



AGENDA ITEM #: 72

MEMORANDUM

TO: Metropolitan Planning Commission
FROM: Mark Donaldson, Executive Director
DATE: Wednesday, March 05, 2008
SUBJECT: Amendments to MPC's Administrative Rules and Procedures revising language dealing with appeals of actions regarding the Knoxville-Knox County Minimum Subdivision Regulations
2-F-08-OB

STAFF RECOMMENDATION:

APPROVE Amendments.

BACKGROUND:

In consideration of the recent Opinion and Order rendered by Judge Rosenbalm, Judge of the Circuit Court of Knox County, Tennessee in the case of LHL Properties vs. The City of Knoxville, et al, and the authority granted to the Knoxville-Knox County Metropolitan Planning Commission under state law, we have prepared the appropriate amendments to the Administrative Rules & Procedures regarding appeals of any action or decision rendered pursuant to the Knoxville-Knox County Minimum Subdivision Regulations.

AMENDMENTS TO ADMINISTRATIVE RULES AND PROCEDURES:

1. Delete ARTICLE XIII - APPEALS, SECTION 1-RIGHT OF APPEAL in its entirety, and in lieu thereof provide as follows:

"ARTICLE XIII - APPEALS, SECTION 1 - RIGHT OF APPEAL. Any decision or action of the Planning Commission rendered under the authority of, or pursuant to, the Knoxville Zoning Ordinance or the Knox County Zoning Ordinance may be appealed in accordance with the provisions of those ordinances."

2. Delete the reference to the Knoxville-Knox County Minimum Subdivision Regulations in ARTICLE XIII - APPEALS, SECTION 2 - COMPUTATION OF APPEAL

3. Delete the next to last paragraph of ARTICLE XIII - APPEALS, SECTION 3 - PUBLIC NOTICE - SIGNS in its entirety, and in lieu thereof provide as follows:

"Provided, notice signs shall not be posted for plan amendments, general amendments to the zoning map, amendments to zoning districts, zoning map amendments pertaining solely to public rights-of-way, or amendments to the text of the zoning ordinances."