

## MEMORANDUM

**TO:** Metropolitan Planning Commission  
**FROM:** Thomas Brechko, AICP, Principal Planner  
**DATE:** September 13, 2017  
**MPC FILE #:** 9-A-16-OA  
**SUBJECT:** Amendments to the Knoxville-Knox County Minimum Subdivision Regulations

---

At the Planning Commission's Agenda Review Meeting on September 12, 2017, MPC staff outlined the changes to the proposed amendments to the Knoxville-Knox County Minimum Subdivision Regulations that were first reviewed by the Planning Commission back on September 8, 2016.

During the September 8, 2016 meeting, the Planning Commission's discussion on the amendments primarily focused on the recommendation's related to the proposed sidewalk standards. The review of the proposed amendments to the Subdivision Regulations was postponed so that they could be considered along with the proposed Walkability Ordinance that was being drafted for the City of Knoxville and Knox County.

Over the past several months, staff of the Planning Commission, City of Knoxville and Knox County has been meeting to develop a draft Walkability Ordinance. The draft ordinance was also reviewed by the Planning Commission's Sidewalk Subcommittee.

The comments at the September 12, 2017 Agenda Reviewing Meeting focused on two main issues. The first is the provision on when sidewalks would be required. The second issue is the timing on when the sidewalks are to be installed. Based on over a years' worth of research and discussion staff is providing a couple of options on each issue for consideration by the Planning Commission.

Staff recommends that the Planning Commission vote on the wording for each of the four sections regarding the sidewalk standards and vote on the overall ordinance.

Staff has prepared two options regarding requiring sidewalks within subdivisions for the Planning Commission's consideration. Staff is recommending approval of Option 1.

**OPTION 1 for required sidewalk improvements.**

**A. Required Sidewalk Improvements. Sidewalks shall be provided by the developer in accordance with the design and construction standards of the City of Knoxville or Knox County.**

- 1. Within the City of Knoxville, the developer should contact the City of Knoxville Department of Engineering regarding the applicable requirements and design standards from the City's adopted ordinances and regulations.**
- 2. Within Knox County, sidewalks shall be provided by the developer in all subdivisions that will include more than 12 lots, or can be expanded into more than 12 lots, and are located within the Parent Responsibility Zone (PRZ) as follows:**
  - a. At a minimum, sidewalks shall be provided on one side of all public or private streets within the subdivision with the following exception. Secondary streets within the subdivision that will serve 12 or fewer lots, or will have a length of 400 feet or less, will not be required to have sidewalks.**
  - b. Sidewalks shall be provided along all adjacent streets frontages located in the PRZ.**
  - c. Whenever sidewalks can be connected to existing or proposed sidewalks or pathways in adjacent areas, sidewalks shall be provided on that side of the street which will make this connection possible.**
  - d. A pedestrian circulation plan shall be submitted with the Concept Plan to document that the proposed sidewalk system will work with the proposed street layout, grading plan, proposed amenities and required design and construction standards.**
- 3. The Planning Commission may require that sidewalks be provided for pedestrian access in other subdivisions in order to provide safe access to school bus stops, amenity areas, non-residential establishments, existing or proposed sidewalks or greenways, or to serve as an amenity for the subdivision.**

4. Within Knox County, the developer shall follow the sidewalk requirements and design standards of the Subdivision Regulations as outlined in Section 3.05.B and 3.05.C.

OPTION 2 for required sidewalk improvements.

- A. Required Sidewalk Improvements. Sidewalks shall be provided by the developer in accordance with the design and construction standards of the City of Knoxville or Knox County.

1. Within the City of Knoxville, the developer should contact the City of Knoxville Department of Engineering regarding the applicable requirements and design standards from the City's adopted ordinances and regulations.

2. Within Knox County, sidewalks shall be provided by the developer in all subdivisions that will include more than 12 lots, or can be expanded into more than 12 lots, as follows:

- a. At a minimum, sidewalks shall be provided on one side of all public or private streets within the subdivision with the following exception. Secondary streets within the subdivision that will serve 12 or fewer lots, or will have a length of 400 feet or less, will not be required to have sidewalks.
  - b. Sidewalks shall be provided along all adjacent streets frontages located in the Parent Responsibility Zone (PRZ) or where the sidewalk can be connected to an existing or proposed greenway or sidewalk system.
  - c. Whenever sidewalks can be connected to existing or proposed sidewalks or pathways in adjacent areas, sidewalks shall be provided on that side of the street which will make this connection possible.
  - d. A pedestrian circulation plan shall be submitted with the Concept Plan to document that the proposed sidewalk system will work with the proposed street layout, grading plan, proposed amenities and required design and construction standards.
3. Within Knox County, the developer shall follow the sidewalk requirements and design standards of the Subdivision Regulations as outlined in Section 3.05.B and 3.05.C.

Staff has modified Section 3.05.B by moving items 5 and 6 to the new Section 3.05.C. Timing of the Installation of Sidewalks. At the Agenda Review meeting there was a question concerning a 2 foot grass strip being required between the back of the curb and the sidewalk. That requirement is part of the TDOT Design Standards. Staff is recommending approval as modified.

**B. Sidewalk Design and Construction Standards.**

1. **All sidewalks shall be constructed or reconstructed in accordance with the design standards and specifications set forth in the most current Tennessee Department of Transportation (TDOT) Design Standards.**
2. **All sidewalks built in accordance with this ordinance shall conform to the most recent published version of the Public Rights-of-Way Accessibility Guidelines (PROWAG) or 2010 Americans with Disabilities Act (ADA) Standards as appropriate.**
3. **Sidewalks shall have a minimum width of five (5) feet and shall be designed to support the weight of vehicles at all driveway crossings.**
4. **The site grading plan for the subdivision shall be designed to allow for the driveway transition from the street to the sidewalk, the design of the sidewalk, and the driveway transition from the sidewalk to the parking area/garage for the house.**

Staff has prepared two options regarding the timing of the installation of sidewalks for the Planning Commission's consideration. Staff is recommending approval of Option 1.

**OPTION 1 for the Timing of the Installation of Sidewalks**

**C. Timing of the Installation of Sidewalks**

1. **Sidewalks shall be installed at the time that the street improvements are installed for the subdivision. The developer or home builder shall be responsible for the costs associated with sidewalk replacement or repair during the construction of a house on a lot, or any amenity area within the subdivision.**
2. **Subdivisions with a Single Builder. The Knox County Department of Engineering and Public Works may allow the sidewalks for the subdivision to be installed with the construction of the individual houses within the subdivision, or approved phase of the subdivision, when the houses are being**

**built by a single home builder subject to the following:**

- a. **The bonds posted for the sidewalks within the subdivision may be adjusted to address costs associated with the delayed sidewalk construction (including site grading) and the increase in the number of inspections;**
- b. **All forms for the sidewalk and driveway shall be properly set and inspected prior to the sidewalk and driveway being paved;**
- c. **The developer or home builder shall be responsible for the cost associated with any sidewalk and driveway reconstruction that may be required as a result of the sidewalk not being constructed in compliance ADA standards; and**
- d. **All sidewalks within the subdivision, or approved phase of the subdivision, shall be completed within two years of the first certificate of occupancy for a house within the subdivision or approved phase.**

## **OPTION 2 for the Timing of the Installation of Sidewalks**

### **C. Timing of the Installation of Sidewalks**

1. **It is recommended that the developer install the required sidewalks at the time that the street improvements are installed for the subdivision. The developer or home builder shall be responsible for the costs associated with sidewalk replacement or repair during the construction of a house on a lot, or any amenity area within the subdivision.**
2. **The developer may delay the timing of the installation of the required sidewalks to the time that the individual houses are being built within the subdivision subject to the following:**
  - a. **The bonds posted for the sidewalks within the subdivision may be adjusted to address costs associated with the delayed sidewalk construction (including site grading) and the increase in the number of inspections;**
  - b. **All forms for the sidewalk and driveway shall be properly set and inspected prior to the sidewalk and driveway being paved;**
  - c. **The developer or home builder shall be responsible for the cost associated**

**with any sidewalk and driveway reconstruction that may be required as a result of the sidewalk not being constructed in compliance ADA standards; and**

- d. **All sidewalks within the subdivision, or approved phase of the subdivision, shall be completed within two years of the first certificate of occupancy for a house within the subdivision or approved phase.**

Section 3.05.E has been renumbered as Section 3.05.D. This proposed section allows the Planning Commission to consider alternative pedestrian circulation systems when it can be documented that sidewalks are not feasible. This would not be considered to be a variance from the sidewalk requirements. Staff is recommending approval as written.

- D. Alternative Pedestrian Circulation Systems. The Planning Commission may consider and approve an alternative plan for pedestrian traffic within a subdivision if the developer can demonstrate that sidewalks are not feasible due to site constraints, and the developer submits an alternative plan that provides a safe and convenient pedestrian network connecting all portions of the subdivision and any external pedestrian network.**

One additional correction is needed to Section 3.11 Required Easement, subsection A.2.a. In the second line the word “easement” should be added following “required standard utility and drainage”.

Staff is recommending APPROVAL of the proposed amendments to the Knoxville-Knox County Minimum Subdivision Regulations (revision date of September 7, 2017), including the proposed amendments to the sidewalk requirements, with an effective date of January 2, 2018.

---