



## Agenda Item # 9

TO: Metropolitan Planning Commission

FROM: Mark Donaldson, Director

MEETING DATE: January 11, 2007

SUBJECT: Amendments to the **Knoxville – Knox County Minimum Subdivision Regulations** to establish new street classifications, right-of-way standards and other related requirements consistent with the Major Road Plan and South Waterfront Form Based Development Code - 1-A-07-OA

### **STAFF RECOMMENDATION:**

APPROVE amendments to the Knoxville – Knox County Minimum Subdivision Regulations

### COMMENTS:

See attached staff report



CITY OF KNOXVILLE, TENNESSEE  
**METROPOLITAN  
PLANNING COMMISSION**

**AGENDA INFORMATION SHEET**

**AGENDA DATE:** January 11, 2007  
**DEPARTMENT:** South Waterfront Development  
**SR. DEPT. DIRECTOR:** Dave Hill, Senior Director

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**AGENDA CAPTION**

Consider recommending adoption of an Ordinance of the Council of the City of Knoxville to amend the Knoxville – Knox County Minimum Subdivision Regulations by amending Section 2, "Definitions", replacing the definitions of 'Right-Of-Way' and 'Street', and by amending Section 6, "Design Standards", reflecting the Streetscape Design Standards contained in the Knoxville South Waterfront Form Based Development Code.

**COUNCIL DISTRICT (S) AFFECTED**

The Knoxville South Waterfront project area affected by the proposed zoning amendments is located in the First District, represented by Councilman Joe Hultquist. The redevelopment envisioned for the South Waterfront will have citywide impact.

**BACKGROUND**

The proposed ordinance is one of several measures needed to establish consistency between the Knoxville South Waterfront Form Based Code and other land development regulations adopted by the City of Knoxville. The amendments are intended to be considered after the Form Based Code has been adopted. If adopted by the Knoxville City Council, the ordinance will be placed on an upcoming Knox County Commission agenda to maintain an identical set of subdivision regulations recognized by both governing bodies.

Two replacement definitions are proposed, with the current and proposed new definition shown together:

▪ **RIGHT-OF WAY**

**CURRENT DEFINITION**

**Right-of-Way.** A dedication of land to be used generally for streets, alleys, or other public uses wherein the owner gives up all his rights to the property as long as it is being used for the dedicated purpose. Also, a land measurement term meaning the distance between lot property lines which generally contain not only the street pavement but also the sidewalks, grass area, and utilities.

**PROPOSED REPLACEMENT DEFINITION**

**Right-of-Way.** The public space measured from property line to property line.

▪ **STREET**

**CURRENT DEFINITION**

**Street.** A general term used to describe a right-of-way which provides a channel for

vehicular and pedestrian movement between certain points in the community, which may provide for vehicular and pedestrian access to properties adjacent to it, and which may also provide space for the location of underground and aboveground utilities.

### **PROPOSED REPLACEMENT DEFINITION**

**Street.** A public thoroughfare (street, avenue, boulevard, lane) or space more than twenty feet in width which has been dedicated or deemed to be for public use.

The primary purpose for amending the Subdivision Regulations is to apply new streetscape standards contained in the South Waterfront Form Based Code as administration of the subdivision regulations occurs. Amendments to Section 6 of the Subdivision Regulations are proposed by adding new standards related to new street classifications, right-of-way, pavement width, intersection, and sidewalk requirements for the South Waterfront, in direct correlation to the Form Based Code.

### **OPTIONS**

The Commission may elect to recommend adoption of the proposed ordinance, recommend adoption with amendments, postpone for further consideration, or vote to recommend denial adoption.

### **RECOMMENDATION**

The Mayor's administration recommends adoption of the ordinance amendments. With adoption of the Knoxville South Waterfront Form Based Development Code, the One-Year Plan amendments are necessary to fulfill City of Knoxville Charter requirements. Upon adoption of the South Waterfront Form Based Code, the ability to require appropriate street sections through consistent administration and enforcement of the Subdivision Regulations is necessary.

### **ESTIMATED PROJECT SCHEDULE**

The tentative schedule for formal adoption of the Knoxville South Waterfront Form Based Development Code is:

January 11, 2007	Metropolitan Planning Commission
January 16, 2007	Knoxville City Council (1 <sup>st</sup> Reading)
January 30, 2007	Knoxville City Council (2 <sup>nd</sup> Reading)
February 16, 2006	Effective Date of Knoxville South Waterfront Development Code

### **PRIOR ACTION/REVIEW**

The Knoxville South Waterfront Feasibility Study was completed in April 2005. The Knoxville South Waterfront Vision Plan was adopted in April 2006. The Knoxville South Waterfront Action Plan and the Knoxville South Waterfront Redevelopment and Urban Renewal Plan (establishing a TIF district) were both adopted in September 2006.

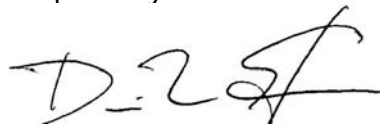
### **FISCAL INFORMATION**

The adopted Vision Plan is intended to accommodate approximately \$815 million in private redevelopment, most of which is not permitted by current zoning regulations.

### **ATTACHMENTS**

Draft Ordinance

Respectfully submitted:



Dave Hill, Senior Director

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF KNOXVILLE TO AMEND THE KNOXVILLE – KNOX COUNTY MINIMUM SUBDIVISION REGULATIONS BY AMENDING SECTION 2, “DEFINITIONS”, REPLACING THE DEFINITIONS OF ‘RIGHT-OF-WAY’ AND ‘STREET’, AND BY AMENDING SECTION 6, “DESIGN STANDARDS”, REFLECTING THE STREETScape DESIGN STANDARDS CONTAINED IN THE KNOXVILLE SOUTH WATERFRONT FORM BASED DEVELOPMENT CODE.**

ORDINANCE NO: \_\_\_\_\_

REQUESTED BY: \_\_\_\_\_

PREPARED BY: \_\_\_\_\_

ADOPTED ON 1<sup>ST</sup>  
READING: \_\_\_\_\_

ADOPTED ON 2<sup>ND</sup>  
READING: \_\_\_\_\_

ADOPTED AS AN  
EMERGENCY  
MEASURE: \_\_\_\_\_

MINUTE BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

**WHEREAS**, the Knoxville South Waterfront, characterized as the area between James White Parkway extending west to the railroad bridge near Neyland Stadium, has experienced recent development interest; and

**WHEREAS**, in April 2005, a Knoxville South Waterfront Feasibility Study was completed and concluded that public investment in a coordinated plan was justified and provided guidance for the structure and format of the vision and action plan; and

**WHEREAS**, from October 2005 through April 2006, an extensive planning process was undertaken to determine the future of the Knoxville South Waterfront, including the hiring of a professional consultant team, the performance of a series of working visits to collect information and technical data, conduct interviews, meet with the South Waterfront Oversight Committee, and hold three public workshops; and

**WHEREAS**, the Knoxville South Waterfront Vision Plan public involvement process enabled interested citizens to contribute, review, provide comments, and gain access to plan progress, which led to extensive citizen participation, consensus, and support; and

**WHEREAS**, the Knoxville South Waterfront Vision Plan established a sound and logical framework for South Waterfront redevelopment and public improvements to guide coordinated and high quality revitalization, strengthen downtown Knoxville's role as a regional center, provide new residential, employment, recreational, and entertainment opportunities, and improve Knoxville's tax base to the benefit of all citizens; and

**WHEREAS**, the Knoxville South Waterfront Vision Plan was adopted as per Resolution R-136-06 by the Knoxville City Council on April 25, 2006; and

**WHEREAS**, on January 17, 2006, the Knoxville City Council adopted Ordinance 0-12-06 amending the City of Knoxville One-Year Plan creating the "South Waterfront Mixed Use District" as a new land use classification and district designation in anticipation of completion of the South Waterfront Vision Plan; and

**WHEREAS**, the Knoxville South Waterfront Action Plan was adopted as per Resolution R-343-06 by the Knoxville City Council on September 12, 2006 to provide specific guidance in the interest of implementing the adopted Vision Plan over the next twenty years; and

**WHEREAS**, one of the first Vision Plan implementation actions taken was the adoption of the Knoxville South Waterfront Redevelopment and Urban Renewal by the Knoxville City Council as per Resolution R-357-06, providing for the establishment of a tax increment financing district to support the construction of planned public improvements; and

**WHEREAS**, since April 2006, implementation of the Vision Plan has been acknowledged as being dependent on revisions to land use regulations to permit private redevelopment and construction of public improvements; and

**WHEREAS**, an extensive series of public meetings, South Waterfront Oversight Committee meetings, and Knoxville City Council workshops facilitated proper public review and revisions of new development regulations for the South Waterfront; and

**WHEREAS**, joint public notice of the proposed ordinance amendments to be heard by the Metropolitan Planning Commission on January 11, 2007 and the Knoxville City Council on January 14, 2007 and January 30, 2007 was published in the Knoxville News Sentinel on December 29, 2007, and the same public notice was mailed to property owners within the affected area, and

**WHEREAS**, the Metropolitan Planning Commission recommended approval of the proposed ordinance amendments on January 11, 2007, and

**WHEREAS**, the South Waterfront Form Based Development Code and Regulating Plan are considered essentially complete and constitute tools critical to the implementation of the South Waterfront Vision Plan and are recommended in the South Waterfront Action Plan, and

**WHEREAS**, amendments to the Knoxville – Knox County Minimum Subdivision Regulations are necessary to implement the South Waterfront Form Based Development Code by clarifying two definitions and revising roadway design standards to reflect the types of road construction required to implement the Vision Plan,

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KNOXVILLE AS FOLLOWS:**

**SECTION 1:** Section 2-22 of the Knoxville – Knox County Minimum Subdivision Regulations are hereby amended as follows:

The current definition of **Right-of-Way** is replaced by the following language:

**Right-of-Way.** An area used as a public way, measured from boundary line to boundary line, which may also accommodate public utilities.

The current definition of **Street** is replaced by following language:

**Street.** The entire width between the boundary lines of every way when any part thereof is open to the use of the public for purposes of vehicular travel.

**SECTION 2:** Section 6, “Design Standards” of the Knoxville – Knox County Minimum Subdivision Regulations are hereby amended as follows:

A new Section 6-62-39 is hereby created, to include the following language:

62-39 **Alleys, Streets and Roads within South Waterfront Zoning Districts.** Alleys, streets and roads within Form Based Zone District regulations shall comply with the classification shown in the approved Regulating Plan and Streetscape Standards.

A new Section 6-62-43 is hereby created, to include the following language:

62-43 **Streets classified within South Waterfront Zoning Districts.** Alleys, streets and roads classified within Form Based Zone District regulations shall comply with the right-of-way requirements shown in the approved Regulating Plan and Streetscape Standards.

A new Section 6-62-56 is hereby created, to include the following language:

62-56 **Streets classified within a South Waterfront Zoning Districts.** Alleys, streets and roads classified within South Waterfront Zoning Districts shall comply with the pavement width requirements shown in the approved Regulating Plan and Streetscape Standards.

A new Section 6-62-89 is hereby created, to include the following language:

62-89 Intersections within South Waterfront Zoning Districts shall comply with alignments shown in the approved Regulating Plan and Streetscape Standards.

A new Section 6-63-11 is hereby created, to include the following language:

63-11 Within South Waterfront Zoning Districts sidewalks shall be provided at the time of development in accordance with the approved Regulating Plan and Streetscape Standards.

A new Section 6-63-21 is hereby created, to include the following language:

63-21 Within South Waterfront Zoning Districts sidewalks shall be provided at the time of development in accordance with the approved Regulating Plan and Streetscape Standards.

**SECTION 3:** The Knoxville City Council acknowledges that the City of Knoxville Engineering Division will make the necessary revisions to the City of Engineering Division Land Development Manual and other technical standards and specifications as required to reflect the streetscape standards contained in the Knoxville South Waterfront Form Based Development Code and Regulating Plan.

**SECTION 4:** This Ordinance shall take effect seventeen (17) days from and after its passage, the welfare of the city requiring it.

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Presiding Officer of the Council

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City Recorder