

CASE SUMMARY

APPLICATION TYPE: ORDINANCE AMENDMENT

KNOXVILLE-KNOX COUNTY

M P C
METROPOLITAN
P L A N N I N G
C O M M I S S I O N

T E N N E S S E E

Suite 403 • City County Building
4 0 0 M a i n S t r e e t
Knoxville, Tennessee 37902
8 6 5 • 2 1 5 • 2 5 0 0
F A X • 2 1 5 • 2 0 6 8
w w w • k n o x m p c • o r g

File Number: 4-B-12-OA **Related File Number:**
Application Filed: 3/8/2012 **Date of Revision:**
Applicant: METROPOLITAN PLANNING COMMISSION

PROPERTY INFORMATION

General Location:
Other Parcel Info.:
Tax ID Number: 999 999 **Jurisdiction:**
Size of Tract:
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use:
Surrounding Land Use:
Proposed Use: **Density:**
Sector Plan: **Sector Plan Designation:**
Growth Policy Plan:
Neighborhood Context:

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street:
Location:
Proposed Street Name:
Department-Utility Report:
Reason: Amendments to the Knoxville-Knox County Minimum Subdivision Regulations regarding development standards for subdivisions within the Hillside and Ridgetop Protection areas

ZONING INFORMATION (where applicable)

Current Zoning:
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category:
Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed:

No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.: Amendments to the Knoxville-Knox County Minimum Subdivision Regulations regarding development standards for subdivisions within the Hillside and Ridgetop Protection areas

MPC ACTION AND DISPOSITION

Planner In Charge:

Mark Donaldson

Staff Recomm. (Abbr.):

MPC adopted the amendments and recommends to the City Council of Knoxville that their version of the subdivision regulations be amended, so that they are kept current with the Knoxville-Knox County Minimum Subdivision Regulations as adopted by MPC.

Staff Recomm. (Full):

MPC adopted and recommends to the City Council of Knoxville that their version of the subdivision regulations be amended as shown in Exhibits A & B, so that they are kept current with the Knoxville-Knox County Minimum Subdivision Regulations as adopted by MPC.

Comments:

This request is initiated by MPC staff in an effort to begin implementing the recommendations of the Hillside and Ridgetop Protection Plan, as adopted by the City of Knoxville in December 2011 and Knox County in January 2012. The proposed amendments to the Knoxville-Knox County Minimum Subdivision Regulations create alternative development standards for streets and lots that are developed within the Hillside and Ridgetop Protection Area (HRPA) in order to implement the recommendations of the Hillside and Ridgetop Protection Plan (Plan) with regard to development and land disturbance criteria.

The Plan recommends that conservation of forested hillsides and ridges should be a component of environmental and economic sustainability in Knoxville and Knox County. Maintenance of tree cover and undisturbed land is a key element in protection of land within and outside of the HRPAs from potential damages resulting from changes in the amount and velocity of storm water coming from development within the HRPAs.

To that end, amendments to the Minimum Subdivision Regulations are proposed to allow the use of alternative street and lot standards for development within the HRPAs that will minimize the amount of land disturbance that is necessary for the construction of streets and buildings within these environmentally sensitive areas.

The new alternative development standards proposed at Section 69-10 implement the Plan's recommendations with regard to conservation of resources and street design, street improvements, lot sizes and configurations, and yard requirements. The alternative development standards provide the developer much greater flexibility within the HRPAs in order to minimize land disturbance that occurs as a result of development using the current standards.

ANALYSIS

In general, the proposed alternative standards allow smaller street rights-of-way, steeper grades, tighter turning radii, narrower pavement widths, elimination of curb and gutter requirements, the placement of retaining walls near the edge of rights-of-way, flexible on-street parking design, flexible lot dimensions and street frontage, and flexible yard requirements. These recommendations were considered by City and County engineering department staff during the preparation of the Plan and were discussed during the public review process leading to Plan approval.

To accommodate these changes to lot and yard standards within the HRPAs, the City of Knoxville and Knox County zoning ordinances must be amended as well. The proposed amendment for the City is 4-C-12-OA on this July 10 City Council agenda. The proposed amendment allows these standards to be established by the planning commission at the time of development plan approval when the development is within a planned residential zone district.

These proposed alternative standards will result in greater flexibility for the developer without the need for approval of variances and should help to reduce the amount of land disturbance within the HRPAs that would be required utilizing existing development regulations

Staff is also recommending a minor reorganization of the subdivision regulations to clarify existing

language and provide an appropriate place for the alternative standards at Section 69 and elimination of unused regulations in Section 82. See EXHIBIT A.

These types of ordinance and subdivision regulation amendments are a part of the annual work program approved each year by the planning commission concurrent with its approval of an annual budget.

MPC is granted authority at TCA 13-3-403 to adopt subdivision regulations for the region, but both the City of Knoxville and Knox County have also adopted these regulations as part of their respective Code of Ordinances. This requires two actions on the part of the planning commission: 1) to adopt the proposed amendments, and 2) to recommend to the City and County legislative bodies that they adopt them as well in order to maintain a current version of these regulations as adopted by MPC in their respective codes.

Staff finds that these proposed amendments to the regulations:

1) Are consistent with the intent of state enabling legislation for subdivision regulations by providing for harmonious development within the HRPAs and for the conservation of land resources promoting adequate storm water and drainage protection; and

2) Are consistent with the principles found at page 29 and recommendations found at page 40 of the Hillside and Ridgetop Protection Plan with regard to conservation of resources on the ridges and steep slopes of Knoxville and Knox County through the use of alternative development standards which serve to minimize land disturbance within the HRPAs.

Action: Approved **Meeting Date:** 6/14/2012
Details of Action: MPC adopted the amendments and recommends to the City Council of Knoxville that their version of the subdivision regulations be amended, so that they are kept current with the Knoxville-Knox County Minimum Subdivision Regulations as adopted by MPC.
Summary of Action: MPC adopted the amendments and recommends to the Knox County Commission that their version of the subdivision regulations be amended, so that they are kept current with the Knoxville-Knox County Minimum Subdivision Regulations as adopted by MPC
Date of Approval: 6/14/2012 **Date of Denial:** **Postponements:** 4/12/2012-5/10/2012
Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council
Date of Legislative Action: 7/24/2012 **Date of Legislative Action, Second Reading:** 7/23/2012
Ordinance Number: O-120-2012 **Other Ordinance Number References:**
Disposition of Case: Approved **Disposition of Case, Second Reading:** Denied (Withdrawn)
If "Other": 7/10/2012 approved first reading city **If "Other":**
Amendments: **Amendments:**
City Council approved County Commission withdrew - failed for lack of motion
Date of Legislative Appeal: **Effective Date of Ordinance:**