

RESOLUTION NO. 22-11-016

**Sponsored by Commissioners Mike Akard, Nick Bright, Misty Davis,
Jessica Hannah and Steve Mikels**

**A RESOLUTION TO AMEND THE ZONING REGULATIONS FOR
SUBURBANIZING AND R1 ZONING DISTRICTS OF BLOUNT COUNTY,
TENNESSEE**

BE IT RESOLVED, by the Board of Commissioners of Blount County, Tennessee, assembled in regular session this 17th day of November 2022:

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

WHEREAS, the Board of Commissioners of Blount County, Tennessee, adopted zoning regulations in Resolution No. 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, occasional amendments to the Zoning Regulations are necessary to resolve conflicts within and between previously adopted regulations; and

WHEREAS, amendments to the Zoning Regulations provide technical corrections as necessary; and

WHEREAS, such amendments serve to provide additional clarity for staff and the development community; and

WHEREAS, such amendments are necessary to reduce or eliminate the need for further legal interpretation relative to these topics; and

WHEREAS, according to TCA 13-7-105 (a) “The county legislative body may, from time to time, amend the number, shape, boundary, area or any regulation of or within any district or districts or any other provision of any zoning ordinance; but any such amendment shall not be made or become effective unless the same be first submitted for approval, disapproval or suggestions to the regional planning commission of the region in which the territory covered by the ordinance is located, and, if such regional planning commission disapproves within thirty (30) days after such submission, such amendment shall require the favorable vote of a majority of the entire membership of the county legislative body.”; and

WHEREAS, according to TCA 13-7-105 (b) “Prior to adopting an amendment as authorized under subsection (a), the county legislative body shall hold a public hearing on the amendment, with at least fifteen (15) days' notice of the time and place to be given by at least one (1) publication in a newspaper of general circulation in the county. A complete summary of the amendment shall be published at least once in the official newspaper of the county or in a newspaper of general circulation in the county. The summary shall include a statement that a complete copy of the amendment is available and where the copy may be obtained. If the zoning ordinance rezones property, a description of the property that is rezoned shall be included in the summary.”; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Blount County, Tennessee, that Blount County's Zoning Ordinance shall be amended as follows:

1) Section 9.1.F shall be removed in its entirety, and its place the following shall be inserted:

F. Minimum Lot Size and Density: unless otherwise explicitly required in subsections above, the minimum lot size per unit for development shall be 32,670 square feet (.75 acres) if septic tank and field line is utilized or 21,780 square feet (.50 acres) 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 units per gross acre if public sewer utility is utilized, provided that for high density multi-family planned development the maximum density shall be 13 units per acre. (See also subsection I below.)

2) Section 9.2.F shall be removed in its entirety, and its place the following shall be inserted:

F. Minimum Lot Size and Density: Whether on individual septic system or on public utility sewer, unless otherwise explicitly required in subsections above, the minimum lot size per unit for development shall be 32,670 square feet (.75 acres). 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.

BE IT FURTHER RESOLVED that on or after November 1, 2025, the Board of Commissioners by a majority vote, without a zoning public hearing or approval by any planning commission may specifically revoke this resolution and in such case the zoning ordinance provisions herein changed shall revert to those in effect on November 1, 2022.

BE IT FURTHER RESOLVED that based upon these amendments to the Zoning Regulations, the Regional Planning Commission will be responsible for modifying Subdivision Regulations to make the same compatible with the above amendments with the Zoning Regulations.

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 this 17th day of November 2022.

CERTIFICATION OF ACTION

ATTEST

Commission Chairman

County Clerk

Approved: _____

Vetoed: _____

County Mayor

Date