



State of Tennessee  
Department of Economic and Community Development

Local Planning Assistance Office  
William Snodgrass/Tennessee Tower Building-10<sup>th</sup> Floor  
312 8th Avenue North  
Nashville, Tennessee 37243-0405  
615-741-2211

May 3, 2001

The Honorable Thomas H. Schumpert  
County Executive of Knox County  
400 Main Street, Suite 615  
Knoxville, Tennessee 37902

Dear Mr. Schumpert:

The Local Government Planning Advisory Committee at its meeting April 25 approved the Knox County Growth Plan submitted by the Knox County Coordinating Committee. Enclosed is one copy of the materials submitted by the Coordinating Committee and a copy of the Local Government Planning Advisory Committee Resolution of Approval.

The Comprehensive Growth Plan law requires that you file your plan with your county register. The Local Government Planning Advisory Committee will also keep a copy of your plan.

If I or the Local Government Planning Advisory Committee may be of additional assistance, please contact me.

Sincerely,



Don Waller  
Director

DW/jw

Cc: Mayor Victor Ashe, Knoxville  
Mayor Edward Ford, Farragut

Enclosure

**Resolution of Approval  
By The  
Local Government Planning Advisory Committee  
For  
Plans Mediated By an Administrative Law Panel**

**Whereas**, an Administrative Law Panel or Administrative Law Judge appointed by the Tennessee Secretary of State has submitted a County Growth Plan for     KNOX     County and its municipalities; and

**Whereas**, the Administrative Law Panel or Judge has mediated a plan which has been ratified by the county and cities pursuant to TCA 6-58-104;

**Now, Therefore Be It Resolved** by the Local Government Planning Advisory Committee that the     KNOX     County Growth Plan is hereby approved and becomes effective this date.



\_\_\_\_\_  
Chair, Local Government Planning Advisory Committee

4-25-01

\_\_\_\_\_  
Date



**State of Tennessee**  
**Department of State**  
Administrative Procedures Division  
312 Eighth Avenue North  
8<sup>th</sup> Floor, William R. Snodgrass Tower  
Nashville, Tennessee 37243  
Phone: (615) 741-7008 Fax: (615) 741-4472

### **MEMORANDUM**

To: Tom Stiner, Chairman  
Local Government Planning Advisory Committee

From: Charles C. Sullivan II, Director *CCS*  
Administrative Procedures Division

Date: April 23, 2001

Subj.: Knox County Comprehensive Growth Plan  
Dispute Resolution Process  
Docket No. 46.00-010725J

The City of Knoxville declared an impasse with Knox County on July 25, 2000, with respect to the adoption of an urban growth plan for the county. In accordance with T.C.A., §6-58-104(b)(1)&(2), the City of Knoxville notified the Secretary of State of the impasse and requested that he refer the matter to the Administrative Procedures Division for resolution in accordance with the statute. At the request of the parties, I assigned a three-judge panel to resolve the matter.

The parties reached a settlement through mediation on December 7, 2000, and refined the agreement through subsequent discussions. Their respective legislative bodies then approved a comprehensive growth plan. By letter of April 17, 2001, Knox County submitted the attached copies of the growth plans between Knox County and the City of Knoxville and between Knox County and the Town of Farragut. With the parties' resolution of the impasse, I am forwarding the comprehensive growth plan to your committee for its consideration. Our office will remove the matter from our active case list.

Thank you for consideration of this plan.

#### Attachment

cc: Michael W. Moyers (w/o attachment)  
Michael S. Kelley (w/o attachment)  
Thomas M. Hale (w/o attachment)  
Marion Wall (w/o attachment)



RECEIVED  
2001 APR 18 AM 9:41  
SECRETARY OF STATE

April 17, 2001

MICHAEL W. MOYERS  
KNOX COUNTY LAW DIRECTOR

John E. Owings  
*Chief Deputy Law Director*

Mary Ann Stackhouse  
Wendell K. Hall  
Susan E. Crabtree  
Martha H. McCampbell  
David D. Creekmore  
*Deputy Law Directors*

Becky L. Ward  
*Investigator*

Marion P. Wall, ALJ  
Tennessee Department of State  
312 8<sup>th</sup> Avenue, North  
William R. Snodgrass Bldg., 8<sup>th</sup> Floor  
Nashville, TN 37243

RE: Urban Growth Plan Agreements

Dear Judge Wall:

Enclosed please find a copy of the Urban Growth Plan Agreement between Knox County and the City of Knoxville, as well as a copy of the Growth Plan between Knox County and the Town of Farragut.

Please contact me if I may be of further assistance.

Sincerely,



MICHAEL W. MOYERS  
Knox County Law Director

MWM:kfc  
Enclosures

WHEREAS, the Town and the County intend in this agreement to embody each and every term of their agreement.

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter stated, the County and Town do hereby agree and manifest their intentions as follows:

## 1. SPHERE OF INFLUENCE.

The "sphere of influence" of each respective local government is recognized as important. Knox County has the entire county as its sphere of influence, especially in the non-incorporated area. The sphere of influence for the Town of Farragut is the municipality itself, as it may change from time to time, and the territory most adjacent to its borders. The sphere of influence for Knoxville is the municipality itself, as it may change from time to time, and the territory most adjacent to its borders. To best address this issue and bring order to a process of future modifications in the approved Plan, a division of the non-incorporated territory in Knox County is made for each city. The dividing line agreed to is as follows:

Beginning at the Anderson County line, following Pellissippi Parkway south to its intersection with Lovell Road; thence, south along Lovell Road to the beginning of Canton Hollow Road; thence, south along Canton Hollow Road to its end, thence due south to the Blount County line in the Tennessee River/Fort Loudon Lake, and then following the Blount County line in a generally westerly direction to the Loudon County Line.

The area west and north of this line is placed in the Farragut Division, and the land east and south of this line is placed in the Knoxville Division. This division is used for making future modifications in the Plan as outlined below, to the extent permitted by law.

## 2. RURAL DESIGNATION

The Rural Area designated is not proposed to be altered from that proposed by the Coordinating Committee. The Coordinating Committee stated that "land use" in the Rural Area would be governed by permitted uses in various zoning classifications. Rezoning of property and changes in land use under certain conditions were outlined in the Plan developed by the Coordinating Committee. However, because the Knox County Commission may modify permitted uses in any zone classification or develop new zone classifications, it is unclear how these changes should be made in the Rural Area. Thus, it is agreed that any such amendments to the Knox County Zoning Ordinance that apply to property within the Rural Area must first be approved by resolution by the respective municipal legislative body within its sphere of influence.

The parties agree that this approval is needed only for land use in the Rural Area and not for land use decisions within the Planned Growth Area, the city limits of the two municipalities, or the Urban Growth Boundary Area. The provisions of this paragraph shall apply only to relevant proposed amendments to the text of the Knox County Zoning Ordinance. The provisions of this paragraph shall not apply to decisions to rezone property by the Knox County Commission.

### 3. ALTERATION OF APPROVED GROWTH PLAN.

To the extent permitted by state law, the Town and the County agree to the following process for altering the Growth Plan within the Town's Sphere of Influence as denominated above, subsequent to the running of the statutory three-year period prohibiting alterations to the Plan (except upon a showing of extraordinary circumstances). Proposed changes in the conditions approved in the Plan or changes in the boundary line for a Rural Area, Planned Growth Area or Urban Growth Boundary area can be initiated by resolution by any local legislative body. The proposed change shall be reviewed by the Coordinating Committee. Within 120 days after receipt of the resolution, the Coordinating Committee shall make a recommendation to the two respective legislative bodies of the Town and the County for areas within Farragut's designated Sphere of Influence. The Coordinating Committee may use the staff of the MPC and/or the Town to assist in its work. Members of the Coordinating Committee from various organizations shall be appointed by the board of directors of their respective organizations as required by Chapter 1101. The Coordinating Committee shall conduct at least two public hearings as required by Chapter 1101. Not later than sixty (60) days after receiving the recommendation of the Coordinating Committee on the proposed change, the Knox County Commission and the Farragut Board of Mayor and Aldermen shall act to ratify or reject the recommendation of the Coordinating Committee. The recommendation of the Coordinating Committee may be modified by the two respective legislative bodies or in a negotiated agreement that is approved by resolution. Once the Coordinating Committee has made its recommendation on the proposed amendment to the Growth Plan the procedure for final approval of the amendment shall be the same as the procedures in TCA §6-58-104 for establishing the original plan; except that once a recommendation of the Coordinating Committee on the amendment is rejected, reconsideration by the Coordinating Committee as contemplated by TCA §6-58-104(a)(5) and (b)(1) shall not be required, and upon such rejection either party may declare an impasse and request the Secretary of State to provide an alternate method for resolution of the dispute related to the amendment. The resolution procedures and approval requirements of TCA §6-58-104 shall otherwise govern the proposed amendment to the Growth Plan. The parties agree to the appointment of a single administrative law judge.

#### 4. URBAN GROWTH BOUNDARY

A. Subject to the three exceptions to the City of Knoxville Urban Growth Boundary ("UGB") identified in paragraphs B and C below, the Town and the County approve and adopt in its entirety the Growth Plan developed and approved by the GPCC, which is attached hereto as Exhibit A and incorporated by reference.

B. The Town and the County agree that the highlighted areas identified on Exhibit B and Exhibit C, attached hereto, will be excluded from the City of Knoxville's UGB and added to the County's Planned Growth Area (PGA). The final boundary of the UGB and the PGA shall be changed accordingly.

C. The Town and the County agree that the highlighted areas identified on Exhibit D, attached hereto, will be excluded from the County's PGA and included within the City's UGB. The final boundary of the PGA and UGB shall be changed accordingly.

#### 5. JOINT ECONOMIC AND COMMUNITY DEVELOPMENT BOARD

In compliance with the provisions of TCA §6-58-114(a) and (b), the Town shall have the right to appoint an individual to a non-voting seat on the Board of Directors of the Knox County Development Corporation ("KCDC"). The Town's appointee shall be recognized and allowed to speak as any other Board member, but shall have no vote on any issue before the Board. The Town has voluntarily elected not to have voting members on the Board of the KCDC as contemplated by TCA §6-58-114. Knox County agrees that the Town of Farragut may, upon giving the County Executive of Knox County ninety (90) day's written notice, elect to have voting representation on the KCDC Board, under the same terms and conditions as agreed to by the City of Knoxville in its Growth Plan Agreement with Knox County.

#### 6. DURATION, EFFECT, and AMENDMENT

This Agreement shall be in full force and effect for an initial term from its execution by the parties hereto, and shall remain in full force and effect through either the repeal of the Act to the extent the law no longer requires a Growth Plan, or December 31, 2007, whichever occurs first. Provided that the law requires Growth Plans, this Agreement shall be renewed automatically for successive one-year terms unless one of the parties gives written notice of non-renewal ninety (90) days prior to the expiration of the then current term. The parties agree that each term of this Agreement is specifically enforceable in the event of a breach by the other party. The parties agree that an action to enforce the terms of this Agreement shall be brought in the Chancery Court for Knox County, Tennessee. The parties further agree that, to be enforceable, any amendment to this Agreement must be in writing and must be authorized by the Farragut Board of Mayor and Aldermen and the Knox County Commission by resolution.

IN WITNESS WHEREOF, the Chief Executive or Mayor and Clerk of each party have hereunto affixed their official signatures all as of the date herein first mentioned.

COUNTY OF KNOX, TENNESSEE

ATTEST:

APPROVED:

By: Thomas Schumpert  
COUNTY EXECUTIVE

Michael W. Roy  
COUNTY LAW DIRECTOR

Date: 4-17-01

John Mike Padgett  
COUNTY CLERK

THE TOWN OF FARRAGUT, TENNESSEE

ATTEST:

APPROVED:

By: W. Edmund Ford, III  
MAYOR

Thomas M. Sale  
TOWN ATTORNEY

Date: April 12, 2001

Mary Jane Goepf  
TOWN RECORDER

VICTOR ASHE  
MAYOR  
(865) 215-2040



MICHAEL S. KELLEY  
DIRECTOR OF LAW  
(865) 215-2050  
FAX: (865) 215-2643

THE CITY OF KNOXVILLE, TENNESSEE

January 11, 2001

BY HAND DELIVERY

Mike Moyers  
Knox County Law Director  
7th Floor  
City-County Building  
400 Main Street  
Knoxville, Tennessee 37902

Re: Urban Growth Plan Agreement

Dear Mike:

Enclosed, for your files, please find an original Urban Growth Plan Agreement that has been signed by all parties.

Sincerely,

Michael S. Kelley  
Law Director

MSK:mab

Enclosure

g:\letters/growthpol.ltr

## AGREEMENT

This Agreement is made and entered into as of the 11th day of January, 2001, by and between the County of Knox (hereinafter, "County") and the City of Knoxville (hereinafter, "City"), both of the State of Tennessee, pursuant to applicable provisions of Tennessee law, including but not limited to the provisions of Tennessee Code Annotated, Sections 6-58-101 et seq. and Tennessee Code Annotated, Sections 51-1-113.

WHEREAS, pursuant to the requirements of Public Chapter 1101 (the "Act") (T.C.A. § 6-58-101 et. seq.), a Growth Policy Coordinating Committee was established for Knox County, Tennessee (the "GPCC"); and

WHEREAS, the GPCC conducted multiple public meetings over a period of many months in order to develop a county-wide growth plan as mandated by T.C.A. § 6-58-104; and

WHEREAS, the GPCC developed and submitted a plan (the "Growth Plan") to the respective legislative bodies of the County (the Knox County Commission) and of the City (the Knoxville City Council), as required by the Act, a copy of which Growth Plan is attached hereto; and

WHEREAS, the Growth Plan was rejected by the Knox County Commission and the Knoxville City Council; and

WHEREAS, after reconsideration by the GPCC and resubmission to the legislative bodies, the Growth Plan was once again rejected and an impasse was declared; and

WHEREAS, pursuant to the requirements of the Act, the Secretary of State appointed a dispute resolution panel (the "Panel") consisting of three (3) administrative law judges; and

WHEREAS, the Panel conducted a mediation of the dispute on December 7, 2000, in Nashville, Tennessee, for the purpose of resolving the impasse; and

WHEREAS, as a result of this mediation, the City and the County have reached an agreement with respect to the adoption of the Growth Plan, as modified herein, the City's involuntary annexation of certain types of property within the Urban Growth Boundary, and with respect to other matters stated herein; and

WHEREAS, pursuant to the provisions of T.C.A. § 6-58-104(6) and T.C.A. 5-1-113 , the City and County intend that this Agreement shall be binding upon the City and the County, respectively, to refrain from exercising those powers or privileges specifically stated herein;

WHEREAS, except as explicitly limited herein, the City and the County intend that

each shall enjoy all rights, powers, and privileges permitted under Tennessee law, including but not limited to the right of a municipality to annex pursuant to T.C.A. § 6-51-101 et seq.; and

WHEREAS, the City and the County intend in this agreement to embody each and every term of their agreement.

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter stated, including but not limited to the financial commitment by Knox County stated herein, the sufficiency of which is hereby acknowledged, the County and City do hereby agree and manifest their intentions as follows:

#### 1. SPHERE OF INFLUENCE.

The "sphere of influence" of each respective local government is recognized as important. Knox County has the entire county as its sphere of influence, especially in the non-incorporated area. The sphere of influence for the Town of Farragut is the municipality itself, as it may change from time to time, and the territory most adjacent to its borders. The sphere of influence for Knoxville is the municipality itself, as it may change from time to time, and the territory most adjacent to its borders. To best address this issue and bring order to a process of future modifications in the approved Plan, a division of the non-incorporated territory in Knox County is made for each city. The dividing line agreed to is as follows:

Beginning at the Anderson County line, following Pellissippi Parkway south to its intersection with Lovell Road; thence, south along Lovell Road to the beginning of Canton Hollow Road; thence, south along Canton Hollow Road to the Tennessee River/Fort Loudon Lake and following the Lake line in a generally westerly direction to the Loudon County line.

The area west and north of this line is placed in the Farragut Division, and the land east and south of this line is placed in the Knoxville Division. This division is used for making future modifications in the Plan as outlined below, to the extent permitted by law.

#### 2. EXTRAORDINARY CIRCUMSTANCES.

To the extent permitted by State law, the City and the County agree that, during the three-year statutory period after the approval of the Growth Plan by the Local Government Planning Advisory Committee, a showing of extraordinary circumstances shall be made as follows. The Knoxville-Knox County Metropolitan Planning Commission (MPC) shall solely determine the issue by a formal vote. Either the City or the County may request by resolution a determination of whether "extraordinary circumstances" have been established and may develop the rationale for the request. The MPC has ninety (90) days after such

resolution to act upon the request. If a favorable vote occurs by MPC, the Knox County Commission and the City Council must also concur for the finding of extraordinary circumstances in order for the Growth Plan to be amended. The parties agree that extraordinary circumstances may only be made for commercial or industrial development, not for a residential subdivision or development.

### 3. RURAL DESIGNATION

The Rural Area designated is not proposed to be altered from that proposed by the Coordinating Committee. The Coordinating Committee stated that "land use" in the Rural Area would be governed by permitted uses in various zoning classifications. Rezoning of property and changes in land use under certain conditions were outlined in the Plan developed by the Coordinating Committee. However, because the Knox County Commission may modify permitted uses in any zone classification or develop new zone classifications, it is unclear how these changes should be made in the Rural Area. Thus, it is agreed that any such amendments to the Knox County Zoning Ordinance that apply to property within the Rural Area must first be approved by resolution by the respective municipal legislative body within its sphere of influence. The parties agree that this approval is needed only for land use in the Rural Area and not for land use decisions within the Planned Growth Area, the city limits of the two municipalities, or the Urban Growth Boundary Area. The provisions of this paragraph shall apply only to relevant proposed amendments to the text of the Knox County Zoning Ordinance. The provisions of this paragraph shall not apply to decisions to rezone property by the Knox County Commission.

### 4. ALTERATION OF APPROVED GROWTH PLAN.

To the extent permitted by state law, the City and the County agree to the following process for altering the Growth Plan subsequent to the running of the statutory three-year period prohibiting alterations to the Plan (except upon a showing of extraordinary circumstances). Proposed changes in the conditions approved in the Plan or changes in the boundary line for a Rural Area, Planned Growth Area or Urban Growth Boundary area can be initiated by resolution by any local legislative body. The proposed change shall be reviewed by the Coordinating Committee. Within 120 days after receipt of the resolution, the Coordinating Committee shall make a recommendation to the two respective legislative bodies of 1) Farragut and Knox County in the Farragut Division or 2) Knoxville and Knox County in the Knoxville Division. The Coordinating Committee may use the staff of the MPC to assist in its work. Members of the Coordinating Committee from various organizations shall be appointed by the board of directors of their respective organizations as required by Chapter 1101. The Coordinating Committee shall conduct at least two public hearings as required by Chapter 1101. The recommendation of the Coordinating Committee may be modified by the two respective legislative bodies or in a negotiated agreement that is approved by resolution. The County Clerk, the City Recorder, and the LGAPC will be notified of such change in the Plan. Failure of the two legislative bodies to reach an agreement

within six months after action by the Coordinating Committee the request dies, unless mutually extended.

## 5. URBAN GROWTH BOUNDARY OF CITY OF KNOXVILLE

A. Subject to the three exceptions to the City of Knoxville Urban Growth Boundary ("UGB") identified in paragraph B below, the City and the County approve and adopt in its entirety the Growth Plan developed and approved by the GPCC, which is attached hereto as Exhibit A and incorporated by reference.

B. The City and the County agree that the highlighted areas identified on Exhibit B and Exhibit C, attached hereto, will be excluded from the City's UGB and added to the County's Planned Growth Area ("PGA"). The final boundary of the UGB and the PGA shall be changed accordingly.

The City and the County agree that the highlighted areas identified on Exhibit D, attached hereto, will be excluded from the County's PGA and included within the City's UGB. The final boundary of the PGA and UGB shall be changed accordingly.

## 6. LIMITATIONS ON RESIDENTIAL ANNEXATION BY CITY OF KNOXVILLE

A. Subject to the exceptions identified in paragraph B and C below, the City agrees for a four-year period not to annex property within any residential subdivision that has been platted and filed with the Metropolitan Planning Commission ("MPC") on or before the date December 7, 2000. This moratorium shall commence on January 1, 2001, or the date upon which it has been approved by both legislative bodies, whichever occurs later, and it shall terminate on December 31, 2004. The City agrees that this moratorium shall be automatically extended for an additional three-year term, which shall terminate on December 31, 2007.

B. Notwithstanding the limitations imposed in paragraph A above, the City may annex property within any residential subdivision that has been platted and filed with the MPC on or before the date December 7, 2000, in any one of the following circumstances:

(1) Pursuant to applicable state law, the annexation is approved by referendum of the registered voters residing with such subdivision;

(2) The City initiates the annexation after receiving a notarized petition requesting annexation from a majority of property owners with such subdivision;

(3) The day before the second and final reading at City Council of the annexation ordinance annexing the subdivision, the City Recorder has not received notarized letters from a majority of property owners objecting to the annexation. At least 30 days prior to the first reading of such annexation ordinance, the City will place in the mail written notification to each property owner by certified or registered mail, at the address shown on the tax rolls maintained by the Property Assessor for Knox County.

For purposes of B(2) and B(3) above, each building lot in a subdivision (including those

building lots already within the City) shall represent one and only one vote for determining the will of the majority of property owners within a subdivision. Only owners of building lots within a subdivision shall be entitled to vote in such election.

C. Notwithstanding the limitations imposed in paragraph A above, the City may annex any residential subdivision in which a majority of the parcels within the subdivision are within the municipal boundaries of the City as of December 7, 2000.

## 7. KNOX COUNTY DRAINAGE STANDARDS

If the County has not done so prior to the execution of this Agreement, the County will adopt drainage standards for development that are at least as strict as the drainage standards used by the City within sixty (60) days of the execution of this Agreement. This agreement applies to any drainage basins containing water that flows into the municipal boundaries of the City.

## 8. KNOX COUNTY INVESTMENT

A. Knox County Commission shall designate five million dollars (\$5,000,000) in its current five-year capital plan to be used in the Empowerment Zone within the City. The City shall have the sole authority to designate the use of these funds, except that the funds must be used for a capital project within the Empowerment Zone and must be approved in a budget ordinance properly adopted by the Knoxville City Council. By resolution of the City Council delivered to the County Clerk, the City may call for any or all of these funds within a five-year period, beginning January 1, 2001 and ending on December 31, 2005. The County Commission shall authorize the use of these funds within sixty (60) days of the County Clerk's receipt of the resolution. If the County Commission does not authorize the funds as stated herein or if the funds are not provided to the City within seventy-five (75) days of the County Clerk's receipt of the resolution, the City shall be entitled to the amount of the request and prejudgment interest thereon at a rate of ten percent (10%) in any action brought pursuant to Section 11 below.

B. In addition, Knox County Commission shall designate an additional two million dollars (\$2,000,000) in its subsequent capital plan for use by the City beginning Year 5 (January 1, 2005). The City shall have the sole authority to designate the use of these funds, except that the funds must be used for a capital project of the City and must be approved in a budget ordinance properly adopted by the Knoxville City Council. By resolution of the City Council delivered to the County Clerk, the City may call for any or all of these funds within the period beginning January 1, 2005 and ending on December 31, 2007. The County Commission shall authorize the use of these funds within sixty (60) days of the County Clerk's receipt of the resolution. If the County Commission does not authorize the funds as stated herein or if the funds are not provided to the City within seventy-five (75) days of the County Clerk's receipt of the resolution, the City shall be entitled to the amount of the request and prejudgment interest thereon at a rate of ten percent (10%) in any action brought

pursuant to Section 11 below.

C. If the City takes some action resulting in the residential annexation moratorium not being renewed for an additional three-year period, as described in Section 6 above, all funds granted to the City pursuant to paragraphs A and B above shall be immediately due and payable to the County. If the City does not provide the funds to the County within fifteen (15) days, the County shall be entitled to the amount of owed and prejudgment interest thereon at a rate of ten percent (10%) in any action brought pursuant to Section 11 below.

#### 9. JOINT ECONOMIC AND COMMUNITY DEVELOPMENT BOARD/ CITY OF KNOXVILLE INVESTMENT

A. In order to carry out the requirements of section 15 in Chapter 1101 on the establishment of a Joint Economic and Community Development Board for economic development, the Mayor of Knoxville and one additional director shall be added to the Board of Directors of the Knox County Development Corporation (referred to as the Development Corporation). The additional director shall be a non-government person and shall be appointed by the Mayor for confirmation by the Knoxville City Council. Pursuant to section 15, the duly elected or acting Mayor of Knoxville shall continue to serve on the board. Upon initial confirmation by City Council, the non-government appointee shall initially serve a regular four-year term. Pursuant to the requirements of section 15, the Mayor and future City appointees shall continue to serve after the term of this Agreement and shall be reappointed from time-to-time, as described above. Provided, however, that if the City takes some action resulting in the residential annexation moratorium not being renewed, as described in Section 6 above, the City shall forfeit its two seats on the Board and shall have no further right to representation on the Board.

B. By March 1, 2001, the Knox County Commission and the Development Corporation shall take any and all actions necessary to expand the board of directors of the Development Corporation to add the Mayor and Knoxville appointee, as reflected above, including the amendment of the Charter or ordinance creating the Development Corporation. The parties recognize and acknowledge that the actions stated herein and the deadline for such action are material terms of this Agreement

C. The City of Knoxville shall fund the Development Corporation operating budget at a rate of \$100,000 for the 2001-2002 fiscal year and at a rate of ten percent (10%) of the operating budget thereafter.

D. As required by Public Chapter 1101, the Knox County Executive shall advise the LGAPC of this action for approval so as to meet the requirements of section 15 (4)(j). Farragut City government is not required to make any contribution to the operation of the Development Corporation.

10. PENDING AND ANTICIPATED LITIGATION

The County agrees to take a voluntary dismissal with prejudice as to the County's challenge to Public Chapter 1101 in the lawsuit styled County of Knox and County of Hamilton v. Paul G. Summers et. al. (Knox County Chancery Court No. 147087-2) and further agrees to take any and all actions necessary to withdraw from the lawsuit. The County agrees not to continue providing funding of the lawsuit should it proceed without the County's participation.

The County agrees not to file any action challenging past strip, finger, or corridor annexations by the City, as authorized in Knox County Resolution No. R-00-8-902. By the execution of this Agreement, the County agrees to waive and to forego any right to file such an action.

11. DURATION, EFFECT, and AMENDMENT

This Agreement shall be in full force and effect from its execution by the parties hereto, and shall remain in full force and effect for through and including December 31, 2007. The parties agree that each term of this Agreement is specifically enforceable in the event of a breach by the other party. The parties agree that an action to enforce the terms of this Agreement shall be brought in the Chancery Court for Knox County, Tennessee. The parties further agree that, to be enforceable, any amendment to this Agreement must be in writing and must be authorized by the Knoxville City Council and the Knox County Commission by resolution.

IN WITNESS WHEREOF, the Chief Executive or Mayor and Clerk of each party have hereunto affixed their official signatures all as of the date herein first mentioned.

COUNTY OF KNOX, TENNESSEE

ATTEST:

By Thomas Schumpert  
COUNTY EXECUTIVE

Date: 1/11/01

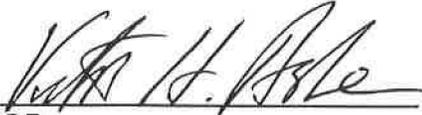
Ann Mike Padgett  
COUNTY CLERK

APPROVED:

Michael W. Boyer  
COUNTY LAW DIRECTOR

THE CITY OF KNOXVILLE, TENNESSEE

ATTEST:

By:   
MAYOR

Date: 1-11-01

APPROVED:

  
CITY LAW DIRECTOR

  
CITY RECORDER

## AGREEMENT

This Agreement is made and entered into as of the 17<sup>th</sup> day of April, 2001, by and between the County of Knox (hereinafter, "County") and the Town of Farragut (hereinafter, "Town"), both of the State of Tennessee, pursuant to applicable provisions of Tennessee law, including but not limited to the provisions of Tennessee Code Annotated, Sections 6-58-101 et seq. and Tennessee Code Annotated, Sections 51-1-113.

WHEREAS, pursuant to the requirements of Public Chapter 1101 (the "Act") (T.C.A. §6-58-101 et. seq.), a Growth Policy Coordinating Committee was established for Knox County, Tennessee (the "GPCC"); and

WHEREAS, the GPCC conducted multiple public meetings over a period of many months in order to develop a county-wide growth plan as mandated by T.C.A. §6-58-104; and

WHEREAS, the GPCC developed and submitted a plan (the "Growth Plan") to the respective legislative bodies of the County (the Knox County Commission), the City (the Knoxville City Council), and the Town, as required by the Act, a copy of which Growth Plan is attached hereto; and

WHEREAS, the Growth Plan was rejected by the Knox County Commission and the Knoxville City Council, but was approved by the Town of Farragut; and

WHEREAS, after reconsideration by the GPCC and resubmission to the legislative bodies, the Growth Plan was once again rejected by the City of Knoxville and Knox County, but was approved by the Town of Farragut, and an impasse was declared; and

WHEREAS, pursuant to the requirements of the Act, the Secretary of State appointed a dispute resolution panel (the "Panel") consisting of three (3) administrative law judges; and

WHEREAS, the Panel conducted a mediation of the dispute on December 7, 2000, in Nashville, Tennessee, for the purpose of resolving the impasse; and

WHEREAS, the City of Knoxville and Knox County have reached agreement based in part upon a modification of the boundaries provided for in the Growth Plan as previously approved by the Town of Farragut; and

WHEREAS, Knox County and the Town of Farragut desire to enter into an agreement providing for the terms and conditions under which the Town is willing to adopt the Growth Plan as modified by the amended boundaries contained in the agreement between the City of Knoxville and Knox County and which amended boundaries both the Knoxville City Council and the Knox County Commission have now adopted as the boundaries in the Growth Plan; and

**RECORDER'S CERTIFICATE**

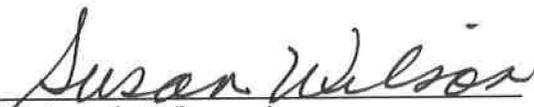
I, Susan Wilson, Assistant City Recorder for the City of Knoxville, Knox County, Tennessee, do hereby certify that the following is a true and correct copy of

R-1-01

A RESOLUTION OF THE COUNCIL OF THE CITY OF KNOXVILLE,  
TENNESSEE, APPROVING AN AMENDED GROWTH PLAN PURSUANT  
TO THE PROVISIONS OF THE TENNESSEE GROWTH POLICY ACT,  
PUBLIC CHAPTER 1101.

which was **APPROVED** by City Council at their meeting held January 9, 2001, and is on file in my office in Minute Book 65.

WITNESS my hand and official seal of the City of Knoxville, Knox County,  
Tennessee, this the 24<sup>th</sup> day of April, 2001

  
Assistant City Recorder

SEAL

RESOLUTION NO. R-1-01

R E S O L U T I O N

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A RESOLUTION OF THE COUNCIL OF THE CITY OF KNOXVILLE, TENNESSEE, APPROVING AN AMENDED GROWTH PLAN PURSUANT TO THE PROVISIONS OF THE TENNESSEE GROWTH POLICY ACT, PUBLIC CHAPTER 1101.

RESOLUTION NO: R-1-01

REQUESTED BY: MAYOR  
PREPARED BY: LAW  
APPROVED AS TO FORM AND CORRECTNESS: Director of Law

APPROVED: 1-9-01  
APPROVED AS AN EMERGENCY MEASURE: \_\_\_\_\_

MINUTE BOOK 65 PAGE \_\_\_\_\_

**WHEREAS**, pursuant to the requirements of Public Chapter 1101 (the "Act") (T.C.A. § 6-58-101 et. seq.), a Growth Policy Coordinating Committee was established for Knox County, Tennessee (the "GPCC"); and

**WHEREAS**, the GPCC conducted multiple public meetings over a period of many months in order to develop a county-wide growth plan as mandated by T.C.A. § 6-58-104; and

**WHEREAS**, pursuant to the requirements of the Act, the Council of the City of Knoxville (the "City") adopted a proposed urban growth boundary ("UGB") for the City; and

**WHEREAS**, in developing the proposed UGB, the City of Knoxville utilized a number of components, including the need for control of drainage basins outside the city limits in order to avoid flooding and pollution within City; and

1           **WHEREAS**, the proposed UGB provided for the growth of Knoxville by 114.67 square  
2 miles over the next twenty (20) years; and

3           **WHEREAS**, Knox County Commission, the legislative body of Knox County, proposed  
4 a growth plan that included a recommendation of no growth by the City; and

5           **WHEREAS**, the GPCC developed and submitted a plan (the “Growth Plan”) to the  
6 respective legislative bodies of the County, the City, and the Town of Farragut, as required by  
7 the Act, a copy of which Growth Plan is attached hereto; and

8           **WHEREAS**, the GPCC Growth Plan called for an Urban Growth Boundary of the City  
9 of Knoxville of approximately forty-seven (47) square miles; and

10           **WHEREAS**, while considering many factors relating to City growth and development,  
11 the GPCC failed to appropriately consider all relevant factors, particularly the need for the City  
12 of Knoxville to control development in those drainage basins whose waters flow into the City;  
13 and

14           **WHEREAS**, without such control of drainage basins, the City cannot control flooding  
15 and pollution within the boundaries of the City as mandated by state and federal law; and

16           **WHEREAS**, the Growth Plan was adopted by the Town of Farragut but, for differing  
17 reasons, it was rejected by the Knox County Commission and by the Knoxville City Council; and

18           **WHEREAS**, after reconsideration by the GPCC and resubmission to the legislative  
19 bodies, the Growth Plan was once again rejected by the County Commission and the City  
20 Council and an impasse was declared by the two legislative bodies; and

21           **WHEREAS**, subsequent to the declaration of an impasse, representatives of the City and  
22 the County met for the purpose of attempting to reach a compromise with respect to the adoption

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1 of a growth plan and with respect to other growth-related issues; and

2           **WHEREAS**, as a result of these negotiations and as a result of the required mediation  
3 conducted on December 7, 2000, pursuant to Public Chapter 1101, these representatives reached  
4 a compromise; and  
5

6           **WHEREAS**, the compromise consists in part of an agreement that, among other things,  
7 limits residential annexation by the City, requires certain investments by Knox County in capital  
8 projects of the City, and requires the expansion of the Board of Directors of the Development  
9 Corporation of Knox County to include two City appointees; and  
10

11           **WHEREAS**, the compromise includes the adoption of the GPCC Plan, as modified  
12 herein; and

13           **WHEREAS**, these modifications in the GPCC Plan will create a more reasonable,  
14 regular UGB for the City; and

15           **WHEREAS**, pursuant to the terms of the Agreement between the City and the County,  
16 Knox County has agreed to adopt drainage standards for development outside the city limits  
17 which are at least as restrictive as those adopted by the City; and

18           **WHEREAS**, the City Council previously passed a resolutions approving the Agreement  
19 and approving a modified Growth Plan; and  
20

21           **WHEREAS**, on January 4, 2001, the Knox County Commission approved the  
22 Agreement and the modified Growth Plan contingent upon the Plan's being amended by the  
23 Council to remove the area west of Sanford Day Road from the UGB (a portion of West  
24 Hampton Subdivision); and  
25  
26  
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1           **WHEREAS**, the Council believes that, in the interest of resolving this matter at a local  
2 level and avoiding further disputes between the City and the County, this alteration to the UGB is  
3 acceptable; and  
4

5           **WHEREAS**, the final modifications of the GPCC Plan are as follows: 1) the pink areas  
6 identified on Exhibit B (Gettysvue to Sanford Day road) and Exhibit C (Midway area), attached  
7 hereto, will be excluded from the City's UGB and added to the County's Planned Growth Area  
8 ("PGA"), 2) the yellow highlighted areas identified on Exhibit D (Beverly acres area), attached  
9 hereto, will be excluded from the County's PGA and included within the City's UGB, and 3) the  
10 final boundary of the UGB and the PGA shall be changed accordingly; and  
11

12           **WHEREAS**, prior to execution, the Agreement between the City and the County will be  
13 changed to reflect this final modification of the GPCC Plan; and

14           **WHEREAS**, the Council of the City (the "Council") believes that the adoption of this  
15 modified Growth Plan, as amended, and the identical modification to the Agreement will  
16 encourage greater cooperation between the City and the County, particularly in matters related to  
17 economic development within the greater metropolitan area;  
18

19  
20           **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF**  
21 **KNOXVILLE:**

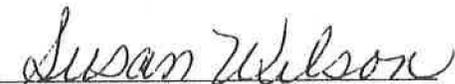
22           **SECTION 1:** Subject to the following three modifications, the Council of the City of  
23 Knoxville adopts the Growth Plan for Knox County, Tennessee, attached hereto as Exhibit A.  
24 The three modifications are as follows: 1) the pink areas identified on Exhibit B (Gettysvue to  
25 Sanford Day road) and Exhibit C (Midway area), attached hereto, will be excluded from the  
26  
27  
28

1 City's UGB and added to the County's Planned Growth Area ("PGA"), 2) the yellow highlighted  
2 areas identified on Exhibit D (Beverly acres area), attached hereto, will be excluded from the  
3 County's PGA and included within the City's UGB, and 3) the final boundary of the UGB and  
4 the PGA shall be changed accordingly.  
5

6 **SECTION 2:** This Resolution shall take effect from and after its passage, the public  
7 welfare requiring it.

8 **SECTION 3:** The City Recorder is directed to distribute a certified copy of this  
9 Resolution and the attached documents to the County Court Clerk of Knox County, Mike  
10 Padgett; the Knox County Law Director, Mike Moyers; the Knox County Executive, Tommy  
11 Schumpert; each member of the Knox County Commission; Farragut Mayor Eddie Ford,  
12 Farragut Town Administrator Dan Olson; and to Administrative Law Judge Marion P. Wall,  
13 State of Tennessee Department of State Administrative Procedures Division, 312 Eighth Avenue  
14 North 8th Floor, William Snodgrass Tower, Nashville, TN 37243.  
15

16  
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20 Presiding Officer of the Council

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22   
23 Recorder

K n o x v i l l e  
F a r r a g u t  
K n o x C o u n t y

# Growth Policy Plan

Recommendations  
of the  
Growth Policy  
Coordinating Committee  
to the  
Knoxville City Council,  
Farragut Board of Aldermen,  
and Knox County Board  
of Commissioners

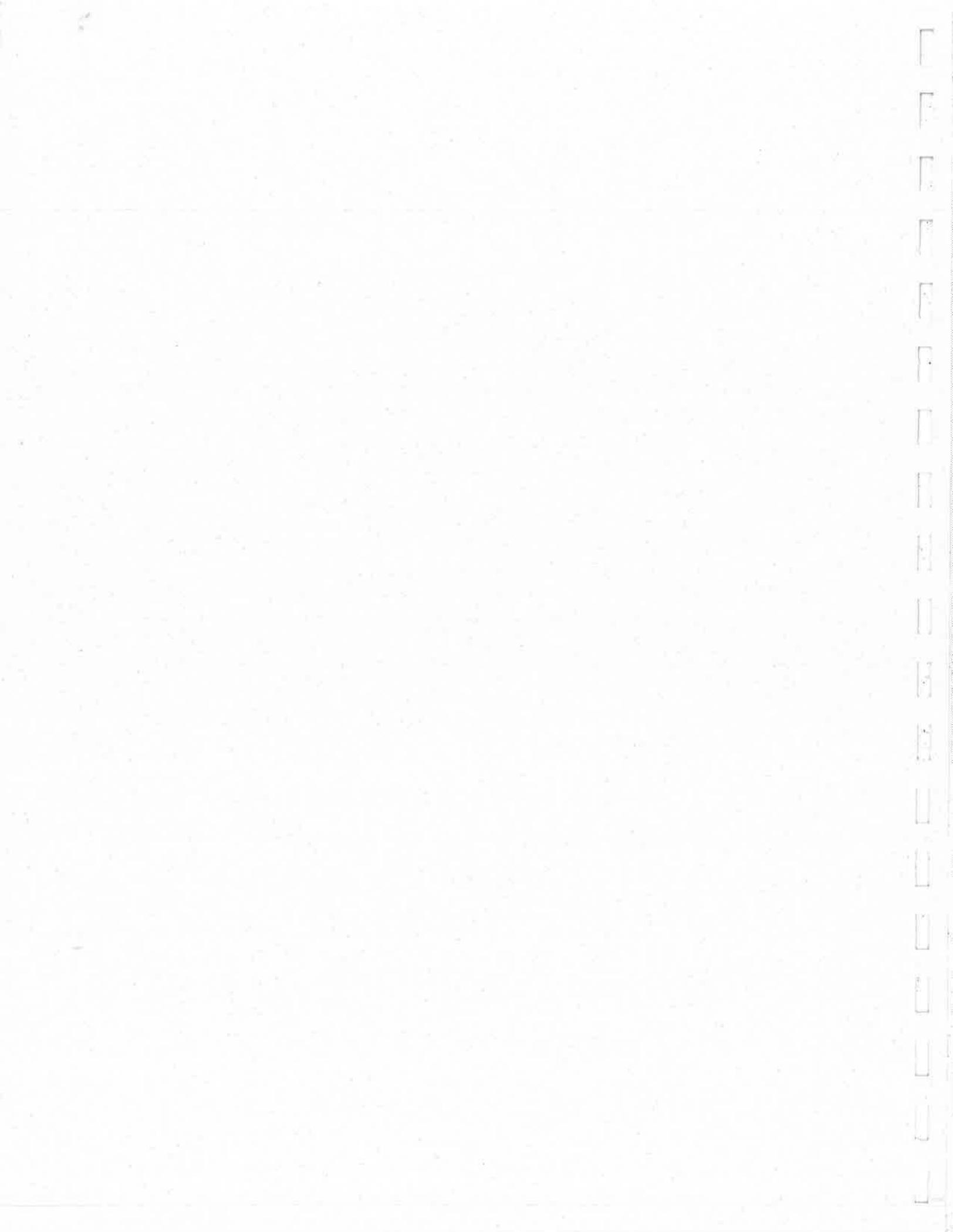
J a n u a r y 1 2 , 2 0 0 0

Local Government Planning Advisory Committee

Date: April 25, 2001

To: Approve Knox County Growth Plan

  
Tom Stiner, Chairman



Knoxville • Farragut • Knox County

# Growth Policy Plan

Recommendations of the  
Growth Policy Coordinating Committee  
to the  
Knoxville City Council,  
Farragut Board of Aldermen,  
and  
Knox County Board of Commissioners

January 12, 2000



# Growth Policy Coordinating Committee

**Jeff Wilkins, Chair**

**Victor Ashe, Mayor  
City of Knoxville**

**Bill Elmore**

**Greg Gheen**

**Ray Graves**

**Robert Hill**

**Imogene King**

**Jerry Moats**

**Roy Mullins**

**Larry Leibowitz**

**Tom Schumpert  
Knox County Executive**

**Bob Whetsel**

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## **INTRODUCTION**

Public Chapter 1101, the new Tennessee growth management law, requires city and county governments to prepare a 20 year Growth Plan for each county. At a minimum, a growth plan must identify three classifications of land:

- **Rural areas.** Rural areas are to include land to be preserved for farming, recreation, and other non-urban uses.
- **Urban growth boundaries (UGB's).** UGB's must be drawn for all cities and towns. The land within the UGB must be reasonably compact but adequate to accommodate all of the city's expected growth for the next 20 years.
- **Planned growth areas (PGA's).** PGA's must be reasonably compact but large enough to accommodate growth expected to occur in unincorporated areas over the next 20 years.

The Knox County Growth Policy Coordinating Committee has been formed pursuant to the new law. The law encourages cities and counties to cooperate in preparation of the plan, and directs the Coordinating Committee to give due consideration to any proposals submitted in a timely manner by the local governments. The Committee has prepared a plan and recommends its adoption by the governing bodies of Knoxville, Knox County and Farragut. Several public meetings and hearings were held to obtain the views of citizens. The recommended plan represents the best efforts of the coordinating committee to prepare a plan that meets the requirements of the law, responds constructively to the proposals submitted by Knox County, Knoxville, Farragut and Oak Ridge, and embodies the input of citizens.

## **Background Information/ Local Context**

TN Public Chapter 1101 applies to all Tennessee counties, with the exceptions of counties with a metropolitan form of government (Davidson) and charter counties where legally binding annexation agreements have been determined to meet the purposes of the law (Shelby). The vast majority of the remaining Tennessee counties are largely rural in character. Knox County's situation is much different. Here are some characteristics that influenced the development growth plan for Knox County:

- Knox County is densely populated, compared to surrounding counties. Based on 1998 U.S. Census Bureau population estimates, Knox County averaged 721 persons per square mile, up from 660 in 1990 and 632 in 1980. The U.S. Census Bureau considers densities of over 1,000 persons per square mile as urban. Surrounding counties have densities ranging from 71 persons per square mile in Grainger County to 211 in Anderson County. (These calculations do not include water area.)
- Despite the relatively dense population, there are only two incorporated municipalities in Knox County, the City of Knoxville and the Town of Farragut.
- Historically, more people lived in incorporated areas until sometime in the 1990's. In 1998, 50% of the population lived in the unincorporated area.
- Knox County and Knoxville have created the Knoxville-Knox County Metropolitan Planning Commission, a regional planning body that provides planning and zoning services to both governments. Farragut has its own Municipal Planning Commission. All three governments have zoning and subdivision ordinances and ongoing comprehensive planning programs which can substantially address the planning and growth management objectives of Public Chapter 1101.
- There are a total of 6 utility districts providing sanitary sewers. Decisions on extension of sanitary sewers are one of the most important tools in managing growth. In Knox County, the decision to extend sanitary sewer service is made by the utility providers, not the City or County government.
- Most of the vacant land in the county is zoned Agriculture (A). This Knox County zoning designation allows a wide range of agricultural uses, but also permits residential development on lots as small as one acre. In contrast, the City of Knoxville's agricultural zone prohibits the creation of new residential lots of less than 10 acres in the City's A-1 (Agriculture) zone.
- Annexation policy, which is at the core of Public Chapter 1101, is a very divisive issue in Knox County.
- About one half of the land in Knox County is vacant or in agricultural uses. Most observers agree that the "easy" land has already been developed, and much of what remains is characterized by steep topography, other environmental limitations, or inadequate infrastructure.

## Planning Process

The Growth Policy Coordinating Committee was formed in late 1998. An organizational meeting was held on December 12 of that year. The Committee held 37 additional meetings during 1999, and continued working in 2000. All meetings were open to the public. Three public hearings were held. Public comment sessions were included in many of the other meetings, and in some cases public comment accounted for the majority of the meeting. Several meetings were preceded by a tour of the proposed growth boundaries of different sections of the county, and business meetings, including public comment sessions, were then held at public locations in the areas studied. In addition to the Coordinating Committee's public meetings, at least 26 additional meetings, all open to the public, were held by Knox County, Knoxville and Farragut.

One of the early meetings included a briefing by Metropolitan Planning Commission staff on development trends, adopted plans, and concepts contained in Public Chapter 1101. A number of subsequent meetings featured testimony by various providers of public services and facilities, including utility districts, public safety officials, city and county departments, and Town of Farragut staff.

The Committee received growth plan proposals from the Knox County Commission, the Knox County Executive, the Town of Farragut, the City of Knoxville, and the City of Oak Ridge. Oak Ridge is located in Anderson County. The Oak Ridge proposal, which included about 1,000 acres of the Solway community in the Oak Ridge urban growth boundary (UGB), was voted down quickly. Farragut's proposal, which included an urban growth boundary of less than one square mile, was approved. The remaining three proposals were very far apart on the issue of Knoxville's urban growth boundary. County Commission proposed no urban growth

boundaries and would limit rural areas to selected public properties. The County Executive's proposal limited Knoxville to 3 square miles of new development within the urban growth boundary and 9 square miles of infill within the existing city. In contrast, the City of Knoxville's initial UGB proposal included 39 square miles of vacant land for new development and a total area, including already developed land, of 116 square miles, eventually more than doubling the size of the City.

The Committee went through a process of reviewing different combinations of densities, housing types, population projections and market adjustment factors (*explained in Section 3*). They eventually endorsed a minimum 16 square miles of vacant, environmentally unconstrained land in the urban growth boundary for Knoxville and a minimum 23 square miles of vacant unconstrained land in the Knox County planned growth area.

Next, alternative maps were prepared, showing proposed urban growth boundaries, planned growth areas, and rural areas. Several refinements and compromises were made. The map and policies were finalized after two public hearings in mid December.

The remainder of this report consists of four parts. **Section 1, *The Growth Policy Plan***, presents goals, policies, a Growth Policy Map, and other recommendations. **Section 2, *Land Capability Analysis***, contains maps and exhibits that show the remaining supply of developable land. This section also provides background information regarding land use and environmental constraints. **Section 3, *Development Trends and Projections***, summarizes development and population trends, and presents projections of future land requirements. **Section 4** summarizes relevant plans adopted by local governments. **Section 5** summarizes the cost of service provision analyses for Farragut, Knoxville and Knox County. The **Appendices** include various technical background data and a summary of the public participation process.



## SECTION 1

### *Recommended Growth Plan*

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 Public Chapter 1101; a thorough analysis of existing conditions and trends in land use, population and the natural environment; and input by 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.

### **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 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*).

### **Goals**

The following goals have been adapted from 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 provision 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**

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 the provisions of the Zoning Ordinances of Knoxville, Knox County and Farragut.
2. Rezoning decisions shall be consistent with the Growth Plan Map and policies.
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 per acre based on the site's environmental characteristics 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 zoning district regulations, these new zones 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. Rezonings 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 Planned 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 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 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.

- 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 required 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.

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 actions 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.

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, utilities, 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.

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.

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, and the majority of the parcel is in the rural 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 right of way 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.

\*In the adopted plan, dated January 12, 2000, there are two exceptions to this provision: (1) Lyons Bend Road, south of Northshore Drive and (2) Dutchtown Road is not included in the Urban Growth Boundary.

## Other Recommendations

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

- 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.
- 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.
- 3 The Knox County Joint Economic and Community Development Board required by Public Chapter 1101 should be utilized to coordinate an economic development strategy that will guide the Knoxville-Farragut-Knox County community in presenting a unified front in the economic development arena.
- 4 Regulatory obstacles to "smart growth" should be identified and addressed.
  - 4.1 The City of Knoxville's recent adoption of a Traditional Neighborhood Development Ordinance, which allows developers to create compact, pedestrian oriented, mixed-use neighborhoods as an alternative to suburban sprawl, is an example. Other possible regulatory reform initiatives include:
  - 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.
  - 4.3 Reduced parking requirements for developments that are designed to encourage pedestrian, transit, or bicycle transportation.
  - 4.4 A review of zoning ordinances and adopted plans to identify other opportunities to incorporate smart growth principles.

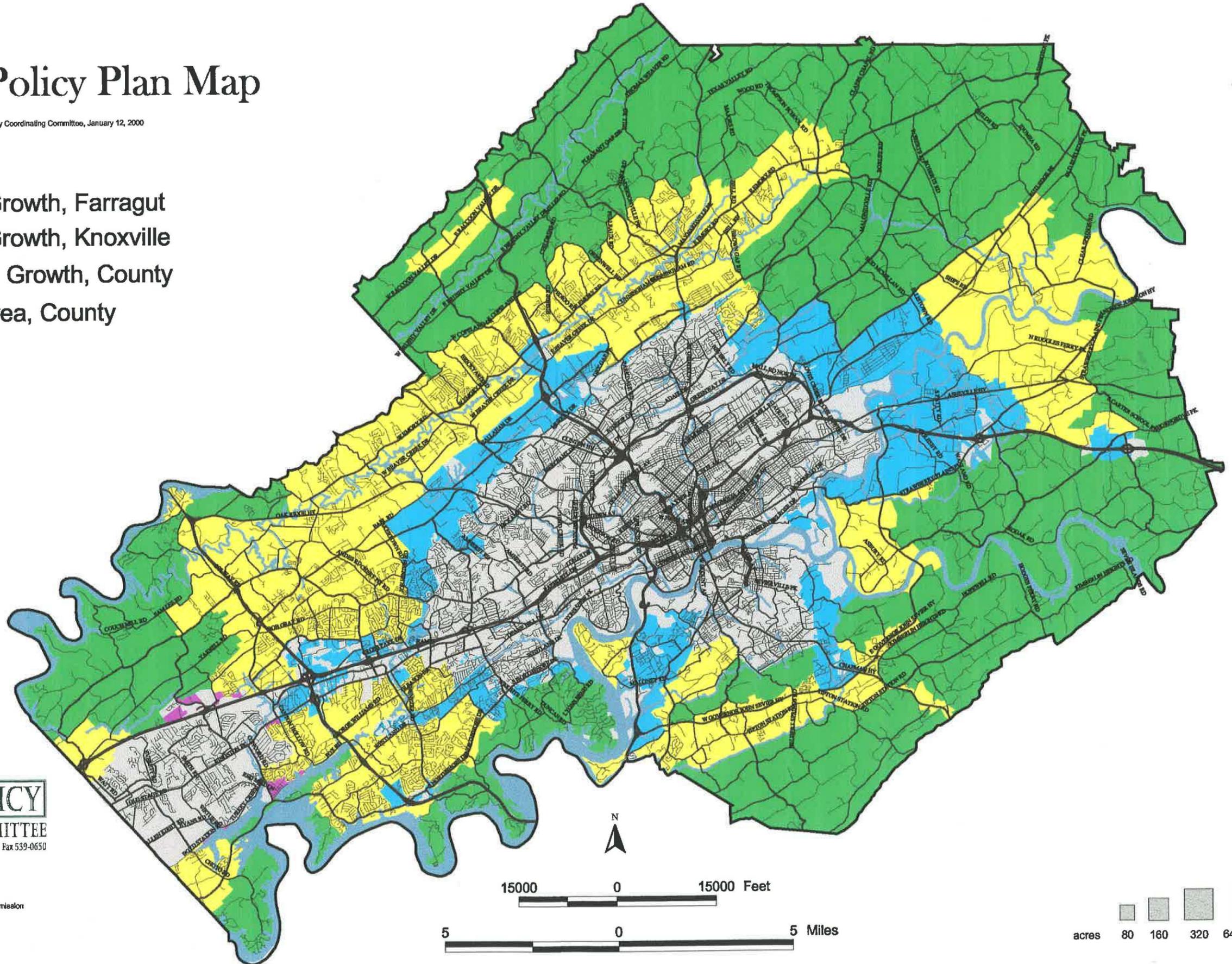
5. One of the most effective approaches for reducing urban sprawl could be to further revitalize the inner city, as proposed in the *Heart of Knoxville Empowerment Zone Plan*.
6. Environmental resources.
  - 6.1 Local zoning ordinances should be revised to include overlay zones or site plan review provisions 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.
  - 6.2 Erosion and sediment control regulations should be strictly enforced.
  - 6.3 Water quality issues should be addressed at the watershed level. If a watershed is split by city/county boundaries, intergovernmental agreements should be formulated to ensure a cooperative approach to watershed management. Storm water runoff "best management practices", such as retention of natural vegetation as buffers along streams, should be utilized.
  - 6.4 Greenways have been proposed along many streams and floodways. Consideration should be given to the annual use of a portion of local tax revenue to acquire greenway space and to serve as a match to other funds available for this purpose.
  - 6.5 Springs often form the head waters of many tributaries. They have some of the most pristine water that can be found in Knox County. As such they are occasionally used as well heads and have unique biological habitat. The local governments should identify and map springs and develop standards to protect them, including prohibition of chemical applications and the conservation of natural vegetation within a reasonable distance of springs.
  - 6.6 The Karst terrain of Knox County, created by limestone and dolomite geologic formations, is characterized by sinkholes and caverns. The local governments should continue to work with the Federal Emergency Management Agency to identify the flood limits around sinkholes. In areas known to be subject to flooding, regulations should be put in place to have a hydrologist or engineer map the potential flood areas so that the habitable portions of buildings can be kept out of harm's way.
  - 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.
7. Significant wetlands should be mapped and protected through zoning regulations.
8. Regional planning efforts, such as the Regional Transportation Alternatives Committee (RTAC) and Nine Counties, One Vision projects should be encouraged and supported.



# Growth Policy Plan Map

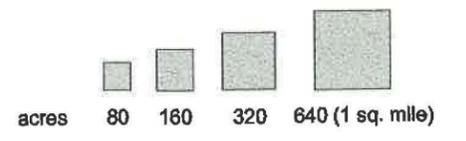
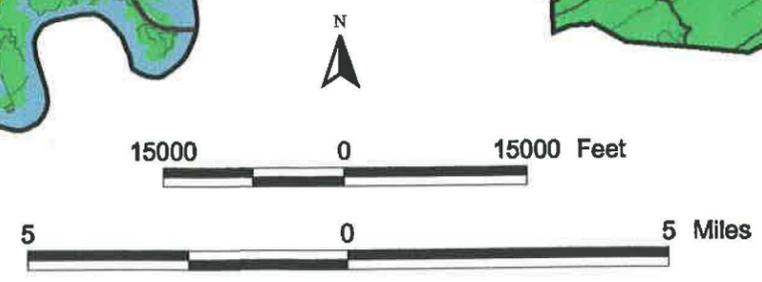
Adopted by the Growth Policy Coordinating Committee, January 12, 2000

-  Urban Growth, Farragut
-  Urban Growth, Knoxville
-  Planned Growth, County
-  Rural Area, County



**GROWTH POLICY**  
**COORDINATING COMMITTEE**  
 P.O. Box 7343 Knoxville, TN 37921 (423) 539-1111 Fax 539-0650

Map produced by the Metropolitan Planning Commission

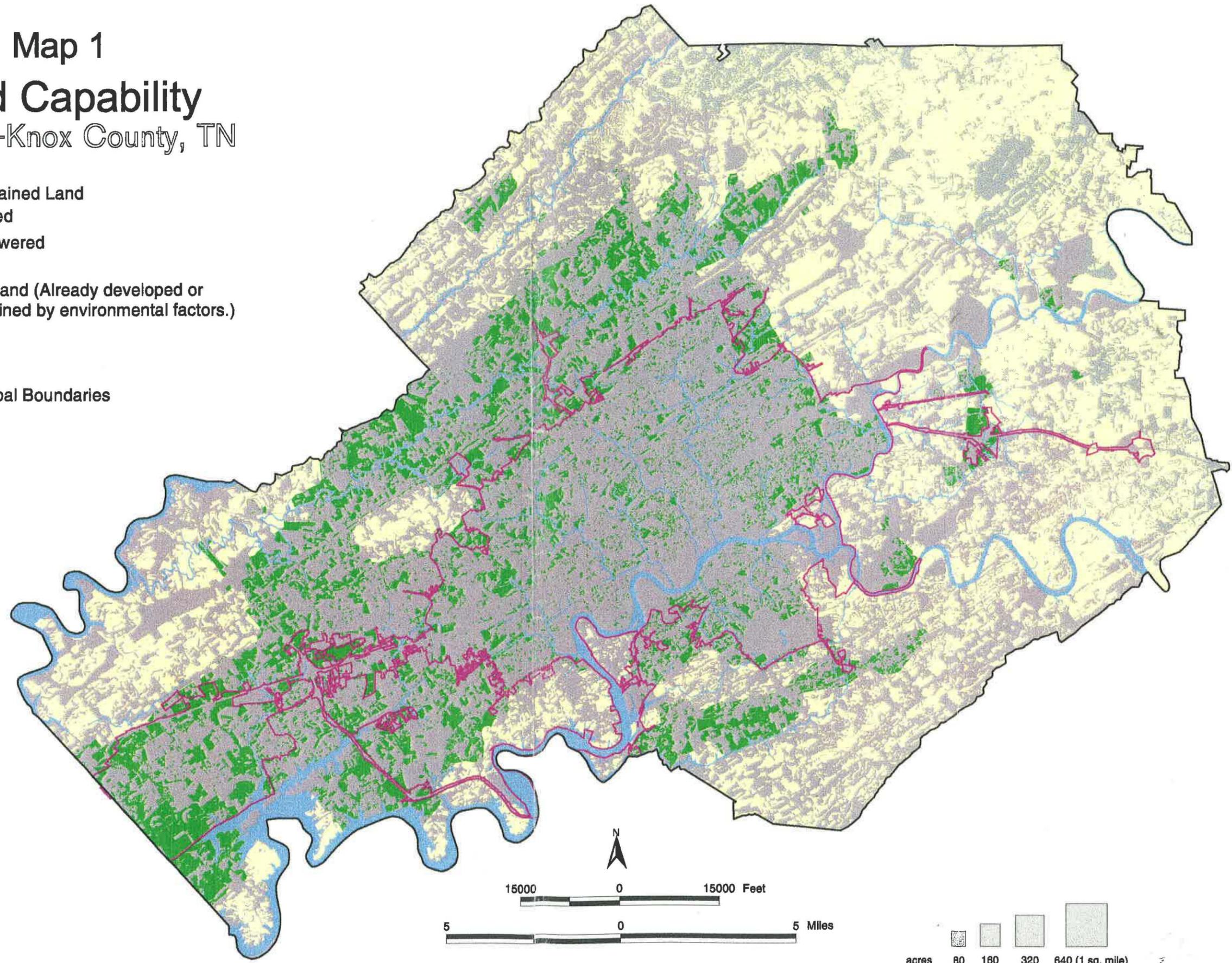


# Map 1

## Land Capability

### Knoxville-Knox County, TN

- Least Constrained Land
  - Sewered
  - Not Sewered
- Other Land (Already developed or constrained by environmental factors.)
- Water
- Municipal Boundaries



Print date: April 1, 1999.



*Tom Stiner*  
Tom Stiner, Chairman

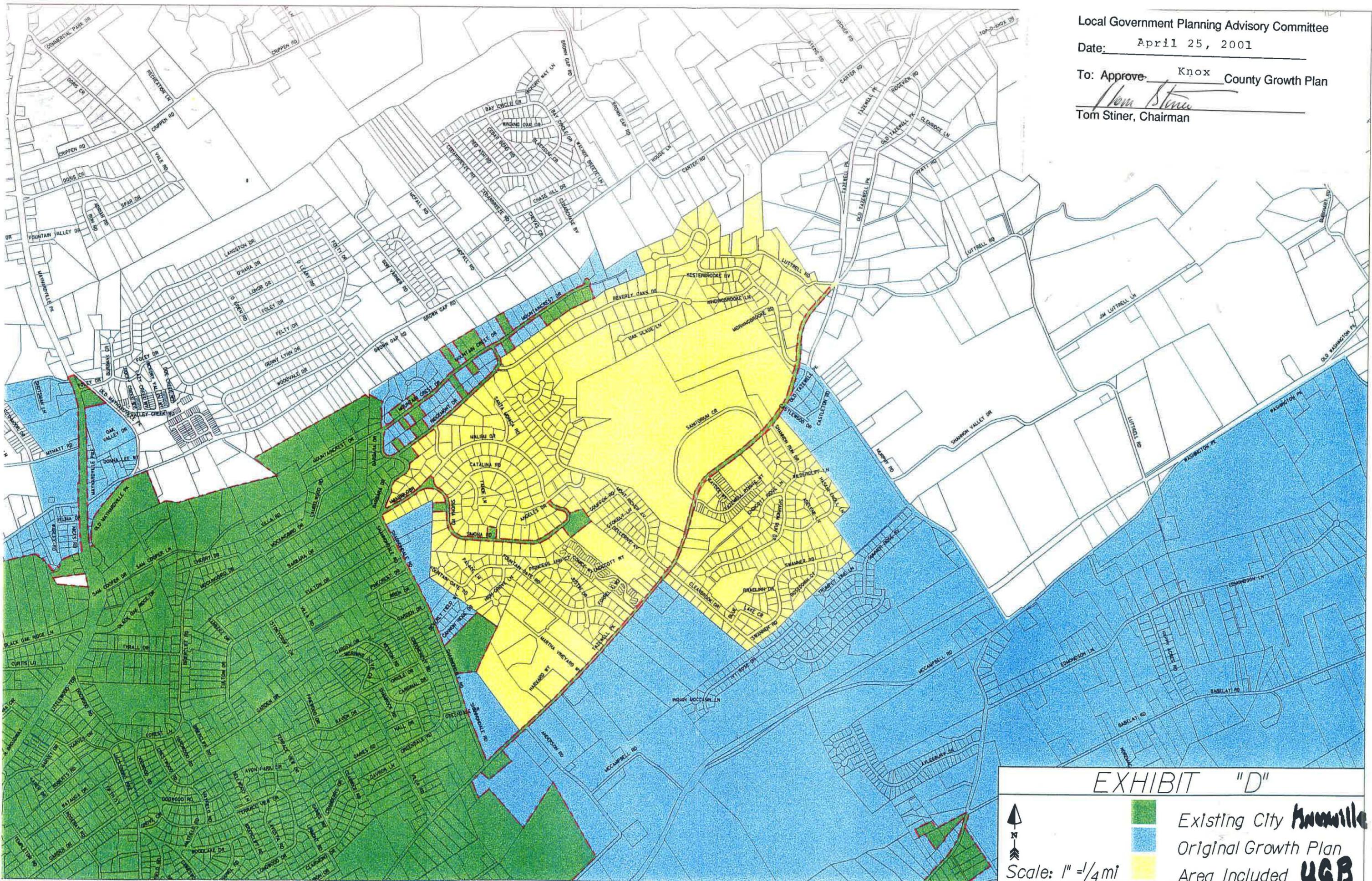
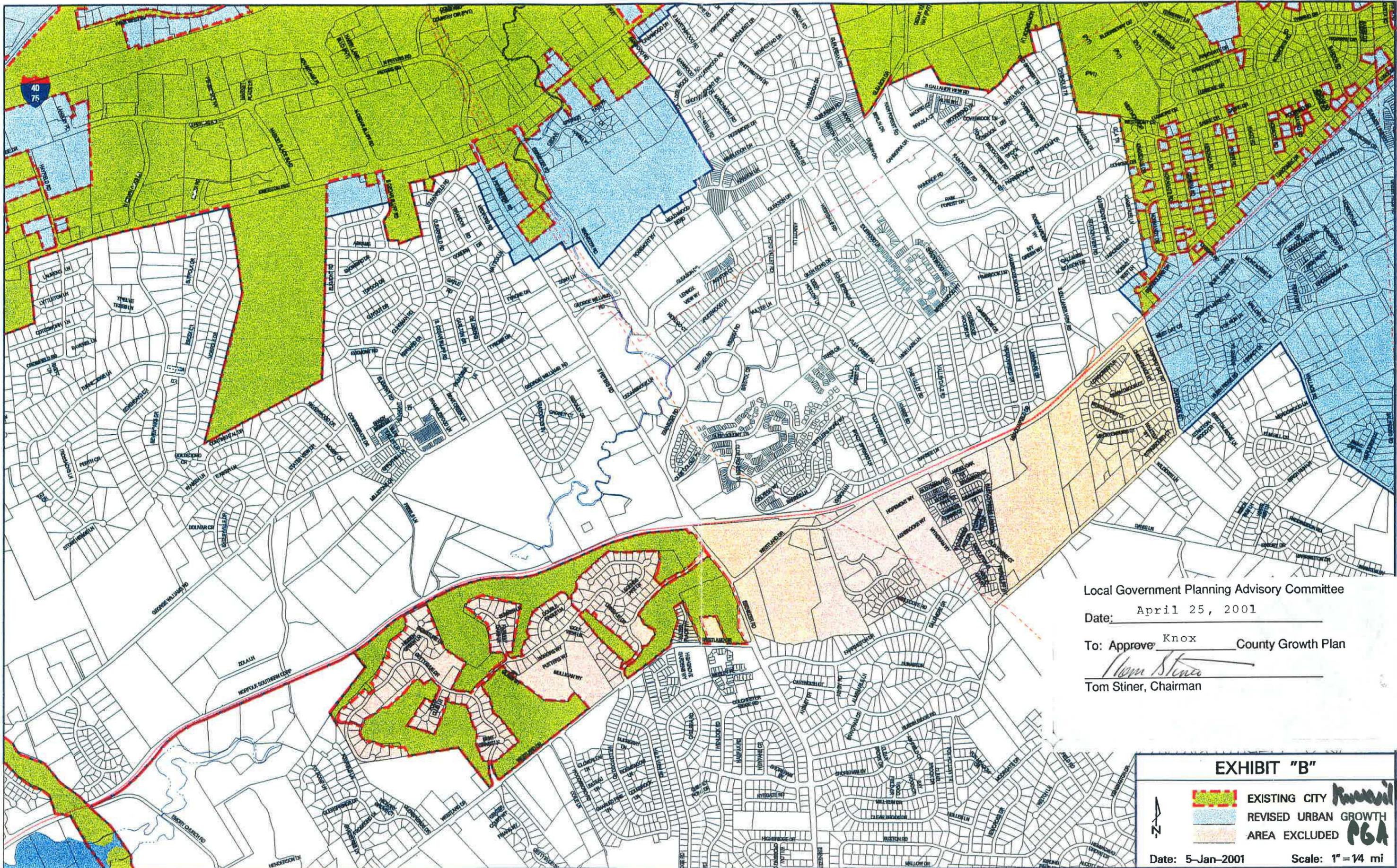


EXHIBIT "D"



Scale: 1" = 1/4 mi

- Existing City Knoxville
- Original Growth Plan
- Area Included UGB



Local Government Planning Advisory Committee

Date: April 25, 2001

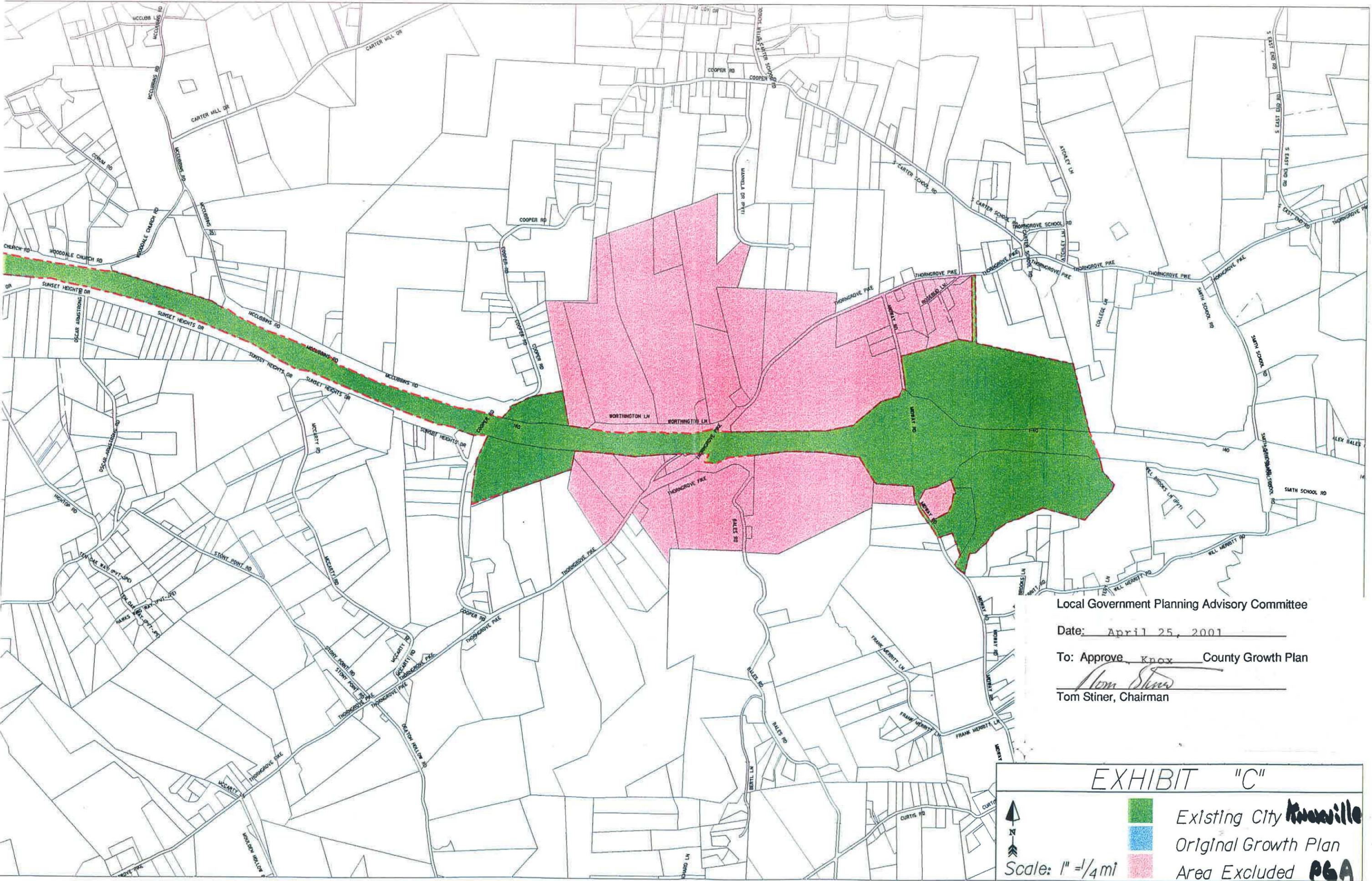
To: Approve Knox County Growth Plan

*Tom Stiner*  
 Tom Stiner, Chairman

**EXHIBIT "B"**

 EXISTING CITY **Knoxville**  
 REVISED URBAN GROWTH  
 AREA EXCLUDED **PGA**

Date: 5-Jan-2001      Scale: 1" = 14 mi



Local Government Planning Advisory Committee

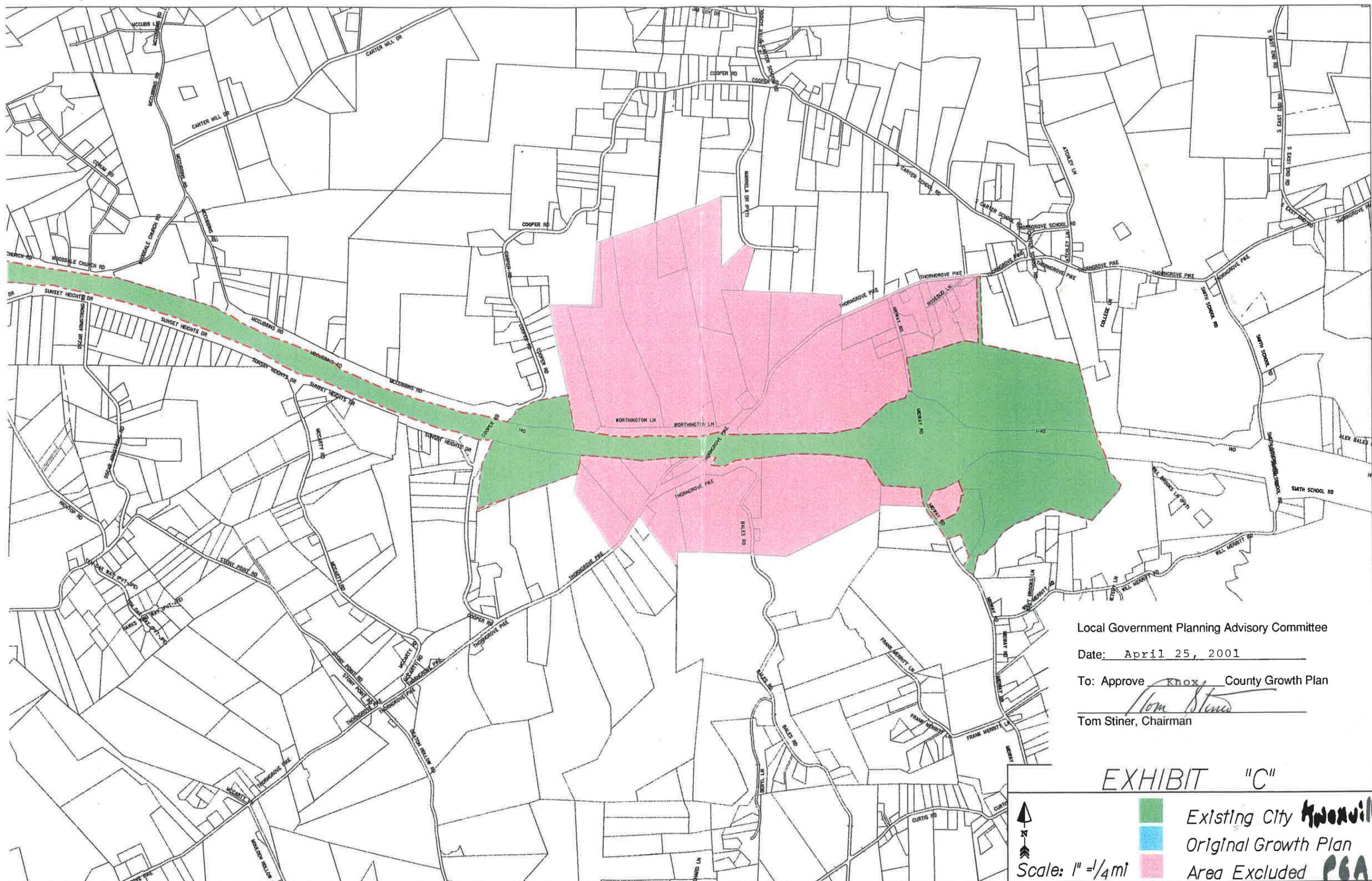
Date: April 25, 2001

To: Approve Knox County Growth Plan

*Tom Stiner*  
 Tom Stiner, Chairman

EXHIBIT "C"


 Existing City **Knoxville**  
 Original Growth Plan  
 Area Excluded **PGA**  
 Scale: 1" = 1/4 mi



Local Government Planning Advisory Committee

Date: April 25, 2001

To: Approve Knox County Growth Plan

Tom Stiner  
Tom Stiner, Chairman

EXHIBIT "C"



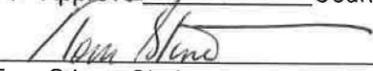
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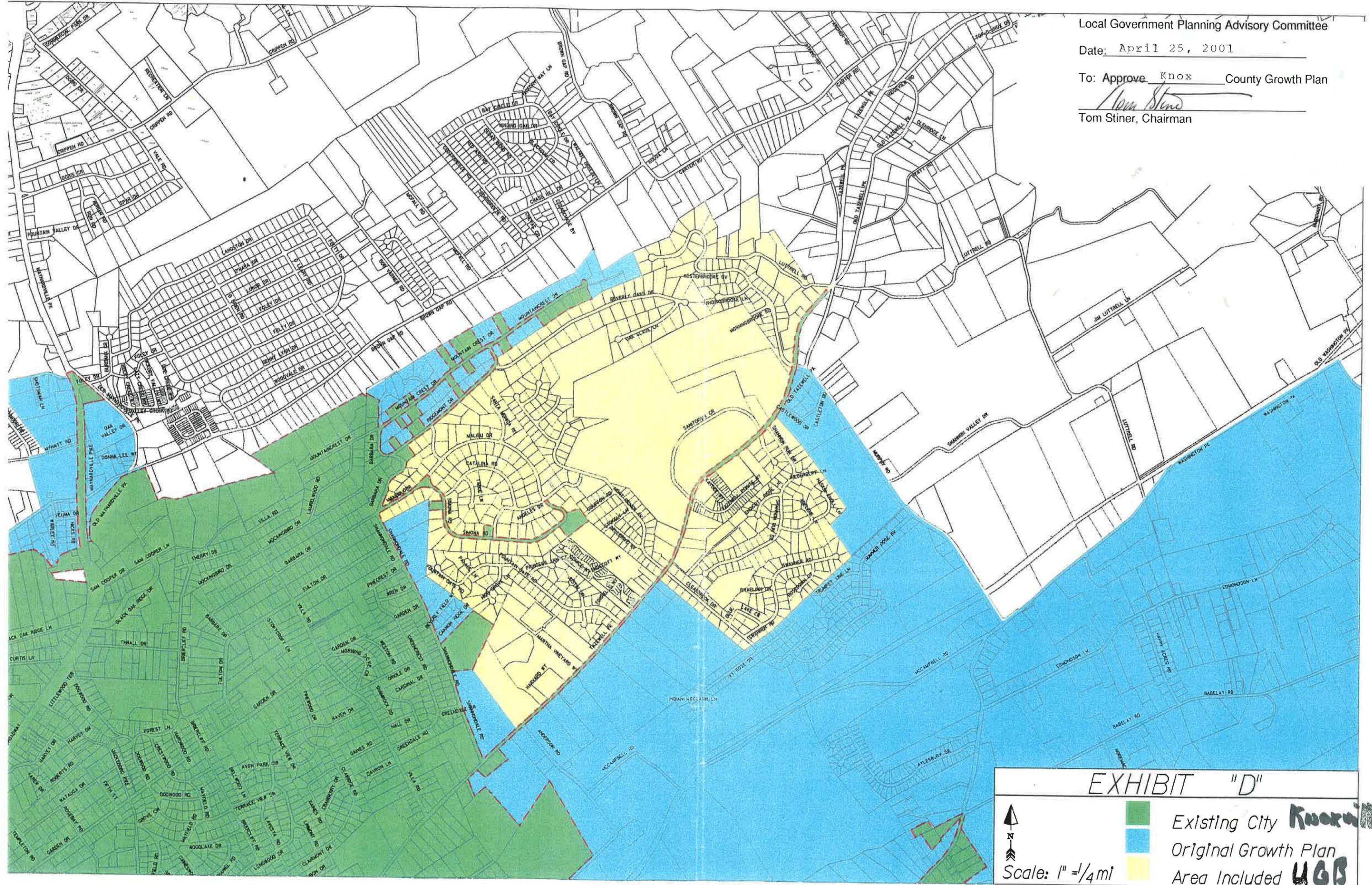
- Existing City **Knoxville**
- Original Growth Plan
- Area Excluded **P6A**

Local Government Planning Advisory Committee

Date: April 25, 2001

To: Approve Knox County Growth Plan

  
Tom Stiner, Chairman



**EXHIBIT "D"**

Scale: 1" = 1/4 mi

-  Existing City **Knoxville**
-  Original Growth Plan
-  Area Included **UGB**



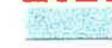
Local Government Planning Advisory Committee

Date: April 25, 2001

To: Approve Knox County Growth Plan

*Tom Stiner*  
 Tom Stiner, Chairman

**EXHIBIT "B"**

-  EXISTING CITY **Knoxville**
-  REVISED URBAN GROWTH AREA EXCLUDED
-  REVISED URBAN GROWTH **P6A**

Date: 5-Jan-2001

Scale: 1" = 1/4 mi

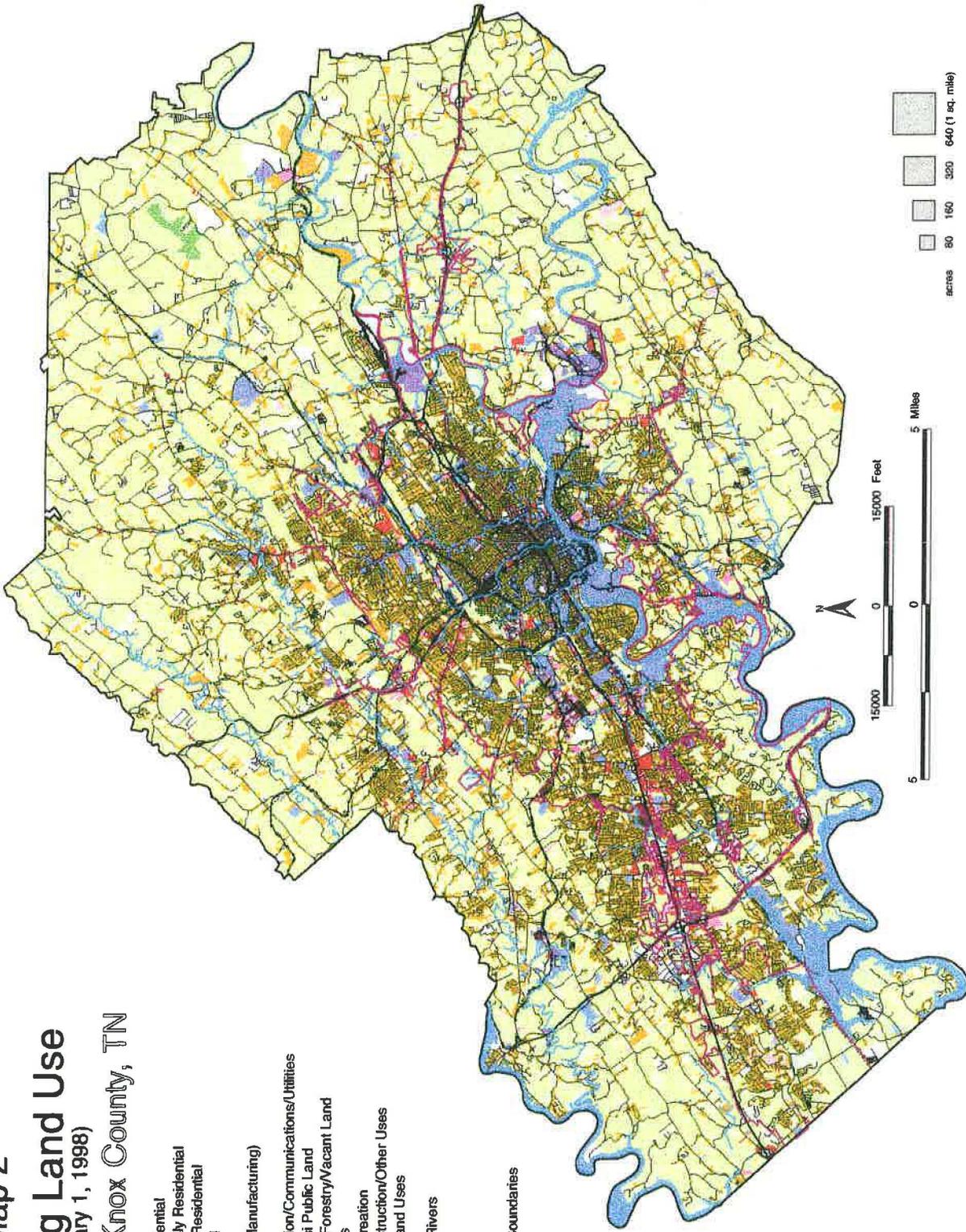
# Map 2

## Existing Land Use

(January 1, 1998)

### Knoxville-Knox County, TN

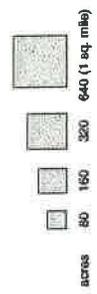
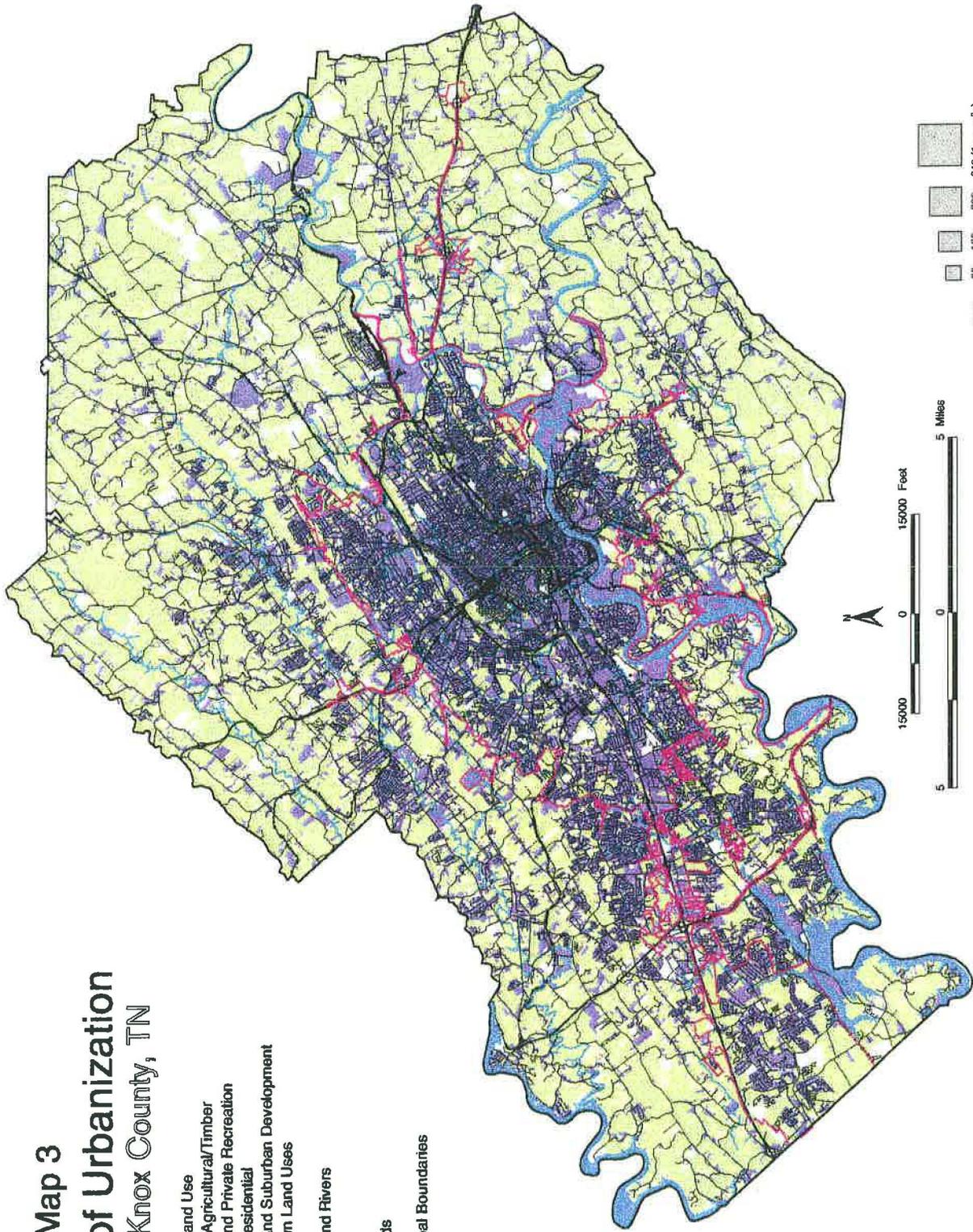
- Rural Residential
- Single Family Residential
- Multifamily Residential
- Commercial
- Office
- Industrial (Manufacturing)
- Wholesale
- Transportation/Communications/Utilities
- Public/Quasi Public Land
- Agriculture/Forestry/Vacant Land
- Public Parks
- Private Recreation
- Under Construction/Other Uses
- Unknown Land Uses
- Lakes and Rivers
- Roads
- Railroads
- Municipal Boundaries





# Map 3 Pattern of Urbanization Knoxville-Knox County, TN

- Generalized Land Use
  - Vacant/Agricultural/Timber
  - Parks and Private Recreation
  - Rural Residential
  - Urban and Suburban Development
  - Unknown Land Uses
- Lakes and Rivers
- Roads
- Railroads
- Municipal Boundaries





## SECTION 2

### Land Capability Analysis

#### Land Capability Map

MPC staff has prepared an analysis of Knox County's land resources. Map 1, *Land Capability*, shows 3 categories of land:

**Least Constrained Land/Sewered.** Land that is vacant, free of significant environmental constraints, and has ready access to existing sanitary sewer lines. This category of land is generally the most logical for future development. It is also generally contiguous to the existing urbanized area. This is important because of Public Chapter 1101's emphasis on compact development patterns and containment of urban sprawl.

**Least Constrained/ Not Sewered.** Land that is vacant, free of significant environmental constraints, but does not have ready access to existing sanitary sewer lines. Even if all of the Category 2 land is allocated to Urban Growth boundaries and Planned Growth Areas, some of the Category 3 lands will have to be included in the UGB's and PGA's to provide adequate land development alternatives.

**Other Land.** Land that is not considered available for future development because it is already developed or because it is subject to significant environmental constraints.

Exhibit 1 shows the acreages of each of the three categories of land in Knox County and the two municipalities as of January 1998. The next several subsections describe the inventories of land use and environmental data that were used in compiling the Land Capability map.

#### EXHIBIT 1

<b>Land Capability Summary</b>			
	<i>Acreage</i>	<i>Square Miles</i>	<i>Percent of Land Area</i>
<b>Knox County (Total)</b>			
Vacant Land	173,388.800	270.920	51.506
Vacant with No Constraints	108,186.880	169.042	32.137
Sewered	31,143.358	48.661	9.251
Not Sewered	77,043.522	120.381	22.886
Vacant with Constraints	65,201.920	101.878	19.368
<b>All Knox County Land</b>	<b>336,640.000</b>	<b>526.000</b>	
<b>City of Knoxville</b>			
Vacant Land	10,899.840	17.031	17.457
Vacant with No Constraints	6,785.920	10.603	10.868
Sewered	6,014.513	9.398	9.633
Not Sewered	771.407	1.205	1.235
Vacant with Constraints	4,113.920	6.428	6.589
<b>All Knox County Land</b>	<b>62,438.400</b>	<b>97.560</b>	
<b>Farragut</b>			
Vacant Land	4,473.600	6.990	43.122
Vacant with No Constraints	3,729.280	5.827	35.947
Sewered	3,726.826	5.823	35.923
Not Sewered	2.454	0.004	0.024
Vacant with Constraints	744.320	1.163	7.175
<b>All Knox County Land</b>	<b>10,374.400</b>	<b>16.210</b>	

## Existing Land Use

Knox County is approximately 526 square miles in area. One half of this land is in vacant or agricultural use. Another 10 percent consists of rural residential development on parcels of two to ten acres in size. About 3 percent of the county is used for business purposes (office, commercial, wholesale and industrial land uses). Ten percent of the county consists of public rights of way, primarily for streets, highways, and railroads.

Knoxville's land use profile is much different than the county as a whole. Knoxville's total land area is approximately 100 square miles. Only 16 percent of the city is classified vacant or agricultural, and only 4 percent is in rural residential use. Seventeen percent of Knox County is in single-family residential use. About 12.5 percent of the city consists of public (government buildings, park land, schools, etc.) and quasi public (churches, hospitals, cemeteries, private recreation) uses. Twenty-five percent of the city is devoted to single-family residential development. Almost 10 percent of Knoxville's land is used for business purposes. Most of Knoxville's vacant land consists of individual vacant lots and parcels that have not been developed due to environmental limitations. With the exception of the Northwest City planning sector, most development opportunities are limited to "infill" on small sites or redevelopment of previously urbanized properties. In the Northwest Sector, there are still a few "green field" development opportunities. In recent years, this sector has had more new development than other parts of the city due to its larger supply of vacant sites. Separate existing land use statistics are currently unavailable for the town of Farragut.

Map 2, *Existing Land Use*, shows the general distribution of land uses. Exhibit 2 summarizes the land use statistics. Exhibit 3 is of particular interest because it shows developed land only. When vacant and agricultural lands are excluded, we can get an idea of the development pattern that will extend out into the unincorporated county over the next twenty years. For example, while 16 percent of Knox County's total land area is developed as single family residential, almost 36 percent of the county's developed land is single family residential. The exhibit also shows that, in the unincorporated part of Knox County, rural residential and single-family residential land accounts for two-thirds of the developed area.

## Urbanized Land Analysis

Map 3, *Pattern of Urbanization*, presents a simplified picture of the land use pattern as a first step in identifying future urban growth boundaries, planned growth areas, and rural areas.

## EXHIBIT 2

### Existing Land Use

	<i>Acreage</i>	<i>Square Miles</i>	<i>Percent of Total</i>	<i>Square Miles per 1000 Population</i>
<b>Knox County (Total)</b>				
Agriculture/Forestry/Vacant Land	173,388.800	270.920	51.506	0.739
Parks, Recreation	4,117.760	6.434	1.223	0.018
Public/Quasi-Public Land	11,504.640	17.976	3.417	0.049
Rural Residential	34,297.600	53.590	10.188	0.146
Single Family Residential	58,015.360	90.649	17.234	0.247
Multifamily Residential	4,113.280	6.427	1.222	0.018
Office	2,367.360	3.699	0.703	0.010
Commercial	5,077.120	7.933	1.508	0.022
Industrial	3,015.040	4.711	0.896	0.013
Other Private/Business Uses	3,821.440	5.971	1.135	0.016
Water	10,641.280	16.627	3.161	0.045
Rights-Of-Way	26,280.320	41.063	7.807	0.112
<b>Total</b>	<b>336,640.000</b>	<b>526.000</b>	<b>100.000</b>	<b>1.434</b>
<b>Knox County Balance (Excluding City of Knoxville and Town of Farragut)</b>				
Agriculture/Forestry/Vacant Land	158,015.960	246.900	59.894	1.337
Parks, Recreation	1,961.160	3.064	0.743	0.017
Public/Quasi-Public Land	4,655.560	7.274	1.765	0.039
Rural Residential	31,745.280	49.602	12.033	0.269
Single Family Residential	37,633.140	58.802	14.264	0.318
Multifamily Residential	1,858.920	2.905	0.705	0.016
Office	917.720	1.434	0.348	0.008
Commercial	1,841.880	2.878	0.698	0.016
Industrial	1,586.560	2.479	0.601	0.013
Other Private/Business Uses	2,155.260	3.368	0.817	0.018
Water	7,318.400	11.435	2.774	0.062
Rights-Of-Way	14,137.480	22.090	5.359	0.120
<b>Total</b>	<b>263,827.320</b>	<b>412.230</b>	<b>100.000</b>	<b>2.232</b>
<b>City of Knoxville</b>				
Agriculture/Forestry/Vacant Land	10,899.840	17.031	17.457	0.103
Parks, Recreation	1,557.000	2.433	2.494	0.015
Public/Quasi-Public Land	6,522.880	10.192	10.447	0.062
Rural Residential	2,552.320	3.988	4.088	0.024
Single Family Residential	16,939.520	26.468	27.130	0.160
Multifamily Residential	2,130.560	3.329	3.412	0.020
Office	1,287.040	2.011	2.061	0.012
Commercial	3,072.640	4.801	4.921	0.029
Industrial	1,428.480	2.232	2.288	0.013
Other Private/Business Uses	1,633.280	2.552	2.616	0.015
Water	3,322.880	5.192	5.322	0.031
Rights-Of-Way	11,091.840	17.331	17.764	0.105
<b>Total</b>	<b>62,438.280</b>	<b>97.560</b>	<b>100.000</b>	<b>0.589</b>
<b>Town of Farragut</b>				
Agriculture/Forestry/Vacant Land	4,473.000	6.989	43.116	0.420
Parks, Recreation	599.600	0.937	5.780	0.056
Public/Quasi-Public Land	326.200	0.510	3.144	0.031
Rural Residential	0.000	0.000	0.000	0.000
Single Family Residential	3,442.700	5.379	33.185	0.323
Multifamily Residential	123.800	0.193	1.193	0.012
Office	162.600	0.254	1.567	0.015
Commercial	162.600	0.254	1.567	0.015
Industrial	0.000	0.000	0.000	0.000
Other Private/Business Uses	32.900	0.051	0.317	0.003
Water	0.000	0.000	0.000	0.000
Rights-Of-Way	1,051.000	1.642	10.131	0.099
<b>Total</b>	<b>10,374.400</b>	<b>16.210</b>	<b>100.000</b>	<b>0.973</b>

### EXHIBIT 3

#### Existing Land Use, Developed Land Only

	<i>Acreage</i>	<i>Square Miles</i>	<i>Percent of Total</i>	<i>Square Miles per 1000 Population</i>
<b>Knox County (Total)</b>				
Parks, Recreation	4,117.760	6.434	2.698	0.018
Public/Quasi-Public Land	11,504.640	17.976	7.539	0.049
Rural Residential	34,297.600	53.590	22.474	0.146
Single Family Residential	58,015.360	90.649	38.015	0.247
Multifamily Residential	4,113.280	6.427	2.695	0.018
Office	2,367.360	3.699	1.551	0.010
Commercial	5,077.120	7.933	3.327	0.022
Industrial	3,015.040	4.711	1.976	0.013
Other Private/Business Uses	3,821.440	5.971	2.504	0.016
Rights-Of-Way	26,280.320	41.063	17.221	0.112
<b>Total</b>	<b>152,609.920</b>	<b>238.453</b>	<b>100.000</b>	<b>0.650</b>
<b>Knox County (Excluding City of Knoxville)</b>				
Parks, Recreation	1,961.160	3.064	1.991	0.017
Public/Quasi-Public Land	4,655.560	7.274	4.727	0.039
Rural Residential	31,745.280	49.602	32.231	0.269
Single Family Residential	37,633.140	58.802	38.209	0.318
Multifamily Residential	1,858.920	2.905	1.887	0.016
Office	917.720	1.434	0.932	0.008
Commercial	1,841.880	2.878	1.870	0.016
Industrial	1,586.560	2.479	1.611	0.013
Other Private/Business Uses	2,155.260	3.368	2.188	0.018
Rights-Of-Way	14,137.480	22.090	14.354	0.120
<b>Total</b>	<b>98,492.960</b>	<b>153.895</b>	<b>100.000</b>	<b>0.833</b>
<b>City of Knoxville</b>				
Parks, Recreation	1,557.000	2.433	3.229	0.015
Public/Quasi-Public Land	6,522.880	10.192	13.529	0.062
Rural Residential	2,552.320	3.988	5.294	0.024
Single Family Residential	16,939.520	26.468	35.133	0.160
Multifamily Residential	2,130.560	3.329	4.419	0.020
Office	1,287.040	2.011	2.669	0.012
Commercial	3,072.640	4.801	6.373	0.029
Industrial	1,428.480	2.232	2.963	0.013
Other Private/Business Uses	1,633.280	2.552	3.387	0.015
Rights-Of-Way	11,091.840	17.331	23.005	0.105
<b>Total</b>	<b>48,215.560</b>	<b>75.337</b>	<b>100.000</b>	<b>0.455</b>
<b>Town of Farragut</b>				
Parks, Recreation	599.600	0.937	10.160	0.056
Public/Quasi-Public Land	326.200	0.510	5.528	0.031
Rural Residential	0.000	0.000	0.000	0.000
Single Family Residential	3,442.700	5.379	58.337	0.323
Multifamily Residential	123.800	0.193	2.098	0.012
Office	162.600	0.254	2.755	0.015
Commercial	162.600	0.254	2.755	0.015
Industrial	0.000	0.000	0.000	0.000
Other Private/Business Uses	32.900	0.051	0.557	0.003
Rights-Of-Way	1,051.000	1.642	17.809	0.099
<b>Total</b>	<b>5,901.400</b>	<b>9.221</b>	<b>100.000</b>	<b>0.554</b>

## Environmental Constraints

As noted earlier, half the county is still vacant or in agricultural use. Not all of this land is available for future urban development. Lands with steep topography (greater than 15 percent slope) generally do not lend themselves to urbanization due to the high cost of engineering and development on severe slopes. Development on steep slopes also creates problems with drainage, erosion, water pollution, stream sedimentation, and aesthetics.

Other severe environmental constraints include sinkhole systems, hydric soils associated with wetlands, and regulatory floodways, which cannot be developed under local and

federal regulations. These features are shown on Map 4, *Environmental Constraints*, and are summarized in Exhibit 4.

Karst terrain is a widespread environmental condition in East Tennessee. Karst terrain is underlain with limestone formations, which are subject to formation of sinkholes, underground caverns, and unpredictable subsurface geology. These areas are also shown on Map 4 as "areas underlain by dolomite and limestone." With the exception of areas with pronounced sinkhole problems, these lands should not be automatically removed from the pool of developable land. Site-specific analysis may allow engineers to successfully deal with Karst characteristics in the development process.

### EXHIBIT 4

<b>Environmental Constraints</b>			
<i>Constraint</i>	<i>Acreage</i>	<i>Square Miles</i>	<i>Percent of County Land Area</i>
<b>Knox County (Total)</b>			
15% to 40% Slope	76,308.529	119.232	22.668
> 40% Slope	7,417.223	11.589	2.203
Hydric Soils	4,604.983	7.195	1.368
Sinks	12,202.644	19.067	3.625
Floodway	13,137.898	20.528	3.903
<b>All Land</b>	<b>336,640.000</b>	<b>526.000</b>	
<b>Knox County Balance (Excluding City of Knoxville and Town of Farragut)</b>			
15% to 40% Slope	66,692.293	104.207	25.279
> 40% Slope	6,724.767	10.507	2.549
Hydric Soils	3,380.443	5.282	1.281
Sinks	8,977.321	13.871	3.365
Floodway	8,986.794	14.042	3.406
<b>All Land</b>	<b>263,827.320</b>	<b>412.230</b>	
<b>City of Knoxville</b>			
15% to 40% Slope	9,002.855	14.067	14.419
> 40% Slope	678.820	1.061	1.087
Hydric Soils	951.387	1.487	1.524
Sinks	3,153.645	4.928	5.051
Floodway	4,150.919	6.486	6.648
<b>All Land</b>	<b>62,438.280</b>	<b>97.560</b>	
<b>Farragut</b>			
15% to 40% Slope	613.381	0.958	5.912
> 40% Slope	13.636	0.021	0.131
Hydric Soils	273.153	0.427	2.633
Sinks	171.678	0.268	1.655
Floodway	0.185	0.000	0.002
<b>AIMI Land</b>	<b>10,374.400</b>	<b>16.210</b>	

## Least Constrained Land

Overlaying land use and environmental data created **Map 5, *Least Constrained Land***. The areas shown in dark green are undeveloped and are apparently free of serious environmental constraints. The “least constrained” areas do include some areas of Karst terrain, and these areas must be carefully evaluated during the development process.

## Sanitary Sewers

**Map 6, *Sanitary Sewer Service***, shows the extent of sanitary sewer service. When sanitary sewer service is extended into rural areas, the possibility and urban or suburban development is introduced. In their reports to the Growth Coordinating Committee, several utility providers serving the county explained that they propose to extend sanitary sewer and other utilities into rural areas on the basis of environmental and economic feasibility.

The map of sanitary sewer availability was combined with the Least Constrained Land Map to create **Map 1, *Land Capability***, introduced earlier in this report.

## Lands Worthy of Special Consideration

The growth management law requires cities and counties to evaluate the impact of their proposed growth strategies on agricultural land, forests, recreational areas and wildlife management areas.

## Recreational and Wildlife Management Areas

**Map 7A, *Recreational and Wildlife Management Areas***, includes parks and land which are currently set aside for wildlife management purposes. In some cases, such as the 498 acre House Mountain State Natural Area, the land serves both recreational and wildlife management purposes.

The City of Knoxville owns or works with others to manage 87 parks, recreational and natural areas, amounting to approximately 1,250 acres. Forty-nine parks have been established for neighborhood and community recreation and typically are 1 to 20 acres in size. The City also has 11 greenway trails, extending over 18 miles; the most prominent are the Third Creek and Neyland Drive Greenways. Some of the parks such as the new Lakeshore Park have been set aside through long-term leases. A few of the City’s

parks, including Fort Dickerson Park (97 acres), Sharp’s Ridge Park (111 acres), and the Smith Property (22 acres) are considered natural areas and contain significant wildlife habitat.

Knox County has 61 parks, recreational or natural areas in its system, amounting to approximately 1,628 acres. Seventeen of the parks in the County system are leased or managed by the County, but are owned by community groups. The County has a handful of greenway trails. The Pellissippi Greenway Trail is the only one that lies outside of an existing park. Eleven parks have been set aside as natural areas. These areas lie along Fort Loudoun Lake and Melton Hill Lake and provide noteworthy habitat.

The Town of Farragut owns and manages four parks, amounting to 101 acres. Additionally, the Town has 51 acres of open space located in various subdivisions and along creeks. The Town also had 4.4 miles of greenways.

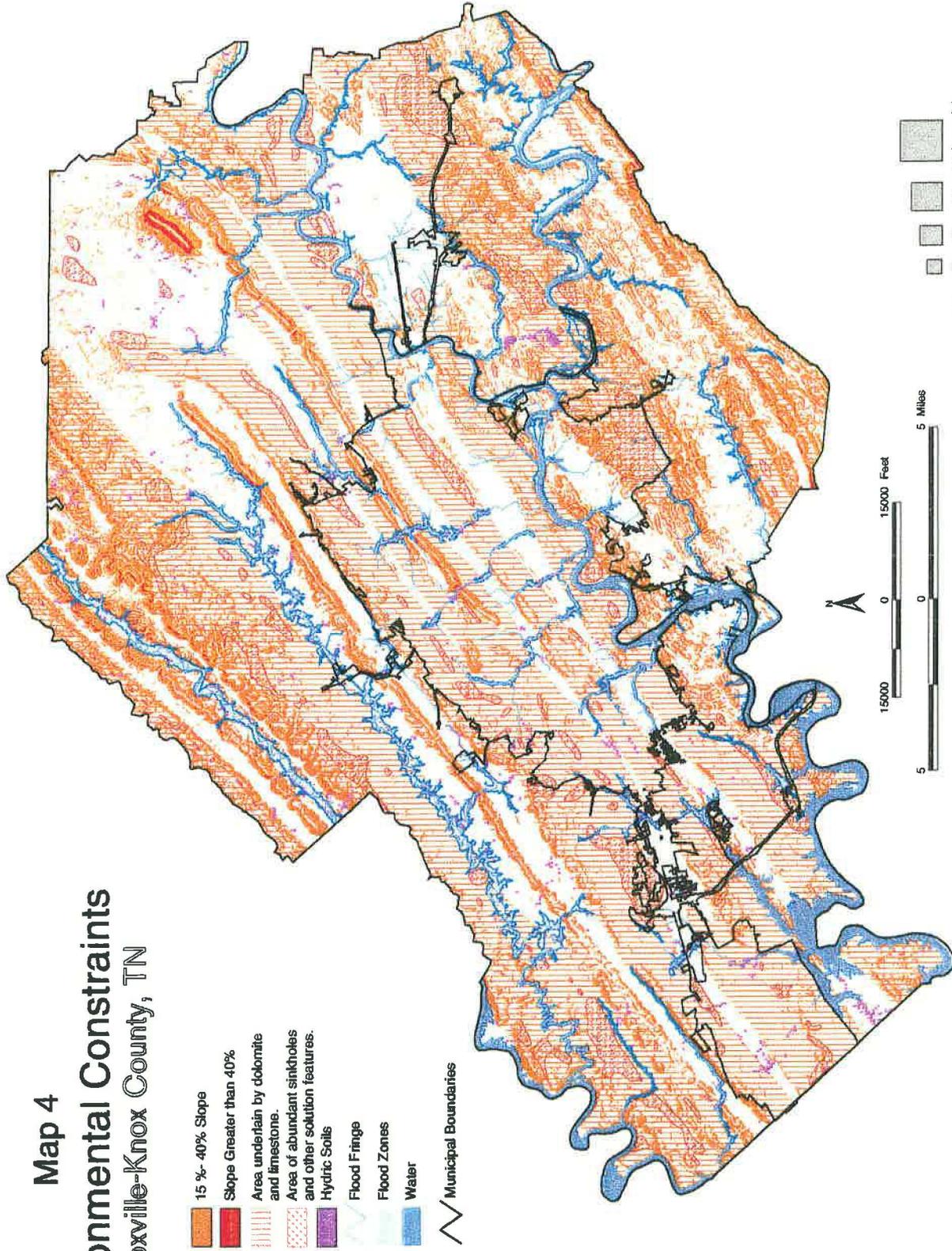
Other park and wildlife management lands have been set aside by state or federal agencies as natural areas and wildlife management areas. The largest area (331 acres), expressly set aside for wildlife management, is the State Wildlife Management Area at the Forks of the River. Another significant state resource is the previously mentioned House Mountain Natural Area. The Tennessee Valley Authority manages seven tracts of land, containing over 250 acres as natural areas along Melton Hill Lake.

Portions of two farms have been set aside as wildlife management areas through the US Natural Resource and Conservation Service’s Wildlife Habitat Incentive Program. Seventy-one acres are included in this program, conserving the habitat at least until the year 2009.

## Agricultural Land

**Map 7B, *Agricultural Land***, depicts the parcels in Knox County which are classified by the Tax Assessor as an “Agricultural Act” or agricultural land use. The Agricultural Act was passed in 1976 and revised in 1992 to offer landowners a property tax incentive to maintain land for agricultural or forestry purposes. Through this Greenbelt law, as the program is often called, property taxes are based upon the use of land, rather than the market value. As of January 1998, approximately 78,500 acres of Knox County land, composed of 1,689 parcels, were included in the Agricultural Act

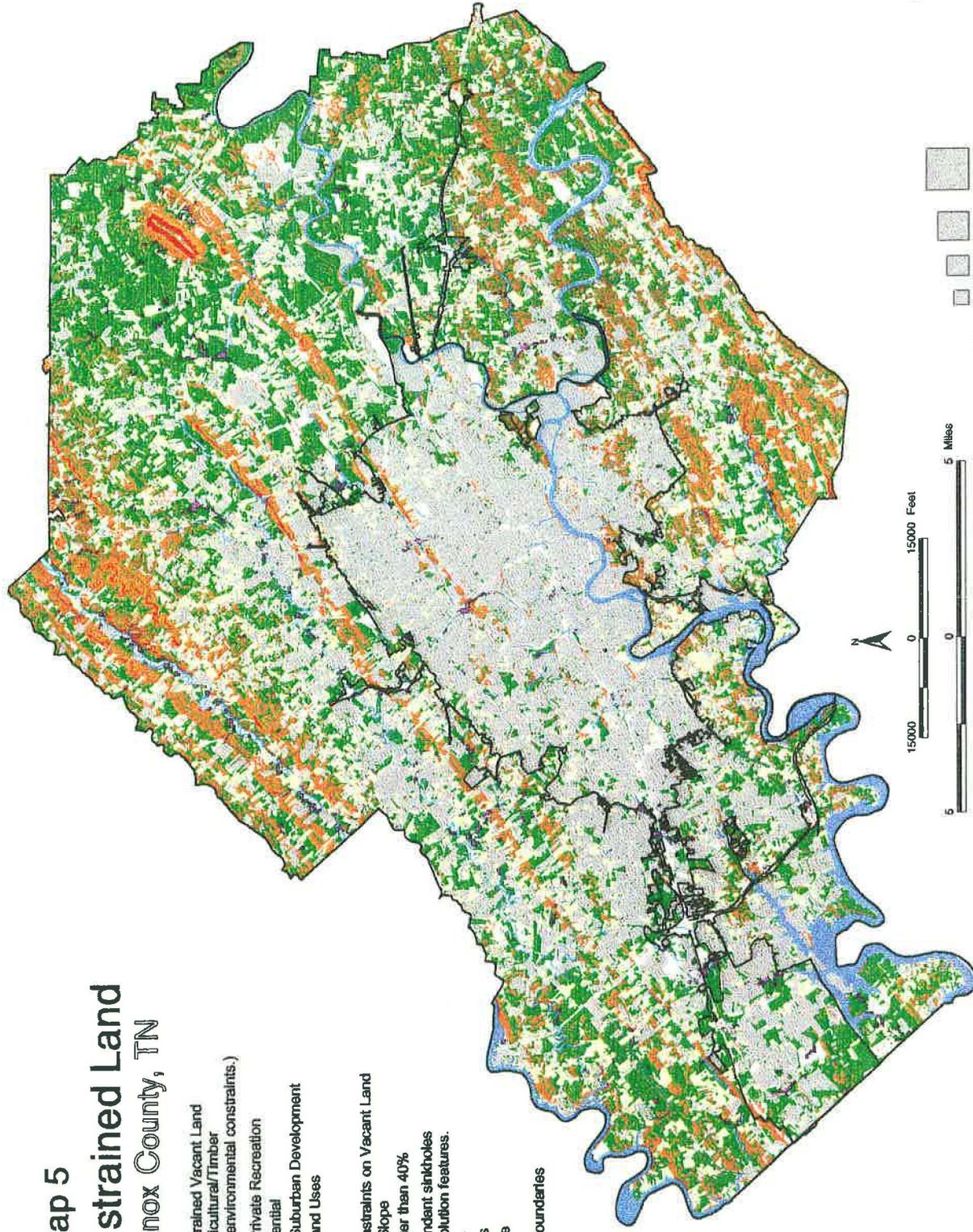
# Map 4 Environmental Constraints Knoxville-Knox County, TN





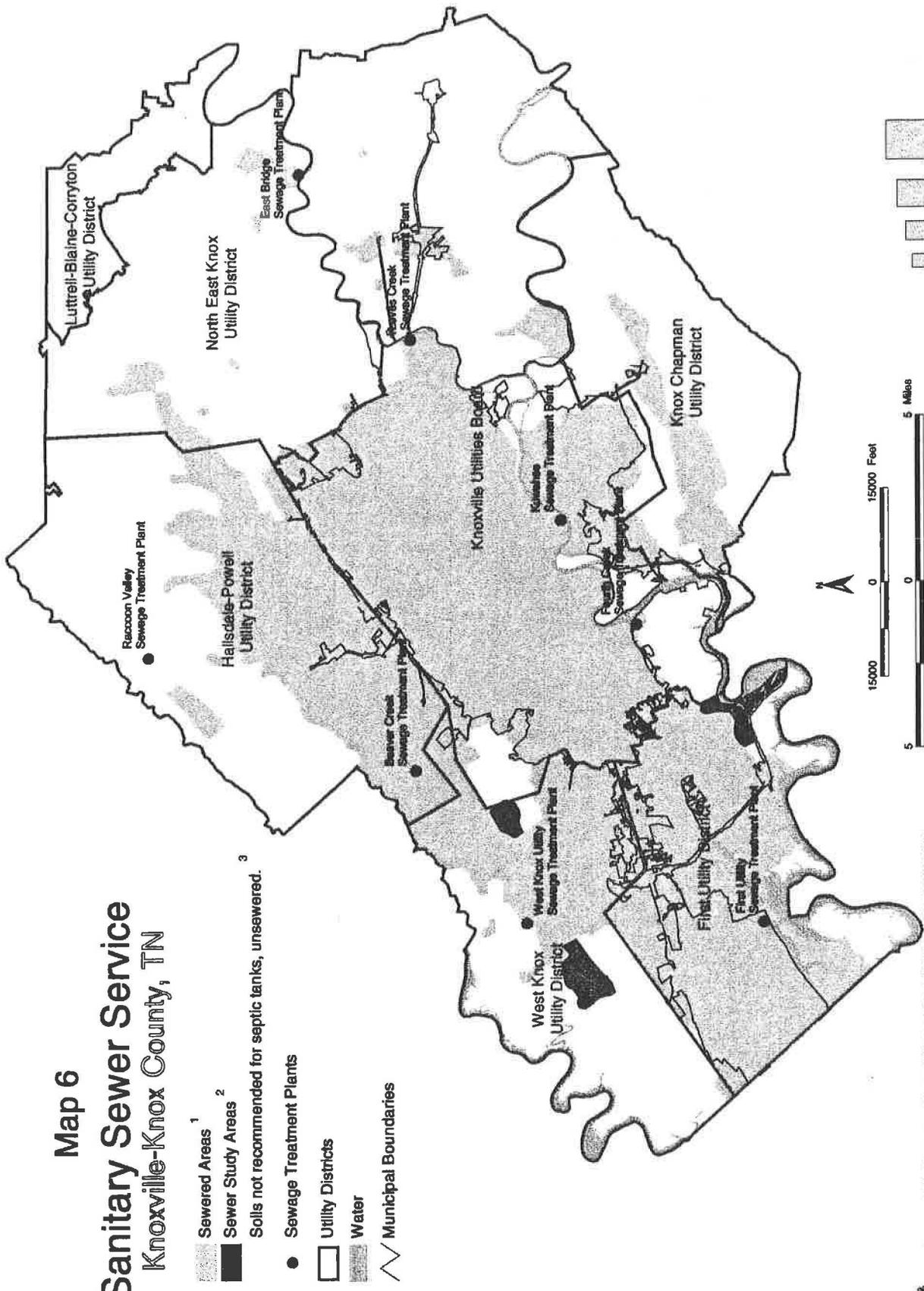
# Map 5 Least Constrained Land Knoxville-Knox County, TN

- Least Constrained Vacant Land  
(Vacant/Agricultural/Timber with fewest environmental constraints.)
- Parks and Private Recreation
- Rural Residential
- Urban and Suburban Development
- Unknown Land Uses
- Water
- Environmental Constraints on Vacant Land**
- 15% -40% Slope
- Slope Greater than 40%
- Area of abundant sinkholes and other solution features.
- Hydric Soils
- Flood Zones
- Flood Fringe
- Municipal Boundaries

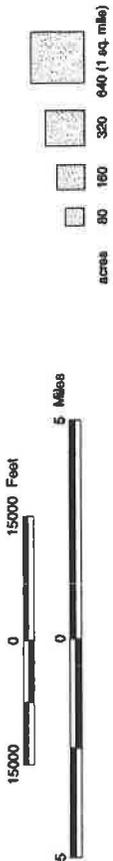




# Map 6 Sanitary Sewer Service Knoxville-Knox County, TN



- Sewered Areas <sup>1</sup>
- Sewer Study Areas <sup>2</sup>
- <sup>3</sup> Soils not recommended for septic tanks, unsewered.
- Sewage Treatment Plants
- Utility Districts
- Water
- Municipal Boundaries

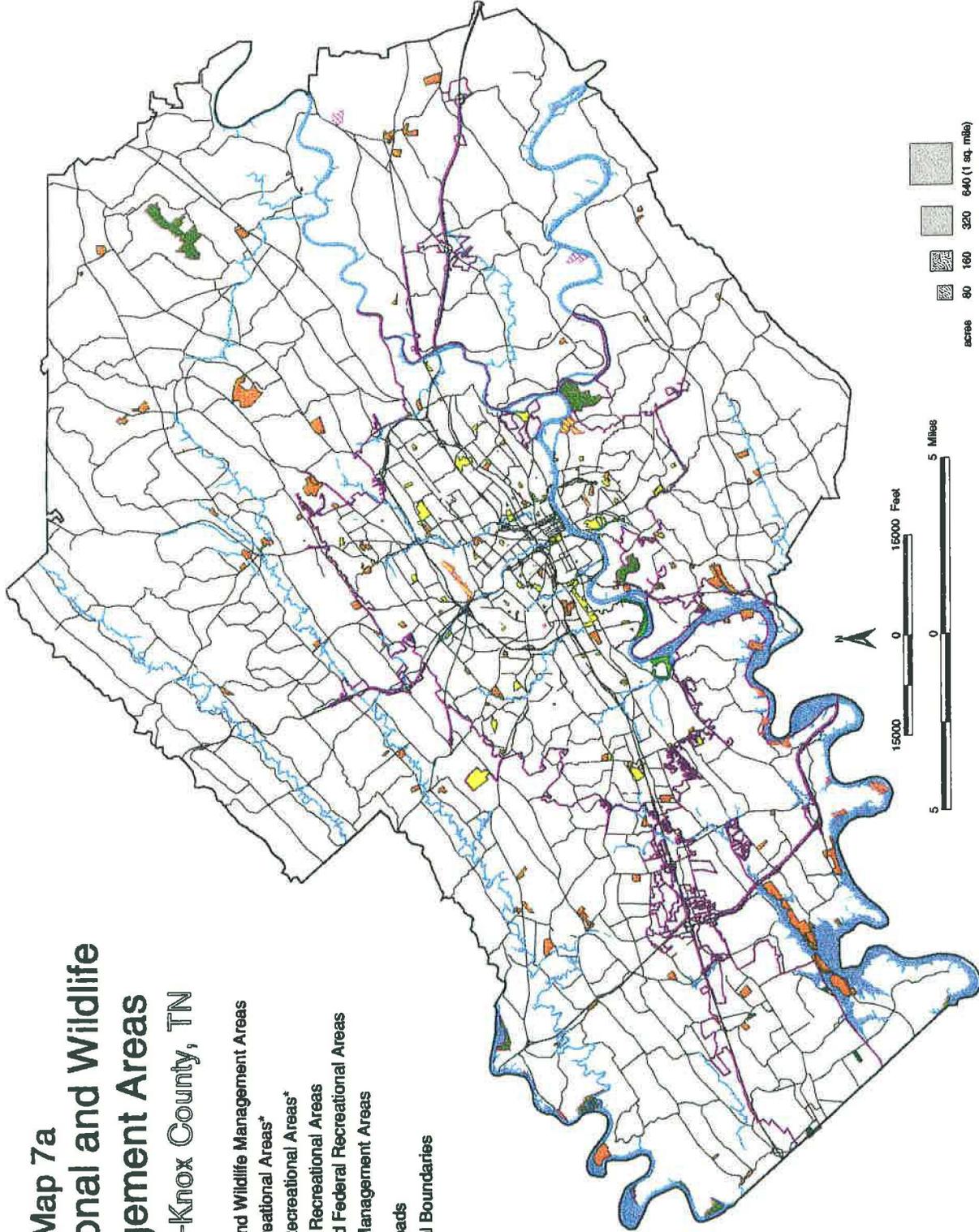


First date: April 5, 1995.  
 1) Trunk lines or low pressure systems are available in these areas. (Source: MPC consultation with the utility districts, November 1988.)  
 2) Feasibility and cost studies are underway to extend services to these areas. Roadblocks, are less than 6 feet in depth, or are on steep slopes.  
 3) These areas are in the City of Knoxville. The City of Knoxville is currently conducting a study to determine the feasibility of providing service to these areas. (Source: City of Knoxville, Office of Relative Feasibility for Sewer Tank Filter Plants in Knox County, U.S. Geological Survey, 1972, and MPC consultation with U.S. Natural Resources Conservation Service/Knox County Engineering Department, November 1994.)



# Map 7a Recreational and Wildlife Management Areas Knoxville-Knox County, TN

- Recreational and Wildlife Management Areas
- City Recreational Areas\*
- County Recreational Areas\*
- Farragut Recreational Areas
- State and Federal Recreational Areas
- Wildlife Management Areas
- Major Roads
- Municipal Boundaries



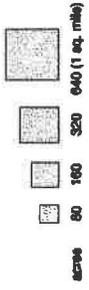
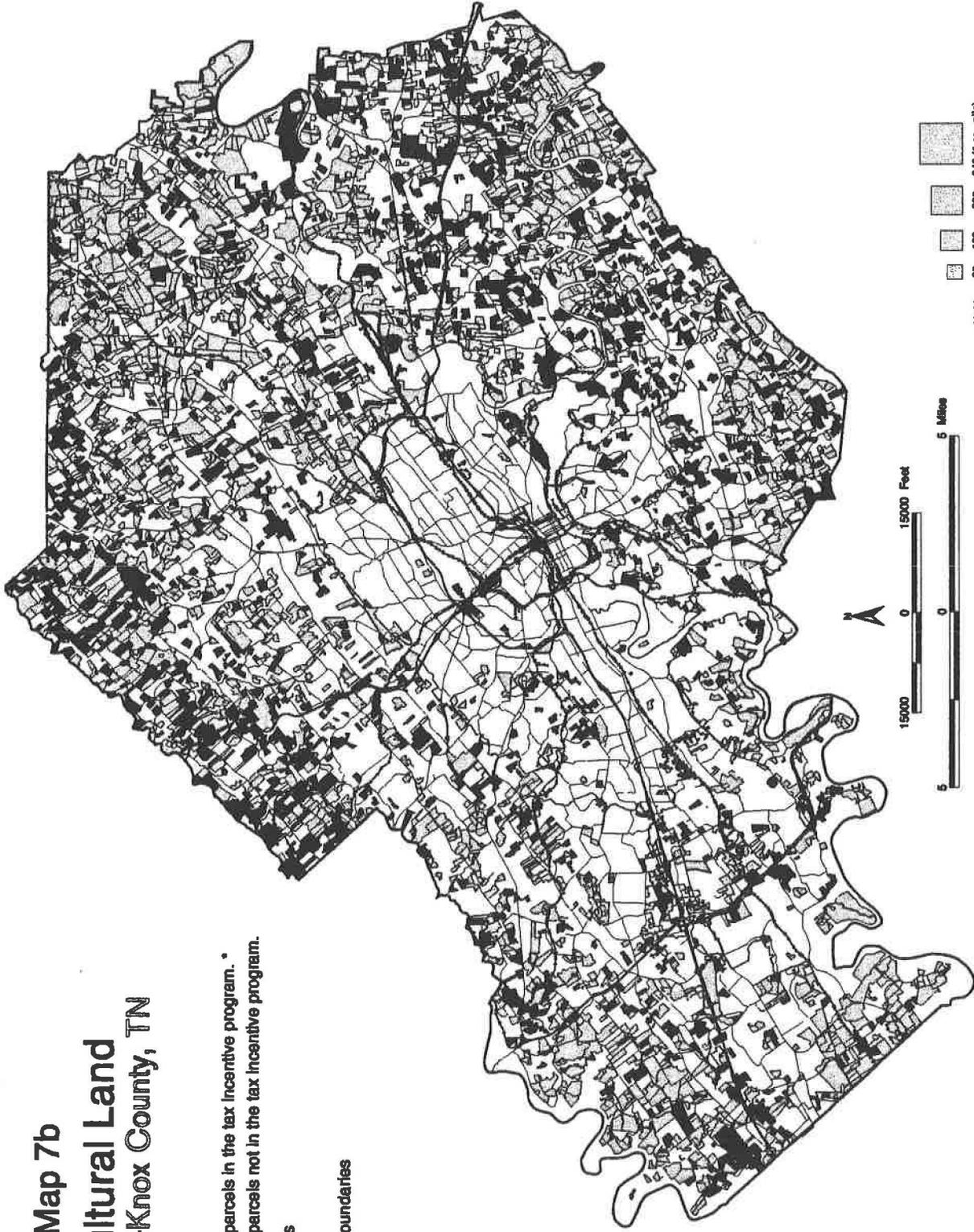
Print date: April 9, 1999.  
(Note \* : Includes land which is leased through or managed in conjunction with civic groups, private owners, or other institutions.)



# Map 7b

## Agricultural Land Knoxville-Knox County, TN

-  Agricultural Land
-  Agricultural parcels in the tax incentive program. \*
-  Agricultural parcels not in the tax incentive program.
-  Major Roads
-  Railroads
-  Municipal Boundaries



Print date: April 8, 1999.  
(Note: \* : Owners of these parcels are using the State Tax Act Incentive which was created to conserve agricultural land.)



category. The vast majority of the parcels include land, which is used for agricultural production. As of April 1999, only 106 parcels, comprising 5,418 acres, were part of the Agricultural Act forestry program. The Agricultural Act program contributes to agricultural land conservation but offers no guarantee that permanent agricultural uses will continue. Additionally, there are 1,469 parcels, representing 44,207 acres of other agricultural land; owners of those parcels have not elected to take part in the Agricultural Act tax incentive program. All the parcels depicted on Map 7B are over 15 acres, the threshold used by the Assessor for eligibility for the Agricultural Act program.

According to the U.S. Census of Agriculture, the number of farms and agricultural acreage has steadily decreased (*See Exhibit 5*). In 1954, almost 57 percent of the county's land was in agricultural uses. By 1997, slightly more than 25 percent was in agricultural uses. Between 1992 and 1997, the land devoted to farming decreased 7 percent. Surprisingly, the number of farms slightly increased; however, the average size of farms decreased from 81 acres to 74 acres.

**Exhibit 6** summarizes land with agricultural zoning. Land zoned agricultural (A in the county and A-1 in the city) is largely used for farming but also includes residential uses on lots as small as 1 acre. Currently, there are approximately 195,000 acres zoned agricultural in Knoxville/Knox County.

## EXHIBIT 5

### Farms and Farm Land in Knox County, 1954-1997

	1954	1959	1974	1978	1982	1987	1992
Total Number of Farms	3,599	2,377	1,278	1,251	1,414	1,253	1,157
Total Farm Acreage	192,471	116,724	104,259	105,186	108,490	94,701	94,254
Average Farm Size (acres)	54	70	82	85	77	76	81

Source: U.S. Census of Agriculture. The difference in the Tax in Tax Assessor's records (the Agricultural Act and agricultural acreage) and the figure in this exhibit is substantially due to an undercount in the U.S. Census of Agriculture, according to local U.S.D.A. officials.

## EXHIBIT 6

### Land Zoned Agricultural (in acres)

	Knoxville	County Balance	Farragut
All Land Zoned Agricultural	4,146	189,436	879
Tracts over 15 Acres Zoned Agricultural	3,750	188,642	NOT AVAILABLE



## **SECTION 3**

### ***Development Trends and Projections***

#### **Growth of Knoxville**

Map 8, *Growth of the City*, shows the gradual expansion of Knoxville since 1792. The city started with 55.9 acres (.087 square mile) over 200 years ago. Today Knoxville has a land area of just under 100 square miles. The map shows that a relatively small area has been annexed during the 1980's and 1990's, compared to very large annexations during the World War I era and the 1960's.

#### **Subdivisions and Building Permits**

Maps 9 and 10 show five year's worth of residential subdivisions and building permits, respectively. The maps show that the majority of residential development has been in North, Northwest and Southwest Knox County. Farragut and Northwest Knoxville have also been growth centers. More detailed information about residential and nonresidential development trends is available in MPC's 1998 Development Activity Report. Between 1990 and 1998, building permits for 29,510 dwelling units were issued.

#### **Historical Population Trends**

The U.S. Census Bureau estimates that Knox County's population grew from 335,749 to 366,846 between April 1990 and July 1998, an increase of 9.3 percent. The Knox County-Knoxville Metropolitan Statistical Area (MSA) grew 12.4 percent during the same period. Knox County accounts for about 55 percent of the MSA's population of 659,074. Census figures for Knoxville showed a slow decline during the 1980's. After the 1990 census, population began to increase. The last available Census estimate (July 1998) placed Knoxville's population at 172,994.

Farragut's population was 5,967 when it was incorporated in 1980. It has grown at a steady rate since that year. In 1997, the Census Bureau estimated Farragut had grown to 16,654, up 27% since 1990, when the population was 12,793.

#### **Population Projections**

Population projections proposed by the University of Tennessee's Center for Business and Economic Research (UTCBER) have been released for use in the growth planning process. Knox County, Knoxville, and Farragut have all written letters to UT expressing concern that the projections are too low. For purposes of compliance with PC 1101 and its deadlines, however, the Growth Policy Coordinating Committee decided to use the UTCBER projections.

#### **Projecting Future Land Needs**

The growth management law requires cities and counties to draw urban growth boundaries and planned growth areas based, in part, on the anticipated population growth and the land supply needed to accommodate two decades of growth. MPC staff developed a computer spreadsheet model to forecast land needs based on current land use patterns, projected population growth, housing demand forecasts, anticipated residential development density (dwelling units per acre) and a market factor adjustment to avoid creating an artificial shortage of land for development.

The results produced by the land projection model vary depending on four variables:

**Population Projections.** Because future need for most land uses are calculated based on population ratios or service standards, the higher the population figures used, the higher the projected land needs will be.

**Housing Demand and Density Forecast.** Housing demand grows faster than population because the average number of persons per household continues to decline over time. Single-family residential development is the largest category of developed land and the largest consumer of raw land in the development process. Encouraging higher residential development densities will have the most dramatic impact in reducing the long-range demand for land.

**Market Factor Adjustment.** The purpose of the market factor adjustment is to avoid creating an artificial shortage of developable land later in the planning period. The market factor adjustment is needed because not all property owners will be interested in selling their land for development, not all developers will build at the predicted intensity, and some land identified in this report as developable may prove to have problems relating to environmental characteristics, configuration or ownership.

**Urban Landfill.** The extent of future development on vacant land inside Knoxville and Farragut affects the total demand for new suburban land.

The land projection model was prepared as follows:

1. An existing land use study was prepared using tax assessor's data from the Knoxville Knox County Geographic Information System (GIS).
2. Ratios of existing population to existing land use were calculated.
3. Population projections were obtained from the University of Tennessee Center for Business and Economic Research (UTCBER). Although higher projections prepared by MPC and other forecasters were considered to be more realistic, the lower UT projections were adopted by the Coordinating Committee as a compromise.
4. A housing demand projection was prepared.
5. Future residential land needs were projected based on the housing demand forecast.
6. Park and public open space needs were derived from service standards in adopted park and open space plans.
7. The existing inventory of park land from the tax assessor's records was adjusted to include all lands shown on MPC's open space inventory, including TVA lands, wildlife management areas, and private land leased for public recreation.
8. Applying the population/acreage ratios developed in step 2 to the population projections yielded land requirements for other categories.
9. These were totaled to provide the "Unadjusted land needs" for the years 2010 and 2020.
10. Exhibit 7 also shows projected land needs adjusted with a "market factor."

## Projected Needs for Urban/Suburban Land

Exhibit 7 shows projected, countywide needs for developable land between the years 1998 and 2020. Land needs were projected using population projections by the University of Tennessee's Center for Business and Economic Research (UTCBER). UT prepared these projections specifically for the Growth Plan process.

"Unadjusted" and "adjusted" forecasts are shown in the exhibit. The unadjusted numbers are a projection of actual land needs for the period of 1998 to 2020, based on population projections, historical ratios of population to land use, park and open space service standards. The adjusted

projections have been inflated by a market factor adjustment of 25%. The market factor adjustment intended to avoid creating an artificial shortage of developable land.

The computer spreadsheet model used to make these projections is described in Section 4.

### EXHIBIT 7

#### Minimum Requirements for Vacant Land Without Environmental Constraints

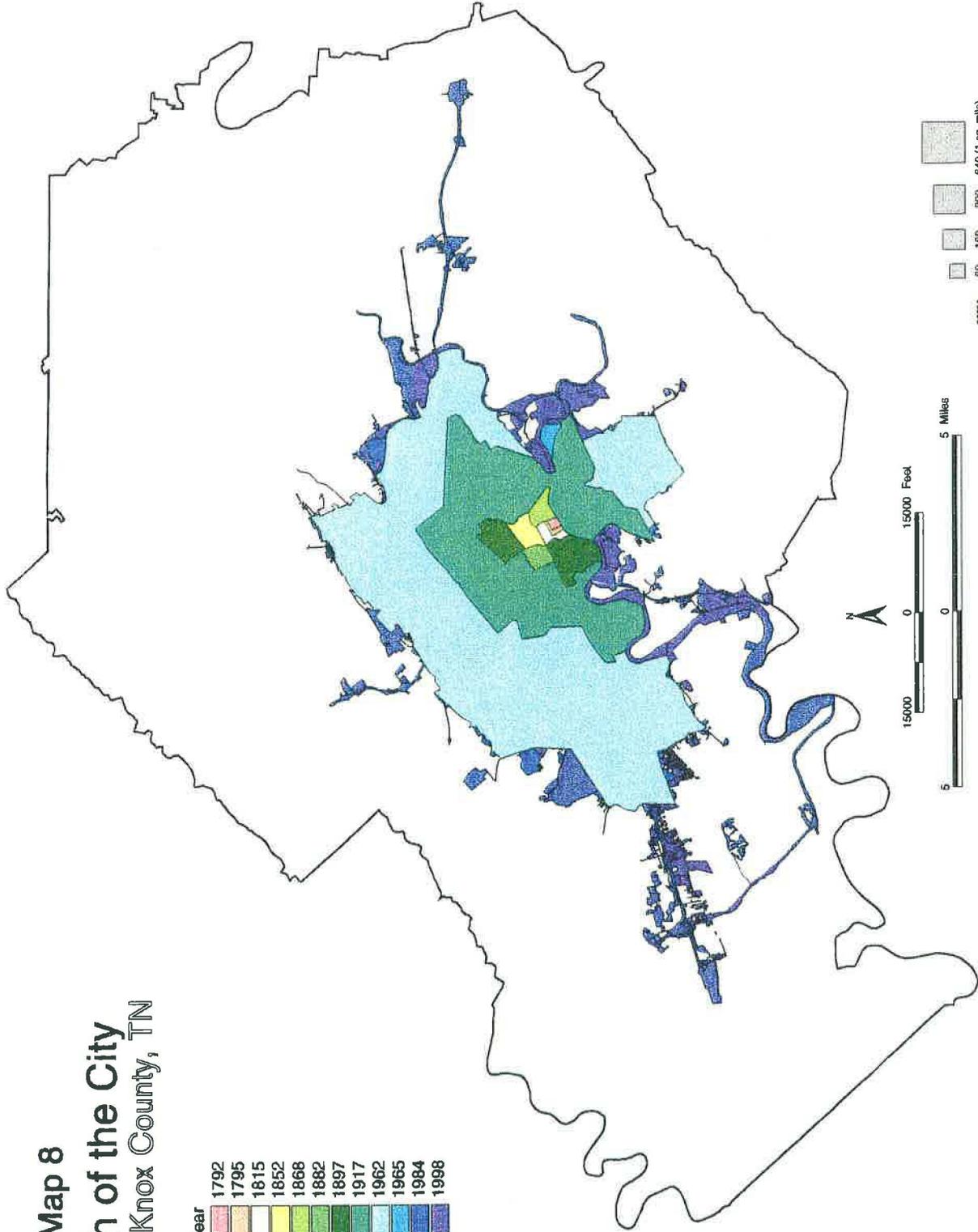
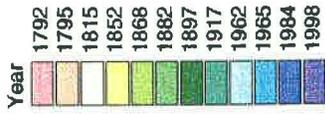
	<i>Square Miles</i>
<b>Unincorporated Knox County</b>	
Rural Residential	4.16
Planned Growth	23.30
<b>Knoxville</b>	
Urban Growth Boundary	15.99
Infill in Existing City	5.70
<b>Farragut</b>	
Urban Growth Boundary	0.99
Infill in Existing Town	4.68
<b>Total</b>	<b>54.82</b>

NOTES:

1. Knoxville and Knox County figures were adopted by Growth Policy Coordinating Committee after determination of appropriate housing densities, market factor adjustments, population projections, and urban infill projections.
2. Farragut urban growth boundary was measured from digital maps. Farragut infill area is the total of vacant, unrestricted land as described in *Farragut's Urban Growth Boundary Report*. This amount may exceed the actual need for infill land.



# Map 8 Growth of the City Knoxville-Knox County, TN





# Map 9 Residential Subdivisions (1993 - 1998) Knoxville-Knox County, TN

Number of Lots

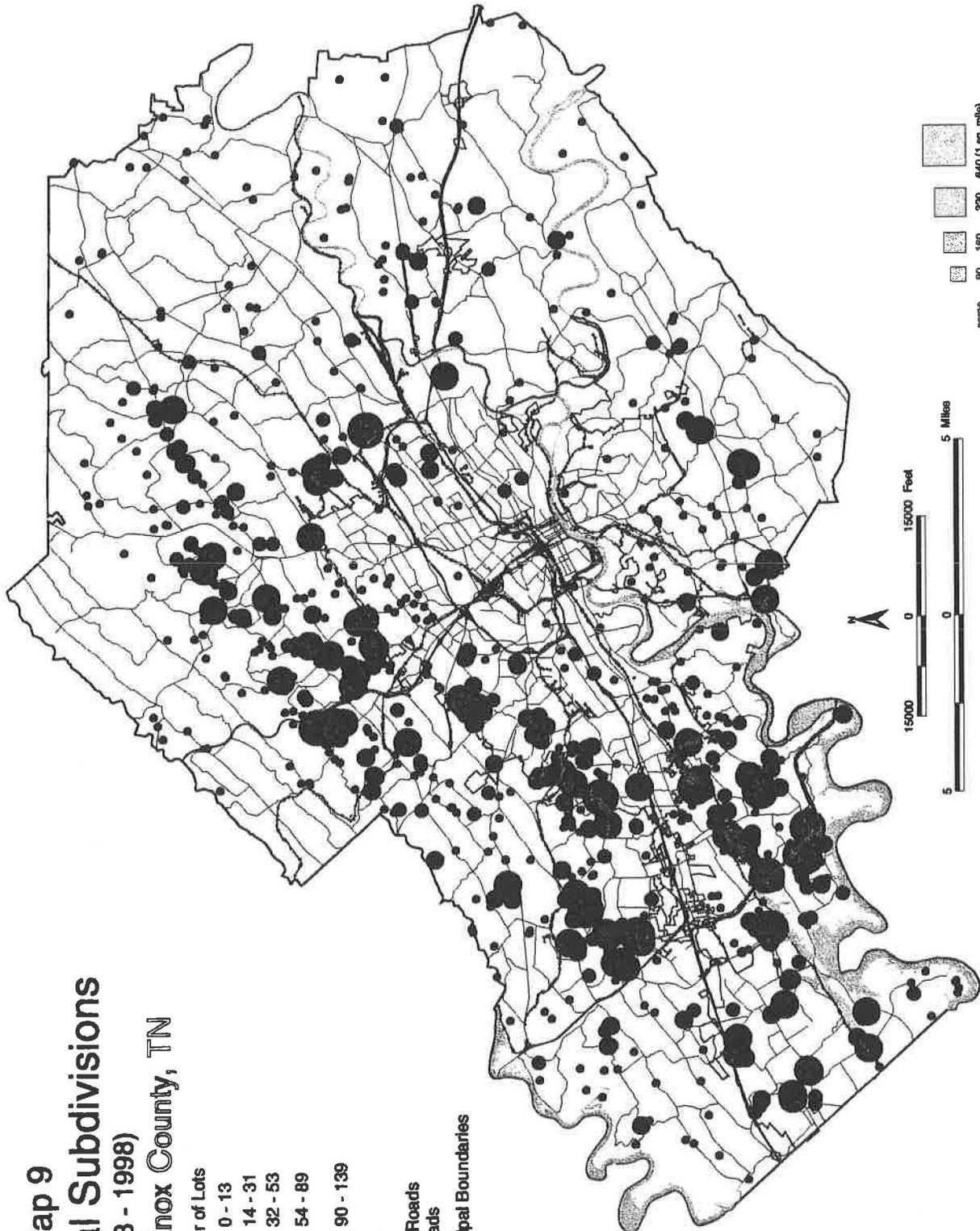
- 0 - 13
- 14 - 31
- 32 - 53
- 54 - 89
- 90 - 139

Water

Major Roads

Railroads

Municipal Boundaries

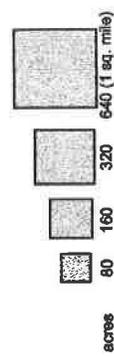
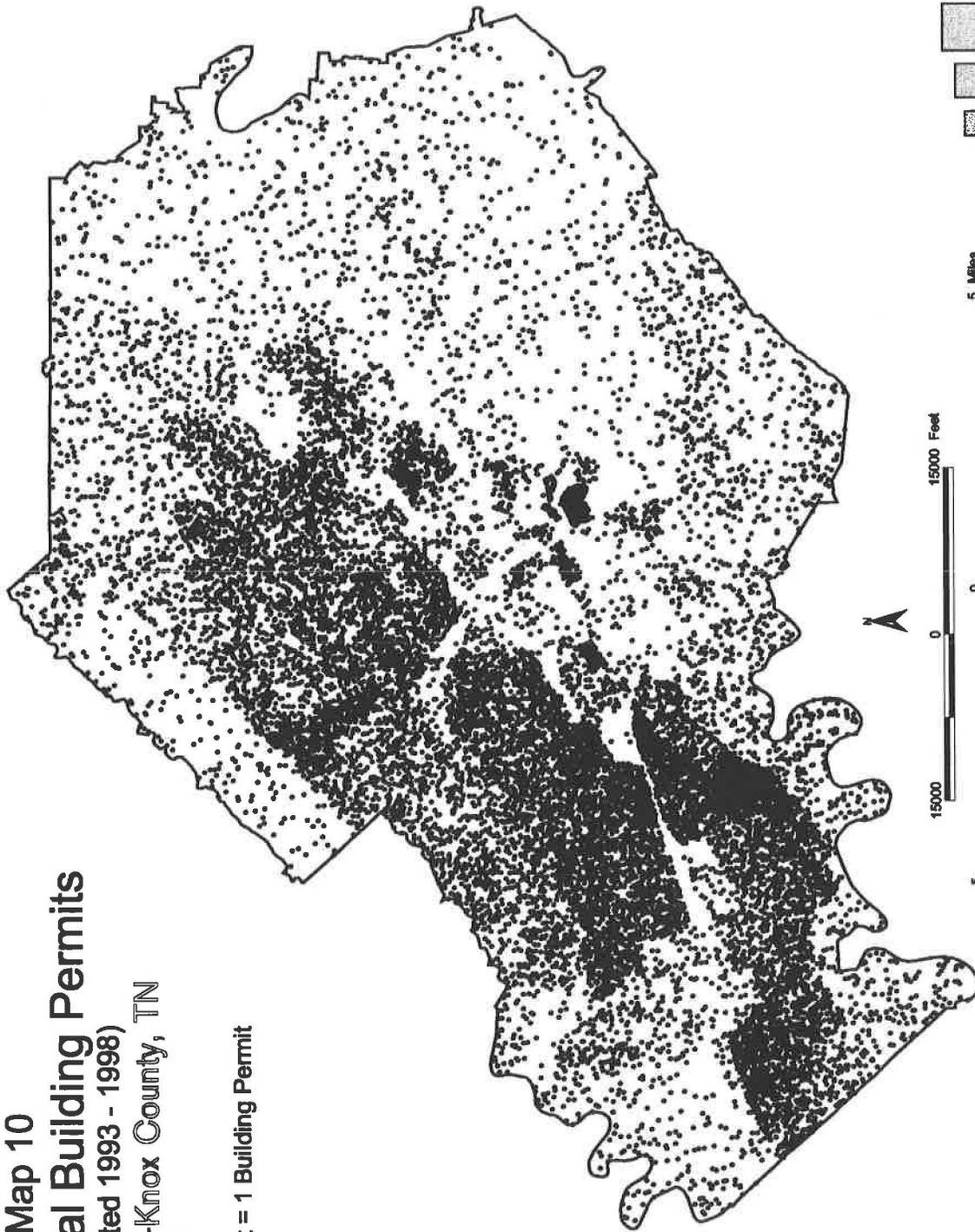


Print date: April 5, 1999.  
Data represents residential subdivisions approved in Knox County from 1993 through October 1998.



# Map 10 Residential Building Permits (Granted 1993 - 1998) Knoxville-Knox County, TN

• 1 Dot = 1 Building Permit



Print date: April 5, 1999.  
Data represent the number of housing units associated with building permits granted in Knox County from 1993 through October 1998. These data are mapped by Traffic Analysis Zone (TAZ).



## **SECTION 4**

### ***Adopted Plans***

There are two active planning commissions in Knox County. The Knoxville-Knox County Metropolitan Planning Commission (MPC) is a joint venture of Knoxville and Knox County. MPC provides planning, zoning and subdivision review services to both governments. The Farragut Municipal Planning Commission serves the Town of Farragut and makes recommendations to the Board of Aldermen. Plans adopted by these planning commissions, coupled with zoning, subdivision review and capital improvements programming, give the three local governments in Knox County, the authority to determine the timing, nature, location and extent of development.

#### **Knoxville-Knox County General Plan**

The General Plan for Knoxville/Knox County, prepared in 1994, includes long-range policies for land use, utilities, recreation, transportation, public facilities and other concerns. It is the Planning Commission's official policy statement on the long-term development within Knoxville and Knox County. The plan has also been adopted by Knoxville's City Council. Policies and proposals are expressed in written and graphic forms. The plan identifies the neighborhood as the basic building block of the community; proposes compact, intensely developed "activity centers" at major thoroughfare intersections as a better alternative to commercial strip development; identifies areas for new development, revitalization, and conservation; and advocates economic development and affordable housing. The Plan will be updated in 2000.

#### **Knoxville-Knox County Sector Plans and Knoxville One-Year Plan**

Knoxville/Knox County is divided into twelve geographic sectors for the purpose of preparing City and County sector plans. These plans provide projections for land use, transportation, and community facilities for five-year and fifteen-year periods. The sector plans are more specific than the General Plan and are used in making zoning decisions. Map 11 shows the land use plans for all sectors joined into one countywide map. MPC and the Knoxville City Council have adopted all of the Sector plans. Knoxville's City Charter includes a requirement that rezoning decisions must be consistent with the City's comprehensive development plan. To maintain that consistency, MPC maintains the Knoxville One Year Plan, which is reviewed annually.

#### **Farragut 2004 Plan**

In April 1995, the Town of Farragut issued a plan, which captured the vision of their community in the year 2004. Their plan included "consideration of the aspects of Town life most important to the residents of Farragut: arts, culture, environmental quality, growth and economic development, public service, recreation, information technologies and transportation systems." Included in the *Farragut 2004 Plan* is a description of the Town as it exists and operates currently, along with a planning and citizen participation process, which will guide the implementation of the Plan. The plan concludes with a set of overarching strategic recommendations intended to guide the evolution of the Town through the year 2004.

Currently, the Town of Farragut is assembling their *Land Use Plan*, to be completed in January 2001.



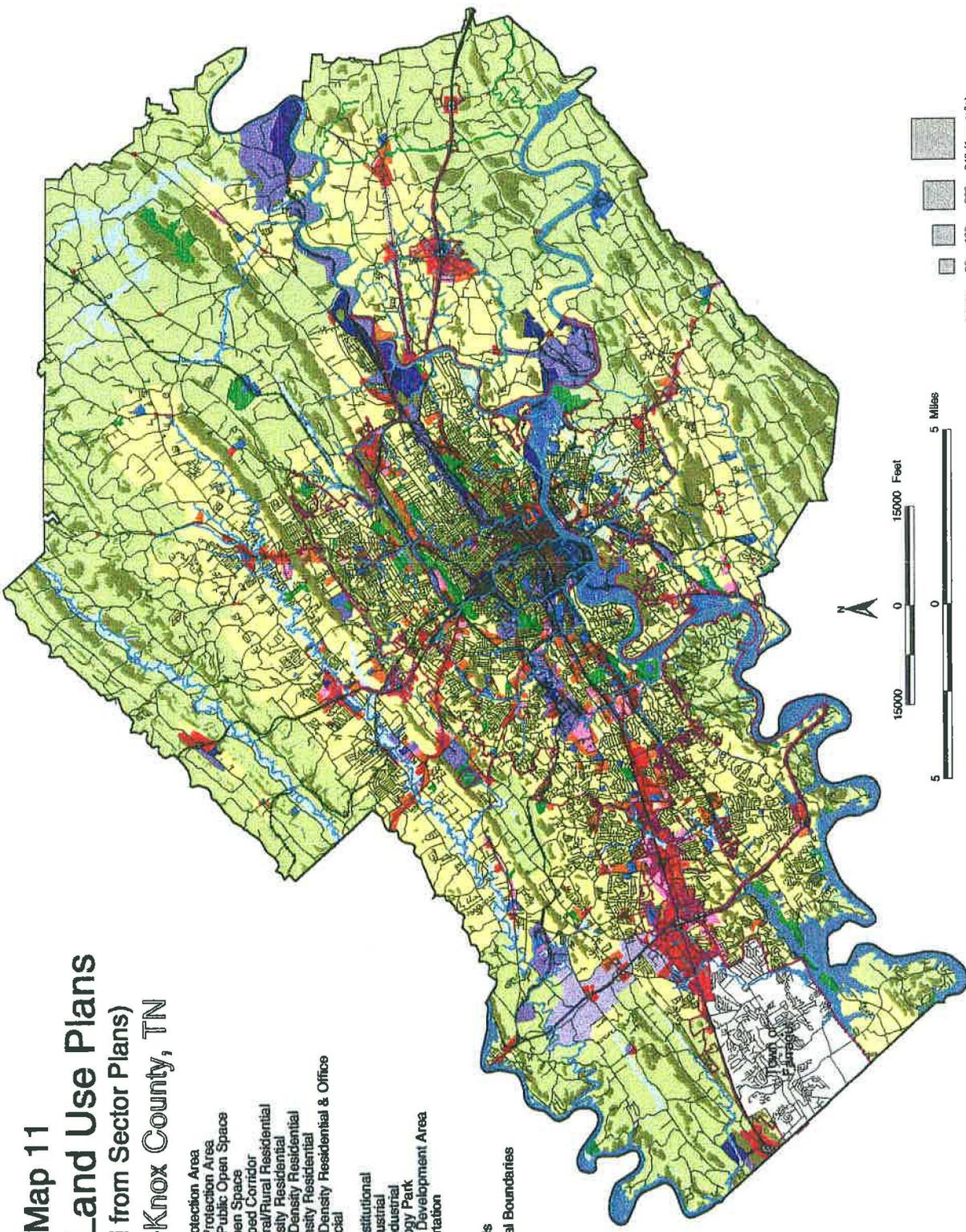
# Map 11

## Adopted Land Use Plans

(Compiled from Sector Plans)

### Knoxville-Knox County, TN

-  Slope Protection Area
-  Stream Protection Area
-  Parks & Public Open Spaces
-  Other Open Spaces
-  Landscaped Corridor
-  Agricultural/Rural Residential
-  Low Density Residential
-  High Density Residential
-  Medium Density Residential
-  Medium Density Residential & Office
-  Commercial
-  Office
-  Public Institutional
-  Light Industrial
-  Heavy Industrial
-  Technology Park
-  Planned Development Area
-  Transportation
-  Water
-  Roads
-  Railroads
-  Municipal Boundaries





## SECTION 5

### *Cost of Service Provision Analyses*

As a necessary component of the growth planning process, each local governmental jurisdiction has provided an analysis of costs for services to accommodate existing and future development. The three bodies have interpreted the Growth Policy Act's mandates for reporting this information in somewhat differing manners; however, an understanding of the costs faced by each jurisdiction should be evident from the summaries shown here.

Analyses for Farragut, Knoxville, and Knox County are presented:

#### **TOWN OF FARRAGUT: Cost of Service Analysis**

Although the residents of Farragut have urban services available to them, the Town government only directly provides services in the areas of streets and public works, leisure services and recreation, planning, land use controls and municipal code enforcement, and general government. The following describe the urban services available within the Town, the service provider, and budget information on Town of Farragut Services. *(Information provided to the Growth Policy Coordinating Committee by the Town of Farragut.)*

#### **Inventory and Description of Public Services**

**Public Utilities.** Water and sewer service is provided within the Town of Farragut and the surrounding area by First Utility District. Expansion into non-served areas of the Town is ongoing as development occurs. The Town requires new development to install infrastructure meeting or exceeding all First Utility District standards. First Utility District works with developers to extend service lines to new development. Natural gas is provided by the Knoxville Utility Board and is available to most older and newer residential development as well as in the commercial districts. Electric service is provided by Lenoir City Utilities Board and is available both within the Town and its surrounding area.

**Public Safety.** Police protection is provided by the Knox County Sheriff's Department. Fire and ambulance service is provided by Rural Metro, a private vendor which responds to all emergencies. Rural Metro has a franchise to provide their services within the Town of Farragut contracting individually with property owners. Although the Town does not fund the full cost of the service within the corporate boundary, it does have specific funding agreements with Rural Metro and works closely to maintain and improve the level of service provided its residents. Rural Metro provides their services in the territory outside the Town and existing funding agreements between the Town and vendor would include any areas of future annexation.

**Solid Waste.** Collection of solid waste is provided by private vendors and is contracted individually by the vendor with the residents. Residents are not required to contract for this service.

**Roads and Streets.** Street improvement and maintenance is provided by the Town of Farragut through the Engineering and Public Works Departments. New street construction, existing street improvements, pedestrian ways, traffic control devices, bridge improvements, drainage improvements, and general maintenance of public facilities and infrastructure are included in this public service category. The Town currently maintains 115 miles of streets. The *Farragut 1999-2004 Capital Improvement Plan (CIP)* indicates that \$10,260,000 are proposed between year one and year five of the plan, and that \$15,092,000 are estimated for beyond the fifth year to complete necessary street improvements bringing streets up to minimum Town standards for their individual functional classification. The CIP recommends \$1,250,000 from the Capital Project Fund be used with \$2,549,000 in State Street Aid Funds over five years to increase the amount of street maintenance and resurfacing that can

be completed within the current corporate limits.

An estimated \$25,000,000 could be necessary during the twenty year planning period for existing street improvements and new street construction in newly annexed areas. Additionally, a significant portion of the Town's State Street Aid Funding will be required to maintain all existing streets after they are annexed.

Although most of the Town's streets are in good to excellent condition, the cost of street repair and maintenance grows each year with the addition of new streets and the aging of existing streets. Many of the Town's existing streets are reaching the age where resurfacing and general maintenance must be programmed. The timing of maintenance and increasing costs will have an effect on the Town's ability to take on new street responsibilities while maintaining the existing level of street condition within the current corporate boundary.

**Recreation.** The Town of Farragut provides leisure services as well as parks and recreation programs under this category. Community activities, leisure services, and recreation programs already serve the residents outside the corporate boundary of the Town and it is difficult to estimate the number of Town residents versus county residents who benefit from these existing services. Capital costs associated with these programs are contained wholly within the Town's budget and are expected to be sufficient to serve anticipated demand in the next twenty years.

The Town has constructed and maintains three parks and plans to construct one additional park. Anchor Park has picnic pavilions, an exercise course, a walking trail, a playground for small children, a soccer field, a softball field, a basketball court, restroom and concession facilities, a small water impoundment, and open spaces. Mayor Bob Leonard Park has soccer fields, two softball fields, one baseball field, sand volleyball courts, a playground for small children, a wetland open space area with a walking trail, restroom, and

concession facilities. Campbell Station Park is a passive recreation area with walking trails. It will be further developed over the next five years. Property for a new park has been acquired on McFee Road and plans have been developed for its construction. Over the next five years, the CIP recommends \$250,000 of improvements to Mayor Bob Leonard Park, \$710,000 of improvements to Campbell Station Park, and \$1,500,000 to begin development of McFee Road Park. Beyond the year 2004, the CIP identifies \$2,500,000 in additional funds necessary to complete McFee Road Park. As stated previously, these parks serve a much larger population than found within the current corporate area. They will continue to be used by residents within and beyond the Farragut Urban Growth Boundary and will obviously be available to residents who may be incorporated into the Town.

**Planning, Zoning and Building Codes.** Development in the Town of Farragut is guided by the Board of Mayor and Aldermen, the Municipal Planning Commission, and the Community Development staff. Appropriate public health, safety, and welfare standards as well as public improvement standards are maintained through a system of municipal ordinances, codes, and regulations administered by volunteer committees and a professional staff. Incorporation of additional territory will not add significant cost to the provision of these services.

### **Analysis of Public Service Costs**

**Non-Municipal Urban Services.** Urban services, facilities, and infrastructure that are not the responsibility of the Town of Farragut are funded through user fees. Expansion of these non-municipal urban services is determined by development demand and the customer base of the area. Ultimately, their expansion is funded through user fees.

**Municipal Urban Services.** The Town of Farragut provides urban services, facilities and infrastructure in the categories of street, sidewalk, and walking trail construction, repair and maintenance; parks and recreation; and community development. Transportation construction and maintenance as well as park improvements and construction have long term capital costs for extending the service throughout the municipality under current plans. Community development services have no capital expenditures associated with them. Only street construction, repair, and maintenance will have significant capital and operational costs to extend services into newly incorporated areas.

## Findings

Urban services, facilities, and infrastructure are readily available to most of the residents of Farragut and to those residents living in areas adjacent to its corporate boundary. The Town of Farragut has a history of high quality public service provision in those services for which it is the responsible provider. The current five year capital improvements plan indicates a commitment to full community development in those services over the next five to ten years. The Town has exhibited the resources to expand its services beyond the current municipal boundary and already serves a larger population with park facilities, recreation programs, and other leisure services.

## CITY OF KNOXVILLE: Cost Of Service Analysis

The analysis provided by the Town of Farragut plainly shows an inventory of services and measurement of the funds necessary to accommodate service provision in existing and future development areas within the Town's jurisdiction. Figures were primarily derived from Farragut's Capital Improvements Program. In similar fashion, the City of Knoxville presents an overview of services to be provided to residents in newly annexed areas of the Urban Growth Boundary (UGB). Rather than detailing specific CIP and budget costs for each type of service, however, the City has calculated an average cost figure applicable to each square mile of territory annexed. Details on specific service costs

and the calculation of the average cost per unit of development are provided below. (*Information provided to the Growth Policy Coordinating Committee by the City of Knoxville.*)

As to current costs of services, the adopted operating budget for the City of Knoxville in Fiscal Year 1999/2000 is \$222,518,845. The General Fund budget, which is the main operating fund of the City, equals \$129,993,235. Anticipated expenditures are reflected in the net budget and equal \$169,883,130. The net budget excludes all expenditures such as interfund transfers and charges, which are effectively double counted within the budget. The City has an authorized personnel count of 1,711 full-time positions and 81 part-time positions. A copy of the City's budget for 1999/2000 has been previously submitted to the Growth Policy Coordinating Committee.

In estimating the costs associated with providing services within any proposed UGB, the City of Knoxville Finance Department assumes the population figures and square mile totals for the UGB as discussed in the preceding sections. The Finance Department also analyzes this issue in terms of current day dollars with the impact of inflation being discounted in all equations.

The City does not intend to annex the entire UGB at one time but will initiate separate annexations of territory as appropriate based upon the City's ability to effectively and efficiently extend City services to these areas. If property owners within the UGB request to be annexed, the City will initiate an annexation unless such action would be unreasonable under the circumstances. Based upon the levels of services presently provided within the City limits, the City projects the following additional costs associated with providing infrastructure, services and facilities throughout the territory under consideration for inclusion in the UGB.

### 1. Police Protection/City Court

At present, the City has a ratio of uniformed personnel of 2.39 police officers per thousand City residents, as compared to Knox County's ratio of .83 uniformed personnel per thousand county residents. The City's proposal involves at least maintaining this three-to-one standard with respect to police protection within any area annexed by the City. As additional areas within the UGB are annexed and as additional police officers

are hired to police these additional areas, it is anticipated that the work load of the Municipal Court will increase. The City proposes to increase staffing and expenditures for Municipal Court to account for this expanded work load.

**2. Fire Protection**

As the City annexes within the proposed UGB, the City will offer fire protection to property owners and residents within the annexed areas. The City intends to maintain its ISO rating of 3 for any annexed areas. The Knoxville Fire Department maintains a response time of under five minutes within a four-mile radius of each of the City's 18 fire stations. Under the proposed UGB, fire protection services will be provided by these 18 fire stations, except that the City would add one additional fire station in the east area of the UGB whenever this area is annexed. Estimated construction costs of such an additional station are \$500,000, excluding the cost of land acquisition.

**3. Solid Waste Collection and Other Public Services**

As with other urban services, the City will begin providing public services—garbage pickup, leaf and brush pickup, solid waste disposal, and other services—as annexation occurs. These services will be provided to newly annexed areas just as they are now provided to City property owners and residents. As additional areas are annexed, new service zones will be created, and the City will expand other support services as necessary.

**4. Road and Street Construction and Lighting; Stormwater Management, and other Engineering Services**

At present, the City Engineering Department maintains approximately 970 miles of streets within the City limits. Under the City's current planned paving program, every City street is paved at least once every twenty years. Arterial and collector streets are repaved more frequently. In addition, the City maintains signs, traffic signals, and street lights on City streets. The City

proposes to maintain these paving, signalization, and lighting practices as additional areas within the UGB are annexed. In addition, the engineering department is involved in drainage remediation efforts, construction design, and other tasks in connection with stormwater control within the City limits. One of the significant factors in establishing the City's UGB is the need for the City to control drainage basins for creeks that drain through the City. The City proposes to expand its Engineering Department appropriately as areas within these drainage basins are annexed.

**5. Recreation Facilities and Programs**

Although many children as well as adults living in Knox County already use City parks and other recreational facilities, the City proposes to add additional recreational activities as new areas are annexed. Using the present level of recreational services as the standard, the City would anticipate increasing the parks and recreation budget by approximately \$22,500 for each square mile annexed.

**6. Development Services**

Expansion of the current City boundaries will also require additional inspection services both for new construction and codes enforcement. The City's UGB anticipates that such services will be provided at the present level of service. In recent years, the Inspections Division has completely recovered its operating costs from fees, and the City anticipates this continuing with respect to annexed areas.

**7. Ancillary/Support Services**

As the City annexes additional territory within the UGB, the Finance Department, the Civil Service Department, the Law Department, the Information Systems Department, and the Fleet Services Department will be expanded, as necessary, to provide at least the same level of support for the foregoing departments as is presently provided. In addition, Knoxville Area Transit (KAT) will provide public transportation services into annexed areas as they become more urbanized.

Assuming the levels of service described above, the City anticipates being able to provide services within the UGB at an average cost of \$500,000 per square mile of territory annexed. This unit cost is comprised of additional staffing expenses, equipment costs, and other operational expenses. This unit cost is based upon the fact that certain services are already being used by County residents within the UGB and based upon the extensive economies of scale that can be achieved by the City within the UGB. Of course, the costs associated with the annexation of any particular territory may vary greatly depending upon the developmental needs within the territory.

### **KNOX COUNTY: Cost of Service Analysis**

In this final section of cost analysis, Knox County estimates for service provision are presented. The Knox County analysis examines the impact of new development on necessary service provision in categories such as roadways, libraries, solid waste, recreation, and other services, similar to the information provided by the Town of Farragut and City of Knoxville. The County report varies from the others, however, with a presentation of not only cost estimates, but also projections for revenues generated by new development. Further, those projections are based on several different scenarios of projected development, a course not taken in the Farragut and Knoxville sections, but still informative, and presented here: *(Information provided to the Growth Policy Coordinating Committee through the Knox County Executive's office and represents the work of Tischler and Associates, Inc.)*

Knox County, Tennessee has contracted with Tischler & Associates, Inc. (TA) to evaluate the fiscal impact of five different growth scenarios to the County between 1999 and 2020. A fiscal impact analysis determines whether revenues generated by new growth are enough to cover the resulting costs for service and facility demands placed on the County. As is further discussed below, revenues are insufficient to cover costs.

As a first step, TA prepared the "Level of Service, Cost and Revenue Assumptions" (LOS) document, which discusses County services and facilities anticipated to be impacted by new development. Since the methodology focuses on the case study-marginal cost approach, some operating expenses are semi-variable or fixed and the capital costs will be affected by the facility capacity and staging of development. Also, it is

assumed all current County levels of service will remain the same during the forecast period.

The level of service assumptions have been utilized in combination with the various land use scenarios below to calculate the fiscal impact to Knox County's budget for the 22-year period between 1999 and 2020. Calculations were performed using TA's FISCALS software designed exclusively for this assignment.

### **Scenarios**

TA evaluated five different land use scenarios for their fiscal impact on the County's operating and capital budgets. These scenarios were developed in conjunction with County staff and are based on existing conditions in Knox County, as well as recent and projected trends.

Each of the five scenarios has unique characteristics, thereby allowing the County to understand the fiscal impacts, as well as implications, of various development-related variables over time. An obvious development scenario is the base case, or current pace of growth continuing. Therefore, a *Current Trends* scenario was developed using the Knoxville-Knox County Metropolitan Planning Commission's Moderate Growth Scenario projections. Conversely, some parties may be interested in what happens to Knox County if growth is slowed, either through an intervention strategy or through natural market forces and what impact, if any, do different housing types have on the County. Therefore, a *Slower Growth* scenario was developed, reflecting a 25% reduction in the growth rate, and a *Higher Multifamily* scenario was developed that assumes a higher mix of multifamily units (apartment and condominium units).

In order to gain a better understanding of how sales tax and employment affect Knox County fiscally, a *Higher Retail* scenario was developed that assumes the unincorporated County is more successful than the City at capturing regional-serving retail. A *Higher Employment* scenario was also developed that assumes the unincorporated County is able to capture a larger share of Countywide employment growth, resulting in a job to housing ratio increase of approximately 23% in the unincorporated County (4,822 more jobs over Current Trends). By analyzing these different scenarios, the County will have a useful tool from which to base land use and other policy decisions.

## Fiscal Impact Results

### General Fund

Exhibit 8 summarizes the average annual net fiscal results (revenues minus operating expenditures) for the General Fund. The annual results are discussed in later sections. The net results for all five scenarios are shown and include operating expenses and revenues as defined in the separate Level of Service document. All results are those accruing from new growth only, and do not include costs and revenues from the existing population and employment base of the County.

Over the short-term (1999 to 2010), the Higher Multifamily and Higher Retail scenarios produce the best results, average annual net *deficits* of approximately \$490,000 and \$560,00, respectively. This is followed by Higher Employment (\$1.21 million), Current Trends (\$1.35 million) and Slower Growth (\$1.49 million).

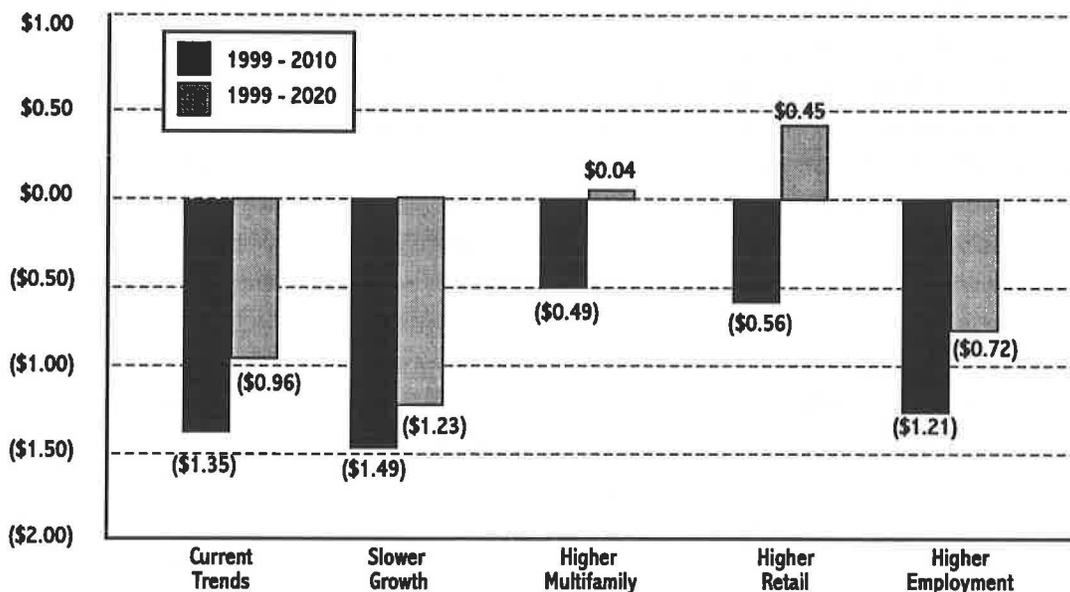
Over the 22-year analysis period, the Higher Retail scenario generates the best result, average annual net *revenues* of approximately \$450,000. This is followed the Higher Multifamily scenario, which also generates average

annual net *revenues* over the long-term, approximately \$40,000. The remaining three scenarios generate net deficits, with the Higher Employment generating the smallest deficit, approximately \$720,000. This is followed by Current Trends (\$960,000) and Slower Growth (\$1.23 million).

- The Higher Retail scenario produces the best results because of the additional 1.5 million square feet of retail space assumed under this scenario.
- Over the 22-year analysis period, the Higher Multifamily scenario produces the second best results. Although essentially the same number of housing units is constructed as under Current Trends, multifamily units generate less costs on a per unit basis than lower density, single family-detached units for services such as law enforcement, health and parks and recreation than. These lower costs are greater than the loss in property taxes due to lower values.
- Similar to the Higher Retail scenario, the Higher Employment scenario produces the third best results because of the over 1.1 million square feet of additional nonresidential space assumed under this scenario.

## EXHIBIT 8

### Average Annual General Funds Results



- The Current Trends scenario is the second to worst scenario, showing average annual deficits of \$1.35 million and \$960,000 in 2010 and 2020, respectively. This indicates that the County's existing revenue structure should be evaluated.
- The Slower Growth scenario produces the largest deficits because the revenues (primarily Property Tax and Local Option Sales Tax) are not enough to cover the operating costs associated with new capital facilities that are built, relative to the other scenarios.
- The average annual net revenues of \$450,000 generated by the Higher Retail scenario from 1999 to 2020 is less than 1% of the FY99 General Fund budget. This could be considered, within the margin of error, as fiscally neutral.

### Other Funds

Exhibit 9 summarizes the average annual net fiscal results (revenues minus operating expenditures) for the other County Funds. The net results for all five scenarios are shown and include operating and capital expenses and revenues as defined in the separate Level of Service document. All results are those accruing from new growth only, and do not include costs and revenues from the existing population and employment base of the County.

As Exhibit 9 indicates, all scenarios generate average annual net deficits. Over the short-term (1999 to 2010), the Higher Retail scenario produces the smallest deficits, average annual net deficits of approximately \$11.23 million. This is followed by Higher Employment (\$14.14 million), Current Trends (\$15.03 million), Higher Multifamily (\$15.64 million) and Slower Growth (\$16.13 million).

Over the 22-year analysis period, the Higher Retail scenario generates the best result, average annual net deficits of approximately \$8.80 million. This is followed the Higher Employment (\$14.03 million), Higher Multifamily (\$15.35 million), Current Trends (\$15.38 million) and Slower Growth (\$15.44 million).

Major reasons for the results are summarized below.

## EXHIBIT 9

### Average Annual Results from New Growth, 2010 and 2020 All Other Funds

	Current Trends		Slower Growth		Higher MF		Higher Retail		Higher Emp	
	2010	2020	2010	2020	2010	2020	2010	2020	2010	2020
General Purpose School Fund	(\$5.36)	(\$8.60)	(\$4.60)	(\$6.55)	(\$8.29)	(\$2.46)	(\$3.59)	(\$4.73)	(\$4.73)	(\$7.65)
School Construction Fund	\$3.80	\$7.57	\$2.11	\$5.75	\$3.45	\$7.36	\$4.43	\$8.663	\$3.99	\$7.85
General Debt Fund	(\$12.16)	(\$12.86)	(\$12.41)	(\$13.36)	(\$12.24)	(\$12.99)	(\$12.13)	(\$12.82)	(\$12.14)	(\$12.84)
Recreation Construction Fund	(\$0.25)	(\$0.45)	(\$0.18)	(\$0.31)	(\$0.18)	(\$0.34)	(\$0.23)	(\$0.42)	(\$0.24)	(\$0.45)
Solid Waste Fund	\$0.13	\$0.23	\$0.10	\$0.17	\$0.16	\$0.26	\$0.13	\$0.24	\$0.13	\$0.23
Library Fund	(\$1.02)	(\$0.91)	(\$1.02)	(\$0.88)	(\$1.05)	(\$0.96)	(\$1.00)	(\$0.89)	(\$1.01)	(\$0.89)
Highway Fund	(\$0.18)	(\$0.34)	(\$0.13)	(\$0.27)	(\$0.24)	(\$0.40)	(\$0.03)	(\$0.02)	(\$0.14)	(\$0.28)
<b>TOTAL</b>	<b>(\$15.03)</b>	<b>(\$15.38)</b>	<b>(\$16.13)</b>	<b>(\$15.44)</b>	<b>(\$15.64)</b>	<b>(\$15.35)</b>	<b>(\$11.23)</b>	<b>(\$8.80)</b>	<b>(\$14.14)</b>	<b>(\$14.03)</b>

- The reasons for the scenario results are due primarily to the reasons discussed above for the General Fund.
- The School Construction and Solid Waste Funds are the only Funds that generate net *revenues* under all scenarios. The School Construction Fund benefits from the excess capacity that exists in the Knox County School System and the Solid Waste Fund results indicate that its revenue structure is sufficient.
- The Highway Fund generates net *revenues* under Higher Retail. This is because Local Option Sales Tax is the largest revenue source for this Fund and is distributed in the State of Tennessee using a situs-based (point-of-sale) formula.
- The results for the General Debt Fund suggest that the County may want to consider alternative revenue sources, such as impact fees, to assist with funding new growth's fair share of capital facility needs.

## EXHIBIT 10

### Transfer to Funds (\$1,000's)

	<i>22-Year Total</i>	<i>Average Annual</i>
General Purpose School Fund	\$189,210	\$8,600
School Construction Fund	1,037	47
General Debt Fund Recreation	283,010	12,864
Construction Fund	9,972	453
Solid Waste Fund	0	0
Library Fund	20,114	914
Highway Fund	7,597	345
<b>TOTAL</b>	<b>\$510,940</b>	<b>\$23,225</b>

## Conclusions

Based on the analysis, the County is not in a position to provide current levels of service to new development under the present revenue structure without finding new revenue sources or raising existing rates. Otherwise, the existing development base will have to subsidize new growth, or existing levels of service will have to be decreased. The County should evaluate the existing revenue structure in the near term.

This becomes more apparent when the transfers that would be required from the General Fund to balance the deficits generated by new growth on the County's various Funds are shown. As Exhibit 10 illustrates, the General Fund would need to transfer almost \$511 million, or \$23 million annually, over the 22-year analysis period to balance the various County Funds under Current Trends.

Exhibit 11 shows the *adjusted* average annual results to the General Fund if it were necessary to transfer General Fund dollars to cover deficits generated by other Funds. This adjustment has tremendous impact on the fiscal results. Average annual deficits *increase* from \$1.35 million to \$20.4 million over the short-term (1999 to 2010), an increase of over \$19 million. Instead of average annual deficits decreasing over the long-term (1999 to 2020), the deficits *increase* from \$960,000 to \$24.18 million, an increase of over \$23 million.

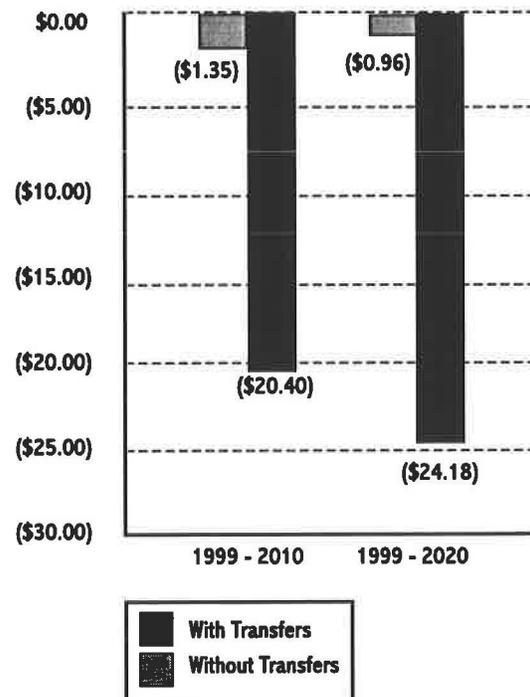
The analysis illustrates the importance of Local Option Sales Tax to the County's current revenue structure. This is particularly true with the General Purpose School, School Construction and Highway Funds. Given the fact this clearly in the County's best interest to have new retail uses locate within the unincorporated County versus the City of Knoxville.

Although not surprising, the analysis also shows that if the County is to encourage the current residential development pattern in the future, it clearly benefits fiscally from attracting additional economic development (i.e., nonresidential square footage). The primary reasons are increased Local Option Sales Tax (retail space) and Property Tax (all nonresidential space).

Because of the lower per unit costs associated with lower household sizes and other characteristics, the County also benefits fiscally by encouraging higher density, multifamily housing.

It is important to acknowledge that fiscal issues are only one concern. Environmental, land use, housing affordability, jobs/housing balance, and traffic issues must also be taken into consideration when making any final decisions on what is best for Knox County.

### EXHIBIT 11 Average Annual Results With and Without Transfers





## APPENDIX A

### *Summary of Public Participation*

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#### GROWTH POLICY COORDINATING COMMITTEE

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DATE & TIME	LOCATION	DESCRIPTION OF MEETING
December 1, 1998 – 7:45 a.m.	County Executive's Conference Room	Organization Meeting
January 12, 1999 – 8:00 a.m.	Andrew Johnson Ballroom	GPCC Workshop
February 9, 1999 – 8:00 a.m.	Andrew Johnson Ballroom	Presentations to GPCC
February 25, 1999 – 7:00 p.m.	Main Assembly Room, City County Building	Public Information Seminar
March 9, 1999 – 8:00 a.m.	Andrew Johnson Ballroom	Presentations to GPCC
April 13, 1999 – 5:30 p.m.	Small Assembly Room, City County Building	Presentations to GPCC
April 30, 1999 – 8:00 a.m.	Main Assembly Room, City County Building	Presentations to GPCC
May 28, 1999 – 8:00 a.m.	Main Assembly Room, City County Building	Presentations to GPCC
June 8, 1999 – 8:00 a.m.	Main Assembly Room, City County Building	Presentations to GPCC
June 25, 1999 – 8:00 a.m.	Main Assembly Room, City County Building	Presentations to GPCC
July 7, 1999 – 8:00 a.m.	Main Assembly Room, City County Building	Presentations to GPCC
July 13, 1999 – 8:00 a.m.	Main Assembly Room, City County Building	Presentations to GPCC
August 10, 1999 – 8:00 a.m.	Main Assembly Room, City County Building	Presentations to GPCC
August 27, 1999 – 8:00 a.m.	Main Assembly Room, City County Building	Presentations to GPCC
September 15, 1999 – 10:00 a.m.	Small Assembly Room, City County Building	Public Informational Workshop by GPCC
September 15, 1999 – 6:00 p.m.	Main Assembly Room, City County Building	Public concerns heard by GPCC
October 4, 1999 – 3:00 p.m.	Ijams Nature Center	GPCC Workshop
October 12, 1999 – 3:00 p.m.	Ijams Nature Center	GPCC Workshop
October 21, 1999 – 3:00 p.m.	Ijams Nature Center	South Sector GPCC Workshop
October 27, 1999 – 3:00 p.m.	John T. O'Connor Center	East Sector GPCC Workshop
November 1, 1999 – 4:00 p.m.	Fountain City Lion's Club	North Sector GPCC Workshop
November 9, 1999 – 3:00 p.m.	Cedar Bluff Branch Library	West Sector GPCC Workshop
November 15, 1999 – 8:00 a.m.	Main Assembly Room, City County Building	GPCC Workshop
November 16, 1999 – 9:00 a.m.	Lawson McGhee Library	GPCC Workshop
November 18, 1999 – 5:30 p.m.	Main Assembly Room, City County Building	GPCC Workshop
November 19, 1999	City County Building	GPCC Workshop
November 22, 1999 – 5:00 p.m.	Small Assembly Room, City County Building	GPCC Workshop
November 29, 1999 – 5:00 p.m.	Small Assembly Room, City County Building	GPCC Workshop
November 30, 1999 – 8:00 a.m.	Andrew Johnson Ballroom	GPCC Workshop
December 1, 1999 – 5:00 p.m.	Small Assembly Room, City County Building	GPCC Workshop
December 2, 1999 – 5:30 p.m.	Main Assembly Room, City County Building	GPCC Workshop
December 6, 1999 – 8:30 a.m.	Small Assembly Room, City County Building	GPCC Workshop
December 7, 1999 – 5:00 p.m.	Room 453, City County Building	GPCC Workshop
December 8, 1999 – 5:30 p.m.	Main Assembly Room, City County Building	GPCC Workshop
December 13, 1999 – 5:00 p.m.	Small Assembly Room	GPCC Workshop
December 15, 1999 – 5:30 p.m.	Main Assembly Room, City County Building	GPCC Public Hearing
December 16, 1999 – 5:30 p.m.	Main Assembly Room, City County Building	GPCC Public Hearing
December 20, 1999 – 5:30 p.m.	Small Assembly Room, City County Building	GPCC Workshop
January 6, 2000 – 5:00 p.m.	Andrew Johnson Ballroom	GPCC Workshop
January 12, 2000 – 1:00 p.m.	Main Assembly Room	GPCC Workshop

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**KNOX COUNTY COMMISSION GROWTH POLICY COMMITTEE**

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February 25, 1999	Andrew Johnson Building	Committee Meeting
March 4, 1999	Andrew Johnson Building	Committee Meeting
March 11, 1999	Room 549, City County Building	Committee Meeting
March 18, 1999	Andrew Johnson Building	Committee Meeting
March 25, 1999	Andrew Johnson Building	Committee Meeting
April 8, 1999	Andrew Johnson Building	Committee Meeting
April 15, 1999	Andrew Johnson Building	Committee Meeting
May 11, 1999	Frank Strange Senior Center	Public Hearing
June 22, 1999	Powell High School Auditorium	Public Hearing
June 30, 1999	Andrew Johnson Building	Public Hearing
July 8, 1999	Andrew Johnson Building	Public Hearing
July 8, 1999	Ritta Elementary Auditorium	Public Hearing
July 22, 1999	Room 640, City County Building	Committee Meeting
July 26, 1999	Main Assembly Room, City County Building	County Commission Vote
July 29, 1999	South Doyle Middle School	Public Hearing

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**CITY OF KNOXVILLE**

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July 28, 1999 – 6:00 p.m.	Dean Hill Recreation Center	Public Hearing
July 29, 1999 – 10:00 a.m.	5 <sup>th</sup> Floor, City County Building	Public Hearing
July 29, 1999 – 5:00 p.m.	Cal Johnson Recreation Center	Public Hearing
August 19, 1999 – 4:00 p.m.	Main Assembly Room, City County Building	City Council Workshop
August 24, 1999 – 7:00 p.m.	Norwood Elementary School	City Council Workshop

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**TOWN OF FARRAGUT**

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May 6, 1999	Farragut Town Hall	Planning Commission Workshop
May 27, 1999 – 2:00 p.m.	Farragut Town Hall	Public Hearing
June 1, 1999 – 7:00 p.m.	Farragut Town Hall	Public Hearing
June 3, 1999	Farragut Town Hall	Planning Commission Workshop
June 17, 1999	Farragut Town Hall	Approved by Planning Comm.
June 24, 1999	Farragut Town Hall	Approved by the Farragut Board of Mayor and Aldermen

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**APPENDIX B**  
*Land Forecast Models*



# APPENDIX B: LAND FORECAST MODELS: CITY OF KNOXVILLE

## Knoxville Land Use Statistics: Projected Land Needs

Res. Mkt. Factor a% / Comm. Mkt. Factor b% / SF Density c / MF Density d / SF:MF Ratio e:f

Based on UTCBER population projections (Change source/population projections as necessary)  
Includes revised (7/99) land use figures from KGIS  
Prepared for the City of Knoxville

### Variable:

- a. Residential Market Factor (%): 25.000
- b. Commercial Market Factor (%): 25.000
- c. Single Family Residential Density (units/acre): 2.750
- d. Multi Family Residential Density (units/acre): 12.000
- e. Single Family Share of Residential Units (%): 58.000
- f. Multi Family Share of Residential Units (%): 42.000
- g. Park Acreage per 1000 Residents (16.25 default): 16.250
- h. Calculated ROW Ratio (DO NOT CHANGE): 2.976

Land Use	Existing		Existing Sq. Mi./1000 Population	Projected Sq. Mi. 2010	Projected Sq. Mi. 2020	Net New Land Developed 1998-2010 Sq. Mi.	Net New Land Developed 2010-2020 Sq. Mi.	Net New Land Developed 1998-2020 Sq. Mi.
	Sq. Mi. 1988	Sq. Mi. 1998						
Unconstrained Agriculture/Forestry/Vacant Land	10.603	0.064		-2.969	-11.103	0.000	0.000	0.000
Constrained Agriculture/Forestry/Vacant Land	6.428	0.039		6.428	6.428	0.000	0.000	0.000
Rural Residential	3.988	0.024		3.988	3.988	0.000	0.000	0.000
Water	5.192	0.031		5.192	5.192	0.000	0.000	0.000
Parks, Recreation	2.433	0.015		4.684	5.011	2.251	0.326	2.578
Public/Quasi-Public Land	10.192	0.062		11.650	12.640	1.458	0.989	2.448
Single Family Residential	26.468	0.160		31.062	34.261	4.594	3.199	7.793
Multi-Family Residential	3.329	0.020		4.091	4.622	0.762	0.531	1.293
Office	2.011	0.012		2.299	2.494	0.288	0.195	0.483
Commercial	4.801	0.029		5.488	5.954	0.687	0.466	1.153
Industrial	2.232	0.013		2.551	2.768	0.319	0.217	0.536
Other Private/Business Uses	2.552	0.015		2.917	3.165	0.365	0.248	0.613
Rights-Of-Way	17.331	0.105		20.178	22.141	2.847	1.964	4.810
Total Land (if unconstrained inventory is depleted)	97.560	0.589		100.528	108.663	13.572	8.135	21.706
Total Land (if unconstrained inventory is not depleted)	97.560	0.589		97.560	97.560			

Calculations	1988	2010	2020	197,343	Net Additions		Unadj. Needed New Land 1998-2010 (sq. mi.)	Unadj. Needed New Land 2010-2020 (sq. mi.)	Adj. Needed New Land 2010-2020 (sq. mi.)
					1998-2010	2010-2020			
Population	165,540	184,487	197,343	18,947	12,856				
Knoxville (UTCBER)									
Residential Units	1988	2010	2020	1988	2010	2020	1988-2010	2010-2020	Adj. Needed
Knoxville (UTCBER)	62,717	93,869	101,634	11,152	7,765	4,285	4,285	2,984	3,728
Single Family	47,976	54,444	56,948	6,468	4,504	3,675	3,675	2,589	3,189
Multi-Family	34,741	39,425	42,686	4,684	3,261	0.610	0.610	0.425	0.531

### Notes:

1. Constraints on Ag. For., and Vacant land include environmental restrictions such as extreme slopes, hydric soils, sinkholes, and floodplains.
  2. Constrained lands and rural residential acreage inventories in 1988 are preserved -- no additional development is shown across the growth scenarios.
  3. Acreage in the Unconstrained Ag. For., Vacant category is calculated as the difference between total city area and the total area consumed by all other land use categories. Therefore, in those cases where more land is required for other use categories than is available for removal from the Unconstrained category, a negative-acreage value will result, and the excess need for land is added to the total, city-wide acreage.
  4. Other Private/Business Uses=Mining, transportation/communications/utilities, wholesale, under construction, and unknown uses.
  5. Parks, recreation=Default standard defined in Knox County Parks Plan, measured at 16.25 acres per 1000 population.
  6. Land needs for Public/Quasi-Public, Office, Commercial, Industrial, and Other Private Uses are based on ratio of selected land category to population.
  7. ROW=Existing ratio of "developed land" to ROW was applied across all scenarios to calculate projected ROW area.
- ("Developed Land" is defined as public/quasi-public, single family residential, multifamily residential, office, commercial, industrial, and other.)



## APPENDIX B: LAND FORECAST MODELS: CITY OF KNOXVILLE (continued)

### Comparison of Alternative Development Projections for Knoxville's Urban Growth Boundary (UGB)

Alternative	Total New Development (sq. mi.)	New Development in UGB (sq. mi.)	Infill in City (sq. mi.)	Projected County Population	Projected City Population	Market Factor	Single Family Density (d.u./ac.)	Multi Family Density (d.u./ac.)	Single Family Share (%)	Multi Family Share (%)
City	43.46	38.66	4.8	457,145	208,412	50%, 100%	2.5	8	58	42
County Exec	9.73	3.02	6.71	457,145	176,226	40%	3	16	58	42
Alt E	23.99	18.29	5.7	432,866	197,343	40%	2.75	12	58	42
Alt F	22.53	16.83	5.7	432,866	197,343	40%	3	16	58	42
Alt G	21.69	15.99	5.7	432,866	197,343	25%	2.75	12	58	42
Alt H	20.39	14.69	5.7	432,866	197,343	25%	3	16	58	42
Alt I	22.46	16.76	5.7	432,866	197,343	30%	2.75	12	58	42
Alt J	21.10	15.40	5.7	432,866	197,343	30%	3	16	58	42
Alt K	20.93	15.23	5.7	432,866	197,343	20%	2.75	12	58	42
Alt L	19.68	13.98	5.7	432,866	197,343	20%	3	16	58	42
Alt M	20.16	14.46	5.7	432,866	197,343	15%	2.75	12	58	42
Alt N	18.97	13.27	5.7	432,866	197,343	15%	3	16	58	42
Alt O	19.40	13.70	5.7	432,866	197,343	10%	2.75	12	58	42
Alt P	18.25	12.55	5.7	432,866	197,343	10%	3	16	58	42
Alt Q	23.22	17.52	5.7	432,866	197,343	35%	2.75	12	58	42
Alt R	23.22	17.52	5.7	432,866	197,343	35%	3	16	58	42

1. The "Infill in City" number is the average of numbers proposed by the County Executive and the City. No "market factor" is included in this number.

2. Population projections for Alternatives E through R were prepared by the U. T. Center for Business and Economic Research

3. The County Executive's proposal assumes that, in the City, 58% of new dwelling units will be single family, and in the unincorporated area 65% will be single family.

4. The 40% market factor adjustment comes from the County Executive's proposal. The 25% market factor was suggested by Larry Fraser, AICP, at the Committee's meeting at Cedar Bluff Library on Nov. 9. Mr. Fraser is a consultant for the County utility districts.



# APPENDIX B: LAND FORECAST MODELS: KNOX COUNTY

## Knox County Balance Land Use Statistics: Projected Land Needs TEMPLATE

Res. Mkt. Factor a% / Comm. Mkt. Factor b% / SF Density c / MF Density d / SF:MF Ratio f:g

Based on UTCBER population projections

Includes revised (7/99) land use figures from KGIS

Prepared for the Growth Policy Coordinating Committee

December 3, 1999

### Enter Value:

- a. Residential Market Factor (%): 25,000
- b. Commercial Market Factor (%): 25,000
- c. Single Family Residential Density (units/acre): 2,500
- d. Multi Family Residential Density (units/acre): 12,000
- e. Rural Residential Density (units/acre): 0,500
- f. Total Single Family Share of Residential Units (%): 75,000
- g. Multi Family Share of Residential Units (%): 25,000
- h. Urban Share SF Resid. Units (%): 60,000
- i. Rural Share SF Resid. Units (%): 15,000
- j. Park Acreage per 1000 Residents (16.25 default): 16,250
- k. Calculated ROW Ratio (DO NOT CHANGE): 3,583

### Variables:

- a. Residential Market Factor (%): 25,000
- b. Commercial Market Factor (%): 25,000
- c. Single Family Residential Density (units/acre): 2,500
- d. Multi Family Residential Density (units/acre): 12,000
- e. Rural Residential Density (units/acre): 0,500
- f. Total Single Family Share of Residential Units (%): 75,000
- g. Multi Family Share of Residential Units (%): 25,000
- h. Urban Share SF Resid. Units (%): 60,000
- i. Rural Share SF Resid. Units (%): 15,000
- j. Park Acreage per 1000 Residents (16.25 default): 16,250
- k. Calculated ROW Ratio (DO NOT CHANGE): 3,583

Land Use	Existing		Existing Sq. Mi./1000 Population 1998	Projected Sq. Mi. 2010	Projected Sq. Mi. 2020	Net New Land Developed		Net New Land Developed Sq. Mi. 1998-2020
	Sq. Mi. 1998	Sq. Mi. 2010				Sq. Mi. 1998-2010	Sq. Mi. 2010-2020	
Unconstrained Agriculture/Forestry/Vacant Land	152,612	0,826	0,826	132,787	119,517	0,000	0,000	0,000
Constrained Agriculture/Forestry/Vacant Land	94,288	0,511	0,511	94,288	94,288	0,000	0,000	0,000
Rural Residential	49,502	0,269	0,269	56,876	62,080	7,274	5,204	12,478
Water	11,435	0,062	0,062	11,435	11,435	0,000	0,000	0,000
Parks, Recreation	3,064	0,017	0,017	5,097	5,425	2,033	0,328	2,361
Public/Quasi-Public Land	7,274	0,039	0,039	8,067	8,703	0,792	0,636	1,429
Single Family Residential	58,802	0,318	0,318	64,621	68,784	5,819	4,163	9,982
Multi-Family Residential	2,905	0,016	0,016	3,410	3,771	0,505	0,361	0,866
Office	1,434	0,008	0,008	1,590	1,716	0,156	0,125	0,282
Commercial	2,878	0,016	0,016	3,191	3,443	0,314	0,252	0,565
Industrial	2,479	0,013	0,013	2,749	2,966	0,270	0,217	0,487
Other Private/Business Uses	3,568	0,018	0,018	3,734	4,029	0,367	0,295	0,662
Rights-Of-Way	22,090	0,120	0,120	24,385	26,074	2,295	1,689	3,984
<b>Total</b>	<b>412,230</b>	<b>2,232</b>	<b>2,232</b>	<b>412,230</b>	<b>412,230</b>	<b>19,825</b>	<b>13,270</b>	<b>33,095</b>

Calculations	Net Additions		Net Additions 2010-2020	Unadj. Needed New Land		Unadj. Needed New Land 1998-2010 (sq. mi.)	Adj. Needed New Land 2010-2020 (sq. mi.)
	1998	2010		1998-2010	2010-2020		
<b>Population</b>	<b>198,652</b>	<b>200,745</b>	<b>16,093</b>	<b>10,878</b>	<b>7,752</b>	<b>13,598</b>	<b>9,728</b>
<b>Knox County Balance</b>	<b>82,772</b>	<b>95,186</b>	<b>12,414</b>	<b>8,881</b>	<b>3,330</b>	<b>5,819</b>	<b>4,163</b>
Single Family	49,663	57,112	7,446	5,329	4,855	0,505	0,361
Multi-Family	20,693	23,797	3,104	2,220	0,289	0,505	0,361
Rural Residential	12,415	14,278	1,862	1,332	4,163	7,274	5,204

- Notes:**
1. Constraints on Ag, For., and Vacant land include environmental restrictions such as extreme slopes, hydric soils, sinkholes, and floodplains.
  2. Constrained land inventory in 1998 is preserved - no additional development is shown across the growth scenarios.
  3. The inventory of unconstrained vacant land provides the source of land for new development in all other land use categories.
  4. Other Private/Business Uses=Mining, transportation/communications/utilities, wholesale, under construction, and unknown uses.
  5. Parks, recreation=Default standard defined in Knox County Parks Plan, measured at 16.25 acres per 1000 population.
  6. Land needs for Public/Quasi-Public, Office, Commercial, Industrial, and Other Private Uses are based on ratio of selected land category to population.
  7. ROW=Existing ratio of "developed land" to ROW was applied across all scenarios to calculate projected ROW area.
- ("Developed Land" is defined as public/quasi-public, single family residential, multifamily residential, office, commercial, industrial, and other.)



# APPENDIX B: LAND FORECAST MODELS: KNOX COUNTY (continued)

Calculation of Knox County's Planned Growth Area (PGA)

December 3, 1999

Alternative	Total New County Balance Development (sq. mi.)	Total New PGA Development (sq. mi.)	Total PGA (sq. mi.)	Market Factor (%)	Single Family Density (d.u./ac.)	Multi Family Density (d.u./ac.)	Rural Residential Density (d.u./ac.)	PGA Single Family Share (%)	PGA Multi Family Share (%)	Rural Residential Share (%)	City of Knoxville Area (sq. mi.)	City of Knoxville UGB Extension (sq. mi.)	Town of Farragut Area (sq. mi.)	Town of Farragut UGB Extension (sq. mi.)
Alt 1	27.46	23.30	127.59	25.0	2.50	8.00	0.5	70.0	25.0	5.0	97.56	16.10	16.21	0.80
Alt 2	30.55	22.24	126.53	25.0	2.50	8.00	0.5	65.0	25.0	10.0	97.56	16.10	16.21	0.80
Alt 3	33.65	21.17	125.47	25.0	2.50	8.00	0.5	60.0	25.0	15.0	97.56	16.10	16.21	0.80
Alt 4	27.13	22.97	127.26	25.0	2.50	10.00	0.5	70.0	25.0	5.0	97.56	16.10	16.21	0.80
Alt 5	30.22	21.90	126.20	25.0	2.50	10.00	0.5	65.0	25.0	10.0	97.56	16.10	16.21	0.80
Alt 6	33.32	20.84	125.13	25.0	2.50	10.00	0.5	60.0	25.0	15.0	97.56	16.10	16.21	0.80
Alt 7	26.91	22.75	127.04	25.0	2.50	12.00	0.5	70.0	25.0	5.0	97.56	16.10	16.21	0.80
Alt 8	30.00	21.68	125.98	25.0	2.50	12.00	0.5	65.0	25.0	10.0	97.56	16.10	16.21	0.80
Alt 9	33.10	20.62	124.91	25.0	2.50	12.00	0.5	60.0	25.0	15.0	97.56	16.10	16.21	0.80
Formulae	33.10	20.62	124.91	25.0	2.50	12.00	0.5	60.0	25.0	15.0	97.56	16.10	16.21	0.80

**Notes:**

- Total new PGA development is the sum of 1998 to 2020 land development in all categories, minus the new development area of rural residential land.
- Total PGA area is comprised of the 1998 inventory of developed land in the Knox County balance, plus the new PGA development, minus rural residential, minus the City of Knoxville's extension of UGB, minus the Town of Farragut's extension of UGB.



**APPENDIX B: LAND FORECAST MODELS: KNOX COUNTY (continued)**

**Calculation of Knox County Balance Land Use by Category (sq. mi.)**

November 24, 1999

Land Use Category	Knox County (sq. mi.)	City of Knoxville (sq. mi.)	Town of Farragut (sq. mi.)	Knox County Balance (sq. mi.)	Knox County Balance Developed Land Only (sq. mi.)
Unconstrained Agriculture/Forestry/Vacant Land	169.042	10.603	5.827	152.612	
Constrained Agriculture/Forestry/Vacant Land	101.878	6.428	1.163	94.288	
Rural Residential	53.590	3.988	0.000	49.602	
Water	16.627	5.192	0.000	11.435	
Parks, Recreation	6.434	2.433	0.937	3.064	3.064
Public/Quasi-Public Land	17.976	10.192	0.510	7.274	7.274
Single Family Residential	90.649	26.468	5.379	58.802	58.802
Multifamily Residential	6.427	3.329	0.193	2.905	2.905
Office	3.699	2.011	0.254	1.434	1.434
Commercial	7.933	4.801	0.254	2.878	2.878
Industrial	4.711	2.232	0.000	2.479	2.479
Other Private/Business Uses	5.971	2.552	0.051	3.368	3.368
Rights-Of-Way	41.063	17.331	1.642	22.090	22.090
<b>Total (sq. mi.)</b>	<b>526.000</b>	<b>97.560</b>	<b>16.210</b>	<b>412.230</b>	<b>104.293</b>

**Notes:**

1. Town of Farragut land use data taken from *Farragut Urban Growth Boundary Report*, June 24, 1999.
2. Town of Farragut provided only a combined total for office and commercial property (325.2 ac). For the calculations here, half of the total acreage was assigned to the office category, the remainder to the commercial category.
3. Town of Farragut utilities acreage was assigned to the Other Private/Business Uses category, consistent with land assignment used in the Knox County and City of Knoxville inventories.



**APPENDIX B: LAND FORECAST MODELS: KNOX COUNTY (continued)**

**Calculation of Knox County Balance Population and Residential Units**

November 24, 1999

<b>Population</b>	<b>1998</b>	<b>2010</b>	<b>2020</b>
Knox County (UTCBER)	366,846	404,666	432,866
Knoxville (UTCBER)	165,540	184,487	197,343
Farragut (UTCBER)	16,654	19,434	21,853
<b>Knox County Balance</b>	<b>184,652</b>	<b>200,745</b>	<b>213,670</b>
<b>Residential Units</b>	<b>1999</b>	<b>2010</b>	<b>2020</b>
Knox County (UTCBER)	172,095	197,306	215,361
Knoxville (UTCBER)	82,717	93,869	101,634
Farragut (UTCBER)	6,606	8,251	9,660
<b>Knox County Balance</b>	<b>82,772</b>	<b>95,186</b>	<b>104,067</b>

**Notes:**

1. The population figure shown for Farragut in 1998 is actually the 1996 figure reported in the Farragut special census. The 1996 count was also used by the Town of Farragut and the State of Tennessee Department of Economic and Community Development Local Planning Assistance Office in the *Farragut Urban Growth Boundary Report*, June 24, 1999.
2. For the Town of Farragut, MPC population and housing unit projections show an estimated SF share of 74.94 percent of all residential permits, while the MF share was 25.06 percent of all permits approved from 1990 through 1998. For MPC's County sectors (exclusive of City sectors), the shares were 74.44 percent SF and 25.56 percent MF during the same period.



**APPENDIX B: LAND FORECAST MODELS: KNOX COUNTY (continued)**

**Housing Units Served by Sanitary Sewer, 1980 and 1990**

November 24, 1999

Area	All Units		Sewered Units		Not-Sewered Units	
	1990	1980	1990	1980	1990	1980
Knox County	143,582	125,803	107,538	na	36,044	na
Farragut	4,451	0	3,380	na	1,071	na
Knoxville	76,453	73,235	74,884	na	1,569	na
Knox County Balance	62,678	52,568	29,274	na	33,404	na

**Sources:**

1. Bureau of the Census, Census of Population and Housing, 1980.
2. Bureau of the Census, Census of Population and Housing, 1990.



## **APPENDIX C**

### ***Public Chapter 1101***

CHAPTER NO. 1101

SENATE BILL NO. 3278

By Rochelle

Substituted for: House Bill No. 3295

By Kisber, Walley, Rinks, McDaniel, Curtiss

AN ACT To amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 7; Title 13; Title 49; Title 67 and Title 68, relative to growth.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

#### **SECTION 1.**

As used in this act, unless the context otherwise requires:

- (1) "Committee" means the local government planning advisory committee established by §4-3-727.
- (2) "Council" means the joint economic and community development council established by Section 15 of this act.
- (3) "Growth Plan" means the plan each county must file with the committee by July 1, 2001, as required by the provisions of Section 8.
- (4) "Planned growth area" means an area established in conformance with the provisions of Section 7(b) and approved in accordance with the requirements of Section 5.
- (5) "Rural area" means an area established in conformance with the provisions of Section 7(c) and approved in accordance with the requirements of Section 5.
- (6) "Urban Growth Boundary" means a line encompassing territory established in conformance with the provisions of

Section 7(a) and approved in accordance with the requirements of Section 5.

#### **SECTION 2.**

Tennessee Code Annotated, Title 6, is amended by adding Sections 3 through 16 as a new Chapter 58.

#### **SECTION 3.**

With this act, the General Assembly intends to establish a comprehensive growth policy for this state that:

- (1) Eliminates annexation or incorporation out of fear;
- (2) Establishes incentives to annex or incorporate where appropriate;
- (3) More closely matches the timing of development and the provision of public services;
- (4) Stabilizes each county's education funding base and establishes an incentive for each county legislative body to be more interested in education matters; and
- (5) Minimizes urban sprawl.

#### **SECTION 4.**

(a) The provisions of this chapter shall not apply to any county having a metropolitan form of government. Provided, however, each such county shall receive full benefit of all incentives available pursuant to Section 10, and each such county shall escape the sanctions imposed by Section 11. Provided, further, any municipality that lies within a county having a metropolitan form of government and another county must establish an urban growth boundary in conjunction with the county containing the territory that is not within the county having a metropolitan form of government.

(b) Notwithstanding the provisions of this act to the contrary, IF a metropolitan government charter commission is duly created within any county after the effective date of this act but prior to July 1, 2001, AND IF the metropolitan charter proposed by such commission is either rejected or otherwise not ratified by the voters prior to July 1, 2001, THEN the

sanctions established by Section 11 shall not be imposed in such county prior to July 1, 2002.

#### SECTION 5.

(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 executive or the county executive's designee, to be confirmed by the county legislative body; provided, however, 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 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 executive and two (2) members appointed by the mayor of the largest municipality, to assure broad representation of environmental, construction and homeowner interests.

(2) It shall be 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 the provisions of Section 7. 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 local planning office of the Department of Economic and Community Development, 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, however, and notwithstanding any provision of this act to the contrary, if a municipality is completely contiguous to and surrounded by one 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 (120) 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 (1) 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 (1) 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 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 any provisions of this chapter or any other provision of 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 the effective date of this act 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)(A) 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 the effective date of this act.

(9)(A) Instead of the coordinating committee created under subsection (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 the effective date of this act 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 executive of such county may jointly appoint as many additional members to the coordinating committee as they may determine. Notwithstanding the provisions of subsection (a) with respect to the adoption or ratification of the recommended growth plan, in any county to which subdivision (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 recommen-

stay upon appropriate terms if it is shown to the satisfaction of the court that any party or the public at large is likely to suffer significant injury if such stay is not granted. If more than one (1) suit is filed within the county, then all such suits shall be consolidated and tried as a single civil action.

(c) IF the court finds by a preponderance of the evidence that the urban growth boundaries, planned growth areas and/or rural areas are invalid because the adoption or approval thereof was granted in an arbitrary, capricious, illegal or other manner characterized by abuse of official discretion, THEN an order shall be issued vacating the same, in whole or in part, and remanding the same to the county and the municipalities in order to identify and obtain adoption or approval of urban growth boundaries, planned growth areas and/or rural areas in conformance with the procedures set forth within Section 5.

(d) Any party to the suit, aggrieved by the ruling of the chancery court, may obtain a review of the final judgment of the chancery court by appeal to the court of appeals.

#### SECTION 7.

(a)(1) The urban growth boundaries of a municipality shall:

(A) Identify territory that is reasonably compact yet sufficiently large to accommodate residential and nonresidential growth projected to occur during the next twenty (20) years;

(B) Identify territory that is contiguous to the existing boundaries of the municipality;

(C) Identify territory that a reasonable and prudent person would project as the likely site of high density commercial, industrial and/or residential growth over the next twenty (20) years based on historical experience, economic trends, population growth patterns and topographical characteristics; (if available, professional planning, engineering and/or economic studies may also be considered);

(D) Identify territory in which the municipality is better able and prepared than other municipalities to efficiently and effectively provide urban services; and

(E) Reflect the municipality's duty to facilitate full development of resources within the current boundaries of the municipality and to manage and control urban expansion outside of such current boundaries, taking into account the impact to agricultural lands, forests, recreational areas and wildlife management areas.

(2) Before formally proposing urban growth boundaries to the coordinating committee, the municipality shall develop and report population growth projections; such projections shall be developed in conjunction with the University of Tennessee. The municipality shall also determine and report the current costs and the projected costs of core infrastructure, urban services and public facilities necessary to facilitate full development of resources within the current boundaries of the municipality and to expand such infrastructure, services and facilities throughout the territory under consideration for inclusion within the urban growth boundaries. The municipality shall also determine and report on the need for additional land suitable for high density, industrial, commercial and residential development, after taking into account all areas within the municipality's current boundaries that can be used, reused or redeveloped to meet such needs. The municipality shall examine and report on agricultural lands, forests, recreational areas and wildlife management areas within the territory under consideration for inclusion within the urban growth boundaries and shall examine and report on the likely long-term effects of urban expansion on such agricultural lands, forests, recreational areas and wildlife management areas.

(3) Before a municipal legislative body may propose urban growth boundaries to the coordinating committee, the municipality shall conduct at least two (2) public hearings. Notice of the time, place and purpose of the public hearing shall be published in a newspaper of general circulation in the municipality not less than fifteen (15) days before the hearing.

(b)(1) Each planned growth area of a county shall:

(A) Identify territory that is reasonably compact yet sufficiently large to accommodate residential and nonresidential

growth projected to occur during the next twenty (20) years;

(B) Identify territory that is not within the existing boundaries of any municipality;

(C) Identify territory that a reasonable and prudent person would project as the likely site of high or moderate density commercial, industrial and/or residential growth over the next twenty (20) years based on historical experience, economic trends, population growth patterns and topographical characteristics; (if available, professional planning, engineering and/or economic studies may also be considered);

(D) Identify territory that is not contained within urban growth boundaries; and

(E) Reflect the county's duty to manage natural resources and to manage and control urban growth, taking into account the impact to agricultural lands, forests, recreational areas and wildlife management areas.

(2) Before formally proposing any planned growth area to the coordinating committee, the county shall develop and report population growth projections; such projections shall be developed in conjunction with the University of Tennessee. The county shall also determine and report the projected costs of providing urban type core infrastructure, urban services and public facilities throughout the territory under consideration for inclusion within the planned growth area as well as the feasibility of recouping such costs by imposition of fees or taxes within the planned growth area. The county shall also determine and report on the need for additional land suitable for high density industrial, commercial and residential development after taking into account all areas within the current boundaries of municipalities that can be used, reused or redeveloped to meet such needs. The county shall also determine and report on the likelihood that the territory under consideration for inclusion within the planned growth area will eventually incorporate as a new municipality or be annexed. The county shall also examine and report on agricultural lands, forests, recreational areas and wildlife management areas within the territory under consideration for inclusion within the planned growth area and shall

examine and report on the likely long-term effects of urban expansion on such agricultural lands, forests, recreational areas and wildlife management areas.

(3) Before a county legislative body may propose planned growth areas to the coordinating committee, the county shall conduct at least two (2) public hearings. Notice of the time, place and purpose of the public hearing shall be published in a newspaper of general circulation in the county not less than fifteen (15) days before the hearing.

(c)(1) Each rural area shall:

(A) Identify territory that is not within urban growth boundaries;

(B) Identify territory that is not within a planned growth area;

(C) Identify territory that, over the next twenty (20) years, is to be preserved as agricultural lands, forests, recreational areas, wildlife management areas or for uses other than high density commercial, industrial or residential development; and

(D) Reflect the county's duty to manage growth and natural resources in a manner which reasonably minimizes detrimental impact to agricultural lands, forests, recreational areas and wildlife management areas.

(2) Before a county legislative body may propose rural areas to the coordinating committee, the county shall conduct at least two (2) public hearings. Notice of the time, place and purpose of the public hearing shall be published in a newspaper of general circulation in the county not less than fifteen (15) days before the hearing.

(d) Notwithstanding the extraterritorial planning jurisdiction authorized for municipal planning commissions designated as regional planning commissions in Title 13, Chapter 3, nothing in this act shall be construed to authorize municipal planning commission jurisdiction beyond an urban growth boundary; provided, however, in a county without county zoning, a municipality may provide extraterritorial zoning and

(2) A municipality may annex by ordinance with the approval by resolution of the county legislative body of the county in which the territory proposed to be annexed is located; or

(3) A municipality may annex by ordinance in any county in which, on January 1, 1998, the municipality provided sanitary sewer service to a total of one hundred (100) or more residential customers, commercial customers, or a combination thereof.

(4) This subsection (e) shall not affect any annexation ordinance adopted on final reading by a municipality prior to the effective date of this act, if such ordinance annexed property within the same county where the municipality is located or annexed property in a county other than the county in which the city hall is located if the property is used or is to be used only for industrial purposes.

(f)(1) After the effective date of this act but prior to January 1, 1999, a new city may be incorporated under the provisions of this act as long as the population requirements and the distance requirements of Sections 6-1-201, 6-18-103 or 6-30-103 and the requirements of Section 13(c) of this act are met.

(2) After January 1, 1999, a new municipality may only be incorporated in accordance with this act and with an adopted growth plan.

(3)(A) Notwithstanding any other provision of law to the contrary, if any territory with not less than two hundred twenty-five (225) residents acted pursuant to Chapter 98 of the Public Acts of 1997 or Chapter 666 of the Public Acts of 1996 from January 1, 1996, through November 25, 1997, and held an incorporation election, and a majority of the persons voting supported the incorporation, and results of such election were certified, then such territory upon filing a petition as provided in § 6-1-202, may conduct another incorporation election.

(B) If such territory votes to incorporate, the new municipality shall have priority over any prior or pending annexation ordinance of an existing municipality which encroaches upon any territory of the new municipality. Such new municipality

shall comply with the requirements of Section 13(c) of this act.

#### SECTION 10.

(a) Upon approval of the growth plan by the local government planning advisory committee but beginning no earlier than July 1, 2000, each municipality within the county and the county shall receive an additional five (5) points on a scale of one hundred (100) points or a comparable percentage increase as determined by the commissioner in any evaluation formula for the allocation of private activity bond authority and for the distribution of grants from the department of economic and community development for the:

(1) Tennessee Industrial Infrastructure Program;

(2) Industrial Training Service Program; and

(3) Community Development Block Grants.

(b) Upon approval of the growth plan by the local government planning advisory committee but beginning no earlier than July 1, 2000, each municipality within the county and the county shall receive an additional five (5) points on a scale of one hundred (100) points or a comparable percentage increase as determined by the commissioner if permissible under federal requirements in any evaluation formula for the distribution of grants from the Department of Environment and Conservation for state revolving fund loans for water and sewer systems; provided, however, no such preferences shall be granted if prohibited by federal law or regulation.

(c) Upon approval of the growth plan by the local government planning advisory committee but beginning no earlier than July 1, 2000, each municipality within the county and the county shall receive an additional five (5) points on a scale of one hundred (100) points or a comparable percentage increase as determined by the executive director in any evaluation formula for the distribution of HOUSE or HOME grants from the Tennessee Housing Development Authority or low income tax credits or private activity bond authority; provided, however, no such preferences shall be granted if prohibited by federal law or regulation.

**SECTION 11.**

Effective July 1, 2001, the following loan and grant programs shall be unavailable in those counties and municipalities that do not have growth plans approved by the local government planning advisory committee, and shall remain unavailable until growth plans have been approved:

- (1) Tennessee Housing Development Agency Grant Programs;
- (2) Community Development Block Grants;
- (3) Tennessee Industrial Infrastructure Program Grants;
- (4) Industrial Training Service Grants;
- (5) Intermodal Surface Transportation Efficiency Act funds or any subsequent federal authorization for transportation funds; and
- (6) Tourism Development Grants.

**SECTION 12.**

(a) Within a municipality's approved urban growth boundaries, a municipality may use any of the methods in Title 6, Chapter 51 to annex territory. Provided, however, if a quo warranto action is filed to challenge the annexation, the party filing the action has the burden of proving that:

- (1) An annexation ordinance is unreasonable for the overall well-being of the communities involved; or
  - (2) The health, safety, and welfare of the citizens and property owners of the municipality and territory will not be materially retarded in the absence of such annexation.
- (b) In any such action, the action shall be tried by the circuit court judge or chancellor without a jury.
- (c) A municipality may not annex territory by ordinance beyond its urban growth boundary without following the procedure in subsection (d).

(d)(1) If a municipality desires to annex territory beyond its urban growth boundary, the municipality shall first propose an amendment to its urban growth boundary with the coordinating committee under the procedure in Section 5.

(2) As an alternative to proposing a change in the urban growth boundary to the coordinating committee, the municipality may annex the territory by referendum as provided in §§6-51-104 and 6-51-105.

**SECTION 13.**

(a)(1) After January 1, 1999, a new municipality may only be created in territory approved as a planned growth area in conformity with the provisions of Section 5;

(2) A county may provide or contract for the provision of services within a planned growth area and set a separate tax rate specifically for the services provided within a planned growth area; and

(3) A county may establish separate zoning regulations within a planned growth area, for territory within an urban growth boundary or within a rural area.

(b) An existing municipality which does not operate a school system or a municipality incorporated after the effective date of this act, may not establish a school system.

(c) A municipality, incorporated after the effective date of this act, shall impose a property tax that raises an amount of revenue not less than the amount of the annual revenues derived by the municipality from state shared taxes. The municipality shall levy and collect the property tax before the municipality may receive state shared taxes. Furthermore, the provisions of Tennessee Code Annotated, Section 6-51-115(b), shall apply within the territory of such newly incorporated municipality as if such territory had been annexed rather than incorporated.

(d)(1) If the residents of a planned growth area petition to have an election of incorporation, the county legislative body shall approve the corporate limits and the urban growth boundary of the proposed municipality before the election to

incorporate may be held.

(2) Within six (6) months of the incorporation election, the municipality shall adopt by ordinance a plan of services for the services the municipality proposes to deliver. The municipality shall prepare and publish its plan of services in a newspaper of general circulation distributed in the municipality. The rights and remedies of §6-51-108 apply to the plan of services adopted by the municipality.

#### SECTION 14.

Until December 31, 2002, the Tennessee Advisory Commission on

Intergovernmental Relations (TACIR) shall monitor implementation of this act and shall periodically report its findings and recommendations to the General Assembly. Each agency of the executive branch, each municipal and county official, each local government organization, including any planning commission and development district, shall cooperate with the commission and provide necessary information and assistance for the commission's reports. TACIR reserve funds may be expended for the purpose of performing duties assigned by this section.

#### SECTION 15.

(a) It is the intent of the General Assembly that local governments engage in long-term planning, and that such planning be accomplished through regular communication and cooperation among local governments, the agencies attached to them, and the agencies that serve them. It is also the intent of the General Assembly that the growth plans required by this bill result from communication and cooperation among local governments.

(b) There shall be established in each county a joint economic and community development board which shall be established by interlocal agreement pursuant to Tennessee Code Annotated, Section 5-1-113. The purpose of the board is to foster communication relative to economic and community development between and among governmental entities, industry, and private citizens.

(c) Each joint economic and community development board

shall be composed of representatives of county and city governments, private citizens, and present industry and businesses. The final makeup of the board shall be determined by interlocal agreement but shall, at a minimum, include the county executive and the mayor or city manager, if appropriate, of each city lying within the county and one (1) person who owns land qualifying for classification and valuation under Tennessee Code Annotated, Title 67, Chapter 5, Part 10. Provided, however, in cases where there are multiple cities, smaller cities may have representation on a rotating basis as determined by the interlocal agreement.

(d) There shall be an executive committee of the board which shall be composed of members of the joint economic and community development board selected by the entire board. The makeup of the executive committee shall be determined by the entire joint economic and community development board but shall, at a minimum, include the county executive and the mayors or city manager of the larger municipalities in the county.

(e) The terms of office shall be determined by the interlocal agreement but shall be staggered except for those positions held by elected officials whose terms shall coincide with the terms of office for their elected positions. All terms of office shall be for a maximum of four (4) years.

(f) The board shall meet, at a minimum, four (4) times annually and the executive committee of the board shall meet at least eight (8) times annually. Minutes of all meetings of the board and the executive committee shall be documented by minutes kept and certification of attendance. Meetings of the joint economic and community development board and its executive committee are subject to the open meetings law.

(g)(1) The activities of the board shall be jointly funded by the participating governments. The formula for determining the amount of funds due from each participating government shall be determined by adding the population of the entire county as established by the last federal decennial census to the populations of each city as determined by the last federal decennial census, or special census as provided for in Section 6-51-114, and then determining the percentage that

the population of each governmental entity bears to the total amount.

(2) If a special census has been certified pursuant to Tennessee Code Annotated, Section 6-51-114, during the five (5) year period after certification of the last federal decennial census, the formula shall be adjusted by the board to reflect the result of the special census. Provided, however, the board shall only make such an adjustment during the fifth year following the certification of a federal decennial census.

(3) The board may accept and expend donations, grants and payments from persons and entities other than the participating governments.

(4) If, on the effective date of this act, a county and city government have a joint economic and community development council which has an established funding mechanism to carry out a unified economic and community development program for the entire county, such funding mechanism shall be utilized in lieu of the formula established in this subsection. (h) An annual budget to fund the activities of the board shall be recommended by the executive committee to the board which shall adopt a budget before the first day of April of each year. The funding formula established by this act shall then be applied to the total amount budgeted by the board as the participating governments' contributions for the ensuing fiscal year. The budget and a statement of the amount due from each participating government shall be immediately filed with the appropriate officer of each participating government. In the event a participating government does not fully fund its contribution, the board may establish and impose such sanctions or conditions as it deems proper.

(i) When applying for any state grant a city or a county shall certify its compliance with the requirements of this section.

(j) If there exists within a county a similar organization on the effective date of this act, that organization may satisfy the requirements of this section. The county executive shall file a petition with the committee who shall make a determination whether the existing organization is sufficiently similar to the

requirements of this section. When the committee has made its determination, an affected municipality or county may rely upon that status of the existing organization to satisfy the certification requirements of subsection (i).

#### **SECTION 16.**

The provisions of this chapter shall not apply to any annexation ordinance that was pending, but not yet effective, on November 25, 1997.

#### **SECTION 17.**

#### **SECTION 18.**

(a) Tennessee Code Annotated, Section 7-2-101, is amended by adding the following as subdivision (4):

(4) The commission may be created upon receipt of a petition, signed by qualified voters of the county, equal to at least ten percent (10%) of the number of votes cast in the county for governor in the last gubernatorial election.

(A) Such petition shall be delivered to the county election commission for certification. After the petition is certified, the county election commission shall deliver the petition to the governing body of the county and the governing body of the principal city in the county. Such petition shall become the consolidation resolution of the county and the principal city in the county. The resolution shall provide that a metropolitan government charter commission is established to propose to the people the consolidation of all, or substantially all, of the government and corporate functions of the county and its principal city and the creation of a metropolitan government for the administration of the consolidated functions.

(B) Such resolution shall either:

(i) Authorize the county executive or county mayor to appoint ten (10) commissioners, subject to confirmation by the county governing body, and authorize the mayor of the principal city to appoint five (5) commissioners, subject to confirmation by the city governing body; or

(ii) Provide that an election shall be held to select members

of the metropolitan government charter commission; provided, however, if the governing body of the county and the governing body of the principal city cannot agree on the method of selecting members of the metropolitan government charter commission within sixty (60) days of certification, then an election shall be held to select members of the metropolitan government charter commission as provided in Section 7-2-102.

(C) It is the legislative intent that the persons appointed to the charter commission shall be broadly representative of all areas of the county and principal city and that every effort shall be made to include representatives from various political, social, and economic groups within the county and principal municipality.

(D) When such resolution shall provide for the appointment of commissioners of the county and city, the metropolitan government charter commission shall be created and duly constituted after appointments have been made and confirmed.

(E) When such resolution shall provide for an election to select members of the metropolitan government charter commission, copies thereof shall be certified by the clerk of the governing bodies to the county election commission, and thereupon an election shall be held as provided in Section 7-2-102.

(F) When the consolidation resolution provides for the appointment of members of the metropolitan government charter commission, such appointments shall be made within thirty (30) days after the resolution is submitted to the governing bodies of the county and the principal city.

(G) If the referendum to approve consolidation fails, another commission may not be created by petition for three (3) years.

(b) Tennessee Code Annotated, Section 7-2-101(1)(B)(i), is amended by deleting the words "presiding officer of the county governing body" and substituting instead the words "county executive or county mayor".

(c) Tennessee Code Annotated, Section 7-2-101(2)(B), is amended by deleting the words "presiding officer of the county governing body" and substituting instead the words "county executive or county mayor".

(d) Tennessee Code Annotated, Section 7-2-101(2)(B)(i), is amended by deleting wherever they may appear, the words "presiding officer of the county governing body" and substituting instead the words "county executive or county mayor".

#### SECTION 19.

Tennessee Code Annotated, Section 6-51-102, is amended by deleting subsection (b) and substituting instead the following:

(b)(1) Before any territory may be annexed under this section by a municipality, the governing body shall adopt a plan of services establishing at least the services to be delivered and the projected timing of the services. The plan of services shall be reasonable with respect to the scope of services to be provided and the timing of the services.

(2) The plan of services shall include, but not be limited to: police protection, fire protection, water service, electrical service, sanitary sewer service, solid waste collection, road and street construction and repair, recreational facilities and programs, street lighting, and zoning services. The plan of services may exclude services which are being provided by another public agency or private company in the territory to be annexed other than those services provided by the county.

(3) The plan of services shall include a reasonable implementation schedule for the delivery of comparable services in the territory to be annexed with respect to the services delivered to all citizens of the municipality.

(4) Before a plan of services may be adopted, the municipality shall submit the plan of services to the local planning commission, if there is one, for study and a written report, to be rendered within ninety (90) days after such submission, unless by resolution of the governing body a longer period is allowed. Before the adoption of the plan of services, a municipality shall hold a public hearing. Notice of the time,

place, and purpose of the public hearing shall be published in a newspaper of general circulation in the municipality not less than fifteen (15) days before the hearing. The notice shall include the locations of a minimum of three (3) copies of the plan of services which the municipality shall provide for public inspection during all business hours from the date of notice until the public hearing.

(5) A municipality may not annex any other territory if the municipality is in default on any prior plan of services.

(6) If a municipality operates a school system, and if the municipality annexes territory during the school year, any student may continue to attend his or her present school until the beginning of the next succeeding school year unless the respective boards of education have provided otherwise by agreement.

#### **SECTION 20.**

Tennessee Code Annotated, Section 6-51-102(a)(2), is amended by adding the following new subdivisions:

(2)(A) If an annexation ordinance was not final on November 25, 1997, and if the municipality has not prepared a plan of services, the municipality shall have sixty (60) days to prepare a plan of services. (B)(1) For any plan of services that is not final on the effective date of this act or for any plan of services adopted after the effective date and before the approval of the growth plan by the committee, the county legislative body of the county where the territory subject to the plan of services is located may file a suit in the nature of a quo warranto proceeding to contest the reasonableness of the plan of services.

(2) If the county is petitioned by a majority of the property owners by parcel within the territory which is the subject of the plan of services to represent their interests, a county shall be deemed an aggrieved owner of property giving the county standing to contest the reasonableness of the plan of services. In determining a majority of property owners, a parcel of property with more than one (1) owner shall be counted only once and only if owners comprising a majority of the ownership interests in the parcel petition together as the

owner of the particular parcel.

(3) A petition by property owners under this section shall be presented to the county clerk, who shall forward a copy of such petition to the county executive, county assessor of property and the chairperson of the county legislative body. After examining the evidence of title based upon the county records, within fifteen (15) days of receiving the copy of the petition, the assessor of property shall report to the county executive and the chairperson of the county legislative body whether or not in his or her opinion a majority of the property owners by parcel have petitioned the county according to this section.

(4) Notwithstanding any other provision of this chapter, a petition by property owners to the county under this section to contest the reasonableness of the plan of services shall be brought within sixty (60) days of the final adoption of the plan of services, and if the county legislative body adopts a resolution to contest the plan of services, the county shall file suit to contest the plan of services pursuant to this section within ninety (90) days of the final adoption of the plan of services.

(C) If the court finds the plan of services to be unreasonable, or to have been done by exercise of powers not conferred by law, an order shall be issued vacating the same, and the order shall require the municipality to submit a revised plan of services for the territory within thirty (30) days; provided, however, by motion the municipality may request to abandon the plan of services, and in such case the municipality is prohibited from annexing by ordinance any part of such territory proposed for annexation for not less than twenty-four (24) months. In the absence of such finding, an order shall be issued sustaining the validity of such plan of services ordinance, which shall then become operative thirty-one (31) days after judgment is entered unless an abrogating appeal has been taken therefrom.

(D) If a municipal plan of services has been challenged in court under this section and if the court has rendered a decision adverse to the plan, then a municipality may not annex any other territory by ordinance until the court

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## APPENDIX D

### Growth Policy Plan Land Allocation

	<i>Area (Square Miles)</i>	<i>% of Total</i>
<b>Town of Farragut</b>		
Existing Land Area	16.214	3.08%
Urban Growth Boundary	0.993	0.19%
<b>Subtotal</b>	<b>17.207</b>	<b>3.27%</b>
<b>City of Knoxville</b>		
Existing Land Area	97.560	18.56%
Urban Growth Boundary	47.546	9.05%
<b>Subtotal</b>	<b>145.106</b>	<b>27.61%</b>
<b>Unincorporated Knox County</b>		
Planned Growth Area	147.408	28.05%
Rural Area	215.877	41.07%
<b>Subtotal</b>	<b>363.285</b>	<b>69.12%</b>
<b>County Total (sum of subtotals)</b>	<b>525.598</b>	<b>100.00%</b>

### Knox County Planned Growth Area Broken Down by Category

	<i>Area (Square Miles)</i>	<i>% of Total</i>
Developed	80.229	54.43%
Vacant with Environmental Constraints	20.657	14.01%
Vacant, Unconstrained	46.522	31.56%
<b>Total</b>	<b>147.408</b>	

NOTES: These figures correspond to the map titled *Growth Policy Plan Map* dated January 1, 1998, based on Tax Assessor's records, current as of January 1, 1998.

Handwritten notes on a yellow sticky note:

7/2/15  
531210  
7/2/15  
7/2/15  
7/2/15

# Worthall Committee Public Input

- 1) People object to being annexed.
- 2) heard less from people opposed to rural "classification"
- 3) definition of rural area vague in state law - GCC - ok said ↑
- 4) phony population projection technique
- 5) developed area "included" to population in UGB - questioned by Worthall
- 6) Cost of services: Worthall objects to \$375k permi flat rate for UGB 1 \$1.7 mill in existing city. then increased it to \$500k permi.
- 7) #6 implies city services won't be as good in UGB. Only 1 new fire hall to be provided.  
Worthall addressed this 3 times

8) who would enforce land use restrictions. Local or state gov't? should have cited powers of local gov'ts, under law.

9) Neighborhood Council objectives (example) ?  
10) GCC to stay intact. why? what would they do?

11) Gateway - does not "fit" as a compact, connected area - called for a law

12) Full developed / subdiv. part of existing city not shown

13) Midway, other areas not compact/contiguous

14) developed land in UGB not justified

15) Collins - city UGB may be a reasonable response to annexation history, law, & other gov'ts

16) Rural designation not as restrictive as the city (Collins)

17) Leo says he doesn't see recommending results in a contiguous area

- 16 GPC is to be commended for coming forth a plan 16.1
- 19 poor piece of legislation by state (Boulder)
- 20 "Governs for us we can go in right direction by going to court" (Boulder)
- 21 ~~citizen~~ ~~might~~ ~~request~~ of hearings request not being in UGB

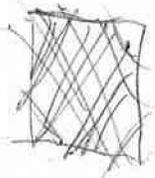
Citizen Comment

- 1 Sunny Lowell 66 - Got 17000 opposed - wants to be excluded from UGB
- 2 Annexation for revenue, not according to planning principles in law: 16 names on petition
- 2 Relocation - ~~annexation~~
- 3 In a no win situation. City gains economies of scale, existing gardens, a service loss economies of scale. - include a rights impact statement
- 4
- 5

- 6.
- 7.
- 8.

Larry Stephens

- o ~~plan~~ plan be altered to show <sup>Knexu/b</sup> UGB's planned growth
- o current Planned growth stays at 15
- o RUMPS stays as is pending comparison to other plans leave alone to compare w/ other plans
- o Leave Farquhar intact
- o Include a rights/impact statement



Reliance: - ~~protections~~ from  
 • City has demonstrated unwillingness to give up plan of growth  
 • developed area included cannot be justified. City could still grow w/ ~~reproduction~~

Columns

concern about idea city does not need to grow, would want to hear answers to questions raised.

L6<sup>e</sup>

Frank L. to research feasibility of notification

Columns

• No recommendation

• Frank ~~put~~ ~~together~~ answers to questions

L7 ~~col~~

Real needs more debate, need to understand

~~L60 implications of the~~

city should be able to expand in a continuous manner. Current annexations should stop.

L70th

Why are there moral issues that don't need definition of compactness?



MP can be asked to  
regulate population  
unrestrained job