

TO: Commissioners, Knoxville-Knox County Metropolitan Planning Commission
ROM: Fountain City Town Hall, Inc.
DATE: March 11, 2014
RE: Corridor Overlay—3-13-14 Amendments to the Knoxville Zoning Ordinance.

We appreciate the changes made to the Corridor Overlay. We offer the following requests and comments: Proposed changes to **A, C, D and G** address the need to provide a clear focus for each corridor overlay by directly tying corridor-specific standards, goals, and objectives to the unique characteristics of the corridor.

A. General Description.

First Paragraph Change:

FROM: “Within the City of Knoxville are many roadway corridors that are very significant because they serve as important gateways to the City and its neighborhoods. These corridors also serve as valuable amenities and assets to the City, its residents and its economy. The intent of this section is to preserve, enhance and sustain the value of these corridors and hereby authorize the establishment of corridor overlay districts.”

TO: “Within the City of Knoxville are many roadway corridors that are very significant because they serve as important gateways to the City and its neighborhoods. These corridors also serve as valuable amenities and assets to the City, its residents and its economy. The intent of this section is to **identify corridors with significant, unique characteristics not generally found throughout the City and to** preserve, enhance and sustain the value of these corridors and hereby authorize the establishment of corridor overlay districts.”

Second Paragraph Change:

FROM: “The purpose of these corridor overlay districts is to provide a method to implement the corridor-specific recommendations of approved corridor plans by establishing alternative or additional development standards that achieve the goals and objectives expressed in these plans. These corridor-specific development standards may go beyond single property ownership and underlying zone district boundaries and the standards currently established in the underlying districts.”

TO: “The purpose of these corridor overlay districts is to provide a method to implement the corridor-specific recommendations of approved corridor plans by establishing alternative or additional development standards that achieve the goals and objectives expressed in these plans. **The standards, goals and objectives shall directly relate to the identified characteristics unique to the corridor.** These corridor-specific development standards may go beyond single property ownership and underlying zone district boundaries and the standards currently established in the underlying districts.”

C. Council approved plan for each corridor required.

FROM: “A corridor overlay district may be added to the zoning map with the adoption of an ordinance by City Council. The ordinance creating a corridor overlay district shall be accompanied by a corridor plan which establishes the boundaries of the district, establishes why the area within the district is worthy of special attention, documents recommendations for future development within the district and establishes corridor specific development standards to implement those recommendations. Such corridor specific development standards may provide alternative standards to those currently in place in the underlying districts or supplement other standards currently established in the zoning ordinance.”

TO: “*C. Council approved plan for each corridor required.* A corridor overlay district **shall** be added to the zoning map with the adoption of an ordinance by City Council. The ordinance creating a corridor overlay district shall be accompanied by a corridor plan. **The corridor plan shall establish** the boundaries of the district, **establish** why the area within the district is worthy of special attention; **document** recommendations for future development within the district; and **establish** corridor specific development standards to implement those recommendations. Such corridor specific development standards may provide alternative standards to those currently in place in the underlying districts or supplement other standards currently established in the zoning ordinance. **The plan recommendations and standards shall be based on, and directly related to, the specific characteristics worthy of special attention identified for the district. The plan shall include a rationale describing how the recommendations and standards relate to the unique characteristics of the corridor district.**”

D. District initiation procedures.

FROM: “2. Such resolution shall instruct the staff of the Metropolitan Planning Commission to prepare a corridor district plan, including necessary land use and other background studies.”

TO: “2. Such resolution shall **identify the general geographic area to be considered, describe the specific characteristics or conditions of the area worthy of special attention,** and shall instruct the staff of the Metropolitan Planning Commission to prepare a corridor district plan, including necessary land use and other background studies.”

FROM. “3. “All property owners within the proposed corridor district and adjacent areas shall be provided an opportunity through public meetings...”

TO: “3. All property owners within the proposed corridor district and **the general public** shall be provided an opportunity through public meetings...”

OPTION 1. We support the staff’s recommendation regarding the adoption of Option 1.

NOTE: If we are going to trust this process for some standards and requirements, we should trust them for all.

G. Administration.

3. b. ADD: The action of the Metropolitan Planning Commission may be appealed to the Knoxville City Council following the procedures in (Cite appropriate Article and Section) of the zoning ordinance.

6. Change FROM: “The planning commission shall approve any revisions or deviations that cannot meet the standards for minor revisions...”

TO: “The planning commission **shall consider** any revisions or deviations that cannot meet the standards for minor revisions....”

7. Change FROM: “Applications for variances from dimensional requirements that are part of an approved development plan shall not be considered by the City’s Board of Zoning Appeals. Any requests for variances of dimensional requirements shall be made to and acted upon by the City’s Board of Zoning Appeals prior to consideration of a development plan by the planning commission.”

TO: “Applications for variances from dimensional requirements that are part of a **City Council adopted Corridor Overlay District shall not be considered by the City’s Board of Zoning Appeals.**”

Delete “Any requests for variances of dimensional requirements shall be made to and acted upon by the City’s Board of Zoning Appeals prior to consideration of a development plan by the planning commission.”

Note: Corridor Overlay Districts allow the adoption of regulations different from those of the base district. The point of adopting different regulations is to more appropriately address the specific needs of a specific area. The adopted corridor regulations may be less restrictive than those of the base zone.

Why permit an owner to apply for a variance after the adoption of the Corridor Overlay and overlay standards, but prior to consideration of a development plan for a specific parcel of property?

The variance might well be contrary to the purpose and goals of the Corridor Overlay.

Carlene Malone

Charlotte Davis, Co-Chairs, Land Use Committee