



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
PLAN AMENDMENT/REZONING REPORT**

FILE #: 1-C-13-RZ
1-A-13-SP

AGENDA ITEM #: 19
AGENDA DATE: 1/10/2013

APPLICANT: DAVID CAMPBELL
OWNER(S): Rusty Bittle

TAX ID NUMBER: 129 038
JURISDICTION: Commission District 6

LOCATION: Southeast side Hickory Creek Rd., southwest of Hardin Valley Rd.

TRACT INFORMATION: 49.09 acres.

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Hickory Creek Rd., a minor arterial street with 20' of pavement width within 50' of right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Conner Creek

PRESENT PLAN DESIGNATION/ZONING: AG/RR (Agricultural/Rural Residential) & SLPA (Slope Protection Area) / A (Agricultural)

PROPOSED PLAN DESIGNATION/ZONING: LDR (Low Density Residential) & SLPA (Slope Protection Area) / PR (Planned Residential)

EXISTING LAND USE: Vacant/agriculture

PROPOSED USE: Detached residential dwellings

DENSITY PROPOSED: 5 du/ac

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, North: Hickory Creek Rd. - Equestrian facility / Ag-RR & SLPA / A (Agricultural)

ZONING South: Vacant land / Ag-RR & SLPA / A (Agricultural)

East: Vacant land / Ag-RR & SLPA / A (Agricultural)

West: Houses and vacant land / Ag-RR & SLPA / A (Agricultural)

NEIGHBORHOOD CONTEXT: This area is developed with agricultural and rural residential uses under Agricultural zoning. The closest PR zoning with low density residential land uses is approximately one-third of a mile to the east. The Covered Bridge subdivision is currently under development and is zoned PR at up to 1.8 du/ac, which is at the low end of the low density range.

STAFF RECOMMENDATION:

- ▶ **ADOPT RESOLUTION #1-A-13-SP, amending the Northwest County Sector Plan to LDR (Low Density Residential) & SLPA and recommend the Knox County Commission also approve the sector plan amendment, to make it operative. (See resolution, Exhibit A.)**

Low density residential use of this site is appropriate along Hickory Creek Rd, which is classified as a minor arterial street. However, the maximum density that can be considered is 2 du/ac, because the site is located with the Rural Area of the Growth Policy Plan.

- ▶ **RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of 1.8 du/ac. (Applicant requested 3 du/ac.)**

PR zoning at the recommended density is consistent with the recommended LDR sector plan designation as well as with the policies of the Growth Policy Plan, which limits the density to no more than 2 du/ac in the Rural Area. The recommended lesser density of 1.8 du/ac is based on the recommended slope protection policies for residential densities from the Hillside and Ridgetop Protection Plan, based on the attached slope analysis of the site. Staff would recommend the maximum allowable 2 du/ac if a conservation easement is placed on an undisturbed steep hillside or ridgetop portion of a parcel, which would likely be the steepest areas of this site along its southern boundary. This density bonus provision is recommended in the Hillside and Ridgetop Protection Plan (HRPP), stating that the planning commission may approve a density bonus of up to 10% of the total units allowed in the base density when a conservation easement is dedicated on the site.

COMMENTS:

SECTOR PLAN REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

No known improvements have been made recently to Hickory Creek Rd., but it has at least 20' of pavement width and is classified as a minor arterial street. The street is sufficient to handle the additional traffic that would be generated by low density residential development of the site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The current sector plan appropriately proposes agricultural and rural residential uses for the site, consistent with the current A zoning. This is also consistent with the Growth Plan designation of Rural Area on the site. However, the Growth Plan allows consideration of PR zoning at up to 2 du/ac in the Rural Area, if appropriate for the particular site and if consistent with the sector plan, as is recommended.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS:

Since this site is connected by a minor arterial street back to the Planned Growth Area, it is appropriate for consideration of low density residential uses. The site has direct access to Hickory Creek Rd.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

PR zoning at 1.8 du/ac was approved about one-third of a mile to the east in the Rural Area in 2005.

Staff would recommend the maximum allowable density of 2 du/ac if a condition is attached that states the following: "A conservation easement must be placed on an undisturbed steep hillside or ridgetop portion within the southern portion of the site, most specifically the southeastern corner, subject to MPC approval, as part of the development plan review."

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. PR is the most appropriate residential zone that can be considered for this site, which is located within the Rural Area designation on the Growth Policy Plan, limiting residential zoning to PR at certain densities. PR zoning allows clustering of development onto the less slope-constrained portions of the site.
2. With the site's frontage and sole access to Hickory Creek Rd., which is classified as a minor arterial street, PR zoning at a limited density is appropriate.
3. Limiting the density to 1.8 du/ac is recommended for compliance with the residential density and land disturbance guidelines of the Hillside and Ridgetop Protection Plan. (See attached slope map, analysis and

calculations, as well as applicable portions of the HRPP .)

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. PR zoning is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. Residential areas thus established would be characterized by a unified building and site development program, open space for recreation and provision for commercial, religious, educational and cultural facilities which are integrated with the total project by unified architectural and open space treatment.
2. Additionally, the zoning states that each development shall be compatible with the surrounding or adjacent zones. Such compatibility shall be determined by the Planning Commission by review of development plans. Staff maintains that PR is the most appropriate zone for this proposed development.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:

1. PR zoning at the recommended density will allow reasonable use of the property for residential development, while maintaining compliance with the Growth Policy Plan, sector plan and slope protection policies.
2. The recommended PR zoning at a density of up to 1.8 du/ac would allow for a maximum of 88 dwelling units to be proposed for the site. That number of detached units, would add approximately 922 vehicle trips per day to the street system and would add approximately 47 children under the age of 18 to the school system. The requested density of 3 du/ac would allow for a maximum of 147 dwelling units to be proposed for the site. That number of detached units, would add approximately 1478 vehicle trips per day to the street system and would add approximately 78 children under the age of 18 to the school system.
3. A traffic impact study will be required if more than 75 lots are proposed as part of the overall development. Adequate sight distance from proposed access points will need to be certified on the development plans.
3. PR zoning at the recommended density is compatible with surrounding development and should have a minimal impact on adjacent properties.
4. Public water is available to serve the site. Sanitary sewer is not currently available in the area, but could be extended, if necessary, to serve this site.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. With the recommended plan amendment to LDR, a PR zoning density of up to 5 du/ac may be considered.
2. The site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map. With an approved sector plan amendment to LDR, the proposal meets all Growth Policy Plan requirements for approval of PR zoning at up to 2 du/ac. The Growth Policy Plan policies in the Rural Area limit the allowable density to a maximum of 2 du/ac. The requested 3 du/ac may only be considered in the Rural Area if the site abuts the Planned or Urban Growth Area, which this site does not.
3. This request may lead to future requests for PR zoning in the future on large lot, agricultural properties in the area, especially with the extension of sewer to this site.

Upon final approval of the rezoning, the developer will be required to submit a concept plan/use on review development plan prior to the property's development. The plan will show the property's proposed lot pattern and street network and will also identify the types of residential units that may be constructed. Grading and drainage plans may also be required at this stage, if deemed necessary by Knox County Engineering and MPC staff.

State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
2. The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

ESTIMATED TRAFFIC IMPACT 1478 (average daily vehicle trips)

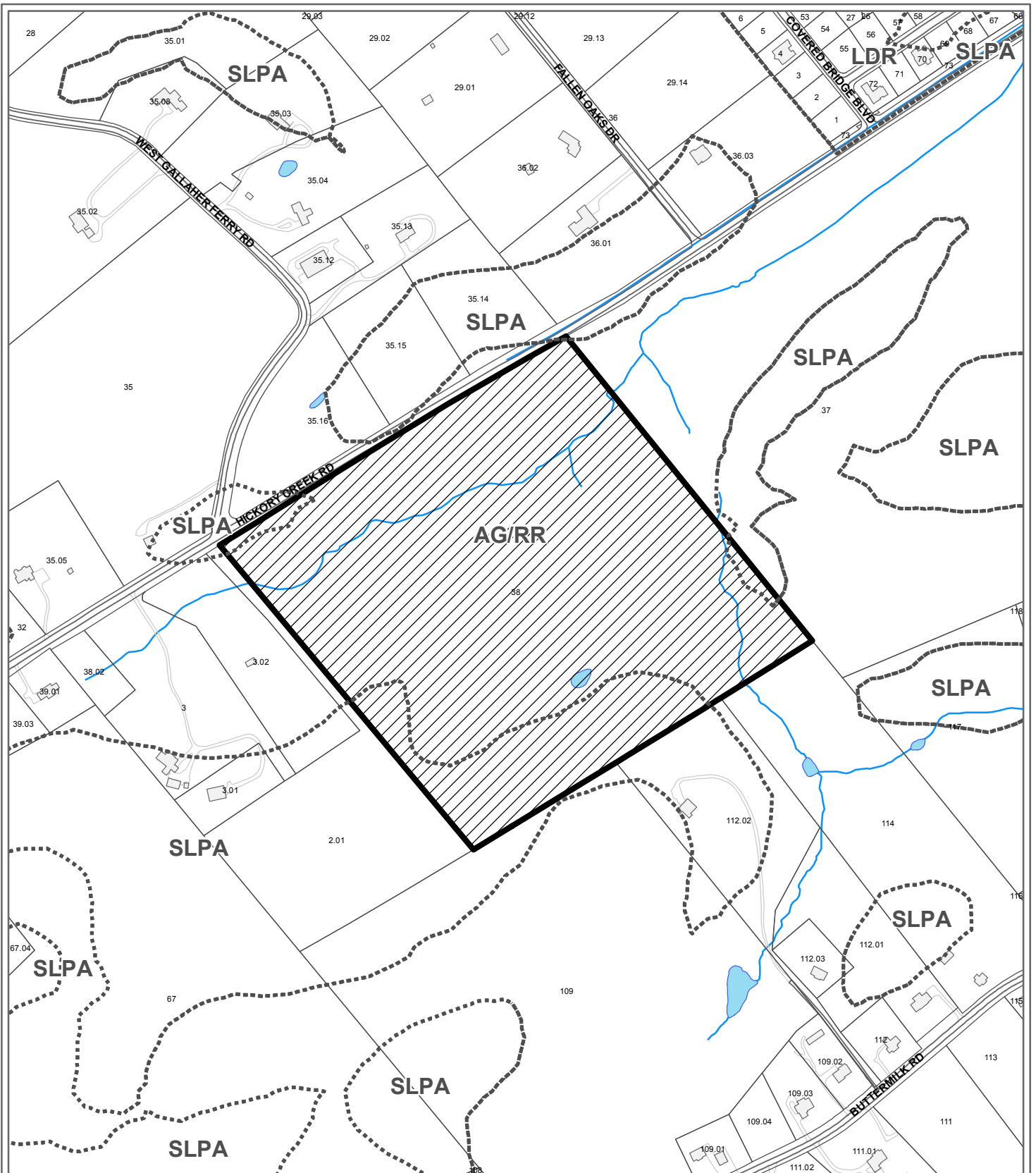
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: 78 (public and private school children, ages 5-18 years)

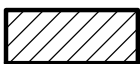
Schools affected by this proposal: Hardin Valley Elementary, Karns Middle, and Hardin Valley Academy.

- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- While most children will attend public schools, the estimate includes population that may be home-schooled, attend private schools at various stages of enrollment, or drop out of the public system.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.
- School capacities are subject to change by Knox County Schools through building additions, curriculum or scheduling changes, or amendments to attendance zone boundaries.

If approved, this item will be forwarded to Knox County Commission for action on 2/25/2013. If denied, MPC's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



**1-A-13-SP / 1-C-13-RZ
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**



From: AG/RR (Agricultural/Rural Residential) & SLPA (Slope Protection Area)
To: LDR (Low Density Residential) & SLPA (Slope Protection Area)

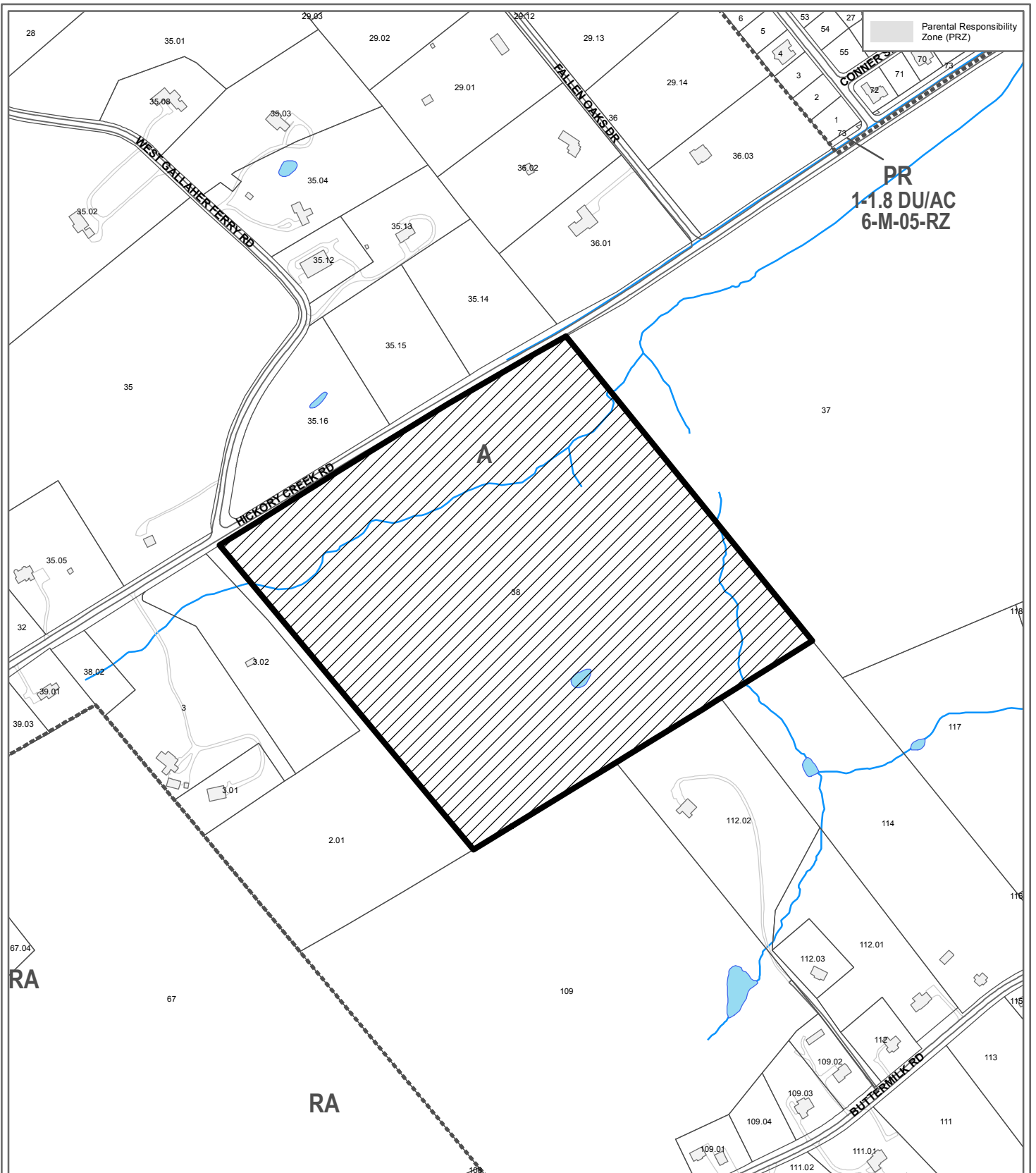
Petitioner: Campbell, David

Map No: 129

Jurisdiction: County



Original Print Date: 12/27/2012 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**1-C-13-RZ
REZONING**

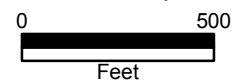
From: A (Agricultural)
To: PR (Planned Residential)



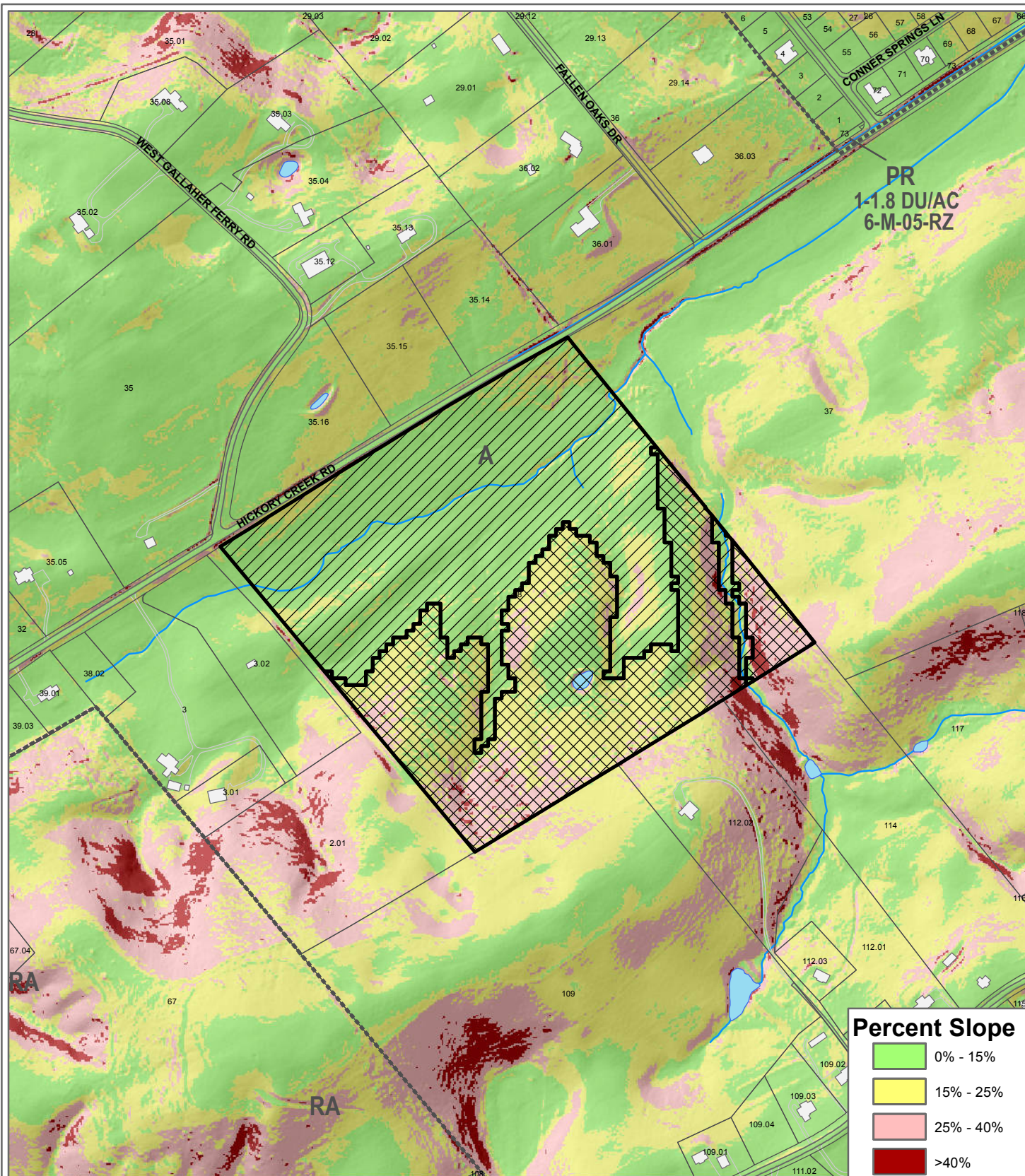
Petitioner: Campbell, David

Map No: 129



Jurisdiction: County



Original Print Date: 12/27/2012 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**1-C-13-RZ
REZONING - SLOPE ANALYSIS**

-  Outside of the Hillside and Ridgetop Protection Area
-  Inside the Hillside and Ridgetop Protection Area

From: A (Agricultural)
To: PR (Planned Residential)

Original Print Date: 12/31/2012
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Campbell, David

Map No: 129
Jurisdiction: County



1-C-13-RZ Slope Analysis

	Acres
Non-Hillside Portions	27.24

Hillside and Ridgetop Protection Area

Value	Percent Slope	Acres
1	0%-15%	5.36
2	15%-25%	10.99
3	25%-40%	5.30
4	>40%	0.44
		22.08

	Acres
Ridgetop Area	0.00

Site Total	49.32
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**KNOXVILLE-KNOX COUNTY
METROPOLITAN PLANNING COMMISSION
A RESOLUTION AMENDING THE NORTHWEST COUNTY SECTOR PLAN**

***WHEREAS**, the Knoxville-Knox County Metropolitan Planning Commission, a regional planning commission established pursuant to state statute, has the duty to make, adopt and amend plans for the physical development of Knoxville and Knox County; and*

***WHEREAS**, the Metropolitan Planning Commission pursuant to state statute has prepared and adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and*

***WHEREAS**, the Council of the City of Knoxville and the Commission of Knox County have adopted the Knoxville Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and*

***WHEREAS**, the Metropolitan Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the Northwest County Sector Plan, consistent with the requirements of the General Plan; and*

***WHEREAS**, the Knoxville-Knox County General Plan 2033, provides criteria for periodic updates and amendments of the land use maps contained within sector plans initiated by the Planning Commission or in response to applications from property owners; and*

***WHEREAS**, David Campbell, has submitted an application to amend the Sector Plan from Agricultural/Rural Residential to Low Density Residential for property described in the application; and*

***WHEREAS**, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the Northwest County Sector Plan, consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, or is warranted because of changing conditions in the sector as enumerated in the Plan; and*

***WHEREAS**, the Metropolitan Planning Commission, at its regularly scheduled public hearing on January 10, 2013, after consideration of the staff recommendation and testimony from those persons in support and opposed to the sector plan amendment, approved the amendment for the subject property, as requested, and/or amended.*

NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY METROPOLITAN PLANNING COMMISSION:

SECTION 1: The Planning Commission hereby adopts the revised amendment to the Northwest County Sector Plan, with its accompanying, staff report and map, file #1-A-13-SP.

SECTION 2: This Resolution shall take effect upon its approval.

SECTION 3: The Planning Commission further recommends that The Knox County Commission likewise consider this revised amendment to the General Plan 2033.

Date

Chairman

Secretary

1-C-13-RZ Slope Analysis

Non-Hillside Portions		Acres
		27.24
Hillside and Ridgetop Protection Area		
Value	Percent Slope	Acres
1	0%-15%	5.36
2	15%-25%	10.99
3	25%-40%	5.30
4	>40%	0.44
		22.08
Ridgetop Area		Acres
		0.00
Site Total		49.32

Rural Area - Growth Policy Plan

Max density when not an extension of Planned or Urban Growth is 2 du/ac.

Non-hillside - 2 du/ac x 27.24 ac = 54.48 du (54)

0-15% - 2 du/ac x 5.36 ac = 10.72 du (11)

15-25% - 2 du/ac x 10.99 ac = 21.98 du (22)

25-40% - 0.5 du/ac x 5.30 ac = 2.65 du (3)

>40% - 0.2 du/ac x 0.44 ac = ~~0~~



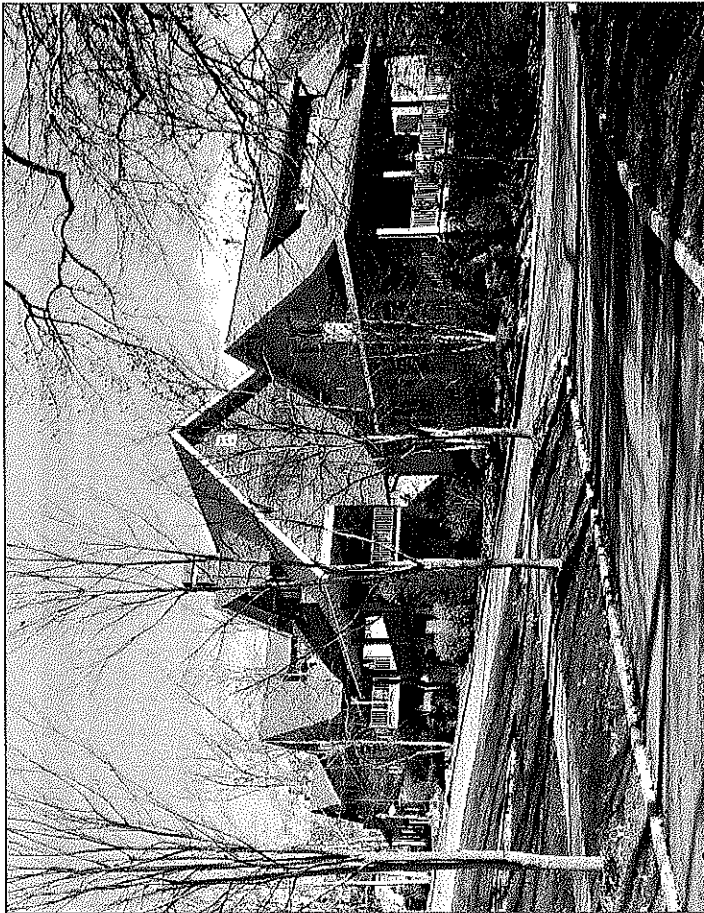
90 du
on

49.32 ac

1.82 du/ac

Density Bonus Provision

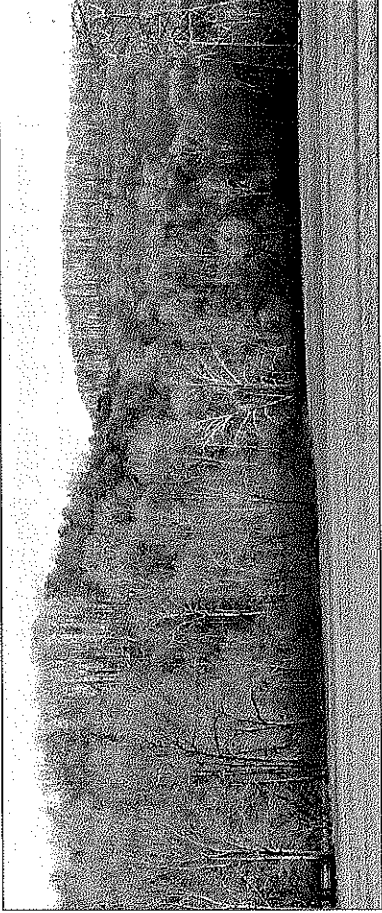
The density on the site may be raised in relation to the conservation of the steeper slopes and ridgetops that are part of a parcel. In cases relative to the Hillside and Ridgetop Protection Area, the planning commission may approve a density bonus of up to 10 percent of the total units allowed in the base density when a conservation easement is placed on an undisturbed steep hillside or ridgetop portion of a parcel. An additional bonus density of 10 percent of that allowed by the base density may be approved when public access, such as a trail easement, is provided within the conservation easement. This bonus provision should be made available within a planned residential development and in a conservation subdivision.



An example of clustered housing on a modest slope in Black Mountain, North Carolina. This approach enabled the conservation of steep hillsides nearby. Note the small front yards and use of earth tone colors, chosen to help the houses blend with the natural terrain.

Density/Intensity Outside the Hillside Protection Area

The land below the Hillside and Ridgetop Protection Area, which contains more than 200,000 acres or about 60 percent of the county, would be suitable for those uses proposed by the General Plan and individual sector plans, and that are consistent with the Growth Policy Plan. As such, density and intensity would be regulated by those particular plans.



Some hillsides are very steep like the north face of Copper Ridge, which has slopes in excess of 50 percent. Very low density residential uses and minimal forest clearing are recommended on such slopes.

Clearing and Grading Provision

Hillside and ridgetop development necessitates careful consideration of the forest cover on various types of slopes. Loss of that cover may lead to erosion, water quality and geotechnical problems. The natural beauty of a ridge is also lost with wholesale destruction of hillsides. The clearing limits for rezoning cases, and subdivision and site plan review processes are shown in Table 3. In reviewing rezoning requests, concept and site plans, it may be necessary to note the steepest slopes of a parcel for conservation purposes. Clearing and grading should not be permitted until a development or clearing and grading plan has been approved.

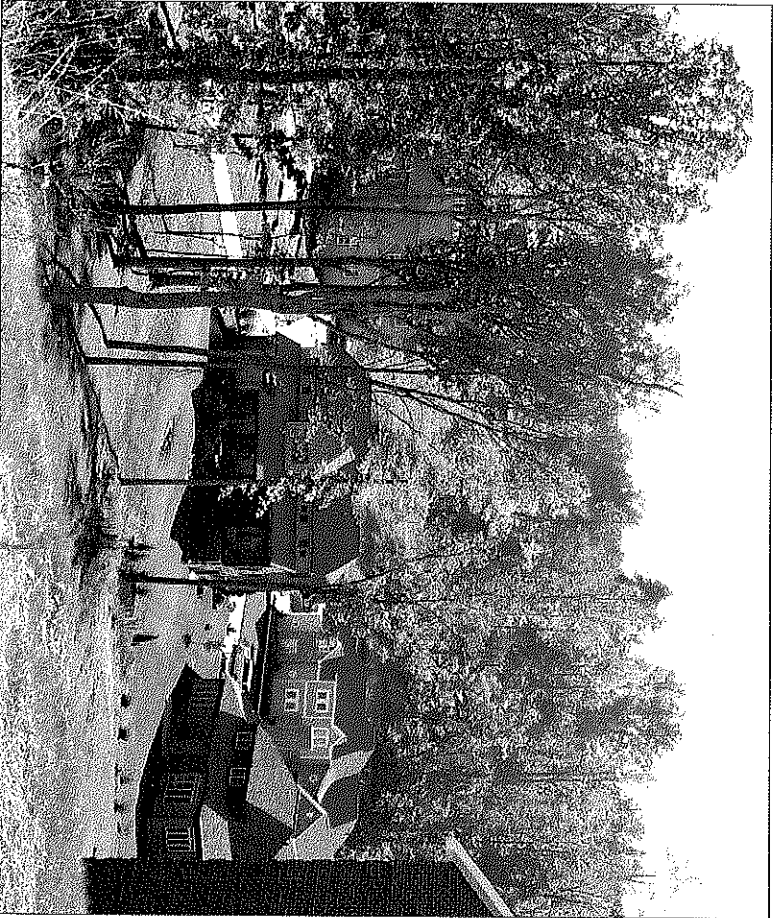


This represents a good local example where clearing was limited around a ridgetop house, providing views for the owner and maintenance of the surrounding forest.

Zoning and Development Policies

Zoning is the foundation for land use control in Knoxville and Knox County. Over the last two decades, MPC, the city council and county commission have made rezoning decisions based on the capability of land to sustain certain intensities of development, recognizing that steep slope and flooding conditions pose limitations. The zoning codes contain limitations on the height of building, which is 35 feet in the zoning districts that are currently within the Hillside and Ridgeway Protection Area. No changes are recommended to the building height limitation on steep slopes and ridgetops.

The Growth Policy Plan, General Plan and sector plans contain policies regarding recommended residential densities relative to the degree of slope. The following represents a refinement of those policies recognizing that there are significant geologic hazards and engineering constraints to development on the steepest slopes.



An example of two dwelling units per acre in the 15 to 25 percent slope group

LOW DENSITY AND RURAL RESIDENTIAL USES

Density and Land Disturbance Guidelines

As proposals for changes to the zoning map and development plans/concept plans are considered, the following factors are recommended to determine the overall allowable density for residential rezonings and the overall land disturbance allowable in new development or subdivisions for those portions of parcels that are within the Hillside and Ridgeway Protection Area. These factors should be codified as regulations in the future. The areas of the Growth Policy Plan referenced below are presented on page 18.

Table 3: Residential Density and Land Disturbance Guidelines
for Recommendations on Changes to the Zoning Map and Development Plan/
Concept Plan Review within the Hillside and Ridgeway Protection Area
that is within the Urban Growth and the Planned Growth Area

Percent of Slope	Recommended Maximum Density Factor*	Recommended Maximum Land Disturbance Factor**
0 - 15	Knox County: 5 dua City of Knoxville: 6 dua	100%
15 - 25	2 dua	50%
25 - 40	0.5 dua	20%
40 or more	0.2 dua	10%
Ridgetops***	***	***

dua: dwelling units per acre

* These factors should be considered guidelines to determine an overall recommended residential density for requests for changes to the zoning map to planned residential (RP-1 in the city and PR in the county) zone districts that are considered by the Metropolitan Planning Commission prior to being considered by the appropriate legislative body. The resulting zone district development right would be considered a budget for dwelling units to be applied over the entire proposed development.

** Until such time as regulations are codified by the appropriate legislative body, these factors should be considered guidelines to determine an overall recommended land disturbance area for development plans and concept plans that are considered for approval by the Metropolitan Planning Commission. The overall land disturbance area would be considered a budget for land disturbance to be applied over the entire proposed development.

*** Ridgetops are generally the more level areas on the highest elevations of a ridge. Because the shapes of Knox County ridges are so varied (see pages 8 - 9), the ridgetop area should be determined on a case-by-case basis with each rezoning and related development proposal.