

# Local Plans & Regulations

## Metropolitan Planning Commission Regulations

### Summary

#### **Growth Policy Plan**

The Growth Policy Plan prohibits commercial and industrial rezoning in the Rural Area on properties that have pre-development slopes of 16% or greater, as defined by the Minimum Subdivision Regulations. The plan also includes policies that restrict residential rezoning in the Rural Area on both steep and moderate slopes, at densities ranging from one (1) dwelling per two acres to one (1) dwelling per one acre.

#### *Goals & Policies*

- 3.3 Rezoning on slopes of 25 percent or more shall be limited to the following zoning districts: Open Space (OS), Estate (E) and Planned Residential (PR) at densities of one (1) dwelling unit per two or more acres. Rezoning on slopes of 15 to 25 percent shall be limited to zoning districts which have a minimum one (1) acre lot size; Agriculture (A), Estate (E), Open Space (OS), and Planned Residential (PR) on lots of one (1) or more acres are appropriate.
- 3.6(b) Land within the Rural area may be rezoned for business parks or industries for the following condition, wetlands, floodways, streams, or hillside lands with pre-development slopes of 16 % or greater, as defined in Section 82-30 of the Knoxville-Knox County Subdivision Regulations shall not be rezoned for industrial or commercial use.

#### *Other Recommendations*

- 4.2 Incentives to encourage rural cluster development, whereby rural landscape features are preserved by allowing concentration of development on a relatively small part of a rural site. This could be based on a modified form of the existing Open Space (OS) zoning district.
- 6.1 Local zoning ordinances should be revised to include overlay zones or site plan review provisions that would create and enforce environmentally sound standards for development on hillsides or other steeply sloping lands. Hillside protection ordinances (a) to limit the intensity of new development on hillsides, and (b) to preserve trees and ground cover as part of development processes. These regulations are needed to manage forest resources during development, protect habitat, prevent erosion, preserve aesthetic resources, maintain water quality and avoid flooding.
- 6.7 The local governments should work with state and federal biologists to identify where there are critical habitats for endangered species and develop local programs to set aside open space in those areas.

## **General Plan 2033**

The following are development policies found in the General Plan 2033 that address steep slopes, ridges and hillsides:

- 6.1 Encourage flexible, planned development zones to protect hillsides, woodlands, wildlife habitats, and stream corridors.
- 6.2 Complement natural land forms when grading, and minimize grading on steep slopes and within floodways.
- 6.8 Protect the scenic vistas of ridges and valleys.
- 6.9 Set aside greenways along streams and ridges to protect floodplains, stream sides and steep slopes.

## **Sector Plans**

All sector plans identify areas for slope protection. These include properties characterize by slopes in excess of 15%. However, the land use policies that deal with slope protection focus on their use as residential properties, rather than for a wider range of land uses. The following summarizes the basic policies for development in slope protection areas.

### **Slopes 15% - 25%**

- Residential development at 1-2 dwelling units per acre

### **Slopes 25% or greater**

- Residential at 1 dwelling per 2 acres

The policies also call for the protection of forested areas in association with steep slope areas and the use of planned development zones for further protection.

## **Knox County and Knoxville Zoning Ordinances**

The Knox County Zoning Ordinance, per se, does not include any specific standards or regulations for slope protection. The ordinance, however, does include several “planned zoning” districts, which allow the Planning Commission to review development plans and include reasonable conditions that address steep slopes and their development impacts. A weakness of the ordinance, however, is that there is no site plan review requirement for several intense commercial and industrial zones.

## **Minimum Subdivision Regulations**

The Metropolitan Planning Commission has minimum subdivision regulations that govern the subdivision of land within the City of Knoxville and Knox County. In general these regulations are administered by the Metropolitan Planning Commission; however the City of Knoxville and Knox County and other agencies have regulatory approval for specific aspects of plans submitted to conform to these regulations. The purposes of the Subdivision Regulations are as follows:

- Provide harmonious development
- For the coordination of roads within the subdivided land, with other existing or planned roads, or the state or regional plan
- For adequate open spaces for traffic, light, air and recreation
- Of the avoidance of population congestion
- For the avoidance of such scattered or premature subdivision of land as would involve danger or injury to health, or prosperity by reason of the lack of water supply,

drainage, transportation or other public services or would necessitate an excessive expenditure of public funds

- To control the manner in which roads shall be graded and improved, and water, sewer and other utility mains, piping, connections or other facilities shall be installed

### *Hillside Subdivisions*

The minimum subdivisions regulations defines a hillside subdivision as land to be subdivided which has at least a 16 percent slope. In addition, any street frontage having a length of 300 feet or more shall be considered a hillside land area if the slope of 30 percent or more of its length equals or exceeds 16 percent. The following are existing provisional regulations for hillside development:

#### **Street Design**

City streets shall have a right of way of at least 50 feet except that a right-of-way of forty 40 feet will be permitted it:

1. The average cross slope of the hillside is 35 percent
2. Lots front on only one side of the street and the cross slope is 26 percent

**Pavement Widths:** pavement widths shall not be less than 26 feet except where the average cross slope is 26 percent or greater. See below →

- Where the average cross slope is between 26 percent to 40 percent, the minimum pavement width may be reduced to 20 feet.
- Where the average cross slope is greater than 40 percent, the minimum pavement width may be reduced to 16 feet, provided the subdivision road system is designed for one-way traffic.

#### **Lots**

- When the average cross slope is between 16 to 25 percent, design requirements for lots are the same as those in the general requirements of these regulations.
- When the average cross slope is between 26-40 percent, design requirements for lots are:
  - o The average minimum lot area will be 25,000 square feet. Not less than 80 percent of the lots shall have a minimum area of 25,000 square feet, with no lots having an area less than 20,000 square feet.
  - o Minimum lot frontage of 100 feet except in a cul-de-sac with a minimum of 50 feet.
- When the average cross slope is greater than 40 percent, design requirements are as follows:
  - o Average minimum lot area for entire subdivision will be 1 acre. Not less than 80 percent of the lots shall have a minimum area of 1 acre and no lot shall have an area less than 25,000 square feet.
  - o Minimum lot frontage of 140 feet, with a minimum of 60 feet may be permitted in a cul-de-sac.

### **Tennessee Technology Corridor Design Guidelines**

Standards in the Design Guidelines for building on steep slopes are found in the chapter on Site Design, in the Open Space section. This section begins with the following sentences to describe the overall intent of these standards:

“A natural open space system is evident within the technology corridor consisting of features identified with development limitations. These features generally consist of ridges, streambeds, floodplains, sinkholes, and steep slopes. Development is discouraged from these locations. The intent is to retain these natural systems as conversation zones, capitalizing on their aesthetic as well as functional value.”

The Design Guidelines continue by identifying three types of slope areas: 25% or greater, 13-24% and 0-12%. The following are the requirements for development in each area:

**25% or greater**

- Requires 100% conservation
- No development permitted, including buildings, parking lots, artificial berms, and detention/retention ponds

**13% - 24%**

- Conservation area negotiable
- Development area negotiable

**0% - 12%**

- Conservation not required
- Development permitted