

Kevin Murphy

Comments on Agricultural and Rural zones

Zones Aligned with Rural Agricultural Placetype

The Rural Agricultural Placetype is the rarest Placetype designation in the Future Land Use Map. Only about 3200 acres of land was designated with the Rural Agricultural Placetype during the Advance Knox process. In fact, this Placetype didn't even exist when first drafts were released. The community had to advocate for the inclusion of this Placetype; it was all going to be Rural Living. The only properties added to this Placetype had to be voluntarily requested by their landowner. The county did not notify all agricultural landowners or farm owners that this was an option; you had to be in-the-know and take affirmative action to make this request. As a result, Knox County went from having over 100,000 acres designated "Agricultural" in its prior sector plans to just about 3,200 acres in the new Comprehensive Land Use Plan - reducing by 96% the county's land designated for agricultural preservation.

Much of this land are the Century Farms and best farmland in Knox County. Tens of thousands of acres of previously Agricultural planned property was converted to Rural Living, Rural Conservation, Traditional Neighborhood, and Suburban Residential Placetypes in the Advance Knox process. Land with the Rural Agricultural Placetype is our last protected land in the county.

As such, it is entirely inappropriate to list the 'Rural Agricultural' placetype as aligned to the 'Rural Residential Zoning District' and 'Rural Hub Zoning District'. Those districts are intended for development. They are *not* aligned with the Rural Agricultural Placetype.

If, for some reason land designated 'Rural Agricultural Placetype' is desired to be zoned to something other than an Agricultural zone, then it needs to go through the Land Use Plan Amendment process.

Lack of Distinction Between the two Agricultural Zones

We need a crisp distinction between the two Agricultural Zones - "Agricultural Preservation" and "Agricultural Rural". The proposed definitions are muddled - nobody I talked to could understand the difference just by reading the proposed purpose statements.

Agricultural Preservation should be the zone proactively applied to the best and largest farms in the county, as well as something that other farms can opt-in to.

The word "Rural" in the proposed 'Agricultural Rural' district is confusing. Do not interchange the terms Rural and Agriculture. Suggest changing "Agricultural Rural" to "Agriculture Zone". The term "rural" doesn't add to the name or purpose of the district, and it confuses other zoning districts. Rural is the way it looks; agriculture is what is being done there. Rural is appropriate for a rural residential zone or a rural commercial zone - describing the type of activity and the feel / look of it. Agriculture is generally going to be rural already due to the nature of the use activity.

The Agricultural Preservation Zone

What incentives can be offered for putting land in the Agricultural Preservation zone? Its predecessor, the Rural Preservation zone, offers no incentives or protections for property zoned there, except that the Rural Retreat use is a use-by-right instead of a use-on-review. What incentives will the county offer? Would the county pay for fees related to a conservation easement if the property is placed in the Agricultural Preservation zoning district?

Defining Agriculture

Suggest that the term “Agriculture” be pretty broad. Instead of listing everything explicitly allowed, list exceptions or restrictions. Don’t forget timber and fiber production along with crops and livestock - all of that is ‘agriculture’.

The TCA definition of agriculture that was quoted in the Community Virtual Meeting Q&A refers to Commercial Production. But there’s also community and personal production of food for self consumption, or for neighborhood consumption, i.e. a community garden.

Urban Ag and Agriculture in All Zones

There should be a right to garden and do other limited agriculture in all districts. Example: The proposed Mixed Residential Zoning District should allow residents to have personal or community gardens.

Besides Community Garden, need a use for “Personal Garden” so it can be listed as an allowed use in various zones.

What limited agriculture would be allowed in residential zoning districts? How many chickens? Goats? Mini ponies? These need to be spelled out.

Noticed that some of the Use Definitions require specifically list a ‘non-profit’, like Food Bank is “A non-profit establishment that solicits”. We’re not that picky - it’d be nice to have a food bank or food hub even if they are for-profit. Or Community Garden, which is currently defined as a use for nonprofit organization or group of individuals. Maybe an entrepreneur is doing a small-scale garden or greenhouse in a residential area and making some money, i.e. a for-profit enterprise. Would that be a Community Garden, or the use of Agriculture, or ?

The uses ‘Food Bank’ and ‘Food Pantry’ have identical definitions.

What about use of temporary use of goats for invasive species control? Where is that defined as a Use?

Composting - is composting allowed in zones? We hope it is!

Refer to some excellent work done on Urban Agriculture Zoning Ordinance for the City of Knoxville in 2015 that addresses some of the Urban Ag issues - issues that will appear in our residential and mixed-use zones where we are growing population.

<https://uwgk.hub.arcgis.com/documents/63aa75ccd4a045aa895071ffbd81da24/about>

Conflict Between Agriculture and Residential

Concern about conflict between agriculture and residential uses. Example: The [Pygmy Harbor Goat Farm](#) at 2222 Robin Ben Ln, Knoxville, TN 37924. This is agriculture land where the adjacent residential development has filed civil suits and nuisance calls against the agricultural operation. Also many tales from farmers about how neighbors in subdivisions have cut fences, camped on the farmland, not repaired the fences so livestock re in danger of escaping, or even setting hay bales on fire (Beeler Rd in northeast Knox County). If a subdivision is put in next to an active farm, suddenly a farmer is dealing with 20 or more individual neighbors instead of the single neighbor they used to have. When two farmers have a tree that falls on their shared fenceline, they get together, cut it up, and use the firewood. When a farmer has a timber stand and a tree falls across the shared fenceline, the residential neighbor takes them to court for damages. True story in my own experience.

Rural Retreat, Event Venue, Outdoor Recreation, and Agricultural Land

Concern about Rural Retreat use and how that, while it seems is aligned with rural areas, is not at all an agricultural use. Rural Retreat might be more aligned with Rural Living as a special use. A rural retreat would be a separate operation from an agricultural operation, and would not fall in the definition of agritourism. If a parcel wants to have a Rural Retreat use, it should be zoned to something that allows Rural Retreats. And Rural Retreats should not be allowed uses in the Agricultural Zones, because they take land that is agriculturally productive and turn it into developed / built land that is no longer agriculturally productive.

Rural Retreat does not equal agritourism. Agritourism is associated with the production of agriculture (see this publication: <https://utia.tennessee.edu/publications/wp-content/uploads/sites/269/2024/07/PB1923.pdf>). Rural Retreats do not require agriculture association, witness the Ancient Lore Village Rural Retreat in South Knox County.

Also concerned about being clear about having Event Venues in Agricultural parcels. Some farms may desire to have a wedding venue of some scale (again, this is not agritourism), but do not want that to be a large conference or trade show facility. Perhaps a solution is to require rezoning that portion of the agricultural property to something that does allow event venues and to not allow that use as a use-on-right (or even use on review) for an Agricultural zone.

Finally, outdoor recreation such as outdoor ATVs or shooting ranges are not agricultural uses of land. ATV commercial operations destroy timber land and create significant soil erosion - erosion is the enemy of agriculture. Shooting ranges and outdoor motorized recreation belong in zones other than agricultural zones. Maybe Heavy Industrial?

Other Perspectives

[American Farmland Trust](#) has several documents that are worth the team's review:

[Planning for Agriculture: A Guide for Connecticut Municipalities](#) -

<https://farmlandinfo.org/publications/connecticut-planning-for-agriculture-2020/>

[Farms for the Future: A Strategic Approach to Saving Maryland's Farmland and Rural Resources](#) -

<https://farmlandinfo.org/publications/farms-for-the-future-a-strategic-approach-to-saving-marylands-farmland-and-rural-resources/> - while 30 years old, this paper describes how Maryland identified agriculturally strategic lands using characteristics like prime farmland soil or historic significance - an approach that Knox County declined to use when constructing the Future Land Use Map and determining parcels that should be in the Rural Agricultural Placetype.

[Leacock Township, PA: Agricultural Zoning](#) -

<https://farmlandinfo.org/law/leacock-township-pa-agricultural-zoning/> This zoning ordinance uses an area-based allocation system, tying the amount of permitted residential development to the size of the parcel.

There are other example agricultural zoning ordinances posted at

https://farmlandinfo.org/laws/?keywords=agricultural-protection-zoning&level_of_government=local

There is also a [discussion thread](#) in the National Agricultural Land Network (registration required) about agricultural zoning and density. The consensus is that agricultural is not furthered by allowing farms to be split up into 5 or even 10 acre lots for 'access' - that just encourages residential development. Instead, collective tenancy models on larger parcels are a way to do it. More rural states have successfully enacted agricultural preservation zones that have minimum lot sizes of 40 or more acres.