



MEMORANDUM

TO: Knoxville-Knox County Planning Commission

FROM: Whitney Warner, Planner

DATE: Thursday, November 30, 2023

SUBJECT: Agenda Item # 20 / File # 12-A-23-OB

Proposed administrative map error correction and modification to the Official Zoning Map to properly address an administrative error and remove the (C) designation for property located at 512, 600 & 0 Richmond Ave (parcels 094HQ002, 003, and 02601).

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission, under Article 3.2.C of the City of Knoxville Zoning Ordinance, remove the (C) designation for parcels 094HQ02601, 094HQ002, and 094HQ003 to correct a map error.

BACKGROUND:

The (C) designation on the zoning map indicates the presence of a previously approved planned district per Article 1.4.G. This designation was applied upon the effective date of the current zoning ordinance on January 1, 2020. The purpose of this designation is to provide a visual cue that plans may have been approved for the parcels with this designation prior to the adoption of the current code.

Under Transition Rules, Article 1.4.G, all previously approved planned districts were to remain in effect, subject to all plans, regulations, and conditions of their approval after the current zoning code became effective. The code goes on to say that changes to a previously approved planned district, or request to remove a planned district, shall be made through the special use process.

There are some instances where the (C) designation has been applied, but no plans were ever submitted or approved for the property. Therefore, there are no previous plans or conditions placed on those properties. In these instances, the City has determined that the planned district designation can be removed per Article

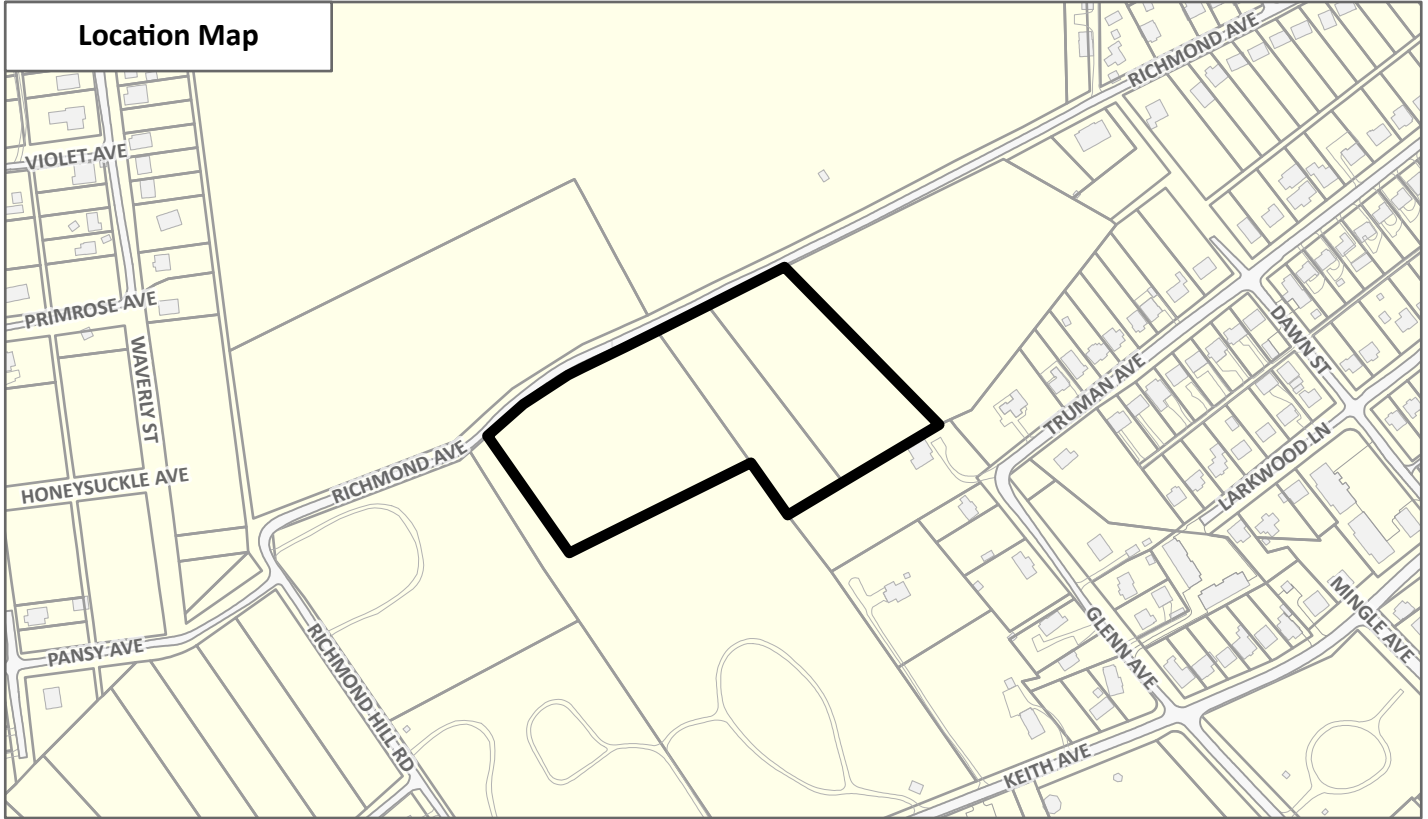
3.2.C, and the property can be developed according to the standards of the current zoning.

An administrative map error was discovered when reviewing parcels 094HQ02601, 094HQ002, 094HQ003 located at 600, 512 & 0 Richmond Ave. These parcels were previously zoned RP-1 (Planned Residential). The area is now zoned RN-2 with a (C) designation. Prior to the adoption of the new zoning ordinance, this property never had an approved plan associated with it.

The concept plan application (12-SA-23-C) is being reviewed simultaneously for 14 lots on 6.6 acres in RN-2 and cannot be approved without this approval.

Exhibit A. Contextual Images

Location Map



Aerial Map

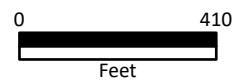


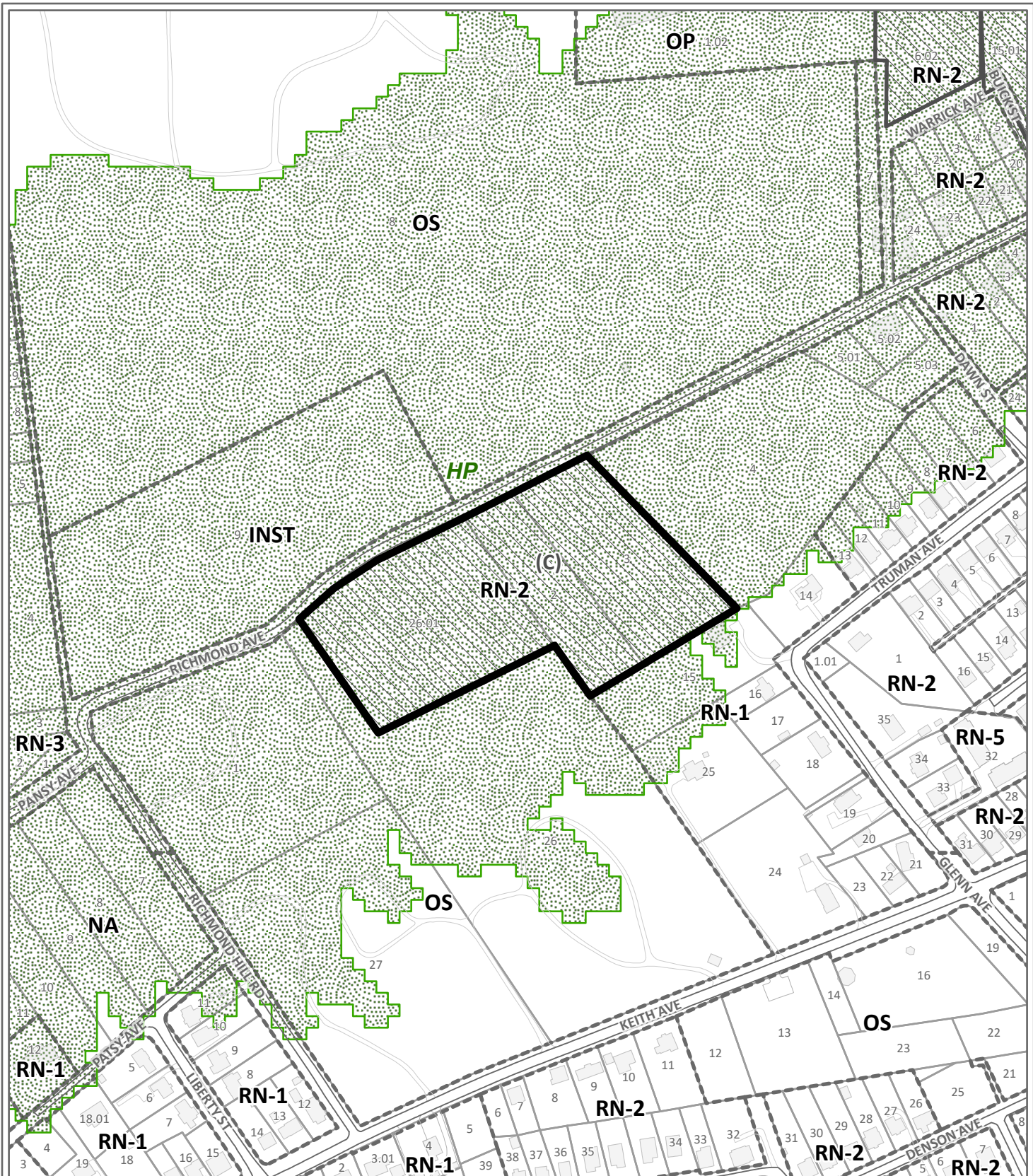
CONTEXTUAL MAPS 1

12-A-23-OB



Case boundary





OTHER BUSINESS

12-A-23-OB

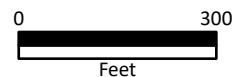
Petitioner: Knoxville-Knox County Planning Commission



Proposed administrative map error correction and modification to the Official Zoning Map to properly address an administrative error and remove (C) designation for property located at 512, 600 & 0 Richmond Ave (parcels 094HQ002, 003, 02601).

Map No:
Jurisdiction:

Original Print Date: 11/13/2023
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902





Code Interpretation

DATE: July 11, 2023
FROM: Peter Ahrens, Zoning Code Administrator
TO: Amy Brooks, Executive Director, Knoxville-Knox County Planning
RE: Previously Approved Planned Districts

Ms. Brooks,

You asked me to make a Zoning Code interpretation regarding the following question: when a property does not have a development plan approved by the Planning Commission on file, how can the property owner remove from the Zoning Map the "(C)" designation for previously approved planned districts?

Our current Zoning Code at Article 1.4.G, Transition Rules, states:

G. Previously Approved Planned Districts

1. As of the effective date of this Code, all previously approved planned districts of RP-1, RP-2, RP-3, PC-1, PC-2, SC-1, SC-2, SC-3, I-1, BP-1, TND-1, and TC-1 remain in effect and are subject to all plans, regulations, and/or conditions of their approval.
2. For the purposes of the Zoning Map, previously approved planned districts will be designated with a "(C)."
3. Any changes to a previously approved planned district, or request to remove the planned district designation from a property shall be made through the special use process in Section 16.2.

The prior Zoning Code at Article IV.3.0, Planned Development Districts – General Provisions, stated as follows:

3.0. General Provisions

Planned development districts allow development of land in a well-planned and coordinated manner, providing opportunities for more efficient utilization of land than would otherwise be permitted by the basic district provisions of this article. As part of the zoning approval process, public review and metropolitan planning commission approval of development plans are required prior to any development. The planned development district may permit a greater mixing of land uses not easily accomplished by the application of basic district boundaries, or a framework for coordinating

the development of land with the provision of an adequate roadway system or essential utilities and public services. In return, the planned development district provisions require a high standard for the protection and preservation of environmentally sensitive lands, well-planned living, working and shopping environments, and an assurance of adequate and timely provision of essential utilities and streets.

Properties that had a previously approved planned district in place under the old Zoning Code were required to have a development plan approved in order for the owner to be able to take advantage of the flexibility a planned district offered. If a property owner did not get a development plan approved by the Planning Commission, the planned district designation on the official Zoning Map should not have been carried over to the new Zoning Map, which went into effect on January 1, 2020. In these cases, the appropriate way to remove the planned district designation on the official Zoning Map is through the administrative mapping error process under Article 3.2.C. of the current Zoning Code. Appeals of this Code interpretation may be initiated under Article 16.9.

Sincerely,



Peter M. Ahrens
Zoning Administrator