

5. Resolution No. 25-07-012, To Amend the Zoning Resolution of Blount County, Tennessee, by Modifying Section 7.20.C to Revise the Open Space Requirement of Cluster Developments.

Attachments: 25-07-012 Resolution 7.20.C Open Space Requirements

Memo Re Amendment to Zoning Regs - Sec 7.20.C Open Space Requirement of Cluster Developments

Resolution Draft open space

Minutes of Planning Commission 2025-Mar-27

Alcoa Regional Planning Commission Resolution

Public hearing notice cluster devt open space

A motion was made by Commissioner Wells, seconded by Commissioner French to adopt the resolution.

A motion was made by Commissioner Giles, seconded by Commissioner Carver, that the Resolution be amended to change the percentage of gross project area from 30% to 35%. An electronic vote was taken. The Chairman declared the motion to amend failed by the following vote:

Yes: 10 - Anderson, Bledsoe, Bowers, Carver, French, Giles, Jopling, King, McMahan, and Wells

No: 6 - Bright, Davis, Hannah, Martin, Mikels, and Webb

Absent: 5 - Akard, Bennett, Caldwell, Caylor, and Reagan

Abstain: 0

A motion was made by Commissioner Wells, seconded by Commissioner French that the resolution be amended to 33.3% gross project area.

A motion was made by Commissioner Bowers, seconded by Commissioner Bright, that the motion to amend be amended to 35% of the gross project area in the Suburbanizing zone and 40% in the R1 and the R2 zones. An electronic vote was taken. The Chairman declared the motion to amend the amendment passed by the following vote:

Yes: 15 - Anderson, Bledsoe, Bowers, Bright, Carver, French, Giles, Hannah, Jopling, King, Martin, McMahan, Mikels, Webb, and Wells

No: 1 - Davis

Absent: 5 - Akard, Bennett, Caldwell, Caylor, and Reagan

Abstain: 0

An electronic vote was taken on the motion to adopt the amendment as amended. The Chairman declared the motion to adopt the amendment as amended passed by the following vote:

Yes: 15 - Anderson, Bledsoe, Bowers, Bright, Carver, French, Giles, Hannah, Jopling, King, Martin, McMahan, Mikels, Webb, and Wells

No: 1 - Davis

Absent: 5 - Akard, Bennett, Caldwell, Caylor, and Reagan

Abstain: 0

The Chairman asked unanimous consent to amend the original motion to adopt be a motion to forward the amended resolution to the Blount County, Alcoa, and Maryville Regional Planning boards for review and approval. There was no objection. An electronic vote was taken. The motion to forward the resolution as amended to the planning bodies was approved by the following vote:

Yes: 15 - Anderson, Bledsoe, Bowers, Bright, Carver, French, Giles, Hannah, Jopling, King, Martin, McMahan, Mikels, Webb, and Wells

No: 1 - Davis

Absent: 5 - Akard, Bennett, Caldwell, Caylor, and Reagan

Abstain: 0

RESOLUTION NO. 25-07-012

SPONSORED BY: Commissioners David Wells, Quentin Caldwell, Rick Carver, Earl McMahan, Mike Caylor, and Scott King

A RESOLUTION TO AMEND THE ZONING RESOLUTION OF BLOUNT COUNTY, TENNESSEE BY MODIFYING SECTION 7.20.C TO REVISE THE OPEN SPACE REQUIREMENT OF CLUSTER DEVELOPMENTS.

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 has determined that the open space requirement of cluster developments should be reduced; and

WHEREAS, the Blount County Regional Planning Commission met in regular session on March 27, 2025, and voted 5-3 to recommend that the County Commission approve the following amendment to the zoning regulations; and

WHEREAS, the Alcoa Regional Planning Commission also met in regular session on May 15, 2025 and voted to recommend that the County Commission approve the following amendment to the zoning regulations; and

NOW, THEREFORE, BE IT RESOLVED by the Legislative Body of Blount County, Tennessee, assembled in regular session on this ____ day of _____ 20__ to adopt the following:

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

That Section 7.20.C. be amended as follows:

C. Open Space Requirements. For purposes of this section, open space shall:

- (1) Comprise a minimum of ~~forty (40)~~ *thirty-five (35) percent of the gross project area in the suburbanizing zones; and forty (40) percent in the R1 and R2 zones;* and
- (2) Be designated so that a minimum of twenty-five (25) percent of the proposed open space is contiguous and, where possible, adjoins open space or other protected areas ~~outside~~ the project area; and
- (3) Be designated so that, where possible, a majority of the lots directly abut open space to provide residents with direct views and access; and
- (4) Be accessible by safe and convenient pedestrian access from all adjoining lots (except in the case of farmland or other resources areas vulnerable to trampling damage or human disturbance); and
- (5) Be calculated as follows:
 - a. Primary open space. Primary open space is land set aside that is free of development hindrances and is otherwise suitable for inclusion in calculations

toward lot area of a standard subdivision. For purposes of this section, the dedication of primary open space is credited at a 1:1 ratio toward calculation of the minimum open space requirement. For example, one (1) acre of otherwise developable land would count as one (1) acre toward the minimum ~~forty (40)~~ thirty-five (35) percent of the gross project area in the suburbanizing zones; and forty (40) percent in the R1 and R2 zones.

- b. Secondary open space. Secondary open space is defined as any area otherwise hindered for development, including but not limited to, drainage easements and/or stormwater detention or retention areas, areas within a sink hole, floodplains, access easements, setbacks required from wells, setbacks required from water bodies, areas greater than thirty (30) percent slope, areas geologically constrained by rock outcrop, or any area deemed as a development hindrance in assessing lot area required for septic capability by the Director of the Blount County Environmental Department based upon field inspection. The dedication of secondary open space is credited at a 0.5:1 ratio toward calculation of the minimum requirement. For example, a one (1) acre stormwater pond would count as 0.5 acres toward the minimum ~~forty (40)~~ thirty-five (35) percent of the gross project area; and forty (40) percent in the R1 and the R2 zones.

BE IT FURTHER RESOLVED that this resolution shall be in force and become effective upon its adoption, the public welfare requiring it.

Duly authorized and approved the _____ of _____ 20__.

CERTIFICATION OF ACTION

ATTEST

Commission Chairman

County Clerk

County Mayor

Date

- ☐ Approved
☐ Vetoed