

RESOLUTION No. 2022-xxx

Sponsored by Commissioners _____ and _____

A RESOLUTION TO AMEND THE ZONING RESOLUTION OF BLOUNT COUNTY, TENNESSEE, BY MODIFYING ARTICLES 7, 9, AND 13 AS RECOMMENDED BY THE PLANNING COMMISSION AD HOC COMMITTEE.

BE IT RESOLVED, by the Board of Commissioners of Blount County Tennessee, in session assembled this _____ day of _____, 2022:

WHEREAS, the Legislature of the State of Tennessee has enabled Blount County to adopt and amend zoning regulations in Tennessee Code Annotated Section 13-7-101, *et seq.*, and

WHEREAS, the Board of Commissioners of Blount County, Tennessee adopted zoning regulations in Resolution 00-06-010 **A RESOLUTION ADOPTING ZONING IN BLOUNT COUNTY PURSUANT TO SECTIONS 13-7-101, *et seq.*, OF THE TENNESSEE CODE ANNOTATED**, and

WHEREAS, the Blount County Regional Planning Commission formed an ad hoc committee to study the zoning and subdivision regulations and to make recommendation regarding changes to the same to better manage residential growth; and

WHEREAS, the ad hoc committee concluded their study and forwarded these recommendations to the Blount County Regional Planning Commission for consideration; and

WHEREAS, the Blount County Regional Planning Commission met in regular session on April 28, 2022, and voted to recommend that the County Commission approve the following amendments to the zoning regulations; and

WHEREAS, the Alcoa Regional Planning Commission met in regular session on **May 19, 2022**, and also voted to **recommend** that the County Commission approve the following amendments to the zoning regulations; and

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF BLOUNT COUNTY, TENNESSEE, **to adopt the following:**

(Note: Additions are *italicized and underlined*. Deletions are ~~struck through~~.)

1. That Article 7 be amended to read as follows:

Section 7.3. Reserved. Planned Unit Development. ~~The purposes of these provisions for planned unit development are to allow flexibility in design of a large development, and to allow mixed use where such mixed use shall be reasonably designed and integrated into a large development. The following shall apply:~~

A.—— The minimum size of a planned unit development shall be fifteen acres under unified ownership prior to development.

B.—— A site plan shall be required as provided in Section 7.2.

C.—— The use regulations of the zone shall apply to any planned unit development, with additional appropriate nonresidential uses to be considered by special exceptions and integrated in the planned unit design.

D.—— Density, lot size and setback requirements.

(1)—— For other than R-2 zone provisions for development at .33 dwelling units per acre, the density, lot size and setback requirements of the district shall apply to any planned unit development, provided that such requirements may be varied under the following conditions and limitations: the overall required density of development by use is maintained; no subdivided lot is less than one-half the minimum applicable lot size by use within the district; setbacks on the perimeter of the planned unit development are maintained at the greater of district minimum or 20 feet with no variation; and no principal structure is located nearer than ten feet to any other principal structure if such structures are detached on an undivided parcel.

(2)—— For R-2 zone developments allowed at .33 dwelling units per acre and not served by public utility water and/or public utility sewer, or served by private gravel roads, overall density of development shall be no greater than one dwelling unit per three acres, the minimum subdivided lot size shall be 1.5 acres, a minimum of 35 percent of gross land area for open space shall be provided exclusive of road right-of-way, setbacks on the perimeter of the planned unit development shall be maintained at the greater of district minimum or 20 feet with no variation, and no principal structure shall be located nearer than ten feet to any other principal structure if such structures are detached on an undivided parcel.

(3)—— For R-2 zone developments allowed at .33 dwelling units per acre and served by public utility water and public utility sewer and roads paved to design standards of the Subdivision Regulations, overall density of development shall be no greater than one dwelling unit per three acres, the minimum subdivided lot size shall be 30,000 square feet (0.69 acre), a minimum of 35 percent of open space shall be provided exclusive of road right-of-way, setbacks on the perimeter of the planned unit development shall be maintained at the greater of district minimum or 20 feet with no variation, and no principal structure shall be located nearer than ten feet to any other principal structure if such structures are detached on an undivided parcel.

E.—— Any common elements and/or any common areas shall be maintained by a property owners association to be formed at the time of planned unit development approval, or by the owner or management authority of the planned unit development if such development does not involve separate ownership of lots or structures.

[...]

Section 7.5. Signs.

[...]

D. For a unified development such as a major subdivision of more than four lots, multifamily development, or manufactured home park development, ~~or a planned unit development~~, one development identification sign shall be permitted per road frontage to such development, such sign to be no greater than 50 square feet in area with height no greater than ten (10) feet above the finished grade of the ground. Any decorative wall or fence on which such sign is placed shall not be considered as part of the sign.

2. That Article 9 be amended to read as follows:

Section 9.1 S – Suburbanizing District.

[...]

F. Minimum Lot Size and Density: unless otherwise explicitly required in subsections above, the minimum lot size per unit for development shall be ~~30,000~~ 32,670 square feet (0.75 acre) if septic tank and field line is utilized, or ~~7,000~~ 10,890 square feet (0.25 acre) if public utility sewer is utilized. For other than one unit per lot, ~~or for planned unit development~~, the density shall be no greater than 1.2 units per gross acre if septic tank and field line is utilized, or ~~6.2~~ 4.0 units per gross acre if public utility sewer is utilized, provided that for high density multifamily planned development the maximum density shall be thirteen (13) units per acre (see also Subsection I below).

[...]

I. Specific regulations for high density multifamily planned development: Notwithstanding other regulations in this resolution, high density multifamily planned development ~~shall be considered as a Planned Unit Development under provisions of Section 7.3~~, shall require a site plan under Section 7.2, shall apply all requirements of a multifamily development under Section 7.6, and shall meet the following additional criteria and regulations:

[...]

Section 9.2 R-1 – Rural District 1.

[...]

F. Minimum Lot Size and Density:

1. If on individual septic system, unless otherwise explicitly required in subsections above, the minimum lot size per unit for development shall be ~~30,000~~ 32,670 square feet (0.75 acre). For other than one unit per lot, ~~or for planned unit development~~, the density shall be no greater than 1.2 residential units per gross acre.

2. If on public utility sewer, unless otherwise explicitly required in subsections above, the minimum lot size per unit for development shall be 23,000 square feet. For more than one unit per lot, ~~or for planned unit development~~, the density shall be no greater than 1.5 residential units per gross acre.

[...]

Section 9.3 R-2 – Rural District 2.

[...]

- F. Minimum Lot Size and Density: unless otherwise explicitly required in subsections above, the minimum lot size per unit for development shall be five acres. For other than one unit per lot, ~~or for planned unit development~~, the density shall be no greater than 0.2 units per gross acre, ~~provided that density may be up to 0.33 units per gross acre in planned unit developments with a commensurate amount of common open space permanently set aside and maintained.~~

[...]

Section 9.6 AIR – Airport District. McGhee Tyson Airport and the immediately surrounding area, is under the control of the Metropolitan Knoxville Airport Authority, with independent planning, policing, fire protection, building code enforcement, and regulation by state and federal entities. The airport is of regional significance and contains a unique and interrelated mix of airport, governmental and commercial uses. In recognition of the unique nature of the district, and in order to allow flexibility in planning and development for the Airport District, and notwithstanding any other provision in this Resolution, the following shall apply:

- A. Any use directly related to airport operation or governmental uses in the Airport District, including airplane hangars and parking aprons and any use within passenger or cargo terminals or related parking areas, shall not be subject to the provisions and regulations of this Resolution;

~~B. any other use shall be considered as part of a total Planned Unit Development comprising the entire Airport District;~~

C.B. Except as excluded under subsection A above, all uses permitted or permitted as a special exception in any other district in this Resolution shall also be permitted or permitted as a special exception in the Airport District except for residential uses, **and all other requirements for Planned Unit Development shall apply.**

3. That Article 13 be amended to read as follows:

Article 13. DEFINITIONS.

[...]

~~CLUSTER DEVELOPMENT: Cluster Development is a type of subdivision which allows for reduced lot sizes and setbacks in exchange for preserved open space. Cluster Development is regulated in accordance with the Subdivision Regulations and is allowed in any district where a standard subdivision would be allowed, subject to review and approval by the Planning Commission. In approving a Cluster Development, the Planning Commission may vary the dimensional requirements of the various districts with respect to lot size and setbacks provided the overall required density of development by use is maintained; no subdivided lot is less than one-half the minimum applicable lot size by use within the district; setbacks on the perimeter of the cluster development are maintained at district minimum or greater with no variance; and no principal structure is located nearer than ten feet to any other principal structure. Cluster Developments differ from Planned Unit Developments (PUDs) in that the former consists exclusively of single family homes on detached lots while the latter must include both residential and nonresidential uses.~~

[...]

~~PLANNED UNIT DEVELOPMENT: A Planned Unit Development is one constructed on a tract of at least twenty-five (25) acres under single ownership at the time of application, planned and developed as an integral unit, and consisting of a combination of residential and nonresidential uses on land found within the S, R-1, R-2, C (by reference to 9.1; Suburbanizing), and RAC (by reference to 9.2) districts. Planned Unit Developments are subject to review and approval by the Board of Zoning Appeals as Special Exception in any of these districts. Planned Unit Developments that are intended to be subdivided into separate lots are also subject to review and approval by the Planning Commission of any required plat(s).~~

BE IT FURTHER RESOLVED THAT THIS RESOLUTION SHALL BE IN FORCE AND BECOME EFFECTIVE UPON ITS ADOPTION, THE PUBLIC WELFARE REQUIRING IT.

CERTIFICATION OF ACTION

ATTEST

Commission Chairman

County Clerk

Approved: _____

Vetoed: _____

County Mayor

Date

DRAFT