

Bullet Point Summary of Issues and Recommendations

1. **Phase in the Future Land Use Map.** Some areas proposed for development aren't ready yet. The Sector Plans served as 5-year target maps. 20 years is too much too fast. Recommendations:
 - a. Have two maps - a 5-year map and a 20-year target FLUM map
2. **Strengthen the Placetype Definitions, and add a Rural Agricultural Placetype.** Our peer counties (Davidson, Hamilton) have more comprehensive definitions for Placetypes. We need criteria to tell us where these should be, so that future map amendments can be considered with mandatory policies and clear guidance.
 - a. Recommendations: Add a policy that requires properties *shall* only be rezoned to a category corresponding with the FLUM. This could be in the Appendix H area.
 - b. Add information about where Placetypes should, and should not, be placed – Placetype Assignment Methodology (see Hamilton County example).
 - c. Use *shall* statements in Placetype definitions – provides certainty for applicants, staff, community, land owners.
 - d. Add a **Rural Agricultural Placetype** that clearly indicates areas that should be preserved for agriculture and not developed at 2 du/ac, like Rural Living. See below (page 5) suggestion generated from combining Hamilton County and Davidson County placetypes.
3. **Strengthen the Zoning Table (Appendix H)** which is a replacement for the Land Use Classification Tables. The proposed appendix doesn't provide criteria for "*partially related*" zones. It also fails to specify that the zones are *all* of the allowed zones. Recommendation:
 - a. Replace Appendix H with a table that clearly defines the Allowable Zoning Districts, along with maximum allowable densities -or- put this information in the Placetype definitions. **If this is going to be a table that staff develops, amend the General Plan when that table is developed, to give it strength.**
4. **Strengthen Criteria for Plan Amendments.** The proposed criteria are the same that we have today, and just about every applicant can justify a plan change under the broad criteria that we allow. Two of our peer counties – Williamson and Hamilton – don't even allow for Plan Amendments to be filed; they update their plans on a regular basis.
 - a. The new General Plan will be killed by 1,000 ad-hoc plan amendments without stricter criteria for amendments.
 - b. Other counties have stronger criteria – we have done the research.
 - c. **See Section below (page 3) for a detailed list of suggestions.**
 - d. In particular, strengthen Criteria for Plan Amendments so that the Rural Placetypes will not be easily removed from where they have been applied, i.e. it is difficult to obtain a change from Rural Conservation to Suburban Residential, which could be a common request.
5. **Clearly define schedule and approach for regular changes.**
 - a. Knox County is 'unique' in amending its land use plan map on a monthly basis. Hamilton and Williamson County do not amend. Nashville/Davidson considers only a few amendments a month.
 - b. Recommendations: Move to an annual update after the 1st year.

Commented [KM1]: Question - what does drive the equation when it comes to determining the improvements that are required for a new development, and then what that applicant will pay? i.e. sell how the market will temper the rapid expansion of new uses in areas with less infrastructure.

Commented [KM2]: This is an important one. Mike Moyers has forcefully argued that zoning is a legislative decision and gives large latitude to the body to do what it wants. So even though the zoning ordinance says X, it is pretty defensible for the legislative body to make whatever decision it wants.

The consistency requirement in state law and local zoning law doesn't kick in for *should* and *could* type of statements. The use of *shall* statements in the Comprehensive Plan gives legal weight to the Plan, and then the consistency statutes kick in to require zoning decisions to be consistent.

If the Plan is just guidance, then Planning Commission and County Commission will continue to face zoning applications that are not consistent with the Comprehensive Plan, that have applicants and their counsel forcefully arguing for them, and then also have community forcefully arguing against them.

The use of *shall* statements would help move us away from reactive, ad-hoc zoning applications and allow us to focus more on proactive planning.

Commented [KM3]: This sounds what Amy says is being done for the staff. Could it be 'codified' or enacted by making it an amendment to the plan? I'm encouraged to hear that there is work being done on this aspect.

Commented [KM4]: Direction is better, but community would really like to see this at least every 6 months and more like every year.

6. **Strengthen actions and policies for rural preservation and agriculture.** Current plan and draft new plan are all *suggestions* for preservation but not requirements. See Roberts Rd rezoning for a good example. Nashville/Davidson, Williamson, and some counties in Florida and Washington State all use 1 unit per 5 acres (so **0.2** units per acre) for protecting their rural areas. This is done with the comprehensive plan and the zoning ordinances, and they utilize "shall" statements to enforce compliance.

Recommendations

- a. Create / modify actions under Policy #7 to call for immediately after adoption of the plan, reduce the zoning densities outside the Planned Growth Area to one unit per five acres, with allowances for existing developed parcels that do not meet that density requirement. And create a 'Family Subdivision' provision in the ordinance to allow family to subdivide some parcels (see Williamson County example)
- b. Update Rural Conservation Placetype to mandate ("shall") the use of conservation subdivisions, requiring protection of 80% of prime soils and at least a 50% set-aside for conservation of the total development area. Current draft just 'encourages' clustering.
- c. Adopt zoning and amendment policies that create sharp distinctions between rural and urban densities, instead of transitioning, which promotes suburban sprawl.
- d. See section below (page 9) for additional recommendations.

7. **Identify where future parks and greenways are located.** We used to have a good Greenways Plan and a Parks Plan that depicted where we needed new parks. Those aren't present in the Comprehensive Land Use and Transportation Plan.

- a. Add the 2009 Park, Recreation and Greenways Plan and the 2020 Greenway Corridor Study into the list of plans that remain in effect, or on page 21 (Parks) clarify which greenways and parks were dropped from the prior plan and which ones remain (Appendix D has a list of greenways).
- b. Add a section to address Park Land Acquisition Recommendations for the next 20 years and put these on a map.

8. **Make the Hillside and Ridgetop Protection Plan mandatory.**

Commented [KM5]: This is still the discussion item of - will the community accept conservation subdivisions where the built-out area is very dense, or will they want it to be similar density to how things are built-out around them.

Commented [KM6]: See Osceola County for example of FLUM that does this:
https://library.municode.com/fl/osceola_county/codes/comprehensive_plan?nodeId=OSCEOLA_CO_COMPREHENSIVE_PLAN_CH1FULAUSSEL_GOAL_1-1GRMA_OBJECTIVE_1-1.2FULAUS_POLICY_1-1.2.3RUAGFULAUSMAFLDEDE

Strengthen Criteria for Plan Amendments

Nashville / Davidson County has an [extensive manual for how to consider amendments](#) to its Community Plans. The [application fees](#) are much higher - \$4,350 for a minor amendment and \$91,50 for a Major amendment. The [application](#) requires the applicant to respond to three questions: 1) Describe how the proposed community plan amendment would be a better fit for the future of the area in question and adjacent areas than the current policy(ies), 2) Summarize the changed conditions that might support changing the community plan as proposed in this application, and 3) Explain why a change to the community plan might be justified at this time.

Commented [KM7]: This was on pages 9-10 of the Jan 31 "Suggestions and Bullet Points for Comprehensive Plan" doc

Recommendations:

- 1) Strengthen the Criteria for Plan Update to provide how amendments are evaluated and to focus on the FLUM. An [example](#) is below, compiled from various counties:

Future Land Use Map amendments shall be evaluated according to the following criteria:

- A) How the existing Place Type policies would restrict the development,
- B) How the proposed Future Land Use Map amendment would benefit the development envisioned,
- C) How the proposed Place Type will be compatible¹ with the adjacent Future Land Use Map
- D) Demonstrating that the proposed change supports and further the policies, goals, objectives and criteria of the Comprehensive Land Use Plan,
- E) The fiscal and service level impact of the proposed Future Land Use Map amendment on the public facilities, services, utilities and schools,
- F) The impact of the proposed Future Land Use Map amendment on adjacent land uses, and if the proposed Place Type and the associated allowed zonings would mitigate any negative impact on adjacent land uses,
- G) The relationship of the data and information in the application to the social, economic, physical, environment, historical, and agricultural resources of the county and the projections for future growth, including an analysis of the impact of the proposed change on the amount of land required to accommodate anticipated growth and projected population,
- H) Other professional planning principles, standards, information and more detailed plans and studies considered relevant; and
- I) Written comments, evidence and testimony of the public.

Applications for Future Land Use Map amendments will not be accepted if staff determines one or more of the following:

¹ Compatibility defined - A condition in which land uses can coexist in relative proximity to each other in a stable fashion over time such that no use is unduly negatively impacted directly or indirectly by another use. [Do we have a glossary in our comprehensive plan?]

- a) The suggested amendment would involve an area that will be part of a subarea (community, corridor, neighborhood) planning process in the next two years;
 - b) The suggested amendment has been previously reviewed by the Planning Commission or the County Commission, and circumstances have not substantially changed to support an additional review prior to a 5-year Comprehensive Plan update;
 - c) The application is not sufficiently clear or well-defined to merit further review.
- 2) Strengthen Implementation IM.1 to mandate that plan amendments initiated by individual applicants *shall* be considered on an **annual basis**, and plan amendments initiated by County Commission resolution or Planning staff may be considered at any time. [current text only states that it is *expected to occur annually*.] Note: this could also provide an avenue for Staff to initiate plan amendments to correct an error, and would put control of that in the hands of the professional expertise of staff instead of individual applicants.
 - 3) Strengthen Implementation IM.2 to mandate "That [plan amendment] process *shall* involve public input as part of the application prior to a public hearing." This gives Planning staff the authority to require a public meeting for a plan amendment.
 - 4) Add an IM.6 for requiring the applicant to justify the plan amendment - "The applicant for a future land use map amendment shall address how the existing Place Type policies would restrict the development, how the proposed Place Type would benefit the development envisioned, how the proposed Place Type will maintain, create, or enhance the character of the County, and demonstrate that the proposed change supports and further the policies of the Comprehensive Land Use Plan". [This would facilitate updating the application process, which could be modeled after the [Seminole County worksheets](#) or the [Nashville application](#).]
 - 5) State that government decision makers understand that substantial community participation from a broad range of stakeholders and significant professional analysis went into creating Comprehensive Policy, Future Land Use Map, Policies and guidance.
 - 6) Strengthen the Plan Amendment application - Seminole County has good examples, where the **applicant must work with the school system** to obtain an estimated impact (thus looping in the school system's planning group to larger developments), estimates impact to recreation services, and to the water and sewer providers.
 - 7) Consider increasing the fees for plan updates; Knox County is far below the fees of other countries.
 - 8) Add a table for Compatible Transitional Land Uses which can be a good guide. [[Seminole County appendix](#) as an example]
 - 9) In particular, strengthen Criteria for Plan Amendments so that the Rural Placetypes will not be easily removed from where they have been applied, i.e. it is difficult to obtain a change from Rural Conservation to Suburban Residential, which could be a common request.

[Rural] Agricultural Placetype

[This was taken from [Hamilton County](#) and Davidson County]

Agricultural Place Types are for the production of crops, the raising of livestock, forestry uses and processes, agricultural service businesses and supporting residences, such as a farmhouse. They are typically large properties (5+ acres) located in rural areas, but smaller ones may be found in suburban, or even urban areas.

Land Use Mix

Primary Uses: Agriculture fields and grazing pastures, equestrian facilities, accessory agriculture-related structures, forestry processes, and agriculture-related businesses (such as boarding stables, riding academies), farm stands, estate homes, single-wide manufactured homes

Secondary Uses: n/a

Housing Mix

Single family on a wide range of lot sizes

Form Attributes

Building Form

Height: Typically 1-2 stories but some accessory structures (i.e. barns, silos) can exceed three stories

Setback: varies

Transportation

Primary Mode(s): Automobile

Secondary Mode(s): n/a

Parking: Surface lots

Streets: Streets are generally paved rural roads without curbs and gutters

Open Space

Mostly private. Agriculture and undeveloped private land serve as open space. May have trail access

Development Pattern: Residential density shall be a maximum of 1 dwelling unit every five acres.

Location: Located in outer suburban or rural areas. Road network is sparse and streets are often winding and curvilinear. Soil quality is an important selection factor for Agricultural Placetypes

Commented [KM8]: This is the bold statement, which pulls in Williamson County's zoning ordinance, the Nashville Community Character Manual and their AG zoning ordinance, and the FLUMs from comparable counties in Florida (Osceola, Seminole) which have this Shall statement in their Comprehensive Land Use Plans that apply to Rural Areas.
<https://www.seminolecountyfl.gov/core/fileparse.php/3207/urlt/Future-Land-Use-Attachment-A-References.pdf#page=14>

Place Types Assignment Methodology

[This is from Hamilton County's White Oak Mountain Area Plan – [Appendix D](#)]

Preserve:

Type: Overlay

Set by factors determined in the Preserve/level 0 Regional Development Intensity Level in the Comprehensive Plan

Modifications: Update as needed based on staff review for error.

Reserve:

Type: Overlay

Set by steep slopes and flood plain.

Input 1: Slopes 30% or greater.

Input 2: 100 year floodplain.

Modification: Potential additional land inserted based on desire for additional environmental protection.

Agricultural:

Type: Overlay with additional parcels

Set by Prime Agricultural Soils and existing farms

Input 1: Existing farms and agritourism from Land-Use Code

Modification: Update as needed based on staff review for error.

Conservation Subdivision

Type: Parcel Based

Set by Proximity to Preserve/Reserve Place Types and lot size

Input 1: Any parcel abutting a preserve or reserve place type.

Modification: Modified by staff looking at a percentage of site covered with Reserve or Preserve place type. Rule of Thumb: Removed parcels where less than 50% of the site was covered with Reserve or Preserve place type.

Countryside Residential

Type: Parcel Based

Set by residential areas without sewer

Input 1: Parcels without sewer or outside of 1,000' of a sewer.

Modification: Staff will look at topography, natural barriers, and other factors which would make sewer extension infeasible.

Note: As a base layer commercial and mixed-use place types will go on top of this.

Suburban Residential

Type: Parcel Based

Set by residential areas with sewer.

Input 1: Parcels with sewer

Modification: Staff will look at parcel sizes and sewer pattern to adjust boundaries.
Note: As a base layer commercial and mixed-use place types will go on top of this.

Mixed Residential

Type: Buffer Based

Set by residential area based around major institutions and commercial nodes.

Input 1: Parcels with sewer

Input 2: Buffered within ¼ mile of a schools or campus

Input 3: Abutting and up to ¼ mile buffer from Suburban Commercial and Town Center

Modification: TBD

Urban Residential

Type: Parcel Based

Set by intersection density

Input 1: Parcels on Sewer

Input 2: Located within the Urban Overlay.

Modification: Sections where existing development patterns indicate smaller (7,500 square foot or less) lots.

Crossroads

Type: Parcel based

Set by Planner using below criteria

Input 1: Parcels not located on sewers.

Input 2: Located at intersections

Input 3: Existing Land use commercial

Input 4: Parcel must be under 5 acres

Modification: Modification of specific sites with sewer based on abutting place types.

Rural Village

Type: Buffer Overlay

Set by location, size, and service.

Input 1: Intersection where both roads are at least a Minor Arterial functional class.

Input 2: All parcels must be on sewer

Input 3: Expansion not to exceed 1/8th mile from intersection. (This gets the 30-35 acres)

Modification: TBD

Neighborhood Center

Type: Buffer Based

Set by location, size, and service.

Input 1: Intersections where an Minor Arterial crosses a Minor Arterial or a Major Collector.

Input 2: On Sewer

Input 3: Not to be located within 1.5 miles of another Neighborhood Center. (This is based on the ICSC US

Shopping Center Classification and Typical Characteristic information)

Modification: Based on transportation and topographic obstacles.

Suburban Commercial

Type: Buffer Overlay

Set by frontage on a major road with a minimum depth

Input 1: Frontage on Principal Arterial

Input 2: Minimum depth of 250'

Modification: Exclusion of areas in a center, inclusion of minor parcels appropriate but under 250' in depth.

Town Center

Type: Buffer Overlay

Input 1: Intersection with Rural Village place type but have commercial which expands beyond the 1/8th mile buffer from intersection.

Input 2: Located at an intersection with an expansion not to exceed 1/3rd mile from intersection. (This gets the 200-250 acres)

Modification :TBD

Urban Commercial

Type: Buffer Overlay

Set by frontage on a major urban road with a minimum depth

Input 1: Suburban Commercial parcel located within the Urban Overlay

Modification: Expansion at opportunity intersections, Larger parcels

Downtown/Urban Core

Type: Overlay

Set by CBD

Input 1: CDB layer

Modification TBD

Campus

Type: Parcel

Set by institutions with multiple buildings

Input 1: self-identified campuses

Strengthen the Actions and Policies for Rural Preservation and Agriculture

Recommendations:

- 1) Create / modify actions under Policy #7 to call for immediately after adoption of the plan, reduce the zoning densities outside the Planned Growth Area to one unit per five acres, with allowances for existing developed parcels that do not meet that density requirement.
- 2) Update the Rural Conservation Placetype to mandate (“shall”) the use of conservation subdivisions, requiring protection of 80% of prime soils in a conservation subdivision and at least 50% set-aside for conservation of the total development area.
- 3) In Appendix H, on the Rural Conservation Placetype Row, change the Planned Residential to be “Partially Related” and add standards for the development that provide basic implementation of Conservation Subdivision principles. This provides a transitional bridge until a full set of Conservation Subdivision regulations have been written.
- 4) In Appendix H, on the Rural Living Placetype Row, change the Planned Residential to be “Partially Related” and add standards for the development that provide basic implementation of Conservation Subdivision principles.
- 5) Create a Family Subdivision provision in the zoning ordinance that allows subdivision of larger lots for immediate family members. [[Wilson County](#), others have examples]
- 6) Create an Agricultural Placetype, and consider if the Rural Living Placetype should be retained, or if a distinct “Rural Conservation” and “Agricultural” Placetypes will be sufficient.
- 7) Strengthen Criteria for Plan Amendments so that the Rural Placetypes will not be easily removed from where they have been applied, i.e. it is difficult to obtain a change from Rural Conservation to Suburban Residential, which could be a common request.
- 8) The plan’s Vision and Goals section has an item for Conservation, but it doesn’t set out objectives for how that should be preserved – what that end state looks like. Some text that could augment that and be placed into the plan is suggested in **Error! Reference source not found. - Error! Reference source not found.**, and it includes policies that codify some of the Rural Protection.
- 9) For Action 2.1 (update/create transition standards), add text that establishing a clear and sharp distinction between rural and urban densities will be considered more effective in protecting rural character because it helps clearly identify future limits of suburban development.
- 10) Reconsider the FLUM designations around the Midway Business Park. There is land in the Planned Growth Area to the north and west designated Rural Conservation. For the new FLUM to best realize the vision of the East Knox Community Plan, a Rural Living Placetype or Agriculture Designation would be most fitting, and fits the existing land uses.