

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
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www.knoxmpc.org

File Number: 8-B-12-OA **Related File Number:**
Application Filed: 7/25/2012 **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 Zoning Ordinance, Article IV, Section 4.5.1, H-1 Historic Overlay District, to conform to State law regarding the membership composition of the Knoxville Historic Zoning Commission

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 Zoning Ordinance, Article IV, Section 4.5.1, H-1 Historic Overlay District, to conform to State law regarding the membership composition of the Knoxville Historic Zoning Commission

MPC ACTION AND DISPOSITION

Planner In Charge: Kaye Graybeal

Staff Recomm. (Abbr.): approval of the proposed amendments to Knoxville Zoning Ordinance Article IV, Section 4.5.1 - H-1 Historic Overlay District in order to bring the ordinance into conformance with state enabling legislation

Staff Recomm. (Full):

Comments: This request is initiated by MPC in order to bring Knoxville Zoning Ordinance Article IV, Section 4.5.1 - H-1 Historic Overlay District, into conformance with state enabling legislation regarding the membership composition of the Knoxville Historic Zoning Commission (HZC). The state legislation regarding the composition of HZC membership requires inclusion of a person who is a member of the local planning commission at the time of such person's appointment. This requirement is in addition to the existing and currently implemented HZC membership requirements in the ordinance for a representative of a local historical organization and an architect, if available, with the remainder of members appointed from the community at large.

ANALYSIS

The appointment of a Metropolitan Planning Commission member to the HZC helps to assure that historic preservation interests and concerns are represented by and integrated into the overall planning process. With representation by a common member, recommendations from the two commissions impacting historic preservation concerns can be better coordinated.

Conformance with State enabling legislation on regulations for historic overlay zones also improves the City's ranking in the Certified Local Government program. This certification program is administered by the State Historic Preservation Office and compliance with state standards improves the City's chances of being awarded federally funded preservation grants for historic property surveys and designations.

Additionally, Tennessee courts have consistently ruled that ordinances that are in conflict with State law are universally held to be invalid.

Action: Approved

Meeting Date: 8/9/2012

Details of Action:

Summary of Action: approve amendments

Date of Approval: 8/9/2012

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: Action Appealed?:

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 9/4/2012

Date of Legislative Action, Second Reading: 9/18/2012

Ordinance Number: O-176-2012

Other Ordinance Number References: O-176-2012

Disposition of Case: Approved

Disposition of Case, Second Reading: Approved

If "Other":

If "Other":

Amendments:

Date of Legislative Appeal:

Amendments:

Effective Date of Ordinance: