment to the development plan. (See Subpart 4, below).

1. Minor Modifications During Construction - The Building Commissioner may approve minor modifications in the location, siting, and configuration of buildings and structures if required by engineering or other circumstances not foreseen at the time the development plan was approved so long as:
    a. No modification violates any provision of this resolution;
    b. No modification involves an item for which modification is prohibited under the provisions of Subpart 3, below; and
    c. The total of such modifications approved by the Building Commissioner shall **never in aggregate** result in:
        i. Any increase in residential density (i.e., number of dwelling units permitted);
        ii. An increase of more than three (3) percent in the total ground area covered by buildings, provided that no such increase shall be permitted which would exceed the impermeable surface ratio established for the site;
        iii. A reduction of more than two (2) percent in the area set aside for open space (exclusive of parking area green spaces and required screening areas);
        iv. Movement of a point of access by a distance greater than twenty-five (25) feet.
    d. No modification may be approved which is greater than the absolute minimum necessary as defined by the provisions of Subpart 2, (below) of this section.

2. Minimum Adjustments Only - Any modification identified below must be held to the minimum necessary. The Building Commissioner must find that each of the following conditions apply to the particular circumstances prior to the granting of the adjustment.
    a. Practical Difficulties or Unnecessary Hardship - Which strict application of the provisions of this resolution would result in practical difficulties or unnecessary hardship.
    b. Extraordinary Circumstances - That there are exceptional or extraordinary circumstances or conditions applying to the land, buildings or uses referred to in the application, which circumstances or conditions do not apply generally to other land, buildings or uses in the same district.
    c. Not Detrimental - That granting the application will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood of the premises.
    d. Health or Safety not Adversely Affected - That granting the application under the circumstances of the particular case will not adversely affect the health or safety of persons working or residing in the neighborhood containing the property of the applicant.
    e. Maintains Intent of Resolution and the Development Plan - That such adjustment is within the intent and purpose of the resolution and will not adversely affect the community objectives of the comprehensive plan.

Kingsport Regional Planning Commission

Zoning Text Amendment Report
File Number 21-801-00002

Decorative Lighting Zoning Text Amendment

Property Information	City-wide		
Address			
Tax Map, Group, Parcel			
Civil District			
Overlay District			
Land Use Designation			
Acres			
Existing Use		**Existing Zoning**	
Proposed Use		**Proposed Zoning**	

Owner /Applicant Information	
Name: Kingsport Regional Planning Commission **Address:** **City:** **State:** **Zip Code:** **Email:** **Phone Number:**	**Intent:** To amend Chapter 114, Sections 114-537 as it pertains to decorative lighting.

Planning Department Recommendation			
(Approve, Deny, or Defer) The Kingsport Planning Division recommends APPROVAL.			
Planner:	Ken Weems	Date:	3/8/22
Planning Commission Action		**Meeting Date:**	**3/17/22**
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

INTENT

To amend Chapter 114, Sections 114-537 as it pertains to decorative lighting.

Prepared by Kingsport Planning Department for the
Kingsport Regional Planning Commission Meeting on March 17, 2022

Introduction:

The City originally adopted Sec 114-537 of the Code of Ordinances in 2016 to provide decorative lighting guidelines city-wide. Over time, staff realized the need for minor adjustments to the ordinance. This text amendment proposal addresses the allowable colors. The City has received complaints over time about restrictions on blue, red, green, and yellow lights. Additionally, the ordinance currently encourages the color white, which is typically the brightest color (especially at night) that can be displayed. The proposal below removes all color restrictions form the ordinance, with the exception that all of the lights be one single color.

Presentation:

Current wording of Sec 144-537:

Sec. 114-537. - Decorative lighting.

Decorative Lighting is only allowed in the following zoning districts: B-2, Central Business District, B-3, Highway Oriented Business District, and B-4P, Planned Business District. In addition from November 15 th through January 5 th , which is generally recognized as the traditional retail holiday season, there is no restriction on decorative lighting.

(1)

Decorative lighting where permitted shall be one color, preferably white, and it cannot blink, run or simulate movement or animation of any kind. Cautionary colors of blue, red, green or yellow cannot be used. If a color is other than white is used, all lights must be the same color. If decorative lighting is within 500 feet of a residential area, it must be turned off between the hours of 10:00 p.m. to 6:00 a.m.

(2)

If the building ground coverage of a business is 30,000 square feet or more, the maximum linear feet of decorative lighting is 150 linear feet. If the building ground coverage of a business is 8,000 square feet or less, the maximum linear feet of decorative lighting is 40 linear feet. For businesses with intermediate ground coverage, the linear feet of decorative lighting is one-half of one percent of the building ground coverage.

Proposed wording:

Sec. 114-537. - Decorative lighting.

Decorative Lighting is only allowed in the following zoning districts: B-2, Central Business District, B-3, Highway Oriented Business District, and B-4P, Planned Business District. In addition from November 15 th through January 5 th , which is generally recognized as the traditional retail holiday season, there is no restriction on decorative lighting.

(1)

Decorative lighting where permitted shall be one color, ~~preferably white,~~ and it cannot blink, run or simulate movement or animation of any kind. ~~Cautionary colors of blue, red, green or yellow cannot be used. If a color is other than white is used, all lights must be the~~

~~*same color.*~~ *If decorative lighting is within 500 feet of a residential area, it must be turned off between the hours of 10:00 p.m. to 6:00 a.m.*

(2)

If the building ground coverage of a business is 30,000 square feet or more, the maximum linear feet of decorative lighting is 150 linear feet. If the building ground coverage of a business is 8,000 square feet or less, the maximum linear feet of decorative lighting is 40 linear feet. For businesses with intermediate ground coverage, the linear feet of decorative lighting is one-half of one percent of the building ground coverage.

Decorative lighting example:

Staff recommends sending a positive recommendation to the Board of Mayor and Aldermen in support of the zoning text amendment.

KINGSPORT
TENNESSEE
Planning Department

March 17th, 2022

Sam Booher, Chairman
Kingsport Regional Planning Commission
415 Broad Street
Kingsport, TN 37660

Chairman Booher:

This letter is to inform you that I, as Secretary for the Kingsport Regional Planning Commission, certify the subdivision of the following lots meet(s) the Minimum Standards for Subdivision Development within the Kingsport Planning Region. The staff certifies these plat(s) as acceptable to be signed by the Secretary of the Planning Commission for recording purposes.

1. Old Moreland Drive
2. Pendragon Road
3. 241 Dean Road (Grace Hite Property)
4. Tiffany Court

Sincerely,

Ken Weems, AICP
Planning Manager

C: Kingsport Regional Planning Commission

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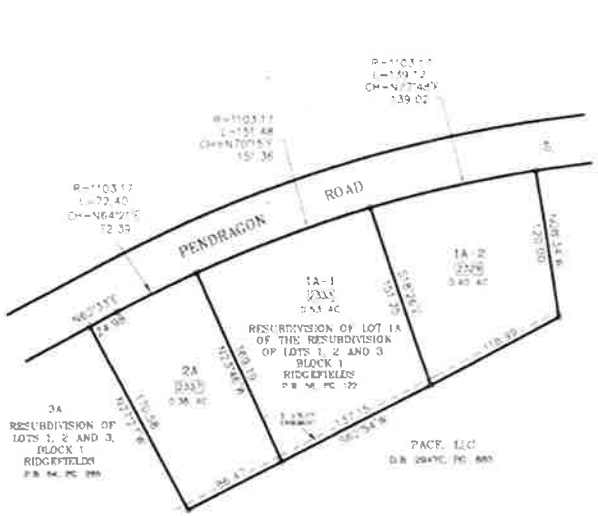


BEFORE

AFTER

Slide A-1545

02/11/2022 08:36:27 AM
22002882
PLAT BOOK 35A
PAGE 165-165
REC'D FEE 15.00
ARC FEE 2.00
TOTAL 17.00
SHEENA R TINSLEY

NOTES

1) NORTH BASED ON PRIOR RECORDED PLAT
2) PROPERTY IS ZONED GC
SETBACKS FRONT 30
REAR 30
SIDE 10' (1-2 STORIES)
15' (3 STORIES)
3) THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL FLOOD INSURANCE ADMINISTRATION BOUNDARY MAP 47163C0040C EFFECTIVE DATE SEPTEMBER 29, 2006 AND FOUND THAT THE ABOVE PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA
4) PRIOR PLAT REFERENCES: P.B. 54, PG. 265 & P.B. 58, PG. 122
5) DEED REFERENCES: D.B. 3202, PG. 1898 & D.B. 2947C, PG. 683
6) LOTS 1A-1 AND 1A-2 WILL BE SERVED BY A NON-SOLID PUMP STATION

LEGEND

MN(N)	MAG NAIL, NEW
AC	ACRES
P.B.	PLAT BOOK
D.B.	DEED BOOK
PG.	PAGE
R=	RADIUS
L=	LENGTH
CH=	CHORD
CONC	CONCRETE
BLK	BLOCK
N.T.S.	NOT TO SCALE
123	911 ADDRESS

NOTES

1) NORTH BASED ON PRIOR RECORDED PLAT
2) PROPERTY IS ZONED GC
SETBACKS FRONT 30
REAR 30
SIDE 10' (1-2 STORIES)
15' (3 STORIES)
3) THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL FLOOD INSURANCE ADMINISTRATION BOUNDARY MAP 47163C0040C EFFECTIVE DATE SEPTEMBER 29, 2006 AND FOUND THAT THE ABOVE PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA
4) LOT NO. 3A-2 (0.78 AC)
5) ACRE FEE IN LIEU OF MASTER PLAN
6) FIELD INFORMATION ELECTRONIC DATA COLLECTED
7) TAX MAP 46-N-1, PARCEL 11.00 & 12.
8) PRIOR PLAT REFERENCES: P.B. 54, PG. 265 & P.B. 58, PG. 122
9) DEED REFERENCES: D.B. 3202, PG. 1898 & D.B. 2947C, PG. 683
10) 5/8" IRON RODS WITH "ALLEY & ASSOCIATES CAP ON ALL CORNERS, UNLESS OTHERWISE NOTED
11) I HEREBY CERTIFY THAT THIS IS A CATEGORY I SURVEY AND THE RATIO OF PRECISION OF THE SURVEY IS BETTER THAN 1:10,000
12) THIS SURVEY WAS DONE IN COMPLIANCE WITH CURRENT TENNESSEE MINIMUM STANDARDS OF PRACTICE
13) THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF ABSTRACT OF TITLE AND MATTER OF TITLE SHOULD BE REFERRED TO AN ATTORNEY AT LAW
14) THIS SURVEY MAY BE SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS, RESERVATIONS AND RESTRICTIONS, WRITTEN AND UNWRITTEN, RECORDED AND UNRECORDED
15) LOTS 1A-1R AND 1A-2R WILL BE SERVED BY A RESIDENTIAL PUMP STATION

1/18/22

ALLEY & ASSOCIATES, INC.
- SURVEYORS -
240 E. MARKET STREET KINGSPORT, TENNESSEE 37660
TELEPHONE (423) 392-9898
FAX (423) 392-9899
E-MAIL: kingsport@alleyassociates.com

RESUBDIVISION OF LOTS 1A-1, 1A-2 & 2A OF THE RESUBDIVISION OF

CERTIFICATE OF OWNERSHIP AND DEDICATION

I/WE HEREBY CERTIFY THAT I AM/WE ARE THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I/WE FREELY ADOPT THIS PLAN OF SUBDIVISION WITH MY/OUR FREE CONSENT, ESTABLISH THE MINIMUM BUILDING LINES, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC USE AS NOTED.

OWNER DATE
OWNER DATE

CERTIFICATE OF ACCURACY

I HEREBY CERTIFY THAT THE PLAN SHOWN AND DESCRIBED HEREON IS A TRUE AND CORRECT SURVEY TO THE ACCURACY REQUIRED BY THE KINGSPORT REGIONAL PLANNING COMMISSION AND THAT THE MONUMENTS HAVE BEEN PLACED AT SUCH HEREON.

DATE 1/18/22
SURVEYOR

CERTIFICATION OF APPROVAL OF STREET LIGHTING SYSTEM

I HEREBY CERTIFY THAT THE STREET LIGHT SYSTEM SHOWN FOR THIS SUBDIVISION COMPLIES WITH THE CITY OF KINGSPORT POLICY TO ENSURE CAPITAL WITHIN THE CITY OF KINGSPORT AND ARE REQUIRED CHARGES FOR THE PURCHASE AND INSTALLATION HAVE BEEN MET.

DATE
TRAFFIC ENGINEERING MANAGER

CERTIFICATION OF THE APPROVAL FOR NO ADDRESSING ASSIGNMENT

I HEREBY CERTIFY THAT THE ADDRESSES AS NOTED ON THE PLAT ARE APPROVED AS NOTED.

DATE
911 DIRECTOR

CERTIFICATION OF THE APPROVAL OF STREETS

I HEREBY CERTIFY THAT THE STREETS HAVE BEEN INSTALLED IN AN ACCEPTABLE MANNER AND ACCORDING TO THE SPECIFICATIONS OF THE APPLICABLE RIGHTS-OF-WAY DEDICATION WITHIN THIS EXISTING PUBLIC WORK ONLY. SEPTIC TANK SYSTEM PROPERLY

DATE
CITY ENGINEER

CERTIFICATION OF THE APPROVAL OF SANITARY SEWER SYSTEM

I HEREBY CERTIFY THAT THE SANITARY SEWER SYSTEM INSTALLED IN THE SUBDIVISION HAS BEEN INSTALLED IN THE PROPER MANNER AND THAT THE INSTALLATION FULLY MEETS THE REQUIREMENTS OF THE TENNESSEE DEPARTMENT OF ENVIRONMENT & CONSERVATION AND IS HEREBY APPROVED AS SHOWN.

DATE
KINGSPORT WASTEWATER MANAGER

CERTIFICATION OF APPROVAL OF PUBLIC WATER SYSTEM

I HEREBY CERTIFY THAT THE PUBLIC WATER UTILITY SYSTEM INSTALLED IN PHASE(S) 1 OF INSTALLATION HAS MET THE REQUIREMENTS OF THE KINGSPORT WATER UTILITY SYSTEM AND IS HEREBY APPROVED AS SHOWN.

DATE
KINGSPORT WATER UTILITY MANAGER

CERTIFICATE OF APPROVAL FOR RECORDING

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS FOR KINGSPORT, TENNESSEE, WITH THE EXCEPTION OF THE DEVIATIONS, IF ANY, NOTED IN THE MINUTES OF THE PLANNING COMMISSION AND THAT IT IS ACCEPTABLE FOR RECORDING IN THE OFFICE OF THE REGISTER OF DEEDS IN SULLIVAN COUNTY, TENNESSEE. THIS CERTIFICATION IS SUBJECT TO ALL REQUIREMENTS NOTED IN THE MINUTES AND ON FILE IN THE KINGSPORT REGIONAL PLANNING COMMISSION AND THE OFFICE OF THE REGISTER OF DEEDS.

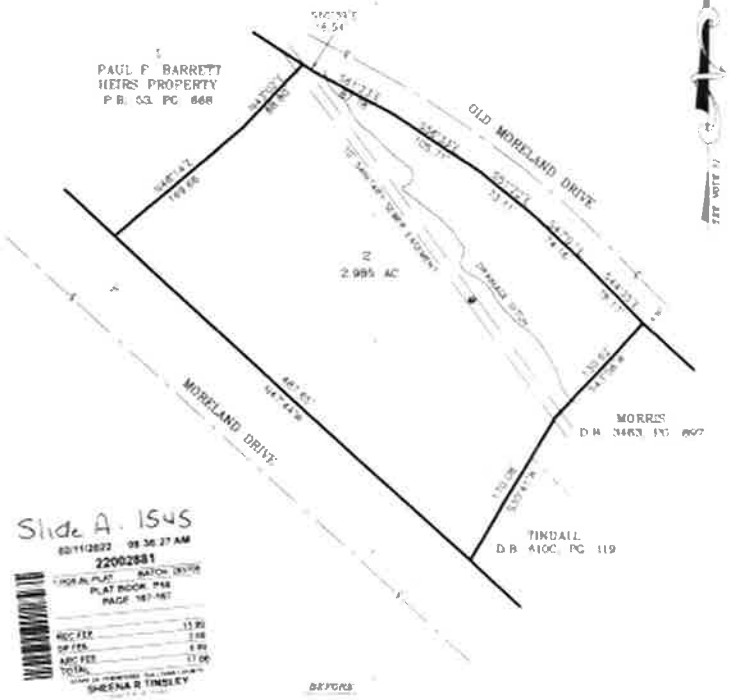
DATE
SECRETARY, KINGSPORT REGIONAL PLANNING COMMISSION

LOTS 1, 2 AND 3, BLOCK 1 RIDGEFIELDS

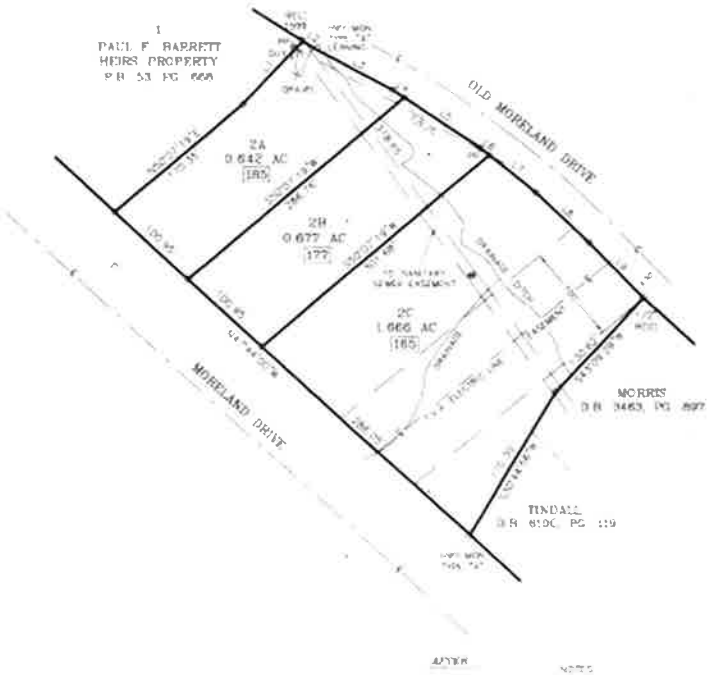
KINGSPORT REGIONAL PLANNING COMMISSION

TOTAL ACRES 1.29 TOTAL LOTS 3
ACRES NEW ROAD 0 MILES NEW ROAD 0
OWNER MASTON & PACE, LLC CITY DISTRICT 12TH
SURVEYOR ALLEY & ASSOCIATES, INC. CLOSURE ERROR 1:10,000
SCALE 1" = 60'

© COPYRIGHT ALLEY & ASSOCIATES, INC. 2022



BEFORE



AFTER

LOCATION MAP
N.T.S.

Slide A. 1545
02/11/2022 08:36:27 AM
22002681
PLAT BOOK 34B
PAGE 167-167
REC FEE 13.00
SF FEE 2.00
ADD FEE 17.00
TOTAL 32.00
SHEENA R TINSLEY

LEGEND

IR(C)	IRON ROD (CAP)
IR(O)	IRON ROD (OLD)
PP	POWER POLE
N.T.S.	NOT TO SCALE
T/T/C/F	TELEPHONE/ELECTRIC/CABLE
T.V.A.	TENNESSEE VALLEY AUTHORITY
HWY	HIGHWAY
MON	MONUMENT
D.B.	DEED BOOK
P.B.	PLAT BOOK
PG	PAGE
AC	ACRES
℄	CENTERLINE
123	911 ADDRESS
(SA)	SEWER MANHOLE

NOTES

1) NORTH BASED ON P.B. 53, PG. 668.
2) PROPERTY IS ZONED R-1
SETBACKS FRONT 30'
REAR 30'
SIDE 15'

LINE	BEARING	DISTANCE
L1	S47°04'00"E	88.80'
L2	S57°54'00"E	74.00'
L3	S57°54'00"E	74.00'
L4	S67°49'45"E	88.00'
L5	S58°10'00"E	73.97'
L6	S58°10'00"E	73.97'
L7	S58°10'00"E	73.97'
L8	S47°04'00"E	88.80'
L9	S44°31'00"E	22.55'
L10	S44°31'00"E	104.15'
L11	S44°31'00"E	104.15'
L12	S44°31'00"E	104.15'
L13	S44°31'00"E	104.15'
L14	S44°31'00"E	104.15'
L15	S44°31'00"E	104.15'

NOTES

1) NORTH BASED ON NAD83/96 FOR PRIOR REFERENCED PLAT.
2) PROPERTY IS ZONED R-1
SETBACKS FRONT 30'
REAR 30'
SIDE 15'
3) THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL FLOOD INSURANCE ADMINISTRATION BOUNDARY MAP ATTRIBUTING EFFECTIVE DATE SEPTEMBER 29, 2006 AND FOUND THAT THE AREA PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA.
4) FIELD INFORMATION ELECTRONIC DATA COLLECTOR
5) FIELD WORK DONE: MARCH 1, 2022
6) DEED REFERENCE: D.B. 3463, PG. 897
7) I HEREBY CERTIFY THAT THIS IS A CATEGORY 1 SURVEY AND THE RATIO OF PRECISION IS BETTER THAN 1:10,000
8) THIS SURVEY WAS DONE IN COMPLIANCE WITH CURRENT TENNESSEE MINIMUM STANDARDS OF PRACTICE
9) THIS SURVEY IS SUBJECT TO ANY AND ALL RESTRICTIVE COVENANTS, EASEMENTS OR RESTRICTIONS EITHER WRITTEN OR UNWRITTEN.
10) ALL IRON RODS WITH ALLEY & ASSOCIATES CAP ON ALL CORNERS UNLESS OTHERWISE NOTED.
11) THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF ABSTRACT TITLE AND MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY-AT-LAW.
12) PRIOR PLAT REFERENCE: PLAT BOOK 53, PAGE 668

ALLEY & ASSOCIATES, INC.
- SURVEYORS -
210 E. MARKET STREET
KINGSPORT, TENNESSEE 37660
TELEPHONE (423) 392-0060
FAX (423) 392-0065
E-MAIL: [illegible]

RESUBDIVISION OF LOT 2.

CERTIFICATE OF OWNERSHIP AND DEDICATION	CERTIFICATION OF THE APPROVAL OF SEWERAGE SYSTEM
I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I FREELY ADOPT THIS PLAN OF SUBDIVISION WITH MY FREE CONSENT ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER SITES TO PUBLIC USE AS NOTED. Steve White 2/7 2022 OWNER DATE	I HEREBY CERTIFY THAT THE SANITARY SEWERAGE SYSTEM INSTALLED OR PROPOSED FOR INSTALLATION IN THE SUBDIVISION HAS BEEN APPROVED BY THE TENNESSEE DEPARTMENT OF ENVIRONMENT & CONSERVATION AS A COMPLETED UNIT OR A SYSTEM APPROVED AS PLANNED. 2/7 2022 DATE SIGNATURE, DEPARTMENT OF ENVIRONMENT AND CONSERVATION

CERTIFICATE OF THE APPROVAL OF SUBDIVISION BY ADDITIONAL AUTHORITY	CERTIFICATE OF ACCURACY	CERTIFICATE OF THE APPROVAL OF PUBLIC WATER SYSTEM	CERTIFICATE OF THE APPROVAL OF PUBLIC WATER SYSTEM	CERTIFICATE OF APPROVAL FOR RECORDING
I HEREBY CERTIFY THAT THE ADDITIONAL AS NOTED ON THE PLAT ARE APPROVED AS REQUIRED.	I HEREBY CERTIFY THAT THE PLAT SHOWN AND DESCRIBED HEREON IS A TRUE AND CORRECT SURVEY TO THE ACCURACY REQUIRED BY THE KINGSPORT REGIONAL PLANNING COMMISSION AND THAT THE MONUMENTS ARE SHOWN PLACED IN SUCH MANNER AS TO BE IN COMPLIANCE OF THE SUBDIVISION REGULATIONS.	HEREBY CERTIFY THAT THE PUBLIC WATER SYSTEM INSTALLED OR PROPOSED FOR INSTALLATION IN THE SUBDIVISION HAS BEEN APPROVED AS A COMPLETED UNIT OR A SYSTEM APPROVED AS PLANNED.	HEREBY CERTIFY THAT THE PUBLIC WATER SYSTEM INSTALLED OR PROPOSED FOR INSTALLATION IN THE SUBDIVISION HAS BEEN APPROVED AS A COMPLETED UNIT OR A SYSTEM APPROVED AS PLANNED.	HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS FOR KINGSPORT, TENNESSEE, WITH THE EXCEPTION OF SUCH VARIANCES AS MAY BE NOTED IN THE MINUTES OF THE KINGSPORT REGIONAL PLANNING COMMISSION.
HAMILTON COUNTY DIRECTOR OF BUILDINGS	DIRECTOR, REGIONAL LAND SURVEYOR	DIRECTOR, REGIONAL WATER	DIRECTOR, REGIONAL WATER	KINGSPORT REGIONAL PLANNING COMMISSION

PAUL F. BARRETT HEIRS PROPERTY

KINGSPORT REGIONAL PLANNING COMMISSION

TOTAL ACRES	2.995	TOTAL LOTS	3
ACRES NEW ROAD	0	MILES NEW ROAD	0
OWNER	STEVE WHITE	TAX DISTRICT	[illegible]
SURVEYOR	ALLEY & ASSOCIATES, INC.	COUNTY ERROR	1:10,000
SCALE 1"=60'			

N
W E
S

Lot #6D
A 9630 ACRES
TOTAL

Lot #6H
1.843 ACRES

03/25/2022 08:55:58 AM
22003930
RECORDING FEE 15.00
DP FEE 2.00
ARC FEE 0.00
TOTAL 17.00
SHEENA R TINSLEY

NOTES

1. This survey is based upon existing monuments and evidence which were found in the field as of the above date.
2. No title information was furnished to this surveyor. This survey is subject to an actual title search.
3. This boundary survey is subject to all Rights-of-Ways and easements whether of record or implied. No attempt was made to locate Rights-of-Ways or easements.
4. There is hereby established an easement area a minimum of 7.5' wide along the interior side of all lot lines for the installation and maintenance of utilities and the conveyance of stormwater runoff from improvements on each lot. Such standard easement area is in addition to any other structural or non-structural stormwater easements as may be delineated by the licensed surveyor or civil engineer of that which may be required by the Sullivan County Regional Planning Commission.
5. Current zoning: R-1
   All Bldg Setbacks shall conform to the applicable zoning requirements in effect at such time of construction.
6. Deed References as shown above.
7. I hereby certify that this is a Category I survey and the ratio of precision of the unadjusted survey is 1: in 10,000 as shown herein.
8. Property does not lie in a FLOOD ZONE as per Flood Insurance Rate Map #47163C0280D Effective Date Sept 26, 2008.
10. Property owners are to contact the County Highway Dept and/or State Highway Dept before installing drains and driveways.

Power provided by AEP Power
Water provided by the Kingsport City Utility System

GRAPHIC SCALE 1"=100'
0 100 200 300

Jonathan Mayor #11115
(Land Surveyor #2795)
470 Lakeview Lane
Gray, TN 37615
(423) 202-9657

LEGEND
OP - Point
IRO- Iron Pin Old
IRN- Iron Pin New 1/2 Rebar #2795
PP- Power Pole
Overhead Utility

This survey was done in compliance with the current Tennessee Minimum Standards of Practice

1-26-22

CERTIFICATE OF THE APPROVAL OF DRINKING WATER SYSTEMS

I hereby certify that the private or public water system or systems proposed for installation, improvement or extension in the subdivision or development shown on this plat have been approved as shown.

DATE

CITY WATER DIRECTOR OR THE STATE ENVIRONMENTAL CERTIFICATION

CERTIFICATE OF OWNERSHIP AND DEDICATION

I hereby certify that I am the owner of the property shown and described herein, that I hereby adopt this plan of subdivision with my free consent, that all streets, alleys, walks, parks and other sites dedicated to public use are so dedicated.

William T Stout
Linda R Stout

CERTIFICATION OF THE APPROVAL FOR ON-SITE SEWERAGE

I hereby certify that the easements as noted on the final plat are approved as adequate.

DATE

CITY OR COUNTY HEALTH DEPARTMENT OR ITS AUTHORIZED REPRESENTATIVE

CERTIFICATE OF APPROVAL FOR RECORDING

I hereby certify that the plat shown and described herein has been approved by the Kingsport Regional Planning Commission for recording in the Register's Office of Sullivan County, Tennessee.

DATE

CHAIRMAN, KINGSPORT REGIONAL PLANNING COMMISSION

CERTIFICATE OF ACCURACY

I hereby certify that the plat shown and described herein is a correct survey to the accuracy required by the Kingsport Regional Planning Commission for the subdivision regulations.

1-26

DATE

REGISTERED ENGINEER OR LAND SURVEYOR

CERTIFICATION OF APPROVAL OF THE WATER SYSTEMS

I hereby certify that the water system or systems shown and described herein have been installed in an acceptable manner and are ready for the use of the owners of the lots shown and described herein.

DATE

CITY WATER DIRECTOR OR THE STATE ENVIRONMENTAL CERTIFICATION

LOT #6H HAS NOT BEEN EVALUATED PURSUANT TO THIS PLAT REVIEW FOR AN OSS SYSTEM AND PLAT APPROVAL DOES NOT CONSTITUTE APPROVAL OF THIS PLAT OR THE EXISTING SYSTEM

RECORD ON FILE AT TDEC OFFICE

FILE

DATE FILE NAME

CERTIFICATE OF APPROVAL OF STREETS

I hereby certify that the streets and other improvements shown and described herein have been installed in an acceptable manner and are ready for the use of the public. Street dedication shall be effective only after acceptance by the appropriate governing body.

DATE

CITY OR COUNTY ENGINEER

Replat of Lot 5 & 6 of the Grace Hite Property

Owners: William & Vivian Stout

KINGSPORT TENNESSEE REGIONAL PLANNING COMMISSION

TOTAL ACRES 10.984 TOTAL LOTS 2

ACRES NEW ROAD 0 MILES NEW ROAD 0

OWNER STOUT TAX DISTRICT 12th

SURVEYOR JONATHAN M MAYOR CLOSURE ERROR 1: 10,000

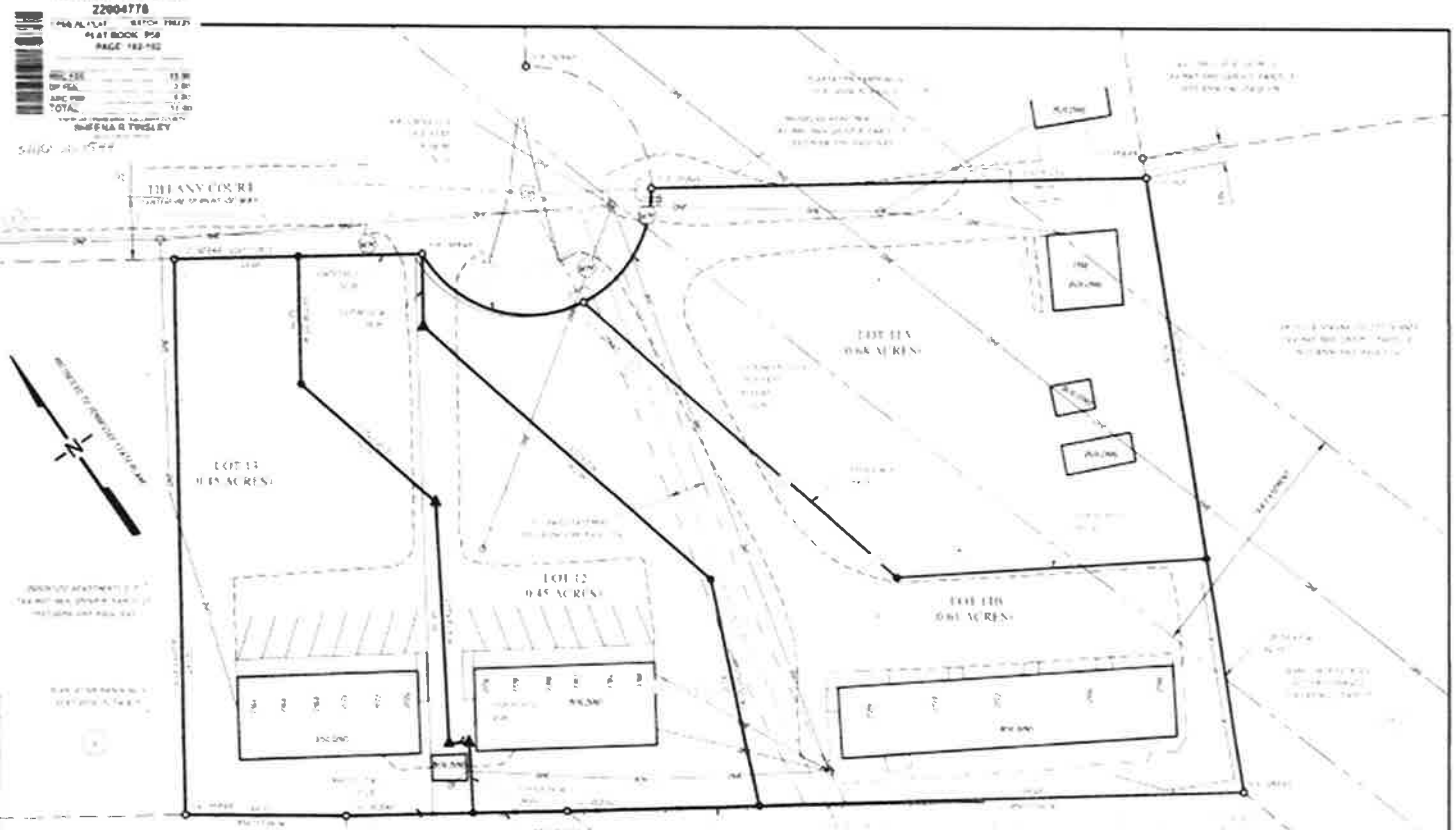
SCALE 1" = 100' DRAWN BY JCM

MILLER
Land Surveying, LLC

SHEET 1 OF 1

FINAL PLAT
TAX MAP 109H, GROUP B,
PARCEL 22, 23 & 24
DEED BOOK 1346, PAGE 678
PLAT BOOK 15, PAGE 3
DATE: March 2, 2022

VICINITY MAP



LEGEND

REVISIONS

NOTES

REPLAT LOTS 11, 12, 13 OF PLANTATION MANOR NO. 4