
JOHNSON CITY REGIONAL PLANNING COMMISSION
Minutes
September 10, 2019

Members Present: Dr. Tim Zajonc, Chairman
Mr. Bob Cooper, Vice-Chairman
Col. Paul Williamson, Secretary
Dr. Stacey Wild, Asst. Secretary
Mr. Chris Dagenhart, Mayoral Representative
Gen. Gary Harrell
Mr. Clay Hixson
Mr. Jamie Povlich
Dr. Benjamin Whitfield

Members Absent: Dr. Larry Calhoun, City Commission Representative

Staff Present: Preston Mitchell, Director of Development Services, City of Johnson City
Asongayi Venard, Development Coordinator, City of Johnson City
Nicole Lawrence, Recording Secretary, City of Johnson City
Allan Cantrell, City Engineer, City of Johnson City
Eric Herrin, Attorney, City of Johnson City

Chairman Zajonc called the meeting to order at 6:00 p.m. Vice-Chairman Cooper gave the invocation and led the Pledge of Allegiance.

Approval of the Johnson City Regional Planning Commission agenda was put forth, Commissioner Wild made a motion for approval of the agenda as presented with a second from Commissioner Williamson. Motion approved 9-0

The minutes of the Johnson City Regional Planning Commission Meeting held on August 13, 2019 were approved unanimously by a 9-0 vote with Vice-Chairman Cooper making the motion and Commissioner Dagenhart with a second.

New Business

Amendment of Zoning Ordinance Provisions on Substance Abuse Treatment Facilities and Approval of Revised Concept Plans.

As part of staff's ongoing efforts to update the Zoning Ordinance, staff is proposing to amend multiple zoning ordinance provisions relating to substance abuse treatment facilities, and the triggers and procedures for approval of revised concept plans associated with rezoned properties.

The proposed changes are intended to:

1. Align zoning ordinance provisions on substance abuse based mental health treatment facilities with current and recent Tennessee Enabling Statutes (State law), which specifies licensure and practice requirements and with the American with Disability Act (ADA) provisions that prohibit discrimination and stigma practices in the treatment of mental health disorder and diseases.
2. Eliminate the need for code enforcement staff to verify patient records to ascertain whether a facility is involved in substance abuse treatment without a special exception permit granted by the Board of Zoning Appeals. Such verification will violate federal law on the Confidentiality of Medical Information.
3. Achieve land use compatibility in the location of substance abuse treatment facilities within or in proximity to residential land uses by requiring buffers and restricting the possibility of such institutions, whether functioning as outpatient or inpatient mental health treatment facilities, locating within residential neighborhoods.
4. Promote disclosure and public participation in the approval of revised concept plans when changes of varying scale and impact that could affect surrounding areas are proposed. This is achieved by requiring notification of close-by property owners and a neighborhood meeting before consideration of the revised plan by the Planning Commission, and public notice in a newspaper of general circulation in Johnson City before consideration of the revised concept plan by the City Commission.
5. Promote development friendliness by limiting the approval of concept plans with less significant changes to the Planning Commission, and maintaining the approval of revised concept plans involving more significant changes by one reading, which shall be a public hearing. When approval by the City Commission is required, a recommendation from the Planning Commission shall be required.

See attached staff report for proposed changes.

The Public Hearing was opened;

City attorney, Eric Herrin was asked to speak in regards to the proposed changes in Article VI. He explained to the commission the reasoning behind the proposed changes and the reasoning behind the wording. The commission expressed concerns with some of the wording in regards to the Article VI changes. Mr. Herrin told the commission that he agreed with their concerns and felt the wording could be clearer.

With this in mind the commission discussed deferring the changes to Article VI until the City Staff Attorney could review these changes and have further discussions with staff.

seeing no one else wished to speak the public hearing was closed.

A motion to defer was put forth by commissioner Wild with a second from commissioner Harrell.

Motion to defer was approved as stated.

VOTE: 9-0

At this time staff reviewed the proposed changes to Article XIV regarding Concept Plans.

The Public Hearing was opened; seeing no one wished to speak the public hearing was closed.

A motion to approve Article XIV changes was put forth by commissioner Dagenhart with a second from commissioner Whitfield.

Motion approved Article XIV changes as stated.

VOTE: 9-0

There being no further business the meeting was adjourned at 7:10 pm.



Chairman - Dr. Tim Zajonc

Secretary - Col. Paul Williamson

10/8/19

Date