



FARRAGUT BOARD OF MAYOR AND ALDERMEN
Farragut Community Center
239 Jamestowne Blvd

SPECIAL CALLED
BMA MEETING
5:00 PM

SPECIAL CALLED MEETING AGENDA
April 3, 2024

- I. Roll Call**
- II. Approval of Agenda**
- III. Business Item**
 - A.** Meeting to consider a statement of objectives, and reasons therefore regarding Resolution R-2024-02, as required by Tennessee Code Annotated § 6-58-104 (b)(1), in the vote to reject the recommended changes to the existing Knox County Growth Policy Plan that were proposed by the Knox County Growth Policy Coordinating Committee at said committee meeting on January 10, 2024

WORKSHOP
Following the Special Called Meeting
Capital Investment Program Workshop

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It is the policy of the Town of Farragut not to discriminate on the basis of race, color, natural origin, gender, gender identity, sexual orientation, age, religion, disability or veteran status pursuant to Title VI of the Civil Rights Act of 1964, Public Law 93-112 and 101-336 in its hiring, employment practices and programs. To request accommodations due to disabilities, please call 865-966-7057 in advance of the meeting

The Board of Mayor and Aldermen welcomes and invites Farragut residents to participate in public meetings.

At the end of each business meeting, there will be time reserved for public comment under the Citizen Forum agenda item. If you are interested in speaking, please fill out a blue comment card and turn it in to the Town Recorder or staff member. This time is set aside specifically for comments on items that are not on the Board of Mayor and Aldermen regular agenda for the meeting. Each speaker will be given five (5) minutes to speak on his/her topic.

During the regular agenda portion of the meeting there may be an allowance for public comment for each agenda item. The Mayor may recognize individuals for public comment based on the following guidelines.

1. The Mayor shall maintain and control the meeting to provide a professional and objective environment;
2. Any Farragut resident interested in speaking should fill out a blue comment card stating which agenda item they would like to comment on and turn in to the Town Recorder or a staff member;
3. Speakers shall come to the podium and identify themselves by name and street address;
4. Public comment shall be limited to five (5) minutes per individual. Time for public comment may be amended at the discretion of the Mayor. Time is not transferable to other speakers;
5. Speakers should strive to avoid redundancy; each speaker should have their own original viewpoint;
6. Comments shall address issues, not individuals or personalities;
7. Comments may support or oppose issues or measures, but the motives of those with differing views shall not be questioned or attacked;
8. Personal attacks and malicious comments shall not be tolerated;
9. An applicant, and/or their representative(s), for an item on the regular agenda shall be afforded the time necessary to present their request and respond to questions. The five (5) minute limitation shall not apply. However, the Mayor may ask an applicant to stay on point in order to facilitate the efficiency of the meeting.

Each speaker will be asked if they can agree to abide by the Comment Protocol. If so, please be prepared to speak when your name is called.

Document: Tenn. Code Ann. § 6-58-104

Tenn. Code Ann. § 6-58-104

Copy Citation

Current through the 2023 First Extraordinary Session of the General Assembly. The Tennessee Code Commission may make editorial changes to this version and may relocate or redesignate text. Those changes will appear on Lexis Advance after the publication of the certified volumes and supplements. Pursuant to T.C.A. §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code. Until the annual issuance of the certified volumes and supplements, references to the updates made by the most recent legislative session should be to the Public Chapter and not T.C.A. Case annotations are current through September 15, 2023.

**TN - Tennessee Code Annotated Title 6 Cities And Towns Municipal Government
Generally Chapter 58 Comprehensive Growth Plan**

6-58-104. Coordinating committee — Recommended growth plan — Hearings — Submission for ratification — Rejection and revision — Final plan.

(a)

(1) Except as otherwise provided pursuant to subdivision (a)(9), effective September 1, 1998, there is created within each county a coordinating committee, which shall be composed of the following members:

(A) The county mayor or the county mayor's designee, to be confirmed by the county legislative body; provided, that a member of the county legislative body may serve as such designee subject to such confirmation;

(B) The mayor of each municipality or the mayor's designee, to be confirmed by the municipal governing body;

(C) One (1) member appointed by the governing board of the municipally owned utility system serving the largest number of customers in the county;

(D) One (1) member appointed by the governing board of the utility system, not municipally owned, serving the largest number of customers in the county;

(E) One (1) member appointed by the board of directors of the county's soil and water conservation district, who shall represent agricultural interests;

(F) One (1) member appointed by the board of the local education agency having the largest student enrollment in the county;

(G) One (1) member appointed by the largest chamber of commerce, to be appointed after consultation with any other chamber of commerce within the county; and

(H) Two (2) members appointed by the county mayor and two (2) members appointed by the mayor of the largest municipality, to assure broad representation of environmental, construction and homeowner interests.

(2) It is the duty of the coordinating committee to develop a recommended growth plan not later than January 1, 2000, and to submit such plan for ratification by the county legislative body and the governing body of each municipality. The recommended growth plan shall identify urban growth boundaries for each municipality within the county and shall identify planned growth areas and rural areas within the county, all in conformance with § 6-58-106. In developing a recommended growth plan, the coordinating committee shall give due consideration to such urban growth boundaries as may be timely proposed and submitted to the coordinating committee by each municipal governing body. The coordinating committee shall also give due consideration to such planned growth areas and rural areas as may be timely proposed and submitted to the coordinating committee by the county legislative body. The coordinating committee is encouraged to utilize planning resources that are available within the county, including municipal or county planning commissions. The coordinating committee is further encouraged to utilize the services of the county technical assistance service, and the municipal technical advisory service.

(3) Prior to finalization of the recommended growth plan, the coordinating committee shall conduct at least two (2) public hearings. The county shall give at least fifteen (15) days advance notice of the time, place and purpose of each public hearing by notice published in a newspaper of general circulation throughout the county.

(4) Not later than January 1, 2000, the coordinating committee shall submit its recommended growth plan for ratification by the county legislative body and by the governing body of each municipality within the county; provided, that, notwithstanding this chapter to the contrary, if a municipality is completely contiguous to and surrounded by one (1) or more municipalities, then the corporate limits of the surrounded municipality shall constitute the municipality's urban growth boundaries and such municipality shall not be eligible to ratify or reject the recommended growth plan. Not later than one hundred twenty (120) days after receiving the recommended growth plan,

the county legislative body or municipal governing body, as the case may be, shall act to either ratify or reject the recommended growth plan of the coordinating committee. Failure by such county legislative body or any such municipal governing body to act within such one hundred twenty-day period shall be deemed to constitute ratification by such county or municipality of the recommended growth plan.

(5) If the county or any municipality therein rejects the recommendation of the coordinating committee, then the county or municipality shall submit its objections, and the reasons therefor, for resolution in accordance with subsection (b). In resolving disputes arising from disagreements over which urban growth boundary should contain specific territory, due consideration shall be given if one of the municipalities is better able to efficiently and effectively provide urban services within the disputed territory. Due consideration shall also be given if one of the municipalities detrimentally relied upon priority status conferred under prior annexation law and, thereby, justifiably incurred significant expense in preparation for annexation of the disputed territory.

(6)

(A) A municipality may make binding agreements with other municipalities and with counties to refrain from exercising any power or privilege granted to the municipality by this title, to any degree contained in the agreement including, but not limited to, the authority to annex.

(B) A county may make binding agreements with municipalities to refrain from exercising any power or privilege granted to the county by title 5, to any degree contained in the agreement including, but not limited to, the authority to receive annexation date revenue.

(C) Any agreement made pursuant to this subdivision (a)(6) need not have a set term, but after the agreement has been in effect for five (5) years, any party upon giving ninety (90) days written notice to the other parties is entitled to a renegotiation or termination of the agreement.

(7)

(A) Notwithstanding this chapter or any other law to the contrary, any annexation reserve agreement or any agreement of any kind either between municipalities or between municipalities and counties setting out areas reserved for future municipal annexation and in effect on May 19, 1998, are ratified and remain binding and in full force and effect. Any such agreement may be amended from time to time by mutual agreement of the parties. Any such agreement or amendment may not be construed to abrogate the application of any provision of this chapter to the area annexed pursuant to the agreement or amendment.

(B) In any county with a charter form of government, the annexation reserve agreements in effect on January 1, 1998, are deemed to satisfy the requirement of a growth plan. The county shall file a plan based on such agreements with the committee.

(8) No provision of this chapter shall prohibit written contracts between municipalities and property owners relative to the exercise of a municipality's rights of annexation or operate to invalidate an

annexation ordinance done pursuant to a written contract between a municipality and a property owner in existence on May 19, 1998.

(9)

(A) Instead of the coordinating committee created under subdivision (a)(1), in any county in which the largest municipality comprises at least sixty percent (60%) of the population of the entire county and on May 19, 1998, there is no other municipality in the county with a population in excess of one thousand (1,000), according to the 1990 federal census or any subsequent federal census, the coordinating committee in such county shall be the municipal planning commission of the largest municipality and the county planning commission, if the county has a planning commission. The mayor of the largest municipality and the county mayor of such county may jointly appoint as many additional members to the coordinating committee as they may determine. Notwithstanding the provisions of this subsection (a) with respect to the adoption or ratification of the recommended growth plan, in any county to which this subdivision (a)(9)(A) applies, upon adoption of a recommended growth plan, the coordinating committee shall submit its recommendation to the county legislative body for ratification. The county legislative body may only disapprove the recommendation of the coordinating committee if it makes an affirmative finding, by a two-thirds ($\frac{2}{3}$) vote, that the committee acted in an arbitrary or capricious manner or abused its official discretion in applying the law. If the county legislative body disapproves the recommendation of the coordinating committee, then the dispute resolution process of this section shall apply.

(B) Instead of the coordinating committee created pursuant to subdivision (a)(1), if the county legislative body and the governing body of each municipality located therein all agree that another entity shall perform the duties assigned by this chapter to the coordinating committee, then such other entity shall perform such duties of the coordinating committee, and such coordinating committee shall not be created or continued, as the case may be.

(b)

(1) If the county or any municipality rejects the recommended growth plan, then the coordinating committee shall reconsider its action. After such reconsideration, the coordinating committee may recommend a revised growth plan and may submit such revised growth plan for ratification by the county legislative body and the governing body of each municipality. If a recommended growth plan or revised growth plan is rejected, then the county or any municipality may declare the existence of an impasse and may request the secretary of state to provide an alternative method for resolution of disputes preventing ratification of a growth plan.

(2) Upon receiving such request, the secretary of state shall promptly appoint a dispute resolution panel consisting of a minimum of one (1) member and a maximum of three (3) members. The secretary of state shall have the discretion to determine the size of the panel. Each member of the panel shall be appointed from the ranks of the administrative law judges employed within the

administrative procedures division. Each member shall possess formal training in the methods and techniques of dispute resolution and mediation. Panel members and their spouses and immediate family shall not be residents, property owners, officials or employees of the county or any municipality within the county.

(3) The panel shall attempt to mediate the unresolved disputes. If, after reasonable efforts, mediation does not resolve the disputes, then the panel shall propose a non-binding resolution. The county legislative body and the municipal governing bodies shall be given a reasonable period in which to consider the proposed resolution. If the county legislative body and the municipal governing bodies do not accept and approve the resolution, the secretary of state shall appoint a new panel of administrative law judges, composed and selected in the same manner specified in subdivision (b)(2), for the purpose of adopting a growth plan. The panel may initiate formal proceedings, if they are necessary to obtain sufficient information for adopting a growth plan. These proceedings shall be conducted subject to the open meetings provisions of title 8, chapter 44, but need not be in compliance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5. The panel may consult with experts in urban planning, growth and development, and may commission or contract for additional studies and reports on population growth and projections, land utilization and needs, environmental impacts, and the development and production of maps adequate for the use of the panel in mediating a dispute or in adopting a growth plan. The costs associated with obtaining the services of experts, the production of studies, reports, maps and other documents shall be a reasonable and necessary cost associated with the panel's development of the growth plan.

(4) The secretary of state shall certify the reasonable and necessary costs incurred by the dispute resolution panel, including, but not necessarily limited to, salaries, supplies, travel expenses and staff support for the panel members. The county and the municipalities shall reimburse the secretary of state for such costs, to be allocated on a pro rata basis calculated on the number of persons residing within each of the municipalities and the number of persons residing within the unincorporated areas of the county; provided, that if the dispute resolution panel determines that the dispute resolution process was necessitated or unduly prolonged by bad faith or frivolous actions on the part of the county and/or any one (1) or more of the municipalities, then the secretary of state may, upon the recommendation of the panel, reallocate liability for such reimbursement in a manner clearly punitive to such bad faith or frivolous actions.

(5) If a county or municipality fails to reimburse its allocated or reallocated share of panel costs to the secretary of state after sixty (60) days notice of such costs, the department of finance and administration shall deduct such costs from such county's or a municipality's allocation of state shared taxes.

(c)

(1)

(A) No later than July 1, 2001, the growth plan recommended or revised by the coordinating committee and ratified by the county and each municipality therein or alternatively adopted by a dispute resolution panel shall be submitted to and approved by the local government planning advisory committee.

(B) IF urban growth boundaries, planned growth areas and rural areas were recommended or revised by a coordinating committee and ratified by the county and each municipality therein; THEN the local government planning advisory committee shall grant its approval, and the growth plan shall become immediately effective.

(C) In addition, in any county with a charter form of government, the annexation reserve agreements in effect on January 1, 1998, are deemed to satisfy the requirement of a growth plan, and the local government planning advisory committee shall approve such plan.

(D) In all other cases:

IF the local government planning advisory committee determines that such urban growth boundaries, planned growth areas and rural areas conform with the provisions of § 6-58-106; THEN the local government planning advisory committee shall grant its approval and the growth plan shall immediately become effective;

HOWEVER, IF the local government planning advisory committee determines that such urban growth boundaries, planned growth areas and/or rural areas in any way do not conform with the provisions of § 6-58-106;

THEN the committee shall adopt and grant its approval of alternative urban growth boundaries, planned growth areas and/or rural areas for the sole purpose of making the adjustments necessary to achieve conformance with the provisions of § 6-58-106.

(E) Such alternative urban growth boundaries, planned growth areas and/or rural areas shall supersede and replace all conflicting urban growth boundaries, planned growth areas and/or rural areas and shall immediately become effective as the growth plan.

(2) After the local government planning advisory committee has approved a growth plan, the committee shall forward a copy to the county mayor who shall file the plan in the register's office. The register may not impose a fee on the county mayor for this service.

(d)

(1) After the local government planning advisory committee has approved the county's initial growth plan, the plan shall stay in effect for not less than three (3) years absent a showing of extraordinary circumstances. After the initial three-year period, a growth plan may be amended as often as deemed necessary by the county and cities. Any time after the expiration of the initial three-year period, the mayor of any municipality in the county or the county mayor or county executive may propose an amendment to the growth plan by filing notice with the county mayor or

county executive and with the mayor of each municipality in the county. Upon receipt of such notice, the county mayor or county executive shall take appropriate action to reconvene or reestablish the coordinating committee within sixty (60) days of the receipt of the notice. Except as provided for in this subdivision (d)(1), the procedures for amending the growth plan shall be the same as the procedures in this section for establishing the original plan. The burden of proving the reasonableness and necessity of the proposed amendment shall be upon the party proposing the change. It is the duty of the coordinating committee to submit the proposed amendment with its recommendation either for or against the amendment to the county legislative body and to the governing body of each municipality within the county for their approval or disapproval within six (6) months of the date of the coordinating committee's first meeting on the proposed amendment. After the proposed amendment is approved by the county legislative body and the governing body of each municipality and by the local government planning advisory committee, the amendment shall become part of the county's growth plan.

(2) In any county with a charter form of government with annexation reserve agreements in effect on January 1, 1998, any municipality or the county may immediately file a proposed amendment after May 19, 1998, in accordance with this subsection (d).

History

Acts 1998, ch. 1101, § 5; 2003, ch. 90, § 2; 2005, ch. 278, §§ 1, 2; 2009, ch. 374, § 1; 2010, ch. 1026, § 1; 2011, ch. 509, § 6; 2012, ch. 863, § 1; 2021, ch. 203, § 6.

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TOWN OF FARRAGUT

RESOLUTION R-2024-02

RESOLUTION APPROVING THE ORIGINAL KNOX COUNTY GROWTH POLICY PLAN AS AMENDED BY THE RECOMMENDED CHANGES APPROVED BY THE KNOX COUNTY GROWTH POLICY COORDINATING COMMITTEE AT ITS MEETING ON JANUARY 10, 2024

WHEREAS, in 1998, the Tennessee General Assembly enacted comprehensive growth policy planning legislation, codified at T.C.A. § 6-58-101 et.seq.; and

WHEREAS, pursuant to T.C.A. § 6-58-104, the Knox County Growth Policy Coordinating Committee ("Coordinating Committee") was formed in 1998 to develop and recommend a local comprehensive growth policy plan for Knox County, the City of Knoxville and the Town of Farragut; and

WHEREAS, the Coordinating Committee submitted its recommended growth plan, dated January 12, 2000 (the "Plan"), to the Knox County Commission, Knoxville City Council and Farragut Board of Mayor and Aldermen for ratification; and

WHEREAS, in 2001, the Plan was approved by Knox County, the City of Knoxville and the Town of Farragut; and

WHEREAS, T.C.A. § 6-58-104(d)(1) allows counties and cities to amend their growth plans; and

WHEREAS, in accordance with T.C.A. § 6-58-104(d)(1), Knox County Mayor Glenn Jacobs sent notice on August 18, 2023 that he would reconvene or reestablish the Coordinating Committee to consider an amendment to the Plan; and

WHEREAS, Knox County began the process of its first comprehensive transportation and land use plan in 2021; and

WHEREAS, Knox County and Knoxville-Knox County Planning have acknowledged that there have been changed conditions requiring an amendment so as to remove obstacles to smart growth and planning; and

WHEREAS, during the development of the comprehensive plan, areas for growth and preservation were identified; and

WHEREAS, the amendment proposed by the Mayor of Knox County, and recommended by the Growth Policy Coordinating Committee, will allow Knox County to prepare for growth in areas where infrastructure is provided or planned for; and

WHEREAS, the amendment proposed, if approved, will not be effective until May 1, 2024; and

WHEREAS, the Coordinating Committee held four (4) public meetings on the following dates: October 24, 2023; November 27, 2023; December 19, 2023; and January 10, 2024; and

WHEREAS, at the January 10, 2024, meeting, the Coordinating Committee recommended to the Knox County Commission, Knoxville City Council and Farragut Board of Mayor and Aldermen the Plan be amended and reinstated as set forth in Exhibit A; and

WHEREAS, on February 26, 2024, the Knox County Commission adopted Resolution R-24-2-901 which amends and reinstates the Plan with amendments consistent with the Coordinating Committee's recommendations, on the condition of approval from the Knoxville City Council and Farragut Board of Mayor and Aldermen; and

WHEREAS, on May 5, 2024, the Knoxville City Council adopted Resolution R-84-2024, which approved the Plan amendments as recommended by the Growth Policy Coordinating Committee.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF FARRAGUT:

SECTION 1: The Town of Farragut Board of Mayor and Aldermen hereby approves the Knox County Growth Policy Plan as amended by the recommended provisions as shown on the attached Exhibit A, which includes revised Appendix D and the revised Growth Policy Map.

SECTION 2: Pursuant to T.C.A. § 6-58-104(d), these amendments shall become part of the Plan only after it has been approved by the Knox County Commission, the City of Knoxville City Council, the Town of Farragut Board of Mayor and Aldermen, and the Local Government Planning Advisory Committee.

SECTION 3: This Resolution shall take effect from and after its passage, the welfare of the Town of Farragut requiring it.

This Resolution is duly adopted by the Board of Mayor and Aldermen of the Town of Farragut on this 28th day of March 2024.

Ron Williams, Mayor

Allison Myers, Town Recorder

EXHIBIT A

Under *Section 1, Recommended Growth Plan, Growth Policy Map, Policies, and Other Recommendations* on page 5, 6, 7, and 8 of the Growth Policy Plan, the Knox County Commission amends and reinstates the Plan as follows:

Under Recommended Growth Plan:

Knox County embarked on a two-year process to create an integrated land use and transportation plan for the unincorporated county in 2021. The resulting future land use plan and the designation of rural and planned growth areas included in this growth plan was formed through careful consideration of citizens, community groups and businesspeople. It was based on existing conditions and infrastructure, trends in land use, population, and the natural environment; and input by the citizens and detailed testimony by a wide variety of governmental service providers, including city and county departments, utility districts, emergency services and the school board.

The updated rural and planned growth areas presented in this plan, as well as the policies that guide development within these areas update the existing growth plan, originally developed in 2001. Terminology has been updated to refer to ‘placetypes’ which are the unit of land use categorization used in the Comprehensive Land Use and Transportation Plan. No recommended updates were made to any urban growth boundaries which surround the Town of Farragut or the City of Knoxville.

This section contains the policy recommendations of the coordinating committee; in addition to recommendations from the Knox County Comprehensive Plan, presented in written and graphic form. The remaining sections of the document provide background information used to develop the plan.

Under Growth Policy Map:

The Growth Policy Map (follows page 6) shows the recommended Rural and Planned Growth Areas for unincorporated portions of Knox County and Urban Growth Boundaries for Farragut and Knoxville. Knoxville’s Urban Growth Boundary contains 40.87 square miles; Farragut’s Urban Growth Boundary contains 0.80 square mile; the Planned Growth Area contains 151.34 square miles; and the Rural Area contains 201.38 square miles (see Appendix D for more details and percentages).

Under Policies:

Amend and Replace Number 3 with the text below:

Rezoning of slopes shall be based on the adopted policies of each legislative body.

Amend and Replace Number 4 with the text to read as follows:

The following policies shall apply to the Rural Area

The Knox County Zoning Ordinance and Zoning Map shall determine land uses permitted in the Rural Area. The rural designation shall not impede the right of a property owner to use or develop the property for a purpose permitted by that property's zoning. A land use listed in the Zoning Ordinance as a "use on review" may be approved by the Planning Commission if they find that the proposed development complies with all applicable standards in the ordinance.

Rezonings within the Rural area shall be limited to zoning districts that are consistent with the following placetypes: Rural Crossroads, Rural Conservation, and Rural Living and be consistent with the adopted comprehensive land use and transportation plan. (See placetypes in Appendix).

Residential development in the rural area shall be limited to all of the following conditions: (a) no more than 2 dwelling units per acre; and (b) sanitary sewer, or a sewage system approved and maintained by a public utility company and public water must be available; and (c) must be on a collector road with a minimum width of 18ft pavement, or with an approved memorandum of understanding in place to improve the road to 18 ft or greater through the rural area to the adjacent Planned Growth or Urban Growth area, and as defined in the Major Road Plan or superseding documents, adopted by City Council and County Commission. The intent of this section is to allow residential development into rural areas where utilities and infrastructure are currently available, or able to be expanded and in accordance with the Rural placetypes.

Land within the Rural area may not be rezoned for business parks or industry, according to the Rural placetypes and standards.

As of the effective date of this plan, all previously approved densities in the Rural Area shall remain in effect and are subject to all plans, regulations, and/or conditions of their approval.

Amend and Replace Number 5 with the text to read as follows:

In Planned Growth Areas, the following policies shall apply:

The purposes of the Planned Growth Area designation are to encourage a reasonably compact pattern of development, promote expansion of the Knox County economy, offer a wide range of housing choices, and coordinate the action of the public and private sectors, particularly with regard to provision of adequate roads, utilities, schools, drainage and other public facilities and services.

Planned Growth Areas may include any land use or development permitted by the Knox County Zoning Ordinance.

Rezoning in the Planned Growth Area shall be consistent with the adopted land use map and comprehensive plan adopted by the Knoxville- Knox County Planning Commission and legislative bodies.

After receiving a recommendation from the Knoxville- Planning Commission, County Commission may amend the land use map and comprehensive plan.

Amend and Replace Number 6 with the text to read as follows:

In the Urban Growth Boundaries, the following policies shall apply:

The purposes of the Urban Growth Boundary designation are to encourage a reasonably compact pattern of development, promote expansion of the Knoxville-Knox County economy, offer a wide range of housing choices, and coordinate the actions of the public and private sectors, particularly with regard to provision of adequate roads, utilizes, schools, drainage and other public facilities and services.

In Urban Growth Boundaries, any land use permitted in the Zoning Ordinance of the appropriate jurisdiction shall be permitted, subject to all requirements of that jurisdiction. Rezoning in the Urban Growth Boundaries shall be consistent with the applicable plan adopted by the Knoxville-Knox County Planning Commission or the Farragut Land Use Plan, as appropriate or one created hereafter in Knox County under provisions of state law.

Amend and Replace Number 7 with the text to read as follows:

No municipalities other than Farragut, Knoxville or one created under provisions of state law will be allowed to designate urban growth boundaries in Knox County.

Add Number 8 with the text to read as follows:

Official determinations of the location of the Urban Growth Boundaries, Planned Growth Area boundaries, or Rural Area boundaries shall be made by the chief zoning enforcement officer or a designee of Farragut, Knoxville, and Knox County, as appropriate, using the following standards:

Boundaries which appear to follow lot, parcel or property lines on the Official Growth Plan map shall be interpreted to coincide with such lines. If a lot or parcel appears to be split by a boundary, then its classification shall be determined as being the classification which accounts for the largest percentage of area within the lot or parcel.

Boundaries which appear to follow roads or railroads shall be interpreted to coincide with the right of way lines. When a section of road or railroad right of way abuts

an urban growth boundary, that section of right of way shall be designated as being entirely within the urban growth boundary. A section of the right of way abutting both a planned growth area and a rural area shall be designated as being entirely within the planned growth area.

When an urban growth boundary appears to follow a body of water designated by a solid or intermittent blue line on the most recently published United States Geological Survey (USGS) topographic quadrangle map, then all of that portion of the waterway contiguous to the boundary shall be designated as being entirely within the urban growth boundary.

When there is uncertainty as to the location of an urban growth boundary then the planning commission with jurisdiction over the boundary creating the uncertainty shall determine the location of the boundary.

Under Other Recommendations:

These recommendations address significant policy issues raised during the Coordination Committee's year-long planning process and the process of developing the Knox County Comprehensive Land Use and Transportation Plan.

The Growth Policy Coordinating Committee shall be reconvened based on the need for plan amendments.

The Growth Policy Plan should be updated or reviewed in concurrence with the Comprehensive Plan or as needed according to the guidelines in Appendix C of the adopted Growth Policy Plan from 2000.

Update and Replace Appendix D to include the table attached to this Resolution as Exhibit A.

Update and Replace the Growth Policy Map (follows page 6) with the map attached to this Resolution as Exhibit B.

All other Sections of the Plan and requirement that have been instated shall remain in full force and effect.

APPENDIX D

Growth Policy Plan Land Allocation

	Area (Square Miles)	% of Total	Change in Area (SqMi) GPP 2000-2023	
Town of Farragut				
Existing Land Area	16.194	3.15%	-0.02	
Urban Growth Boundary	0.800	0.16%	-0.19	
Subtotal	16.994	3.30%	-0.21	¹
City of Knoxville				
Existing Land Area	104.230	20.25%	6.67	²
Urban Growth Boundary	40.869	7.94%	-6.68	
Subtotal	145.099	28.19%	-0.01	³
Unincorporated Knox County				
Planned Growth Area	151.338	29.40%	3.93	
Rural Area	201.375	39.12%	-14.50	
Subtotal	352.713	68.51%	-10.57	⁴
County Total (sub of subtotals)	514.806	100.00%	-10.79	⁵

Explanation of Changes in Area Totals (2000-2023)

¹ GIS/Mapping Improvements between 2000-2023

² Annexation by COK of territory from the UGB in addition to small mapping discrepancies

³ GIS/Mapping Improvements between 2000-2023

⁴ Mapping discrepancies of approx 10.5mi² and proposed reclassification of 17mi² of land from rural to PGA

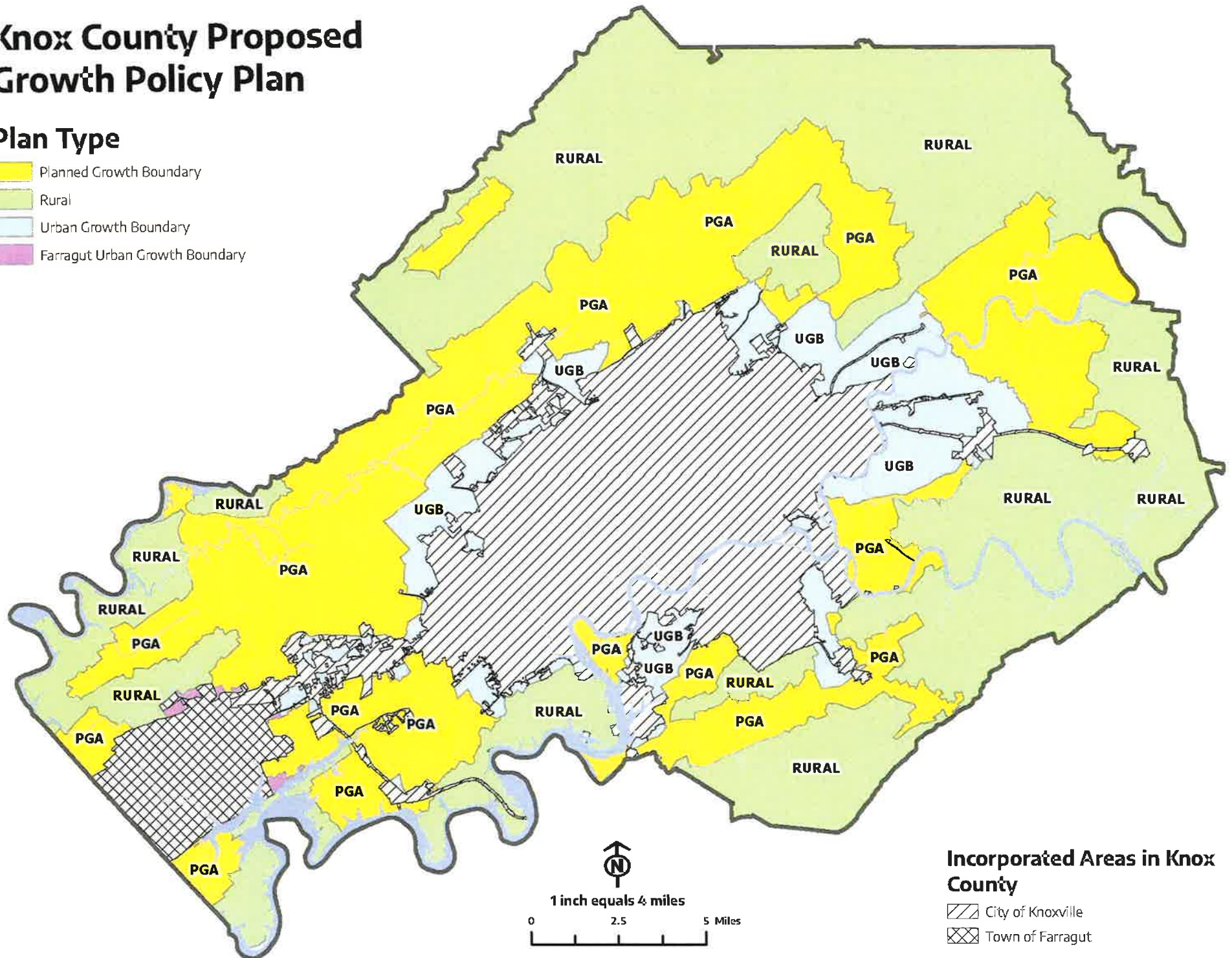
⁵ GIS/Mapping Improvements between 2000-2023

PGA Expansion Areas	Proposed Change (SqMi)
Karns North	0.245
Hardin Valley	4.620
Washington Pike	7.642
Strawberry Plains Pike Sth of I-40	0.611
Chapman Highway	1.382
Total	14.501

Knox County Proposed Growth Policy Plan

Plan Type

- Planned Growth Boundary
- Rural
- Urban Growth Boundary
- Farragut Urban Growth Boundary



Incorporated Areas in Knox County

- City of Knoxville
- Town of Farragut

This is a word document of pages (5-8) of the Knoxville-Farragut-Knox County Growth Policy Plan to better understand the proposed changes in the Resolution.

Section 1

Recommended Growth Plan

Original:

~~The Knox County Growth Policy Coordinating Committee worked for over a year to develop a plan that complies with Public Chapter 1101, Tennessee's annexation and growth management law. This plan, which the Coordinating Committee has recommended for adoption by the governing bodies of Knox County, Knoxville and Farragut, is the result of careful consideration of proposals put forward by the three local governments, citizens, community groups and business people. The plan is based on the requirements of existing conditions and trends in land use, population and the natural environment; and input by the citizens and detailed testimony by a wide variety of governmental service providers, including city and county departments, utility districts, emergency services and the school board.~~

~~This section contains the policy recommendations of the coordinating committee, presented in written and graphic form. The remaining sections of the document provide background information used to develop the plan.~~

Proposed:

Knox County embarked on a two-year process to create an integrated land use and transportation plan for the unincorporated county in 2021. The resulting future land use plan and the designation of rural and planned growth areas included in this growth plan was formed through careful consideration of citizens, community groups and businesspeople. It was based on existing conditions and infrastructure, trends in land use, population and the natural environment; and input by the citizens and detailed testimony by a wide variety of governmental service providers, including city and county departments, utility districts, emergency services and the school board.

The updated rural and planned growth areas presented in this plan, as well as the policies that guide development within these areas update the existing growth plan, originally developed in 2001. Terminology has been updated to refer to 'placetypes' which are the unit of land use categorization used in the Comprehensive Land Use and Transportation Plan. No recommended updates were made to any urban growth boundaries which surround the Town of Farragut or the City of Knoxville.

This section contains the policy recommendations of the coordinating committee; in addition to recommendations from the Knox County Comprehensive Plan, presented in written and graphic form. The remaining sections of the document provide background information used to develop the plan.

Growth Policy Map

Original:

~~The Growth Policy Map (follows page 6) shows the recommended Rural and Planned Growth Areas for unincorporated portions of Knox County and Urban Growth Boundaries for Farragut and Knoxville. Knoxville's Urban Growth Boundary contains 47.5 square miles; Farragut's Urban Growth Boundary contains one square mile; the Planned Growth Area contains 147 square miles; and the Rural Area contains 216 square miles (see Appendix D for more details and percentages).~~

Proposed:

The Growth Policy Map (following page 6) shows the recommended Rural and Planned Growth Areas for unincorporated portions of Knox County and Urban Growth Boundaries for Farragut and Knoxville. Knoxville's Urban Growth Boundary contains 40.87 square miles; Farragut's Urban Growth Boundary contains 0.80 square miles; the Planned Growth Area contains 154.44 square miles; and the Rural Area contains 198.27 square miles (see Appendix D for more details and percentages).

Goals-This section remains the same

The following goals have been adapted from the TN Public Chapter 1101:

- In conjunction with the comprehensive plans of Knoxville, Knox County and Farragut, provide a unified physical design for the development of the local community;
- Encourage a pattern of compact and contiguous development to be guided into urban areas and planned growth areas;
- Establish an acceptable and consistent level of public services and community facilities and ensure timely provision of those services and facilities;
- Promote the adequate provisions of employment opportunities and the economic health of the region;
- Conserve features of significant statewide or regional architectural, cultural, historical, or archaeological interest;
- Protect life and property from the effects of natural hazards, such as flooding;
- Take into consideration such other matters that may be logically related to or form an integral part of a plan for the coordinated efficient and orderly development of the local community; and
- Provide for a variety of housing choices and assure affordable housing for future population growth.

Policies

Original: This number remains the same

1. The Rural, Planned Growth, and Urban Growth Boundary designations of this plan shall not impair the rights of a landowner to lawfully use property in accordance with the provisions of the Zoning Ordinances of Knoxville, Knox County and Farragut.

Original: This number remains the same

2. Rezoning decisions shall be consistent with the Growth Plan Map and policies.

Original:

3. The following policies shall apply in the Rural Area:

~~3.1 The Knox County Zoning Ordinance and Zoning Map shall determine land uses permitted in the Rural Area. The rural designation shall not impede the right of a property owner to use or develop the property for a purpose permitted by that property's zoning. A land use listed in the Zoning Ordinance as a "use on review" may be approved by the Planning Commission if they find that the proposed development complies with all applicable standards in ordinance.~~

~~3.2 Rezoning within the Rural area shall be limited to the following zoning districts: Agricultural (A), Estate (E), Open Space (OS), Floodway (F), Planned Residential (PR) at densities up to two (2) dwelling units are per acre based on the site's environmental characteristic and Health Department determination of septic system capability (with exceptions noted in #3.3 & #3.5 below), Transition (T), Historic Overlay (H), Planned Commercial (PC), subject to the conditions listed below in #3.4, and Light Industrial (LI) and (I), subject to the conditions listed below in #3.6. By February 1, 2001, MPC shall deliver recommended text of new Planned Business/Industrial Park, Neighborhood Commercial and Rural Community Commercial zoning districts to County Commission for legislative action. Upon the enactment of these shall replace the PC, LI and I zones in the preceding list of zones.~~

~~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.~~

~~3.4 In rural areas, rezoning to Planned Commercial (PC) shall only be approved for commercial uses or services needed to serve rural area residents, such as food markets, convenience stores, gasoline service stations and professional or business offices. A site plan shall be reviewed and approved by the Metropolitan Planning Commission concurrently with any rezoning to Planned Commercial in the Rural Area. Such commercial facilities and rezoning shall be consistent with the Sector Plans adopted by the planning commission.~~

~~3.5 Extensions of low density residential development (densities of 1 to 3 dwelling units per acre) into the rural area shall be limited to the following conditions: (a) the property must be~~

zoned Planning Residential (PR); (b) provision of sanitary sewer and public water services; (c) connecting collector and arterial roads from the proposed development to the Urban Growth Boundary or Planned Growth Area which meet the standards of the Knox County Engineering and Public Works Department or its successor; and (d) a traffic impact analysis demonstrating to the satisfaction of the planning commission that the effect of the proposed and similar developments in the traffic analysis zone will not unreasonably impair traffic flow along the arterial roads through the adjacent Planned Growth Area. The intent of this section is to allow extensions of low density residential development into rural areas when urban services (sanitary sewer, water, and adequate roads) become available. These areas should be growth reclassified "Planned Growth" when the growth plan is periodically revised and amended.

3.6 Land within the Rural area may be rezoned for business parks or industries only under the following conditions:

- a.) The rezoning is consistent with the applicable Sector Plan. The Sector Plan may be amended upon recommendation of the Metropolitan Planning Commission in accordance with provisions of state law regarding adoption and amendment of regional plans.
- b.) Wetlands, floodways, streams, or hillside lands with predevelopment 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.
- c.) The rezoning application must include deed restrictions which specify permitted land uses and to create design standards for landscaping, architecture, drainage, utilities, and transportation access. These restrictions shall be similar to those recorded for East bridge Business Park and in effect as of December 1, 1999. If the rezoning is approved, these deed restrictions, with any changes requested by the Planning Commission or County Commission, shall be filed prior to approval of the rezoning by County Commission.
- d.) In the event that the Knox County Commission adopts zoning regulations permitting conditional zoning, approval of a conditional rezoning subject to the above referenced standards may substitute for the filing of deed restrictions.
- e.) These areas shall be reclassified "Planned Growth" when the growth plan is periodically revised and amended.

Proposed:

3. Rezoning of slopes shall be based on the adopted policies of each legislative body.

Original:

4. In Planned Growth Areas, the following policies shall apply:

4.1 The purposes of the Planned Growth Area designation are to encourage a reasonably compact pattern of development, promote expansion of the Knox County economy, offer a wide range of housing choices, and coordinate the action of the public and private sectors, particularly with regard to provision of adequate roads, utilities, schools, drainage and other public facilities and services.

4.2 Planned Growth Areas may include any land use or development permitted by the Knox County Zoning Ordinance.

4.3 Rezoning in the Planned Growth Area shall be consistent with the applicable Sector Plan adopted by the Metropolitan Planning Commission.

4.4 After receiving a recommendation from the Planning Commission, the County Commission may amend the Sector Plan if it finds that there has been a change in conditions warranting the amendment.

4.5 The purposes of the Planned Growth Area designation are to encourage a reasonably compact pattern of development, promote expansion of the Knox County economy, offer a wide range of housing choices and coordinate the actions of the public and private sectors, particularly with regard to provision of adequate roads, utilities, schools, drainage and other public facilities and services.

Proposed:

4. The following policies shall ~~should~~ apply to the Rural Area

4.1 The Knox County Zoning Ordinance and Zoning Map shall determine land uses permitted in the Rural Area. The rural designation shall not impede the right of a property owner to use or develop the property for a purpose permitted by that property's zoning. A land use listed in the Zoning Ordinance as a "use on review" may be approved by the Planning Commission if it finds that the proposed development complies with all applicable standards in the ordinance.

4.2 Rezoning within the Rural area shall be limited to zoning districts that are consistent with the following placetypes: Rural Crossroads, Rural Conservation, and Rural Living and be consistent with the adopted comprehensive land use and transportation plan. (See placetypes in Appendix).

4.3 Residential development in the rural area shall be limited to all of the following conditions: (a) no more than 2 dwelling units per acre; and (b) sanitary sewer, or a sewage system approved and maintained by a public utility company and public water must be available; and (c) must be on a collector road with a minimum width of 18ft pavement, or with an approved memorandum of understanding in place to improve the road to 18ft or greater through the rural area to the adjacent Planned Growth or Urban Growth area, and as defined in the Major Road Plan or superseding documents, adopted by City Council~~ity~~ and County Commission. The intent of this

section is to allow residential development into rural areas where utilities and infrastructure are currently available; easily or able to be expanded and in accordance with the Rural placetypes.

4.4 Land within the Rural area may not be rezoned for business parks or industry, in accordance with the Rural placetypes and standards.

4.5 As of the effective date of this plan, all previously approved densities in the Rural Area shall remain in effect and are subject to all plans, regulations, and/or conditions of their approval.

Original:

~~5. In Urban Growth Boundaries, the following policies shall apply:~~

~~5.1 The purposes of the Urban Growth Boundary designation are to encourage a reasonably compact pattern of development, promote expansion of the Knoxville-Knox County economy, offer a wide range of housing choices, and coordinate the actions of the public and private sectors, particularly with regard to provision of adequate roads, utilizes, schools, drainage and other public facilities and services.~~

~~5.2 In Urban Growth Boundaries, any land use permitted in the Zoning Ordinance of the appropriate jurisdiction shall be permitted, subject to all requirements of that jurisdiction. Rezoning in the Urban Growth Boundaries shall be consistent with the applicable Sector Plan adopted by the Metropolitan Planning Commission or the Farragut Land Use Plan, as appropriate or one created hereafter in Knox County under provisions of state law.~~

Proposed:

5. In Planned Growth Areas, the following policies shall apply:

5.1 The purposes of the Planned Growth Area designation are to encourage a reasonably compact pattern of development, promote expansion of the Knox County economy, offer a wide range of housing choices, and coordinate the action of the public and private sectors, particularly with regard to provision of adequate roads, utilities, schools, drainage and other public facilities and services.

5.2 Planned Growth Areas may include any land use or development permitted by the Knox County Zoning Ordinance.

5.3 Rezoning in the Planned Growth Area shall be consistent with the adopted land use map and comprehensive plan adopted by the Knoxville-Knox County Planning Commission and legislative bodies.

5.4 After receiving a recommendation from the Knoxville- Planning Commission, County Commission may amend the land use map and comprehensive plan.

Original:

~~6. No municipalities other than Farragut, Knoxville or one created under provisions of state law will be allowed to designate urban growth boundaries in Knox County.~~

Proposed:

6. In the Urban Growth Boundaries, the following policies shall apply:

6.1 The purposes of the Urban Growth Boundary ~~designation~~ destination are to encourage a reasonably compact pattern of development, promote expansion of the Knoxville-Knox County economy, offer a wide range of housing choices, and coordinate the actions of the public and private sectors, particularly with regard to provision of adequate roads, ~~utilities utilizes~~ utilities, schools, drainage and other public facilities and services.

6.2 In Urban Growth Boundaries, any land use permitted in the Zoning Ordinance of the appropriate jurisdiction shall be permitted, subject to all requirements of that jurisdiction. Rezoning in the Urban Growth Boundaries shall be consistent with the applicable plan adopted by the Knoxville-Knox County Planning Commission or the Farragut Land Use Plan, as appropriate or one created hereafter in Knox County under provisions of state law.

Original:

~~7. Official determinations of the location of the Urban Growth Boundaries, Planned Growth Area boundaries, or Rural Area boundaries shall be made by the chief zoning enforcement officer of Farragut, Knoxville, and Knox County, as appropriate, using the following standards:~~

~~7.1 Boundaries which appear to follow lot, parcel or property lines on the Official Growth Plan map shall be interpreted to coincide with such lines. If a lot or parcel appears to be split by a boundary, then its classification shall be determined as being the classification which accounts for the largest percentage of area within the lot or parcel. For example, if a parcel is split by the boundary between a rural area and a planned growth area, then the entire parcel shall be classified as rural.~~

~~7.2 Boundaries which appear to follow roads or railroads shall be interpreted to coincide with the right of way lines. When a section of road or railroad right of way abuts an urban growth boundary, that section of right of way shall be designated as being entirely within that urban growth boundary*. A section of the right of away abutting both a planned growth area and a rural area shall be designated as being entirely within the planned growth area.~~

~~7.3 When an urban growth boundary appears to follow a body of water designated by a solid or intermittent blue line on the most recently published United States Geological Survey (USGS) topographic quadrangle map, then all of that portion of the waterway contiguous to the boundary shall be designated as being entirely within the urban growth boundary.~~

~~7.4 When there is uncertainty as to the location of an urban growth boundary then the planning commission with jurisdiction over the boundary creating the uncertainty shall determine the location of the boundary.~~

Proposed:

7. No municipalities other than Farragut, Knoxville or one created under provisions of state law will be allowed to designate urban growth boundaries in Knox County.

Original:

There is not a number 8 in the Policy Section.

Proposed:

8. Official determinations of the location of the Urban Growth Boundaries, Planned Growth Area boundaries, or Rural Area boundaries shall be made by the chief zoning enforcement officer or a designee of Farragut, Knoxville, and Knox County, as appropriate, using the following standards:

8.1 Boundaries which appear to follow lot, parcel or property lines on the Official Growth Plan map shall be interpreted to coincide with such lines. If a lot or parcel appears to be split by a boundary, then its classification shall be determined as being the classification which accounts for the largest percentage of area within the lot or parcel.

8.2 Boundaries which appear to follow roads or railroads shall be interpreted to coincide with the right of way lines. When a section of road or railroad right of way abuts an urban growth boundary, that section of right of way shall be designated as being entirely within the urban growth boundary. A section of the right of way abutting both a planned growth area and a rural area shall be designated as being entirely within the planned growth area.

8.3 When an urban growth boundary appears to follow a body of water designated by a solid or intermittent blue line on the most recently published United States Geological Survey (USGS) topographic quadrangle map, then all of that portion of the waterway contiguous to the boundary shall be designated as being entirely within the urban growth boundary.

8.4 When there is uncertainty as to the location of an urban growth boundary then the planning commission with jurisdiction over the boundary creating the uncertainty shall determine the location of the boundary.

Other Recommendations

Original:

~~These recommendations address significant policy issues raised during the Coordinating Committee's yearlong planning process:~~

Proposed:

These recommendations address significant policy issues raised during the Coordination Committee's previous year-long planning process and the process of developing the Knox County Comprehensive Land Use and Transportation Plan.

Original:

~~1. A standing Growth Policy Coordinating Committee should be in place at all times, so that, if the plan is to be amended, time will not be lost making appointments.~~

Proposed:

1. The Growth Policy Coordinating Committee shall be reconvened based on the need for plan amendments.

Original:

~~2. The Growth Policy Plan should be periodically reviewed and, if warranted by changed conditions, amended. This review should occur every 3 years, beginning with the third anniversary of the effective date of the Plan.~~

Proposed:

2. The Growth Policy Plan should be updated or reviewed in concurrence with the Comprehensive Plan or as needed according to the guidelines in Appendix C of the adopted Growth Policy Plan from 2000, section 7 of Appendix C.