

**BRISTOL TENNESSEE MUNICIPAL REGIONAL  
PLANNING COMMISSION  
MINUTES  
June 21, 2021**

***Members Present:***

Kelly Graham, Chairman  
Mark Webb, Vice-Chairman  
Kevin Buck  
Scott Gaynor  
Mahlon Luttrell  
Tekai Shu  
Margaret Feierabend  
Jason Booher

***Members Absent:***

Joel Staton, Secretary

***Staff Present:***

Tim Beavers  
Danielle Smith  
Ross Peters  
Heather Moore  
Steven Mott  
Steve Blankenship

***Public Members Present:***

Andy Sweeney

Chairman Kelly Graham called the Bristol Tennessee Municipal Regional Planning Commission meeting to order at 6:00 p.m. on Monday, June 21, 2021. Mr. Jason Booher performed roll call, and a quorum was declared present.

**APPROVAL OF MINUTES:**

There being no changes to the May 17, 2021 Planning Commission meeting minutes, Mahlon Luttrell made a motion to approve the minutes as presented and Scott Gaynor seconded. The motion passed unanimously by roll call vote.

**UNSCHEDULED COMMENTS FROM THE PUBLIC:**

None

**OLD BUSINESS:**

**A. Recommendation – Flood Ordinance Update**

Tim Beavers announced that up for discussion is a revision to the Flood Ordinance. The City of Bristol's floodplain ordinance, adopted in 2010, is contained within Chapter 7 of the Zoning Ordinance. The purpose of the chapter is to ensure that as a participating community in the National Flood Insurance Program (NFIP), the City considers flood hazards, to the extent that they are known, in all official actions relating to land management and use. The City is required to adopt a flood damage prevention ordinance that meets or exceeds the NFIP requirements and must participate in the NFIP for flood insurance to be available to the community. The City of Bristol's ordinance is based on a model ordinance provided to communities by the State of Tennessee.

In addition to participation in the NFIP, the City also participates in the Community Rating System (CRS). The CRS is a voluntary incentive program that recognizes and encourages community floodplain management practices that exceed the minimum requirements of the NFIP. In CRS communities, flood insurance premium rates are discounted to reflect the reduced flood risk resulting from the community's efforts that address the goals of the CRS program. The City of Bristol is currently rated as a Class 8 community which means

policyholders in the City enjoy a 10% discount on flood insurance due to the City's participation in this program.

The State of Tennessee recently updated the language within the State's model flood ordinance. Updates included revisions to the definitions of City Manager, Flood or Flooding, Regulatory Flood Protection Elevation, State Coordinating Agency.

Mr. Beavers stated that there are also changes to Section D Administration that included a detailed cost estimate requirement for substantial improvements to a structure to determine the necessity for floodproofing. There is a new requirement for a Finished Construction Elevation Certificate prior to issuance of the Certificate of Occupancy.

Section E has been revised to include a 1-foot Freeboard requirement for machinery and equipment which is required to maintain the City's Class 8 designation in the CRS program.

Other updates to the State of Tennessee Flood Ordinance are that a Conditional Letter of Map Revision (CLOMAR) is an option for encroachments in the Regulatory Floodway; and revisions to shallow flood zones AO and AH Zones which do not currently exist inside the corporate limits.

Staff recommended that the Bristol Municipal Regional Planning Commission send a favorable recommendation to the City Council for amendments to the Flood Ordinance located within Chapter 7 of the Zoning Ordinance, to model the State of Tennessee Flood Ordinance updates.

As there were no remaining concerns or questions, Chairman Kelly Graham asked that a motion be made. Mark Webb made motion to accept staff recommendation to send a favorable recommendation to City Council to update the City of Bristol, Tennessee Flood Ordinance. Scott Gaynor seconded the motion and the motion passed unanimously by roll call vote.

## **NEW BUSINESS:**

### **A. Special Use Permit – 710 & 712 Tennessee Avenue**

Tim Beavers announced that up for consideration was a Special Use Permit application for church offices at the property located at 710 & 712 Tennessee Ave.

Steven Mott addressed the Planning Commission by stating that the property discussed is a .34 acre site that is currently zoned R-E District (*Established Residential*). The applicant is Tennessee Avenue Baptist Church. The proposed use is for religious office space. The surrounding zoning is listed as R-E District to the north, south, and east; M-1 District to the west.

#### **1. Ingress/Egress**

The property has road frontage along Tennessee Avenue spanning approximately 100 linear feet. The drawing submitted shows a closure of both current access points. The automobile access point and parking will be located at the adjacent parcel, within the common ownership and complex of Tennessee Avenue Baptist Church.

#### **2. Parking**

The Zoning Ordinance requires one parking place per each 500 sq. ft. gross floor area. The building footprint and floor area of 1,728 square feet will remain unchanged, therefore four parking spots are required. The parking adjacent to the parcel, within

the common ownership and complex of Tennessee Avenue Baptist Church is being used to meet this requirement. One space will be added for van accessible handicap parking.

**3. Refuse and Service Areas**

Refuse collection areas are located on the adjacent parcel as part of the Tennessee Avenue Baptist Church complex.

**4. Utilities**

Public water and sanitary sewer service are currently provided to the building by the City of Bristol, Tennessee.

**5. Screening/Buffering**

The property has existing buffering in the form of a fence along the property line adjoining the one parcel with a residential use to the north. Staff does not recommend requiring the installation of additional screening/buffering.

**6. Signage/Exterior Lighting**

Staff will work throughout the process to ensure compliance with City Code. The City's Lighting Ordinance requires a maximum of 0.5 foot-candles along all property lines abutting residential properties. A maximum of 2.0 foot-candles are allowed at all other property lines.

**7. Setbacks, Lot Coverage, Density**

The development utilizes the existing building with no proposed expansion.

**8. General Compatibility**

The site would serve as a transitional area between Tennessee Avenue Baptist Church's campus and residential homes. The structure was previously a duplex and its form remains residential in appearance. To meet the intent of special use definition, the proposed project should not detract from the property or integrity of the zoning district. Staff believes that the office project is compatible with the types of development within the area of Tennessee Avenue Baptist Church and the adjacent properties.

**9. Public Notification**

The Special Use Permit was advertised in the May 27, 2021, edition of the Bristol Herald Courier. Public notification signs were placed in the neighborhood to announce the request, the meeting date and location, and contact phone number. Adjacent property owners were notified of the request by letter, which included a return envelope and comment form. One comment letter was returned which expressed approval of the Special Use Permit application. No other comments were received.

Staff recommended that the Planning Commission approve the Special Use Permit for a religious office facility without any condition placed upon the property on the parcels located at 710 & 712 Tennessee Avenue.

Jason Booher commented that any commercial refuse collection service must be provided on the main church parcel, and not the 710 & 712 Tennessee Avenue parcels.

As there were no remaining concerns or questions, Chairman Kelly Graham asked that a motion be made. Jason Booher made a motion to approve the Special Use Permit as presented by staff with a restriction that there shall not be any commercial refuse collection service located on this parcel. The applicant may utilize City provided refuse services by container collection. Margaret Feierabend seconded the motion and the motion passed unanimously by roll call vote.

**OTHER MATTERS:**

**A. City Council Update**

Mr. Beavers announced that City Council did not have any actionable items from Planning Commission at the June 1, 2021 City Council meeting.

**B. Discussion – Landscape Ordinance Update**

Tim Beavers announced that the next item up for discussion is the Landscape Ordinance updates. Mr. Beavers stated that there are two chapters of the Zoning Ordinance that are dedicated to landscape regulations, Chapter 11 and Chapter 11A.

Chapter 11 is the original landscape regulation; Chapter 11A was adopted in 2009 to allow for more flexibility, and is chosen by most developers a majority of the time. Both chapters need to be updated for clarification, and streamlined.

Staff is working on combining the two chapters to be simplified. There are no major new requirements. However, staff has changed the Refuse Storage Area Requirements and relocated them to Chapter 2 of the Zoning Ordinance.

Mr. Beavers commented that perimeter landscaping, parking lot landscaping, and fencing and buffering are among the few suggested changes outlined in the Landscaping Ordinance Memo provided within the Planning Commission packet. Planning Commission discussed the draft changes outlined and provided input to staff to begin to prepare a final regulation.

**C. Discussion – Sign Ordinance**

Tim Beavers opened the discussion to amendments of the sign ordinance. The discussion focused on regulations regarding content shown on the signs. Planning Commission discussed the issue regarding content based signage regulations and the recent judicial decisions.

Staff will prepare a draft of changes to the sign regulation for discussion at the next Planning Commission meeting.

**D. Training Update**

Tim Beavers reminded the Planning Commission members to pursue the training opportunities available to meet their training requirements. There are general links listed on the training matrix for additional training, please review those and consider those courses for credits. There is the State of Franklin TAPA training available via Zoom that is scheduled for June 23<sup>rd</sup>. Please contact Heather Moore to sign up.

**With no other business to discuss, the meeting was adjourned at 8:08 p.m.**



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**Chairman, Kelly Graham**