



## MEMORANDUM

**TO:** Knoxville-Knox County Planning Commission  
**FROM:** Jessie Hillman, Principal Planner  
**DATE:** July 13, 2023  
**SUBJECT:** **7-C-23-OB** Agenda Item #28  
Article 3.2.C. Administrative Mapping Errors - Administrative map error correction for a portion of parcel ID 060PA02501 at address 0 Monte Vista Road, and parcel ID 071AB003 at address 5229 McIntyre Road

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### **STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission remove the (C) designation from parcel 071AB003, and a portion of parcel 060PA02501, under section 3.2.C of the City of Knoxville Zoning Ordinance, to correct a map error as evidenced on the attached map (Exhibit A).

### **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. This determination is reflected in the attached memo from the Zoning Code Administrator.

**SUBJECT PROPERTY:**

Prior to the adoption of the new zoning ordinance, these properties never had approved plans associated with them. The file numbers associated with parcel 060PA02501 (0 Monte Vista Road) are for a concept plan and special use occurring after the new RN-2 zoning change. Parcel 071AB003 (5229 McIntyre Road) does not have any plans associated with it.



## 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

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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.

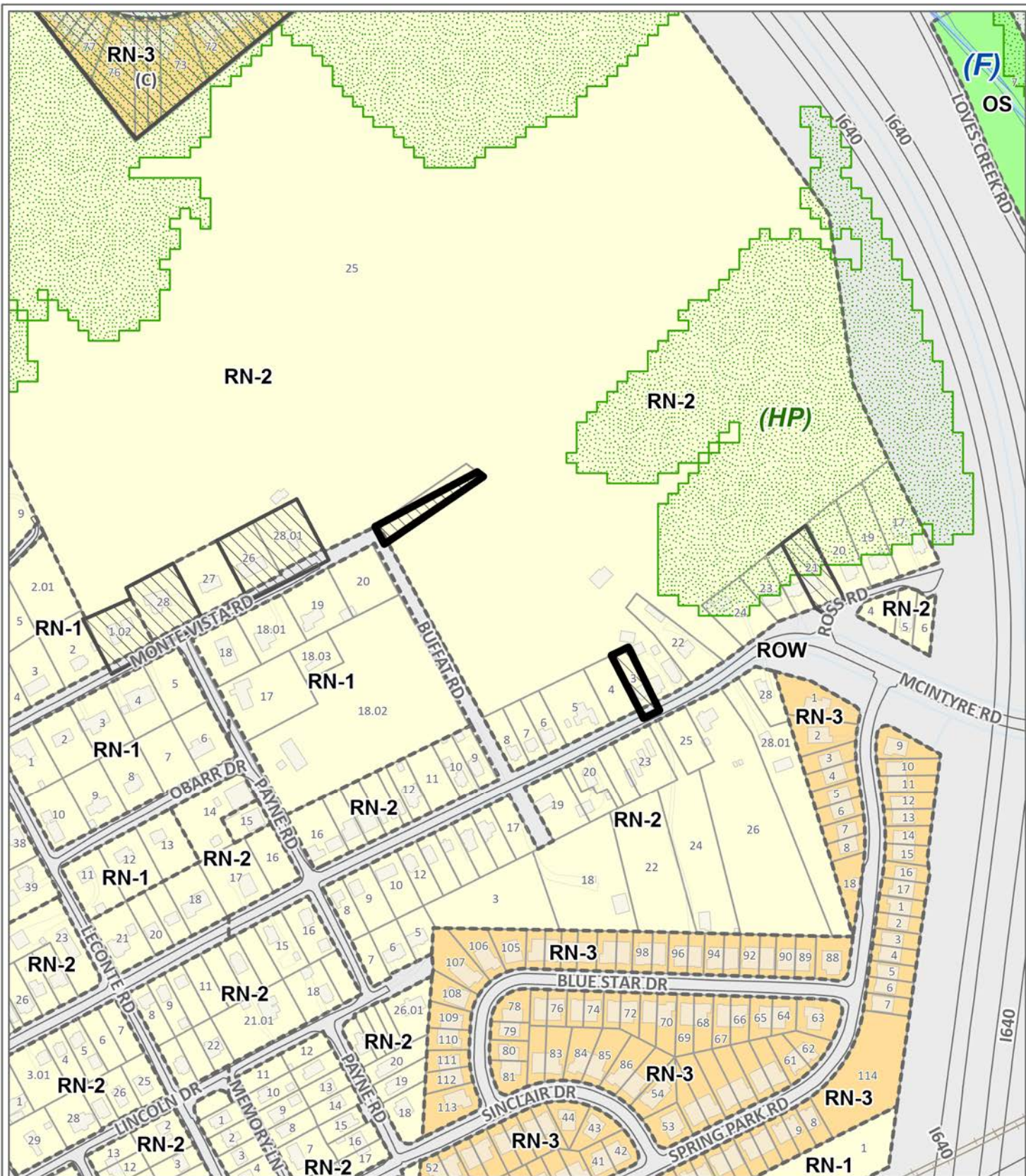
Properties that had a previously approved planned district in place under the old Zoning Code were required to have a development plan approved in order for the owner to be able to take advantage of the flexibility a planned district offered. If a property owner did not get a development plan approved 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





**OTHER BUSINESS**

**7-C-23-OB**

**Petitioner:** Knoxville-Knox County Planning



Map error correction and modification to properly address an administrative error and remove the previously approved planned district (C) designation for property located at 5229 McIntyre Rd (parcel 071AB003) and 0 Monte Vista Rd (parcel 060PA02501).

**Map No:** 071, 061

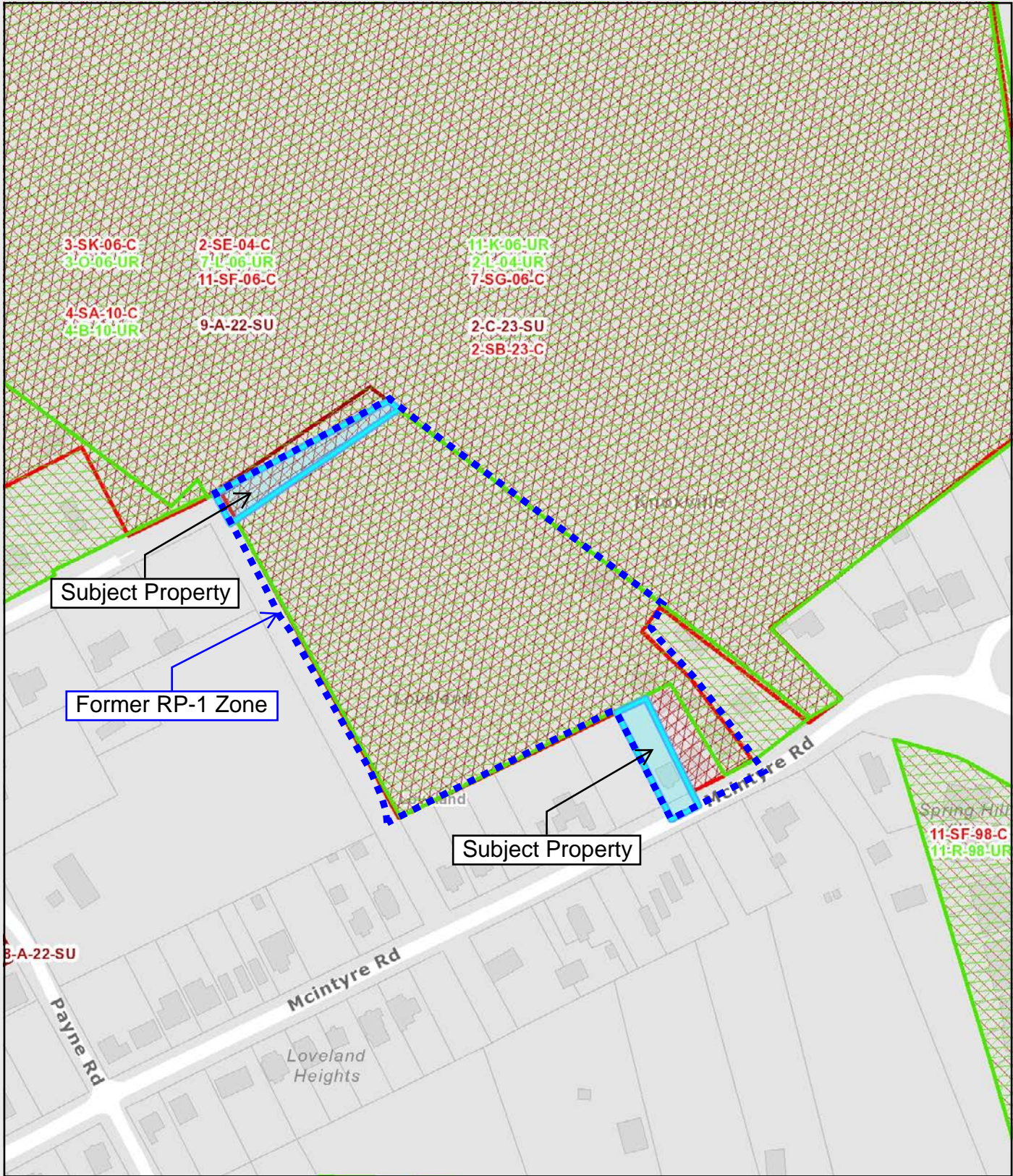
**Jurisdiction:** City

**Original Print Date:** 6/20/2023

Knoxville - Knoxville County Planning Commission \* City / County Building \* Knoxville, TN 37902



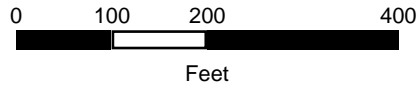




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Exhibit A

5229 McIntyre Road



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