

From: "rachel craig/jim hagerman" <hagerman@usit.net>
To: "Robert Anders" <anders@holstongases.com>, "Ursula Bailey" <ubailey@esper.com>, "Laura Cole" <cole5137@bellsouth.net>, <artclancy3@gmail.com>, "Nate Kelly" <nathan.j.kelly@gmail.com>, "Rebecca Longmire" <rebeccalongmire@hotmail.com>, "George Ewart" <gewart@georgeewart.com>, "Wes Stowers" <WStowers@stowerscat.com>, "Stan Johnson" <s.johnson692@gmail.com>, <brianpierce@mbiarch.com>, "Michael Kane" <makane1@bellsouth.net>, "Bart Carey" <bartcarey@comcast.net>
Date: 11/26/2010 2:56:28 PM
Subject: FW: Hilltop/Ridgetop Plan

Fellow Commissioners,

I don not know Mr. Agle nor why he sent this to me, but I felt I should share it with the rest of you.

Rachel

-----Original Message-----

From: cjagle@bellsouth.net [mailto:cjagle@bellsouth.net]
Sent: Friday, November 26, 2010 9:25 AM
To: 'rachel craig/jim hagerman'
Subject: Hilltop/Ridgetop Plan

I have been an Oak Ridge Planning Comissioner since 1998. When we had a developer shear a ridge top (Pine Ridge) we put in a optional steep terrain development code in our zoning codes that allowed more intense deveopment on the flatter areas while setting aside the steeper areas so they would not be developed.

No developer has ever taken avantage of the option. The drive to have single family homes with each house on its own plot of land, no matter how steep or challenging the building site, is what everyone seems to go with.

So a hilltop/ridgetop plan that is not mandatory is worthless because the developers will not use it.

I am a strong conservative. Our family has a farming operation that we have commercially operated for more than 100 years. I like to take the long term

viewpoint. In my opinion, in our development codes, we do not have enough respect for drainage areas, flood planes, storm water flows, and karst development in steep terrain situations where the natural drainage channels are disturbed. Sure you can flatten building sites and put up homes that last ten years. But then the natural drainage channels reassert themselves and the foundations start to fail. In Oak Ridge we have had the misfortune to allow several developers to create home building sites that will not be stable in the long term.

The conservatives that do not support sustainable development are not true conservatives.

Chuck Agle

CC: <mark.donaldson@knoxmpc.org>



10511 Hardin Valley Road, Knoxville, TN 37932
Phone: (865) 693-9800, Fax: (865) 693-3652

October 6, 2010

Knox County Metropolitan Planning Commission
Attn: Liz Albertson
400 Main Street
Knoxville, TN 37902

Subject: Hillside Protection Plan

Dear Ms. Albertson:

We applaud your consideration of some plan to save our hillsides. We agree that the rolling terrain of East TN is one of the region's unique features. It is imperative that the appropriate regulations and ordinances be in place to preserve the hills. In creating the policies and regulations regarding the appropriate uses of hillside properties, there must be a balance to consider all issues involved before finalizing such regulations and policies.

I would like to point out the following for your consideration:

- 1. *Properly Define Properties Subject to Hillside Ruling*** – There must be a very thorough, rigorous, and precise definition of which hillside should be appropriately protected. For example, if there is a steep hill on a property, but this hill is only 200 feet long and 50 feet wide, should it be considered for protection? What if the slope is 10:1 and it is only 100 feet long x 10 feet wide and the height is 50 feet from the base, should it be considered for protection? Thus, it is essential that there be a rigorous and unambiguous definition of which hillside properties qualify for protection.
- 2. *Consider the Use of Nearby and Adjacent Properties*** – For example, if a hill with a steep slope is close to a neighborhood where people can hurt themselves, the beauty of the hill/ravine is important, but so is the safety to users. So, beauty alone is not enough: one must consider other factors such as safety and other considerations that are related to its location and its use.
- 3. *Consider the rights of Private Property Owners*** – Some private owners of properties acquired properties for development years ago and made investments in these, including properties that may have "protectable" hillsides in them. The new regulations must consider the rights of these property owners, not just the desire to keep everything pristine.

4. *Consider Alternatives and Tradeoffs* – There should be alternatives in cases that a hillside portion of a property can no longer be developed due to hillside regulations. One alternative is to set aside some other piece of land as a replacement for a hillside that is used for a project. Another alternative is to require that restoration work be carried out (e.g., landscaping or planting vegetation for removed trees) as part of a project development to replace hillsides that have been modified.

5. **Balance Land/Hillside Use Vs. Pristine Looks** – This is one of the most important and contentious part of any new law or regulation. Litigations are time consuming, very expensive and can delay projects, which will not benefit anyone. Unfortunately, advocates and opponents are very vocal in their arguments for or against a hillside ruling or policy or project, and it is difficult for regulators and policy makers to strike the right balance. This is the reason that various viewpoints must be heard and considered before such a ruling is enacted.

6. *Give Sufficient Time to Develop the Hillside Policy Before Implementation* – This will be a very significant ruling that will affect the environment and project developers in a major way. There must be sufficient time for the public to provide input and comments before enactment and implementation of the ruling.

Please consider this letter as one of many inputs to be included in your deliberations. I will be happy to discuss with you or your committee these comments.

Sincerely yours,

Orlino C. Baldonado, PhD
President, The EC Corporation
865/693-9800
orlino@eccorporation.com



October 8, 2010

**Harvey Broome Group, TN Chapter
Robin Hill, Chair
11504 Mountain View Road
Knoxville, TN 37922**

**Knoxville/Knox County Metropolitan Planning Commission
Suite 403, City/County Building
400 Main Street
Knoxville, Tennessee 37902**

Hillside and Ridgetop Protection Plan Draft (revised September, 2010)

Dear Commissioners:

The Harvey Broome Group, Tennessee Chapter of the Sierra Club welcomes the opportunity to provide comments on the subject draft plan on behalf of our 1,100 members residing in the Knox County area.

We wish to commend the members of the Task Force for their dedication and efforts in drafting this plan in what was undoubtedly a lengthy and sometimes contentious process.

We believe the plan is a good first step towards assuring the preservation and protection of some of the last remaining green spaces in Knoxville and Knox County. However, we believe it is only a first step, and hope and expect that in the future the City's and County's hillsides and ridgetops will receive more comprehensive and effective protection.

The following comments apply to both the City of Knoxville and Knox County, although reference will be made only to Knox County for the sake of brevity.

As you know, Knox County lies in the Ridge and Valley Province bioregion of Tennessee. Because of the generally favorable soils and topography this region has historically been heavily exploited for its resources and for human developments. As a consequence, the originally rich and diverse fauna and flora of the region has been for the most part removed or destroyed. Those remaining representatives of our original biodiversity are primarily located on sites too difficult or expensive to develop, such as hillsides and ridgetops. As the plan points out, 50-60% of the forested land in Knox County is located on hillsides and ridgetops, while over the last twenty years almost 30,000 acres of forested land have been lost to development. Forested land provides not only protection for water quality and improved air quality, it is essential habitat for

most of our native plants and animals. If one defines a hillside as land with a slope over 15%, as the plan seems to, then only about 30% of the land in Knox County is considered to be hillside. Only about 14% of the land exceeds 25% in slope. Given the value of this sloping land in its natural state, both to its non-human inhabitants and to the residents of the county for the ecological and recreational services it currently provides and could potentially provide, it seems only commonsensical to us to find a way to preserve the ecological functions of the county's hillsides and ridgelines.

The way to do that is to keep the land from being developed. Period. We understand fully that most of this land is privately owned, and that government or the community has very limited abilities to restrict the rights of private property owners. That said, we suggest the city and county expand on the concept of urban wilderness being currently promoted on the south side of the Tennessee River by linking Forts Stanley, Dickerson, and Higley with a system of trails, greenways, and sidewalks in a natural setting. We agree with the recommendation to implement a system of ridge conservation corridors across the county as shown on the map on page 54 of the plan, but believe that map does not fully reflect the potential for corridors as shown on the map of forested slopes on page 2 of the plan. We also believe insufficient emphasis on the concept and potential benefits of a conservation corridor system is made by the plan. The analysis of Knox County's land use and the benefits to the community of preserving the hillsides and ridgelines presents a unique opportunity to bring before the county's and city's residents a vision of what this area could be if the public and private sectors work together to craft and implement a positive goal of a vibrant, healthy, environment for both its native life forms and people.

To this end, we strongly endorse the implementing mechanisms set forth on page 55 of the plan, which include both private donations and public funding to acquire for public use and enjoyment a sufficient amount of the remaining natural areas in the county to effectively preserve the ecological functions and communities of the county and to provide for its people means to have meaningful experiences in nature without having to travel for hours to state or national parks or national forests. We recommend and ask that the plan provide more emphasis and more specifics on "Implementing Public and Quasi-Public Corridor Efforts." This should be something that appears with emphasis in the preface and nearer to page 1 of the report instead of being buried on the last page. We further recommend the establishment of a follow-on task force to work on mechanisms and governance processes for establishing the desired corridors.

Sincerely,

Axel C. Ringe, Conservation Chair
Harvey Broome Group
Tennessee Chapter Sierra Club

cc: County Mayor Tim Burchett
Knoxville Mayor Bill Haslam

From: Liz Albertson
To: Mike Carberry
Date: 10/7/2010 3:23:29 PM
Subject: Fwd: mpc meeting

>> tony norman <tnormanwhs@yahoo.com> 10/07 3:21 PM >>>

MPC Commissioners,

On your agenda next week will be an item for your consideration from the Hillside and Ridgetop Conservation Committee. Of course the work of this Committee was requested by City Council and County Commission over 2 years ago. The purpose of this correspondence is to apologize in advance for Joe Hultquist and myself not being at your meeting. Joe is in Switzerland with his 92 year old mother and I am taking the only opportunity for my family to have vacation together in over a year due to cancer (not mine).

Nevertheless, we know how important your review of this plan document is and hope our absence will not diminish the amazing work of your staff and our committee. Thank you for your consideration and your service to our community.

Regards,

Tony Norman

Knox County Commission 3rd District

CC: Betty Jo Mahan