



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,

A handwritten signature in black ink, appearing to read "P. Ahrens", written in a cursive style.

Peter M. Ahrens
Zoning Administrator