

MEMORANDUM

Date: February 4, 2016
To: Planning Commission
From: Thomas Brechko, Principal Planner
Subject: **2-A-16-OB** - Presentation of draft amendments to the *Knoxville-Knox County Minimum Subdivision Regulations* that will be scheduled for review at public workshops

BACKGROUND:

The Planning Commission Staff has been working with both the Knoxville Department of Engineering and Knox County Department of Engineering and Public Works Staff on a major overhaul of the *Knoxville-Knox County Minimum Subdivision Regulations*. The first step in this process was the restructuring (reorganization) of the contents of the Regulations.

The current Regulations, which were last revised on June 14, 2012 regarding development standards within the Hillside and Ridgetop Protection Areas, have not undergone any major revisions in several years. These Regulations consist of eight sections with Section 5 being reserved for future use. This section was previously combined with Section 4 in 2001. In order to make it easier to find the requirements within the Regulations, Staff started the revision process by reorganizing the contents from eight sections into five. In this step, the contents were shifted into the new sections with none of the text being eliminated or modified. Attached to this memorandum you will find a general Table of Contents for both the Existing Regulations and the Proposed Regulations. These two documents provide a general overview of the contents of each Section. The Table of Contents for the Proposed Regulations identify the general contents of each Section and the previous Sections the contents were moved from.

Once the contents of the Subdivision Regulations were reorganized, the process of modifying the contents of the Regulations began. In the Draft Amendments document, the proposed revisions to the text follow the standard procedures for modifications. Existing text that is to be deleted is identified by ~~strikethroughs~~. Any new text is identified by **underlined and bold text**.

The Draft Amendments to the *Knoxville-Knox County Minimum Subdivision Regulations* will be posted on the Planning Commission's web site @ www.knoxmpc.org on or before February 8, 2016. The Planning Commission will be provided with a paper copy of the proposed amendments at the agenda review meeting on February 9, 2016. Staff will provide an overview

of the proposed changes to the Regulations at the Agenda Review meeting and outline the review process that will be used in moving forward with the proposed amendments.

PUBLIC REVIEW PROCESS:

Following the initial presentation of the draft amendments to the Planning Commission, Staff will hold a series of public workshops over the next couple of months to present and receive comments on the proposed amendments from surveying and engineering professionals, the development community and the general public. Following further modifications to the proposed amendments in response to comments received, the changes will be presented at a final workshop before bringing the amendments back to the Planning Commission as official amendments to the *Knoxville-Knox County Minimum Subdivision Regulations*. The Planning Commission will review the proposed amendments through the public hearing process and take a final action. The amendments become effective when the Planning Commission approves them. The amendments are forwarded to Knoxville City Council and Knox County Commission as a matter of practice.

During this review process, Staff will post information regarding the public workshops, proposed changes and written comments that have been received on the MPC web site.

**EXISTING
Knoxville-Knox County
MINIMUM SUBDIVISION REGULATIONS**

TABLE OF CONTENTS

SECTION 1 PURPOSE, TITLE, AUTHORITY

This Section includes the title for the regulations, general purpose statement and authority for the regulations as granted by the *Tennessee Code Annotated*.

SECTION 2 DEFINITIONS

Includes definitions of certain words and terms used in the regulations.

SECTION 3 ADMINISTRATION

This Section identifies the review responsibilities of public agencies, appeal process of actions or decisions by the Planning Commission.

SECTION 4 PROCEDURES AND SPECIFICATIONS FOR SUBMISSION OF PLANS AND PLATS

This Section identifies the procedures and specifications for submission of concept plans, design plans, final plats and administrative plats.

SECTION 5 (Reserved for future use)

This Section had previously been consolidated into Section 4.

SECTION 6 DESIGN STANDARDS

This Section establishes the minimum standards for the design of subdivisions as they relate to blocks and lots, streets, sidewalks and street furniture, storm drainage, utilities and easements.

SECTION 7 REQUIRED IMPROVEMENTS

This Section provides additional minimum standards regarding streets, sidewalks and street furniture, storm drainage, utilities, with additional sub-sections on monuments, pins and reference markers and requirements regarding the completion or guarantee of completion of required improvements.

SECTION 8 GENERAL PROVISIONS

This Section includes provisions regarding area of jurisdiction, variance procedures, procedures for amending the regulations, enforcement, penalties for violations and sub-sections regarding large-scale development and design innovations and regulations regarding hillside development.

APPENDIX A Amendments to *Knoxville/Knox County Minimum Subdivision Regulations* from July 31, 1992 to present

APPENDIX B Traffic Access and Impact Study Guidelines and Procedures

**PROPOSED
Knoxville-Knox County
MINIMUM SUBDIVISION REGULATIONS**

TABLE OF CONTENTS

ARTICLE 1 GENERAL PROVISIONS

This Article consolidates Sections 1 and 8 and the Appeals provision from Section 3 of the existing regulations. Sections to be included are: title; general purpose statement; authority; area of jurisdiction; variance procedures; appeal procedure; amendments; enforcement and penalties for violations; separability; repealer; and effective date.

ARTICLE 2 ADMINISTRATION AND PROCEDURES AND SPECIFICATIONS FOR SUBMISSION OF PLANS AND PLATS

This Article combines existing Sections 3 and 4 which identify the subdivision review responsibilities of public agencies, and the procedures and specifications for submission of concept plans, design plans, final plats and administrative plats.

ARTICLE 3 DESIGN STANDARDS AND REQUIRED IMPROVEMENTS

This Article combines the design standards located in Sections 6 and 7 of the existing regulations. The new sections include: lot standards; access standards; streets and roads; sidewalks and street furniture; storm drainage; monuments, pins and reference markers; guarantee of improvements; utilities; required easements; and public open spaces.

ARTICLE 4 ALTERNATIVE DESIGN STANDARDS AND REQUIRED IMPROVEMENTS

This Article includes design standards that will under special circumstances replace or supplement the general design standards required in Article 3. The provisions regarding large-scale development and design innovations, and regulations regarding hillside development that are presently located under Section 8 will be moved to this Article. Any subdivision standards that come out of the Joint City-County Task Force on Ridge, Slope, & Hillside Development and Protection will be incorporated into this Article. This Article will also include the cross-references to the Form Based Development Codes (Knoxville South Waterfront) that include streetscape standards that differ from the general

street standards in the Subdivision Regulations. The Planning Commission Staff is also preparing a conservation subdivision ordinance that would be included in this Article.

ARTICLE 5 DEFINITIONS

The definitions section is being moved to the back of the regulations since it normally is used as a reference source.

APPENDIX A Amendments to *Knoxville/Knox County Minimum Subdivision Regulations* from July 31, 1992 to present

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