



MEMORANDUM

TO: Metropolitan Planning Commission
FROM: Buz Johnson
DATE: June 1, 2011
SUBJECT: Proposed changes to the TO (Technology Overlay) zone reflecting changes to the TTCDA Enabling Act – **6-B-11-OA**

STAFF RECOMMENDATION:

APPROVE amendments, as proposed by staff.

BACKGROUND:

The Tennessee General Assembly recently adopted and the Governor signed into law changes to the 1983 enabling legislation creating the Tennessee Technology Corridor Development Authority. These changes, which were approved by the Tennessee Technology Corridor Development Authority, MPC, City Council and County Commission in late 2009, include procedural revisions, changes to the selection process for TTCDA board members, and revisions affecting the types of development that can be reviewed by the TTCDA and MPC. Consistent with state law, the Knox County Commission has ratified these changes on first reading and will consider them on second reading at their June monthly meeting.

COMMENTS:

The staff recommends two amendments to the Knox County Zoning Ordinance that will make operative changes in the enabling legislation dealing with project review and consideration. The first amendment will allow for the consideration of medium and high density residential developments within the Technology Overlay zone. The MPC/TTCDA staff has determined that apartment and condominium developments can have as much impact on the environment and surrounding development pattern as office, technology based and commercial projects. As a result, such projects should be reviewed to ensure their compatibility with the surrounding area and other uses within the overlay.

The second amendment will extend the amount of time the TTCDA board has to approve or deny a request. Previously, the 60-day window for taking action on an application began with the filing of the application. Now the 60-day period will

begin when the application first appears on the board's agenda. This will allow for one postponement in case the board feels that more time is needed to consider a request.

ATTACHMENT:

Exhibit A provides the proposed language for the two ordinance amendments.

**PROPOSED CHANGES TO THE TO (TECHNOLOGY OVERLAY ZONE) OF
THE KNOX COUNTY ZONING ORDINANCE REFLECTING CHANGES TO
THE TTCDA ENABLING LEGISLATION**

New language is in **bold face type**. Old language is ~~deleted~~.

5.90 TO Technology Overlay Zone

5.90.08 (B.2.) Excluded Areas

All residential structures when such structures are located within subdivisions approved by local planning commissions or otherwise permitted by the general law. **Medium and high density residential developments, as defined by the Knoxville-Knox County General Plan, or its successors, shall not be exempt.**

5.90.09 Application Procedures

All applications for rezoning, variance, and building or grading permit shall be reviewed by the TTCDA or TTCDA staff for compliance with the adopted Technology Corridor Comprehensive Development Plan and Design Guidelines. The TTCDA shall, within a reasonable time period but in no case more than sixty (60) days following ~~submission of~~ **initial consideration of an application by the authority meeting in regular session**, grant a Certificate of Appropriateness with or without attached conditions, or deny the Certificate, and shall state in writing its reason for approval or denial. Failure by the TTCDA...
(remainder of this section unchanged)