To the Graduate Council:

I am submitting herewith a thesis written by Roger Ezell Sparry entitled "Residential Development in Knox County—The Affect of the Plat Amendment." I recommend that it be accepted in partial fulfillment of the requirements for the degree of Master of Science in Planning.

Joseph M. Prochaska, Major Professor

We have read this thesis and recommend its acceptance:

Accepted for the Council:

Vice Chancellor
Graduate Studies and Research

RESIDENTIAL DEVELOPMENT IN KNOX COUNTY--
THE AFFECT OF THE PLAT AMENDMENT

A Thesis

Presented for the

Master of Science in Planning

Degree

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Roger Ezell Sparry

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Concluding graduate planning studies at The University of Tennessee is equally a happy and sad event. The warm friendly learning environment of the Graduate School of Planning has no equal in the author's educational experience. The past two years will always be fondly remembered as days well spent in a very valuable educational pursuit.

In concluding this thesis and the two years of graduate planning studies that it capsules, the author expresses his warmest appreciation to his parents, Mr. and Mrs. Ezell Sparry, who through their continued encouragement made this educational experience possible.

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In closing, a very special word of appreciation is offered to Professor Joseph M. Prochaska, advisor, and friend.

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ABSTRACT

The purpose of this investigation was to determine the affect of the Plat Amendment* upon the implementation of residential development standards by the Metropolitan Planning Commission (MPC).

The three principal characteristics of the development process examined were, type of development, development qualifications enforced, and the total amount of naturally constrained land (Flood Zone Classification, F-1), used for residential development. Of significance was the proportional change in compliance with each of the above development characteristics by developers before and after the adoption of the Plat Amendment.

The writer of this thesis found that in the absence of statutory authority, the residential development standards which were previously enforced by the MPC were not enforced by the county legislative bodies (the City Council and the Board of County Commissioners), after the adoption of the Plat Amendment. Although the proportional level of compliance by developers with MPC's development qualifications has changed very little with the adoption of the Plat Amendment, there was

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*The Plat Amendment was a private act passed by the Tennessee State Legislature, May 1973, which established an appeal procedure to the county legislative bodies from development decisions of the Metropolitan Planning Commission.

a significant change in the type of nonconformances* which the MPC approved.

In the one year study period before the Plat Amendment, the type of nonconformances approved by the MPC were related to transportation. These were, in the main, insignificant infractions of the subdivision regulations. However, after the enactment of the Plat Amendment the nonconformances approved by the MPC, based upon the area wide affect of the infraction, were much more significant. These plats approved by the MPC were nonconforming because of the disregard by the Board of County Commissioners of County Health Department sewer qualifications and the "no sewer no subdivision" policy adopted by MPC.

In summation, this investigation revealed that the county legislative bodies are, in fact, more apt to be persuaded by local interest groups than is the Metropolitan Planning Commission.

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*NOTE: Nonconformances are defined as development features evident upon the final plats which are in violation of the zoning ordinance or subdivision regulations.

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CHAPTER I

INTRODUCTION

It is no secret that many efforts at metropolitan planning have not been greeted with unqualified enthusiasm. This may be due in part to the fact that no real concensus as to future urban spatial structure of the city has at yet been formulated.

The effectiveness of current efforts to implement metropolitan plans seems to be restrained by the fact that the urban community is made up of many well meaning but diversified groups, each of which is convinced that their particular goals and objectives will provide the answer. No doubt in most cases the approach taken by each community group has significant advantages. Unfortunately, when pursued outside the context of an overall plan, each group often exhibits the fatal weakness of insufficient implementation power.

I. STATEMENT OF THE PROBLEM

In May of 1973, the authority which was exercised by the Metropolitan Planning Commission (MPC) over the approval of residential plats underwent a major modification. This modification of MPC's authority manifested itself through the adoption, by the Tennessee State Legislature, of a private act known as the Plat Amendment. As adopted

in its final form, the Plat Amendment to the Regional Planning Regulations declares,

> that in counties having populations not less than 275,000 nor more than 400,000 according to the federal census of 1970 or any subsequent federal census, in the event the regional planning commission approves or disapproves a plat after a hearing thereon, the applicant submitting the plat or any person who was a party for or against the plat request at the planning commission hearing shall have the right within thirty (30) days after such approval or disapproval to have the action of the regional planning commission reviewed by the county court or other legislative body within the county (or municipality, section 13-303) having jurisdiction over zoning matters, who shall by majority vote approve or disapprove the plat. If the plat is approved, the secretary of the regional planning commission "shall" endorse the plat for recording as prescribed in section 13-302 (emphasis added).[1]

The general affect of the Plat Amendment was to take away the MPC's state sanctioned "final approval" powers over the subdivision of property for residential development.

The problem which this thesis has attempted to provide an answer for is, how has section 13-304 of the Regional Planning Regulations, as amended by the Plat Act, affected MPC's ability to control residential growth and development in Metropolitan Knoxville?

II. METHODOLOGY

The initial step was to assemble, in the form of a bibliography, material related to metropolitan planning. These resources, when

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[1] Tennessee Code Annotated, Chapter 13, section 13-304 (1973).

assembled, provided the basis for (1) the formulation of research hypotheses concerning the affect of the Plat Amendment on residential development, (2) a discussion of the metropolitan planning process, and (3) a foundation from which questions could be structured for interviews with city officials, Metropolitan Planning Commission staff and citizen groups. The secondary data were obtained from archives such as minutes from public meetings, newspapers, etc., related to the metropolitan planning process. This data served as the basis for a discussion of the planning process in metropolitan Knoxville. The primary data, which was compiled from responses from interviews, constitute the basis for the study of the affect of the Plat Amendment. The final step was to evaluate the affect of the Plat Amendment upon the operations of the MPC as an enforcer of residential development standards, i.e., the zoning ordinance and subdivision regulations. This was accomplished by examining the degree of conformance, one year before and one year after, the Plat Amendment as exhibited by final residential plats approved by the MPC.

III. STUDY AREA DEFINED

The study area for subdivision compliance included all of metropolitan Knoxville. The reasons for including the entire political unit of Knox County within the study area were as follows:

(1) The MPC exercises jurisdiction over the entire city/county area. Therefore, all of the county must be studied before a reliable analysis of the affect of the Plat Amendment can be achieved.

(2) The Plat Amendment applies to all of Knox County. As such, the affect of the Amendment is county wide.

(3) Most sections of the county are experiencing, or will experience at some future date, similar residential development problems.

(4) By including all of Knox County within the study area, more data were generated. This facilitated the identification of trends resulting from the Plat Amendment.

Within the county unit, existing subcounty districts were utilized. Included were the 23 planning units established by the MPC, and census tracts and enumeration districts established by the Bureau of Census.

The study area for the politico-planning process analysis was west Knoxville. Included were census tracts 46 and 57. The reasons for selecting these census tracts were as follows:

(1) The area is fairly homogeneous with respect to level of educational attainment, income and resulting occupational status.

(2) These census tracts, based on population increases and rate of development, contain the major growth center in west Knoxville.

(3) The majority of individuals and interest groups involved in the drafting and adoption of the Plat Amendment were directly associated with this section of west Knoxville.

IV. NATURE AND SOURCES OF DATA

Primary data, relating to factual accounts from individuals who were directly involved in the drafting or adoption of the Plat Amendment, were derived from interviews. Additional secondary data were taken from the following sources:

(1) The University of Tennessee Library, and

(2) special sources, including minutes from the Council of West Knox County Home Owner Associations, the City Council, and the County Commissioners; and public records from the County Court House, the Knox County Legislative Delegation, the Metropolitan Planning Commission, and The Tennessee Valley Authority.

V. ASSUMPTIONS

Following are the assumptions which guided the present thesis:

(1) Market forces were assumed to be constant for a specified period before (one year) and after (one year) the Plat Amendment.

(2) Consumer demands and preferences for all housing types were assumed constant over the duration of the study period.

(3) By limiting the study period to one year before and one year after the Plat Amendment, it is assumed the affect of economic forces and changes in consumer taste for housing type can be minimized.

VI. HYPOTHESES

Research Hypothesis I

There is a decrease in the proportion of compliance by developers with MPC's development qualifications (zoning ordinance and subdivision regulations) after the enactment of the Plat Amendment.

Null Hypothesis I

There is no change in the proportion of compliance by developers with MPC's development qualifications after the enactment of the Plat Amendment.

Research Hypothesis II**

There is an increase in the proportion of certain development types, i.e., Ae, A, B, Pr, Es, after the adoption of the Plat Amendment.

Null Hypothesis II

There is no change in the proportion of certain development types, i.e., Ae A, B, Pr, Es, after the adoption of the Plat Amendment.

Research Hypothesis III

There is a greater amount of naturally constrained land open for development (which the MPC formerly prohibited for development, e.g., flood zones) after the Plat Amendment.

** See Appendix D, for a definition of residential types.

Null Hypothesis III

There is no change in the amount of naturally constrained land open for development (which the MPC formerly prohibited for development, e.g., flood zones) after the Plat Amendment.

VII. ORGANIZATION OF THE THESIS

This thesis is arranged in such a manner as to describe the planning process as it occurs within metropolitan Knoxville. Following is a breakdown, by chapter, of the material to be presented.

Chapter I, the introduction, included (1) a statement of the problem, (2) the methodology, (3) the study area defined, (4) the nature and sources of data, (5) assumptions concerning the study, and (6) a statement of hypotheses.

Chapter II is an overview of the metropolitan planning process. The major topics of discussion are, the conception of the metropolitan planning process, and the environment for metropolitan planning.

Chapter III is a discussion of the planning process as it occurs within metropolitan Knoxville. Three levels of planning are discussed. Included are planning at the (1) county level, (2) the city level, and (3) as an intergovernmental process, encompassing both levels of government.

Chapter IV presents a study of the Plat Amendment. The study represents an effort to bridge the gap between the theoretical approach to planning presented in Chapter II, and planning as a function of local government, as presented in Chapter III. Included as an overview of

west Knoxville, the interest groups, their objectives and sources of power, and an analysis of the affect of the Plat Amendment upon the operations of the MPC.

Chapter V presents an analysis of the affect of the Plat Amendment upon residential development in Knox County. Emphasis is placed upon the testing of the hypotheses which were formulated in Chapter I.

Chapter VI summarizes the findings of the thesis. Concluding statements concerning the affect of the Plat Amendment upon future residential development and the metropolitan planning process in Knox County are offered.

The material presented in Chapter I serves as a basis for introducing the subject matter of the thesis. In Chapter II, which follows, a theoretical discussion of the metropolitan planning process is presented.

CHAPTER II

AN OVERVIEW OF METROPOLITAN PLANNING

I. CONCEPTION OF THE METROPOLITAN PLAN MAKING PROCESS

Origin of Metropolitan Planning

It is important to recognize at the outset that Metropolitan Planning in this country is a very young discipline.

With the exception of the City Beautiful movement in the early part of the century and the privately sponsored metropolitan planning associations in the mid 1920's, metropolitan planning only began to be a meaningful activity in the late 1950's.[2] Most of the private regional planning associations in this country ceased operations during the Depression. A few notable exceptions were the Regional Plan Association of New York and the Pittsburgh Regional Plan Association.[3]

In the mid and late 1950's many new metropolitan planning commissions across the country were created by state legislatures in response to a growing recognition of the metropolitan scope of urban problems. As examples, the Baltimore Regional Planning Council was created in 1956; the Twin Cities Metropolitan Planning Commission, located at St. Paul, Minnesota, and the Northeastern Illinois

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[2]David E. Boyce and Norman D. Day, Metropolitan Plan Making (Philadelphia, 1970), p. 19.

[3]Ibid.

Metropolitan Area Planning Commissions were both created in 1957. The Southeastern Wisconsin Regional Planning Commission (SEWRPC) was created in 1960.[4]

While generalizations about these metropolitan planning programs are difficult to make, it was common for the agencies to conceive of their initial work programs as providing three basic products:

(1) inventory and analysis of the region's physical, economic, social and cultural characteristics, and forecasts of future economic development, population, and physical growth based on trend projections.[5]

(2) preparation of a comprehensive plan for the development of the region; and

(3) implementation and revision of the adopted plan.[6]

Metropolitan Planning Defined

Like planning in general, metropolitan planning is a difficult concept to define. Furthermore, there is no one accepted view of what metropolitan planning is or ought to be.[7]

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[4] Ibid.

[5] Ibid., p. 20.

[6] Ibid.

[7] Harvey S. Perloff, Taming Metropolis (New York, 1967), p. 719.

The American Institute of Planners has defined metropolitan planning and stated its objectives as follows:

> simply stated, metropolitan planning is comprehensive planning for areas containing a large urban concentration where the dominant economic, social and physical features over-arch local, and in some cases, state boundaries. The function of metropolitan planning is to contribute to the formulation and implementation of optimal public policy for the metropolitan area.[8]
>
> The metropolitan planning agency seeks the creation and implementation of a unified plan (including development policies) for land use, density, and coordination of public facilities, services and utilities: the preservation of open space and wise use of natural resources. It strives to coordinate local planning, both public and private, within the framework of the metropolitan planning program.[9]

Several facets of the American Institute of Planners statements are important to note. First, metropolitan planning is considered to be basically a comprehensive-coordinating mechanism, since it depends on individual area governments in the metropolitan area for the execution of its proposals and recommendations. Secondly, metropolitan planning is regarded as supplementary to local municipal planning and not a substitute for it.[10] The comprehensive metropolitan plan should

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[8] Ibid.

[9] American Institute of Planners, "Background Paper; The Role of Metropolitan Planning" (Washington, D.C.: American Institute of Planning, 1965), p. 6.

[10] John C. Bollens and Henry J. Schmandt, The Metropolis: Its People, Politics, and Economic Life (New York, 1965), p. 305.

provide ". . . a broad framework within which local units can plan for their own growth and development."[11] Finally, ". . . metropolitan planning is advisory in nature (except in those cases where private state enabling legislation, initiated at the local level, has given the metropolitan planning agency specific responsibilities) and depends for its acceptance on the voluntary acquiescence of local units."[12]

The success of a metropolitan planning agency, therefore ". . . resides largely in its ability to persuade and convince its numerous and autonomous constituents (to follow adopted plans for the metropolitan area.")[13]

Willard B. Hansen writing in the September, 1968 issue of the Journal of the American Institute of Planners, defines metropolitan planning in the following manner:

> Comprehensive metropolitan planning is the continuing governmental process of designing and updating a determinate set of action proposals that:
> 1. pertain to the long-range future development of a given metropolitan region;
> 2. cover a prescriptive scope that embraces all or most region-bounded actions requiring long-range future specification, having substantial regionwide significance and responding directly to governmental initiative exercised at the metropolitan level;
> 3. are interrelated and mutually consistent;
> 4. derive from explicit overall development goals and from

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[11] Op cit., Bollens and Schmandt.

[12] Ibid.

[13] Ibid.

a systematic analysis of existing conditions, and future action consequences;
5. are, in the main, subsequently carried out.[14]

The Metropolitan Planning Commission: Organization for Metropolitan Planning

At present, the most commonly used means for implementing metropolitan planning is the professionally staffed and publicly financed metropolitan planning commission.[15] The term metropolitan planning commission generally applies to planning commissions which are established on a multi-jurisdictional basis. As mentioned previously, metropolitan planning commissions are principally a post World War II development. Although metropolitan planning commissions are established under provisions of state enabling acts, the federal government has been primarily responsible for growth of metropolitan planning commissions by using conditional grants-in-aid to persuade local governments to organize a metropolitan planning commission.[16]

Most planning commissions are established by action of the local governments involved under the authority of state enabling acts. Due to the proliferation of separate governmental bodies within metropolitan areas most metropolitan planning commissions ". . . must look to the

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[14]Willard B. Hansen, "Metropolitan Planning and the New Comprehensiveness," Journal of the American Institute of Planners, Vol. 34 (September, 1960), p. 298.

[15]1968 Survey of Metropolitan Planning (Albany, New York: Graduate School of Public Affairs of New York at Albany, 1968), p. 1.

[16]Ibid.

group of local units they serve as their constituency."[17] About 50 percent of the metropolitan planning commissions serve areas coterminous with the SMSA established by the Federal Bureau of the Budget and the jurisdictional area of the remaining metropolitan planning commissions is about equally divided between areas larger or smaller than the SMSA.[18] In most instances, the participating local governments appoint the members of the metropolitan planning commission. The members of the metropolitan planning commission are predominately citizens of the metropolitan area, but some commissions include a few elected and appointed officials designated by office.[19]

Relationship to Governing Bodies

The formal relationships of metropolitan planning commissions to the governmental units which they serve varies widely.

> At one end of the continuum are the commissions which are established and financed by private organizations and groups. Those in this category have no official standing but seek to interest the citizenry and local governments in metropolitan-wide planning through research, preparation of land use plans, economic analysis, and publicity concerning the problems of the area. At the other end are those commissions which are constituent parts of a general metropolitan or area-wide government in much the same way the city planning commissions are component units of their municipal governments. Between

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[17] John C. Bollens and Henry J. Schmandt, The Metropolis: Its People, Politics, and Economic Life (New York: 1965), p. 297.

[18] Op cit., 1968 Survey of Metropolitan Planning, p. 4.

[19] Ibid.

> these two extremes are the majority of metropolitan planning commissions with varied degrees of relationships to their local units.[20]

One of the most common arrangements in use today is the joint city-county metropolitan planning commission. Knoxville's MPC exhibits this type of arrangement.

> The commission's area of jurisdiction includes the central city, a five-mile perimeter around it, and the unincorporated section of the county. Because of its structural relationship to the two major operating governments in the area, the commission is in a strategic position to function effectively as a metropolitan planning agency.[21]

Financing of Metropolitan Planning

The financing of metropolitan planning commissions differs from area to area. Only a very few commissions, like the Northern Kentucky Area Planning Commission, have the power to levy taxes or assessments on member governments. Most commissions rely on appropriations by other governmental agencies. The national government bears most of the burden of financial support of metropolitan planning commissions.[22]

Function of Metropolitan Planning

Most metropolitan planning commissions assemble and make available the essential social, physical and economic data needed for the preparation of metropolitan plans. Also, commissions do research on specific

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[20] Op cit., Bollens and Schmandt, p. 298.

[21] Ibid., p. 302.

[22] Ibid.

needs and problems in individual areas. The information the commissions gather can be useful to many other groups in the metropolitan area, including local planning agencies.[23]

Most metropolitan planning commissions view the formulation of a comprehensive metropolitan plan as their primary function. But, despite the expressed desire to emphasize comprehensive planning, most commissions' activities are actually concerned with land use studies.[24] The other major studies produced by metropolitan planning commissions are shown in Table II-1.

TABLE II-1

STUDIES PRODUCED BY METROPOLITAN PLANNING COMMISSIONS

Type of Study	Total
Land Use	123
Transportation	114
Community Facilities	83
Water Resources	63
Air Pollution	31
Open Space	19
Recreation	11

Source: 1968 Metropolitan Survey of Planning (Albany, New York: Graduate School of Public Affairs of New York at Albany, 1968), p. 23.

[23] American Institute of Planners, "Background Paper: The Role of Metropolitan Planning" (Washington, D.C.: American Institute of Planners, 1965), p. 7.

[24] U.S. Senate Committee on Government Operations, Subcommittee of Intergovernmental Relations, The Effectiveness of Metropolitan Planning (Washington, D.C.: U.S. Government Printing Office, 1964), p. 42.

Another function provided by most metropolitan planning commissions is the coordination of objectives, plans, and actions taken by the various governmental and private agencies within the metropolitan area. To accomplish this, the commissions aggregate the various interest into an achievable metropolitan goal.

The metropolitan planning commission also seeks to achieve cooperation with private citizen groups, civic, business, and professional groups. The development of support from these groups can provide a strong base for the promotion of effective planning.[25]

Leonard Goodall, writing in The American Metropolis, states that trying to achieve interest group cooperation is

> perhaps the most frustrating activity of the metropolitan planning commission. (An example of interest group unification is presented in Chapter IV).
>
> While nearly all such commissions have the responsibility for preparing a comprehensive plan for the metropolitan area, they are seldom given sufficient legal power to implement it. The normal procedure is for the commission to publicize its plan as widely as possible and urge individual local governments to coordinate their own plans with the metropolitan plan. The arm-twisting power of the commission, however, is not great. They can sometimes bring a bit of bad publicity to a community that consistently ignores the metropolitan plan, but there is little more they can do. Their authority rests mainly on their prestige in the area and in their ability to mobilize public opinion.[26]

[25]Op cit., American Institute of Planners, p. 6.

[26]Leonard E. Goodall, The American Metropolis (Columbus, Ohio: 1968), p. 167.

Need for Metropolitan Planning

No one concerned with metropolitan development, writes a knowledgeable scholar, can observe the city (or metropolitan area) from the air without experiencing a sense of despoliation.

> You can tell when you have reached the edge of the countryside for there are many emblems--the cadavers of trees piled in untidy heaps at the edge of the razed deserts, the magnificent machines for land despoliation, for felling forest, culverting streams, and sterilizing farmland.[27]

> Is this the countryside, the green belt-or rather the "greed belt," where the farmer sells land rather than crops, where the developer takes public resource of the city's hinterland and subdivides to create a private profit and a public cost? Certainly here is the area where public powers are weakest--either absent or elastic--where the future costs of streets, sidewalks, and sewers, schools, police and fire protection are unspoken.[28]

Most city planning which has taken place in the United States up to now has been primarily for individual municipalities rather than for entire metropolitan areas. In order to plan in an intelligent and effective manner, a city must take into consideration its position as an integral part of a larger geographical and economic area. As the authors of Modernizing Local Government note:

> growth has centered in metropolitan areas; those with 100,000 or more inhabitants contain 90 percent of the "urban" population. As a corollary, cities, villages and towns with fewer than 5,000 people have a smaller share of the national total each decade, with many showing absolute declines.[29]

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[27] Ian L. McHarg, Design With Nature (New York: 1971), p. 22.

[28] Ibid.

[29] A statement by the Research and Policy Committee, Modernizing Local Government (New York: Committee for Economic Development, 1972), p. 21.

> Another aspect of urbanization with profound future implications must be recognized. Over half the population of all standard metropolitan statistical areas now lives "outside" the central cities, and "fringe" areas are growing most rapidly. If current trends continue, the majority of all Americans will live in suburbia before the year 2000.[30]

This same statement can be applied to most cities in the United States and, certainly, to most metropolitan areas in the United States.

These observations, plus the fact that the population of our metropolitan areas is expected to double in the next two decades, have made the inability of individual municipalities to cope with metropolitan-wide problems increasingly more apparent.

Metropolitan planning is certainly no cure-all for all the problems of the metropolitan areas, but it can help meet some of the metropolitan-wide needs and help solve some of the metropolitan-wide problems in the metropolitan area.

II. THE ENVIRONMENT FOR METROPOLITAN PLANNING

Impact of Urbanization

During a period of less than two hundred years, the United States has been transformed from a predominately rural and agricultural society into one in which urban and industrial expansion has become a prevelant theme. Next to industrialization, urbanization is perhaps the most prominent and widely discussed trend in U.S. economic history. Many of

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[30] Ibid.

the nation's dreams and accomplishments as well as its conflicts and frustrations, must be defined in relation to urbanization.[31]

Much more accurate and comprehensive data regarding urbanization are available for the period since 1940. Most important has been publication by the Census Bureau of comprehensive demographic and economic data for the SMSA's.[32]

The SMSA data provide the best picture of the metropolitan character of the U.S. population. Table II-2 shows that in 1970 more than two thirds of the U.S. population lived in metropolitan areas.

The Metropolitan Area: Its People, and Planning

For purposes of this study, a "metropolitan area" will be defined as a geographical area which contains one central city (or more) of at least 50,000 residents, and one or more contiguous counties that are metropolitan in character, as determined by the percentage of the labor force that is nonagriculture and by the amount of commuting between the county and city. Based on this definition, a metropolitan area can be distinguished from a city, town or urban area.[33] Knoxville is a city, but it is experiencing many of the growth and development problems of larger metropolitan areas.

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[31]Edwin D. Mills, Urban Economics (Glenville, Illinois: 1972), p. 23.

[32]Ibid., p. 28.

[33]Ibid., p. 10.

TABLE II-2

POPULATION OF UNITED STATES AND SMSA's, 1940-1970

(population figures in millions)

Year	U.S. pop.	SMSA pop.	SMSA pop. as a % of U.S. pop.
1940	131.7	72.8	55.3
1950	150.7	89.3	59.3
1960	178.5	112.9	63.2
1970	203.2	136.3	67.1

Source: Edwin D. Mills, Urban Economics (Glenville, Illinois: 1972), p. 38.

More fundamental for the planner than the legal designations is the variability in the spatial distribution of metropolitan functions, activity patterns and physical facilities and the role of value systems.

If the metropolitan area is to be defined by a larger land area and dramatically higher population density relative to those found elsewhere, the next question is "why do we have metropolitan areas?" In fact, there is no single answer. Historians, geographers, planners, sociologists, political scientists, and economists, as well as others, tend to emphasize somewhat different sets of factors in explaining the existence of metropolitan areas. But we can begin with the proposition that metropolitan areas exist because people have found it advantageous to carry on various activities in a spatially concentrated fashion.

Given the economics of spatial location associated with the urban community, what are the characteristics of human populations (especially those of metropolitan areas) which the planning process must accommodate?

An Economic Approach to Metropolitan Planning

In describing the environment in which planning occurs, Paul Davidoff and Thomas Reiner offer the following economic postulates.[34]

(1) Individuals vary in their preferences and behave in accordance with them.

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[34]Paul Davidorff and Thomas Reiner, "A Choice Theory of Planning," Journal of the American Institute of Planners (Washington, D.C.: n.d.), p. 104.

(2) Man operates with imperfect knowledge.

(3) Resources are scarce and output is limited.

1. Individuals vary in their preferences and behave in accordance with them.

Preferences express comparisons between wants; these wants have many features. The task of the planner may be seen as that of aggregating the common elements of individual wants and planning accordingly.[35]

Different objects of preference (or wants), for any actor, may substitute for or complement each other. As such, an actor never experiences complete satisfaction of all his wants. Further satisfaction brought on by addition to those goods and services already held decreases with possession of increasing quantities of the object. This is the notion of diminishing marginal utility.[36]

The fact that men do not value things similarly complicates the allocation-distribution process in society. It does so in a number of ways, but most important are the following. First, the sum of individual preferences is a highly complex matter. Second, there is considerable dispute whether "there is any group interest or common welfare other than the sum of individual preferences.[37]

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[35] Ibid.

[36] Ibid.

[37] Ibid.

Given individual preferences, decisions must be made about the manner in which resources are to be allocated; how, when, to whom, to what purpose, and in what combination. "A belief in the possibility of effective planning rests upon the assumption that man can control his destiny: either by affecting the rate and direction of ongoing change or by initiating such motion.[38]

2. Man operates with imperfect knowledge.

Man not only operates with imperfect knowledge, but is often illogical in establishing his priorities or several values, at least at the levels at which he preceives them. Thus, his abilities to calculate and control are limited. Davidoff and Reiner state that, "man will doubtlessly continue to operate somewhere in the realm of bounded rationality, (less than perfect knowledge) rather than reach perfect rationality."[39] Planning then becomes a directive method that will in itself yield rational action. The planners task includes the examination of value alternatives, and, in some instances, suggesting specific courses of action.

3. Resources are scarce and output is limited.

The factors which go into the production of goods and services are limited, both by price and supply. This is the essence of the problem

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[38] Ibid.

[39] Ibid.

[40] Ibid.

of priorities: all things that need doing, or are desirable, cannot be achieved at any one time.

In a world of scarcity there is a need to conserve resources and also to allocate them in an efficient manner. By functioning as a procedure whereby priorities may be established, planning is seen as a means of reducing waste or producing the greatest return from employment of resources. Therefore, the most efficient utilization of resources would be that which optimized the particular preferences of individual actors, as such preferences are determined and aggregated in a manner accepted in a given society.[41]

Inputs Into the Planning Process

As described in the preceding pages, planning would appear to be a very predictable way of establishing order in a world of constant change. Unfortunately, this is not always the case.

To develop a degree of appreciation for the complexities and interrelationships which planning must accommodate if it is to operate effectively, a quite simplified graphic representation of the planning process is offered (see Figure II-1). The diagram in no way attempts to account for all of the inputs into the planning process. However, it does accurately summarize the material presented thus far.

Recognition is given to the major values, behavior patterns and their interrelationships as determinants of metropolitan form.

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[41] Ibid.

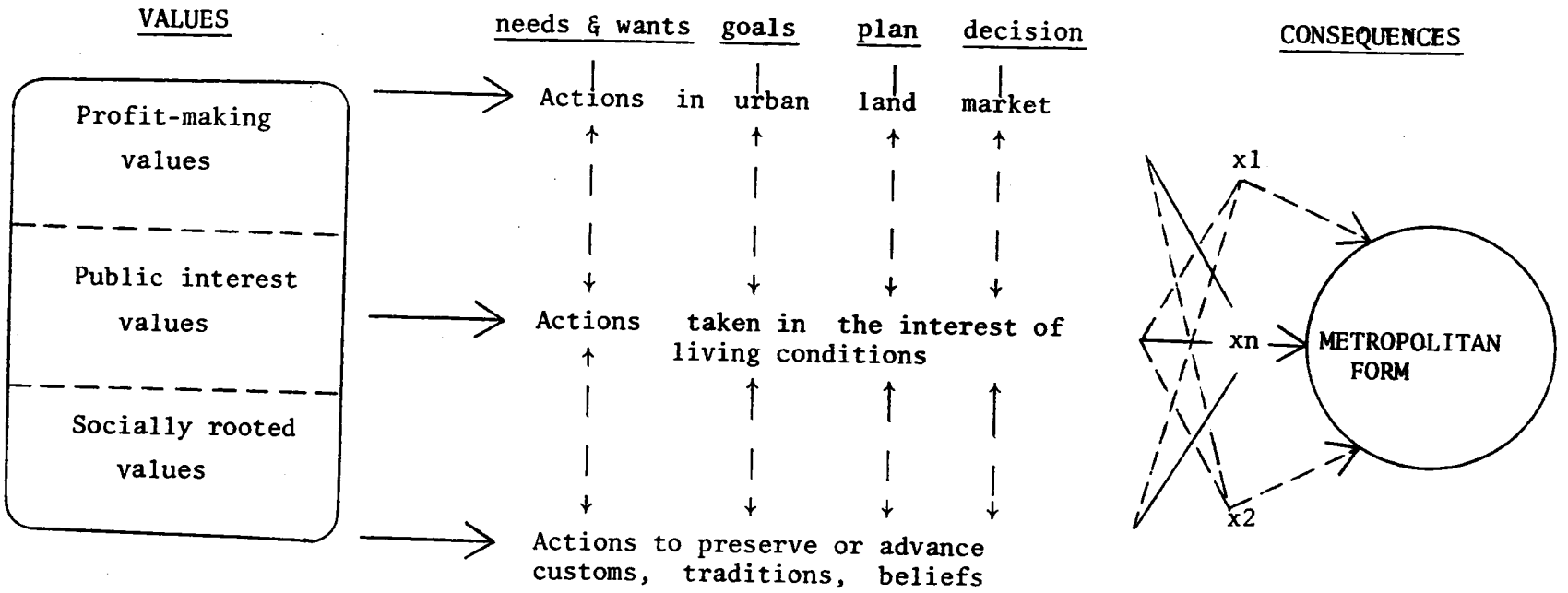


Figure II-1. Behavior patterns.

The interrelationships among land use determinants:
Points x1, x2,...xn represent points where all side effects of actions seeking changes in land use reach equilibrium, with a consequence of 1, 2,... n changes occurring in the land use pattern.

Source: F. Stuart Chapin, Jr., Urban Land Use Planning (Chicago, Illinois: 1972), p. 64.

III. SUMMARY

As discussed in Chapter II planning, by necessity, must pay recognition to the many ongoing processes occurring within the metropolitan area. For purposes of the present study the most important of these processes are: (1) local government organization, (2) role of planning within the local government, and (3) role of planning within the community.

These inputs into the planning process, as they occur in Knoxville, are the subject of discussion in Chapter III.

CHAPTER III

LOCAL GOVERNMENT ORGANIZATION FOR PLANNING

I. KNOX COUNTY GOVERNMENT: ORGANIZATION FOR PLANNING

Background

Knox County was established in 1792. It now covers some 528 square miles and in 1970 had a population of about 270,000 people. Within the county is the municipal corporation of Knoxville, officially founded in 1791. The city covers 77.6 square miles and the 1970 population numbered more than 169,000.[42] Knoxville serves as the metropolitan center for a large number of counties surrounding Knox County. The Knoxville SMSA consists of Knox, Anderson and Blount Counties.

The Knox County government is a subdivision of the state government designed to carry out state policies at the local level.[43] The basic organization of Knox County as created in the Tennessee Constitution of 1870 provides for a certain number of officials, which has since been expanded by acts of the state legislature. Figure III-1 shows the formal organization of Knox County government in a simplified form. All departments of government are arranged by the specific governmental functions performed.

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[42]The 1970 population figure (as of April 1, 1970), from the U.S. Census of Population, U.S. Bureau of Census.

[43]Walter N. Lambert, Governments in Tennessee (Knoxville: 1965), p. 1.

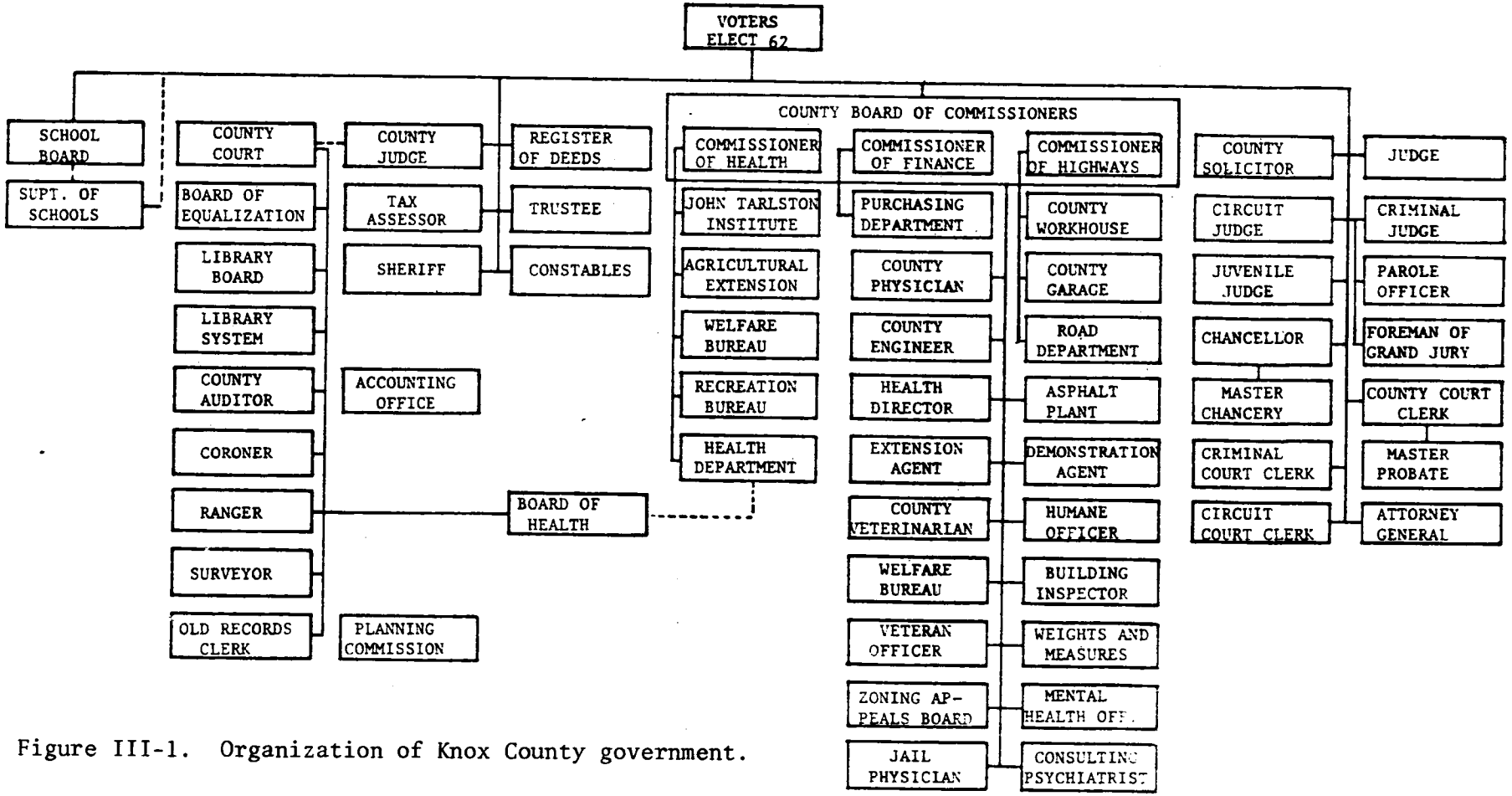


Figure III-1. Organization of Knox County government.

Source: Walter N. Lambert, Government in Knox County (Knoxville: The Bureau of Public Administration, The University of Tennessee, 1965) p. 5.

Legislative Decision Making

Knox County has two local government agencies with functions and powers that are at least partially legislative in character--the County Quarterly Court and the Board of County Commissioners.

Knox County Quarterly Court. The Knox County Quarterly Court, composed of members elected from each civil district, is the traditional governing body of Knox County. In Knox County, the Quarterly County Court consists of 38 members and the chairman is the county judge. A very substantial encroachment on the traditional powers and functions of the Quarterly County Court of Knox County took place as a result of a private act which was passed in 1937. This act created the Board of County Commissioners, and gave this board many of the powers formerly possessed by the Quarterly County Court.[44]

The Knox County Board of Commissioners. While the law courts in Tennessee have held that the County Court is a constitutional body which cannot be abolished by an act of the State General Assembly, a number of cases, in Knox County and elsewhere, have upheld the transfer of many of the court's functions to a County Commission. As mentioned previously, a private act of 1937, the stated purpose of which was ". . . to centralize, consolidate, and reorganize county administrative affairs in Knox County . . ."[45] created the Knox County Board of Commissioners.

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[44]Ibid., p. 3.

[45]Ibid., p. 36.

This enactment represented a substantial break with the traditional system of local government in Tennessee, for only one other county in the state then had anything except a County Court of Quarterly Sessions as a governing body.[46]

The Knox County Commission is made up of three members popularly elected from the county at-large for a term of four years. The three positions on the Commission are Commissioner of Health, Welfare and Institutions, Commissioner of Highways and Public Works, and Commissioner of Purchasing and Finance, with each candidate seeking election to one of these specific positions rather than to the Board of Commissioners as a whole.[47]

As was the case with the County Court of Quarterly Sessions, the Board of County Commissioners serves both as an administrative and a policy-making entity. Meeting together as a body, the members act both to administer and to set policy; individually each acts to administer his predefined area of governmental operation. For example, the whole Commission might adopt a zoning ordinance for the county, create the office of Zoning Appeals to enforce the ordinance, set the salary for the office, and appoint someone to fill it. Thereafter, the Commissioner of Welfare might be responsible for supervising operations of the office of Zoning Appeals.[48]

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[46] Ibid.

[47] Ibid., p. 37.

[48] Ibid.

The Commission has been specifically charged with the responsibility of adopting the budget for general county purposes, for highways and bridges, and for "informing" the County Court of their needs in these areas so that the court may set a tax rate to raise sufficient funds to meet this budget. It also possesses the authority to make the following appointments.[49]

1. County Health Director
2. County Physician
3. County Engineer
4. County Agricultural Agent
5. Home Demonstration Agent
7. Humane Officer
8. Director of County Welfare Bureau
9. Building Inspector
10. Veterans' Service Officer
11. Sealer of Weights and Measures
12. Board of Zoning Appeals
13. Mental Health Officer
14. Jail Physician
15. Consulting Psychiatrist

In May of 1973 a private act, applicable only to Knox County, was passed which further increased the powers of the Board of County Commissioners. (A discussion of this act is presented in Chapter IV). This private act, known as the Plat Amendment, established the County Board of Commissioners as the highest level of county government in which to appeal a development decision rendered by the Metropolitan Planning Commission. This review and approval role performed by the Board of County Commissioners applies to all subdivision of land which

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[49] Ibid.

occurs outside the municipal limits of Knoxville.[50] Within the city, the City Council performs this review and approval function. The Commission is also responsible for establishing zoning districts and the regulation of property uses therein.

County Board of Zoning Appeals

When the Board of County Commissioners was given the responsibility for the planning and zoning functions of the county, they also assumed the responsibility for making appointments to the County Board of Zoning Appeals. The County Commission appoints five members to the Board of Zoning Appeals and two alternates.[51]

The Board of Zoning Appeals has the authority to grant waivers, variances, and interpret the zoning provisions. When there is a zoning boundary dispute, for example, it is up to the Board of Zoning Appeals to delineate the boundary line. If a petitioner can prove that a hardship has been imposed on him by a setback requirement, the Board may grant him the privilege of varying from the required setback.[52]

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[50]From an interview with Mr. Don Gilson, Executive Director Metropolitan Planning Commission, April, 1974.

[51]Knox County Citizens' Handbook, A Citizens' Guide to the Organization, Operation, and Financing of the Government of Knox County, Tennessee, Bureau of Public Administration, The University of Tennessee, June, 1958. p. 81.

[52]Ibid.

The Board has the power to:

(1) Hear and decide appeals where it is alleged there is an error in a requirement, or order of any county official in carrying out the zoning resolution.[53]

(2) Provide relief where conditions are such that they work an undue hardship upon the owner of a piece of property, provided such relief does not cause substantial detriment to the public good and impair the intent of the zoning resolution.[54]

(3) Hear and decide any request for exceptions or interpretation of the maps.[55]

The County Building Inspector

The County Building Inspector is appointed by the County Commissioners and makes a report to them twice each month showing the number of permits issued and the fees collected. A similar report is presented to the Quarterly County Court each quarter.[56]

In broader terms the responsibility of the Building Inspector is enforcement of the zoning regulations of the County. In performing this duty the Building Inspector must see that written permits are obtained before new buildings are started, structural alterations are made, moving of a building or structure, or changing the use of any building or land.[57]

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[53] Ibid.

[54] Ibid., p. 38.

[55] Ibid.

[56] Ibid.

[57] Ibid.

The Building Inspector must see that the requirements regarding setback from roads, and setback from the property lines are met.

The Inspector has the power to deny a permit to anyone who fails to abide by the county zoning regulations.[58]

II. CITY OF KNOXVILLE: ORGANIZATION FOR PLANNING

Background

In 1791, Knoxville consisted of 16 blocks bounded by the Tennessee River, First Creek, Church Avenue, and Walnut Street. In the 100 years that followed, the city experienced very slow growth. It developed block by block in all directions, but mainly to the north and west. By 1917, several towns had been established separately in close proximity to Knoxville. Through annexation, Knoxville was able to incorporate these cities. The new city limits remained static until 1962 when additional land was annexed, bringing the total area of the city to 77.6 square miles.[59]

Legislative Decision Making in City Government

Administrative and policy-making authority in Knoxville City government is much more clearly defined than in Knox County government. The Knoxville charter establishes the Mayor as the chief administrative

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[58] Ibid.

[59] Greater Knoxville Chamber of Commerce, Facts About Knoxville (Knoxville: South Central Bell Telephone Company, 1970), city pamphlet.

officer and requires that he be elected by popular vote to serve a term of four years. In contrast to the Knox County Government, the city of Knoxville has only 22 elected officials. These are the Mayor, the Municipal Judge, 11 City Councilmen, and 9 members of the Knoxville Board of Education.[60] There are five main departments of the city government set forth in the charter--Finance, Law, Public Service, Public Welfare, and Public Safety. The administrative organization of the city government is also much less complex than that of the county. Figure III-2 gives a summary of this organization.

As a "home rule" city, Knoxville is privileged to frame, adopt, and amend its own city charter. This autonomy enables the city to generally determine its administrative organization and local policies without reliance upon special acts of the state legislature.

The Mayor. The Knoxville city government is organized on the strong mayor-council plan. In the plan, administrative responsibility is concentrated in the hands of the Mayor, and policy making is a joint function of the Mayor and the City Council. The Mayor is the officer responsible for carrying out established policy and for coordinating the efforts of the various departments of city government. Because the Mayor is elected by the voters rather than by the council, and because he

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[60] Ibid.

[61] Ibid.

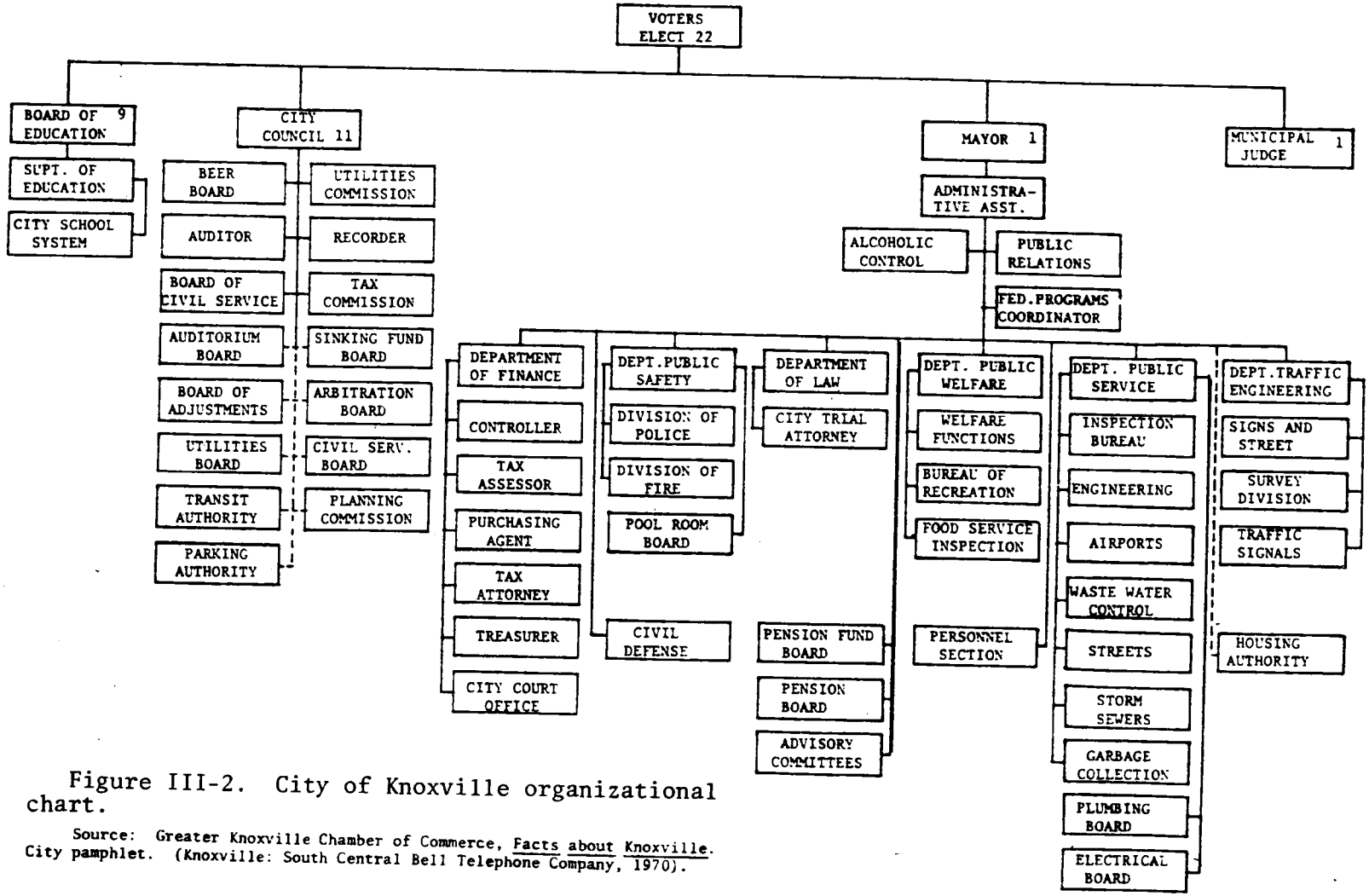


Figure III-2. City of Knoxville organizational chart.

Source: Greater Knoxville Chamber of Commerce, Facts about Knoxville. City pamphlet. (Knoxville: South Central Bell Telephone Company, 1970).

appoints the heads of the administrative departments, the form of government in Knoxville is an example of a "strong" mayor system.[62]

The City Council. The functions of the City Council are primarily limited to the exercise of legislative policy making. However, provisions defining the areas in which the Council may act, as set forth in the city charter, also gives the City Council a wide range of both administrative and policy-making powers.

These include the following:

(1) To levy, assess and collect taxes on all property;
(2) To issue bonds for a number of specific purposes;
(3) To pay the debts and expenses of the city;
(4) To provide streets and sewers;
(5) To license, tax, and regulate certain businesses and occupations;
(6) To establish and maintain a free school system, (the Board of Education has largely assumed this responsibility);
(7) To provide police and fire protection;
(8) To provide charitable, corrective, curative, recreational, detentive, educational, and penal institutions;
(9) To enact regulations to prevent the spread of contagious diseases;
(10) To regulate the height and size of buildings and matters pertaining to zoning; and
(11) To pass all ordinances necessary to the health, convenience, safety and general welfare of the inhabitants of the city.[63]

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[62] Op cit., Lambert, p. 6.

[63] Ibid., p. 40.

III. INTERGOVERNMENTAL APPROACH TO PLANNING IN KNOX COUNTY

Problems in governmental management frequently arise which do not conform to political boundaries. All too often these problems result in conflicts between the political units concerned; occasionally, efforts are made to seek solutions through joint attacks upon such problems. In Knoxville, the Metropolitan Planning Commission is an example of intergovernmental cooperation attempting to solve problems faced by the county as a whole, rather than only one part of it.

The Metropolitan Planning Commission (MPC)

In 1956, by ordinance of the City Council and resolution of the Board of County Commissioners, the planning functions of both the city and the county governments were turned over to the Metropolitan Planning Commission. This agency had been created as a regional planning commission by the Tennessee State Planning Commission.[64] Section 13-301 of the Tennessee Code Annotated defines the Metropolitan Planning Commission as

> a regional planning commission established by the state planning office as provided by law, and includes any municipal planning commission designated by the state planning office as the regional planning commission of a planning region composed of the territory of a single municipality together with the territory adjoining but outside of such municipality no part of which is more than five (5) miles beyond the limits of such municipality.[65]

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[64] Op cit., Lambert, p. 126.

[65] Tennessee Code Annotated, Chapter 13, Section 13-301 (1957).

The Metropolitan Planning Commission performs two important functions for growth and development in metropolitan Knoxville. These functions are: (1) technical expertise, and (2) representativeness. The technical aspect of MPC is embodied within the staff, directed by Mr. Don Gilson. The staff consists of one Executive Director of Planning, one Director of Planning, two Associate Directors of Planning, Principal Planners, one Chief Code Administrator, and the Head of Drafting.[66]

The representative aspect of the MPC consists of a 15 member "lay commission," chaired by Mr. William Redding. Membership of the lay commission is as follows: two Squires, two City Councilmen, the County Judge, the Mayor, and the Chairman of the Board of County Commissioners, each of whom serves ex-officio for his regular term of office. Eight citizen members are appointed for staggered four year terms by the Tennessee State Planning Commission on the recommendation of the Mayor and the County Judge.[67]

Financing for the Metropolitan Planning Commission is provided by the city, county, and federal governments. Each year a budget request is submitted to both the city and the county. The budget contributions of each government are approximately equal in amount. In addition, requests are made to the federal government for funds to carry on certain specified projects. Federal monies are normally spent only on long-range,

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[66]From an interview with Mr. Don Gilson, Executive Director, MPC, May 5, 1974.

[67]Ibid.

overall development planning rather than on the day-to-day operations of the commission. All accounting procedures for the commission are handled through the Central Accounting Office of the county.[68]

MPC carries on a two part planning program. The first part of the program is planning for long-range development of the area. A basic aim of the commission is the preparation of a development plan which takes into account the distribution of the population as well as the use made of the available land for trade, industry, habitation, recreation, agriculture, and forestry. A second part of the MPC's program is concerned with zoning, zoning appeals, subdivision control, and other activities related to the realization of the long-range plans prepared by the commission.[69]

The Tennessee law states, that on the recommendation of the Metropolitan Planning Commission,

> the County Court may adopt zoning ordinances relating to the height and size of buildings; the percentage of area which may be occupied; the size of yards, courts, and other open spaces; the density and distribution of population; the location and uses of buildings and structures for trade, industry, residence, recreation, or other purposes; and the use of land for trade, industry, residents, recreation, agriculture, forestry, soil conservation, water supply conservation, or other purposes.[70]

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[68] Op cit., Lambert, p. 126.

[69] Ibid., p. 127.

[70] Ibid.

Until 1956, the County Quarterly Court exercised zoning authority, but in that year a court case decided that this power was given to the County Commission in the County Commission Act of 1937, and power to adopt zoning ordinances passed to the County Commission. In zoning matters, the County Commission can act only outside the corporate limits of Knoxville.[71]

Under a very similar state law, the Knoxville City Council adopts zoning ordinances.

Zoning powers of the MPC. The MPC acts as a joint city-county body to hear the facts concerned with any proposed zoning change and votes as a body to recommend or not to recommend the proposal. The recommendations of the commission are then acted on by either the City Council or the Board of County Commissioners, as appropriate. An appeal beyond the commission is provided in both the city and county. In the county, persons who feel that they have not been given a fair hearing may go to the Knox County Board of Zoning Appeals.[72] This five member board, appointed by the Board of County Commissioners, hears and investigates the case and recommends action to the commissioners. In the city, appeals may be taken directly to the City Council.

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[71] Ibid.

[72] Ibid., p. 128

Subdivision regulations. A major area of concern for the planning commission, and the major topic of the present study, is subdivision control.* If lands are allowed to be divided indiscriminately and houses built without concern for future development or even present health and safety requirements, the subdivision regulations and zoning ordinances become meaningless.

The Metropolitan Planning Commission has final authority in the field of residential subdivision only with respect to the initial plan.** The planning commission exercises a "limited" authority over approval of the preliminary and final plats, subject to City Council and Board of Commissioners' review. (The details of this procedure will be explained in Chapter IV).

> A subdivision is defined by law as the division of a
>
> tract or parcel of land into two (2) or more lots, sites or other divisions for the purpose, whether immediate or future, of sale or building development, and includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or area subdivided.[73]

A developer who plans to build a subdivision in the county must have his plans approved by the County Highway Commission and the County Health

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*(For a step-by-step procedure for submission of plats, see Appendix A).

**(see Appendix B for specifications for plans and plats).

[73] Tennessee Code Annotated, Chapter 13, Section 13-301 (1957).

Department before he presents the plan to the Metropolitan Planning Commission.[74] In the city, the subdivision must meet the requirements of the Public Service Department and the City Health Department. In actual practice, the City Health Department has very few duties to perform in this area, since most of the city is provided with sanitary sewer facilities.[75]

The Metropolitan Planning Commission tentatively approves the preliminary plat on the condition that the developer correct any defects in his plat--i.e., plan for the use of land--that do not meet subdivision regulations. After making the necessary changes, the developer again presents his plan to the planning commission--the final plat. If all the requirements for subdivision have been met, the planning commission must grant approval. After approval by the commission, the developer then registers the plat with the County Register of Deeds.[76]

Administration of Subdivision Regulations by County Agencies

As defined in Section III of the Knoxville-Knox County Subdivision Regulations, the following functions are to be performed by the various

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[74] Ibid.

[75] From an interview with Mr. Buddy Armstrong, Chief Code Enforcement Officer, MPC, March, 1974.

[76] Ibid.

county agencies with respect to the administration of subdivision regulations.[77]

The Metropolitan Planning Commission.

The Planning Commission and its staff shall perform the following duties in regard to the administration of subdivision regulations:

Maintenance of Records. The staff of the Planning Commission shall maintain permanent and current records of the subdivision regulations, including amendments thereto.

Initial Plan. The staff of the Planning Commission shall receive and review all initial plans. After review of the initial plan with the developer and other appropriate agencies, the Planning Commission staff may either approve, amend, or disapprove the initial plan.

Preliminary Plat. The Planning Commission, as represented by its staff, shall receive all preliminary plats for administrative review.

Design Review - The Planning Commission staff shall review all preliminary plats for subdivision design and conformance to regulations governing the subdivision of land.

Distribution of Plats - The Planning Commission staff shall distribute copies of all preliminary plats to appropriate administrative and utility agencies for review of conformance to the individual agency's requirements.

Field Trips - The Planning Commission staff shall arrange for and conduct all conferences and field trips necessary for proper investigation of preliminary plats.

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[77] Knoxville-Knox County Subdivision Regulations (Knoxville, Tennessee: 1972), Section III.

Recommendations - Based upon findings of the staff's review and the recommendations of other appropriate agencies, the Planning Commission staff shall make recommendations for approval or disapproval of the preliminary plat to the Planning Commission.

Notification - The Planning Commission shall notify the developer of the time and place of the public hearing on the preliminary plat. Notification shall take place at least five (5) days prior to the public hearing.

Approval or Disapproval - The Planning Commission shall receive the recommendations of its staff and approve or disapprove the preliminary plat. In the event that the Planning Commission fails to either approve or disapprove a preliminary plat within sixty (60) days of its submission, such plat shall be regarded as approved.

Records - The Planning Commission staff shall keep a record of all preliminary plats and Planning Commission actions pertaining thereto.

Final Plat. The Planning Commission, as represented by its staff, shall receive all final plats for administrative review.

Review - The Planning Commission staff shall review all final plats for conformance to preliminary plat and platting data required.

Distribution of Plats - Within fifteen (15) days prior to the public hearing the Planning Commission staff shall distribute copies of all final plats to appropriate administrative and utility agencies for review and approval.

Sufficiency of Bonds - The Planning Commission staff shall obtain the recommendation of the various city or county agencies as to the sufficiency of all necessary bonds for the financing of required improvements.

Recommendation - Based upon findings of the staff review and recommendations of other appropriate agencies, the Planning Commission staff shall make recommendation for approval or disapproval of the final plat to the Planning Commission.

Notification - The Planning Commission staff shall notify the developer by mail of the time and place of the public hearing on the final plat. Notification shall take place at least five (5) days prior to the public hearing.

Certification - The Planning Commission shall consider the final plat; and upon approval of such plat, certify that such plat is approved for recording with the Register of Deeds of Knox County. In the event that the Planning Commission fails to either approve or disapprove a final plat within sixty (60) days of its submission such plat shall be regarded as approved.

County Health Department.

The County Health Department shall perform the following duties in regard to the administration of subdivision regulations.

Initial Plan. After review of the initial plan, the County Health Department shall provide the Planning Commission staff with a written statement relative to the possible success of individual sewage disposal facilities on tracts where sanitary sewers are not provided, and they may make recommendations concerning other health factors.

Preliminary Plat. After review of the preliminary plat, the County Health Department shall provide the Planning Commission with a written statement relative to the following:

Storm Drainage - The adequacy of all storm drainage system.

Sanitary Sewer - The adequacy of sanitary sewer facilities.

Percolation Tests - The results of all percolation tests or soil suitability as indicated by soil survey.

Other Health Factors - Any other factors relating to the health of the community.

Final Plat. After review of the final plat, the County Health Department shall issue Certificates of Approval or provide the Planning Commission with a written statement of deficiencies.

County Highway Department or City Engineering Department.

The County Highway Department in Knox County or the Engineering Department in the City of Knoxville shall perform the following duties in regard to the administration of subdivision regulations.

Initial Plan. Review the initial plan for adequacy of proposed roads and drainage systems and make necessary recommendations to the Planning Commission staff.

Preliminary Plat. After review of the preliminary plat, the appropriate agency shall provide the Planning Commission with a written statement relative to the adequacy of all proposed roads and drainage systems.

Final Plat. After review of the final plat, the County Highway Department or City Engineering Department shall issue a Certificate of Acceptance of Roads or provide the Planning Commission with a written statement of deficiencies.

IV. SUMMARY

The basic objective of the thesis, thus far, has been to develop a basis for understanding the metropolitan planning process. The metropolitan planning process has been discussed from two different, yet complementary, perspectives. First, in Chapter II, a theoretical approach toward planning was presented. Secondly, in the present chapter, planning was discussed as a function of the city, county and metropolitan levels of government.

In Chapter IV a study of the Plat Amendment is presented. In developing the study, the major objective is to integrate the theoretical and practical approaches toward planning into their proper politico-planning framework. Following are the major questions addressed:

(1) How is planning policy formulated in Knoxville?

(2) Which special interest groups are represented in the politico-planning process?

(3) What are the objectives and sources of power of each of the interest groups?

(4) How has the adoption of the Plat Amendment affected the operations of the Metropolitan Planning Commission?

(5) Has the adoption of the Plat Amendment resulted in the reorganization of the planning function within the governmental structure of Knox County?

In answering each of the above questions, the politico-planning framework developed in Chapters II and III is employed.

CHAPTER IV

POLITICO-PLANNING DECISION MAKING IN WEST KNOXVILLE: IMPETUS FOR THE PLAT AMENDMENT

When conducting a study such as the present, there are many details which must, by necessity, be treated in a cursory manner. Therefore, only those individuals who were considered most important in the drafting and adoption of the Plat Amendment (based on degree of involvement as determined from interviews) are discussed.

Chapter IV consists of the following major sections:

I. An overview of west Knoxville.

II. An analysis of the Plat Amendment; the interest groups, their objectives and sources of power; and

III. An evaluation of the affect of the Plat Amendment on the operations of the Metropolitan Planning Commission.

I. AN OVERVIEW OF WEST KNOXVILLE

West Knoxville is the fastest growing section of Knox County (see Table IV-1). Because of its peculiar problems, including flooding, congestion, poor land management, etc., and potentials including regional accessibility, status and favorable topography, a strong polarization of interest group concern has occurred with respect to the future

TABLE IV-1

POPULATION OF COUNTY SUBDIVISIONS

	1960	1970	% Change
Knox County	250,523	276,293	10.3
Cedar Bluff	3,505	9,325	166.6
Concord	3,500	5,479	62.3
Blue Grass	3,000	7,650	60.8

Source: The 1970 population figure as of April 1, 1970, from the U.S. Census of Population, U.S. Bureau of the Census.

of West Knoxville.[78] This polarization of interest group pressures resulted in the drafting and ultimate passage of the Plat Amendment.

The west Knox County study area consists of census tracts # 46 and # 57 (see Figure IV-1). These census tracts were selected as the study area for the following reasons: First, the area is fairly homogeneous with respect to level of educational attainment, income and resulting occupational status. Second, based on rate of development and population increases in the area, these census tracts contain the major growth center of west Knoxville. Third, and of equal importance, the majority of the individuals and interest groups involved in the drafting and adoption of the Plat Amendment were directly associated with this section of Knoxville.

Population Characteristics of West Knoxville

The regional accessibility, socioeconomic status and favorable topographic features associated with west Knoxville, has caused residential development within the area to increase at a phenomenal rate. The data in Table IV-1 reveals the tremendous increase in population which the west Knox County area has experienced over the past 10 years. Population growth has been the greatest in the Cedar Bluff area. Cedar Bluff experienced a 166.6 percent increase in population during the 1960-70 census period. This is equivalent to an absolute increase in

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[78] From an interview with Mr. Don Gilson, Executive Director, Metropolitan Planning Commission, March, 1974.

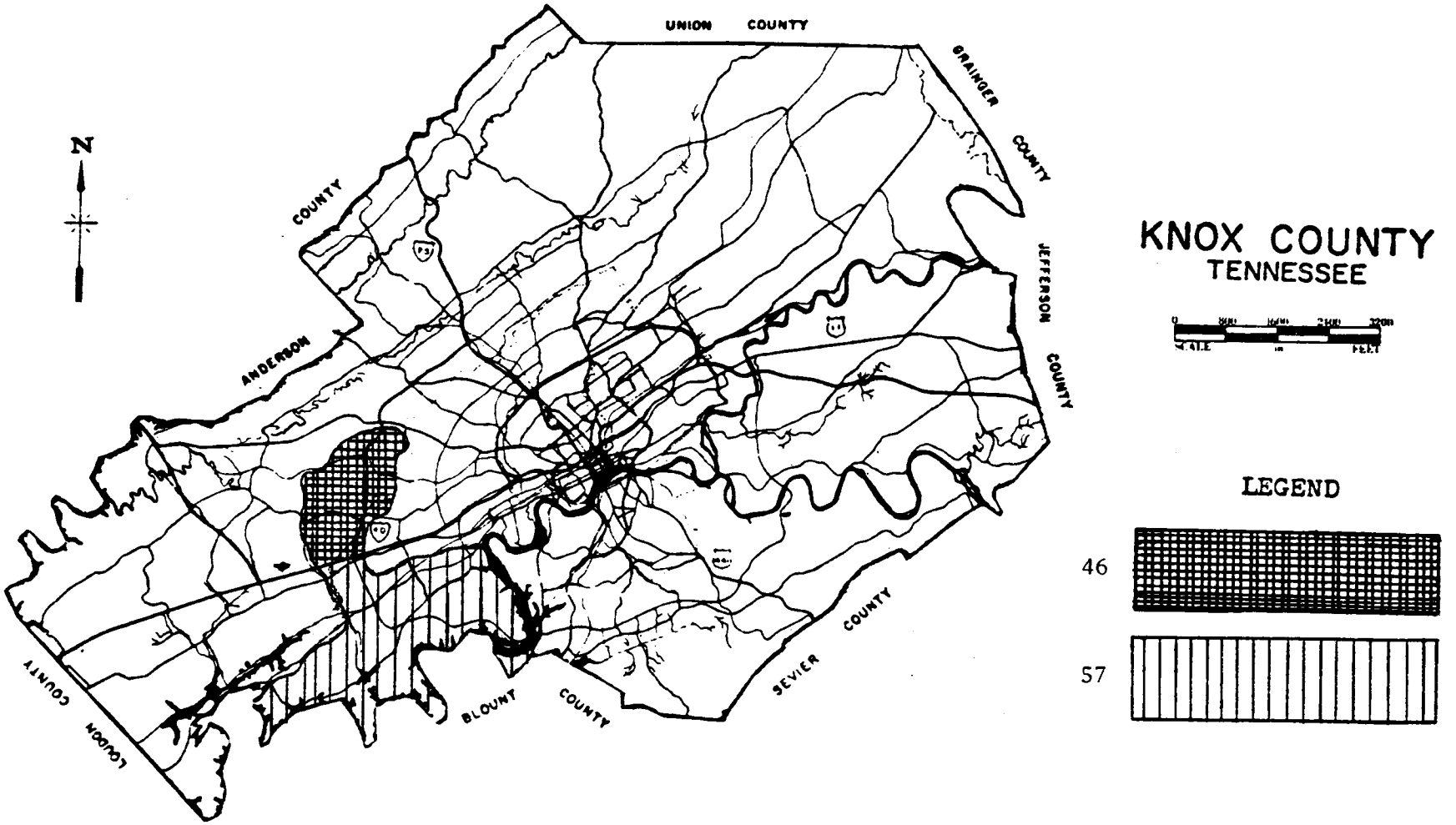


Figure IV-1. Study area census tracts.

population of 5,820 people. In the Concord area, the percentage increase in population was 62.3 percent, for a total increase in population of 1,979. These figures can be compared to the total population increase for Knox County of 10.3 percent, or an absolute increase in population of 25,770.

Socioeconomic Characteristics of West Knoxvillians

The political influence which is exerted by the residents of west Knoxville can be partially explained in terms of the basic socioeconomic characteristics of the population.

Income characteristics. West Knoxville ranks higher than any other section of the county in terms of family income. Table IV-2 shows general income figures for west Knoxville as compared to the Standard Metropolitan Statistical Area (SMSA). As evidenced in the data, 37 percent of the adjusted gross income for the SMSA is in the $10,000 or more category. In comparison to these figures for the SMSA, 60 percent of the adjusted gross income for west Knox County is in the $10,000 or more category. Again, where average income for the SMSA is $9,325, the average income for west Knoxville is $12,835. Finally, 51 percent of the adjusted gross income for the SMSA is in the $3,000-10,000 category, while only 25 percent of the adjusted gross income for west Knoxville is in the $3,000-10,000 category.

Education. The high level of family income exhibited by west Knoxvillians is a reflection of the level of education possessed by the

TABLE IV-2

INCOME CHARACTERISTICS OF WEST KNOXVILLIANS

INCOME	CENSUS TRACT		COUNTY	SMSA
	46	57		
less than $1,000	56	42	2104	3120
1,000 1,999	74	53	3792	5593
2,000 2,999	106	37	3777	5757
3,000 3,999	89	72	4586	6859
4,000 4,999	122	97	4652	6737
5,000 5,999	165	88	5365	7603
6,000 6,999	201	109	5247	7687
7,000 7,999	86	100	5438	8102
8,000 8,999	184	94	5346	8465
9,000 9,999	291	68	4822	7219
10,000 11,999	462	238	8493	12570
12,000 14,999	499	335	7848	11648
15,000 24,999	108	482	7948	11614
25,000 49,000	11	206	2129	2784
50,000 plus		34	461	549

Source: Census of Population and Housing, 1970, U.S. Bureau of Census.

residents of the area. Examination of the data in Table IV-3 reveals that west Knoxvillians are highly educated. The median years of education for the area is 12.7 years. With respect to college education, 15.3 percent of the population has 1-3 years of college education and 24.7 percent have four years of college or more.

The objective thus far has been to develop an understanding of the basic socioeconomic and growth characteristics of west Knoxville. All of the interest groups participating in the drafting and adoption of the Plat Amendment had at their disposal essentially the same type of assets, i.e., financial and educational prominence. Following is an analysis of the circumstances under which each of the interest groups became involved in a political-planning issue that resulted in the adoption of the Plat Amendment.

II. AN ANALYSIS OF THE PLAT AMENDMENT PROCESS

The Interest Groups: Their Objectives and Sources of Power

Based upon objectives and sources of power, the special interest groups in the present study were grouped into three major categories: the developers, the community groups, and the Metropolitan Planning Commission. These interest groups were the principal participants to the drafting and adoption of the Plat Amendment (see Table IV-4).

Examination of the data contained in Table IV-4 reveals that all of the interest groups share certain elements in common with respect to

TABLE IV-3

EDUCATIONAL ATTAINMENT OF WEST KNOXVILLIANS

CENSUS TRACT	MEDIAN YEARS	COLLEGE 1-3 years	COLLEGE 4+ years
46	12.5	12.3%	21.4%
57	12.9	18.4%	28.1%
AVERAGE	12.7	15.3%	24.7%

Source: Census of Population and Housing, 1970, U.S. Bureau of Census.

TABLE IV-4

INTEREST GROUPS TO THE PLAT AMENDMENT

INTEREST GROUPS	SOURCE OF POWER	OBJECTIVES
A. Developers	.Financial assets, .Community status, .Community growth and development (revenue), .Lobbying power .Technical expertise as developers, .Organization.	.Make a profit .Develop a saleable product, .Minimize capital expenses, .Fulfill housing need based on locational demand.
B. Community Groups Council of West Knox County Home Owner's Associations (Twenty-three sub-divisions in west Knoxville are represented in the association).	.Numbers .Organization .Members of the community, .Socioeconomic status: education, income.	.Control multi-family development, .Planned growth and development, .Adequate services and facilities.
C. Metropolitan Planning Commission	.Technical expertise, .Statutory authority, .Representativeness, .Status within the community.	.Planned growth and development, .Adequate services and facilities.

Note: (The above information pertaining to the interest groups: their objectives and sources of power, was derived from interviews with representatives from each of the interest groups).

(For a graphic illustration of the interaction among the above interest groups, see Figure II-1, p. 26).

power base. Among the most apparent elements are organization and status within the community.

The major source of power exercised by each of the interest groups was: the developers, financial assets; the community groups, citizen voters of the community; and the Metropolitan Planning Commission, statutory authority.[79]

Common elements of the power base are where the similarities between the interest groups ends. Now two of the interest groups shared exactly the same objectives. Based upon interviews with members from each of the interest groups, the following interest group objectives were determined. The major objectives of the developers were to make a profit and to produce a product the housing market would purchase. For the community groups and the MPC, the objective of planned residential growth was paramount. However, it will later be revealed that both the community groups and the MPC each endorsed opposing methods for achieving this commonly held objective of planned growth.

A Moratorium on Rezoning: The Polarization of Interest Group Pressure

The sequence of residential development in west Knoxville can be divided into two phases. Phase one, residential development for single family dwelling units, and phase two, multi-family development.[80] The

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[79]Based on interviews with representatives from each of the interest groups.

[80]From an interview with Mr. Mul Wyman, Subdivision Control, MPC, May 5, 1974.

boom in single family development began in the mid to late 1960's. This single family development phase was followed by multi-family development which was eventually halted by the moratorium on rezoning in March of 1972. As the data in Figure IV-2 indicates, 1973 was the turning point in terms of the total number of residential units approved by the MPC. In the years 1970, 1971, and 1972, the number of units approved by the MPC remained fairly constant. However, with the enforcement of the moratorium on rezoning and the "no sewer no subdivision" policy, the total number of units approved decreased drastically.

Objectives of the Moratorium

Much of the development which was occurring outside the municipal limits of the city did so without adequate public services, i.e., sewers, water, storm drainage, etc.[81] There are three utility districts chartered for west Knoxville. These include, the City of Knoxville, and two private utility districts; First Utility District and West Knox Utility District. Each of the three utility districts operate independently of each other and the result is an incomplete and inadequate system.[82] New residential development which occurred within those areas serviced by the two independent utility districts caused unbearable pressure upon the already overburdened utility systems. On March 6, 1972

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[81]From an interview with Mr. Jay Keck, Code Enforcement Officer, MPC, March 7, 1974.

[82]Ibid.

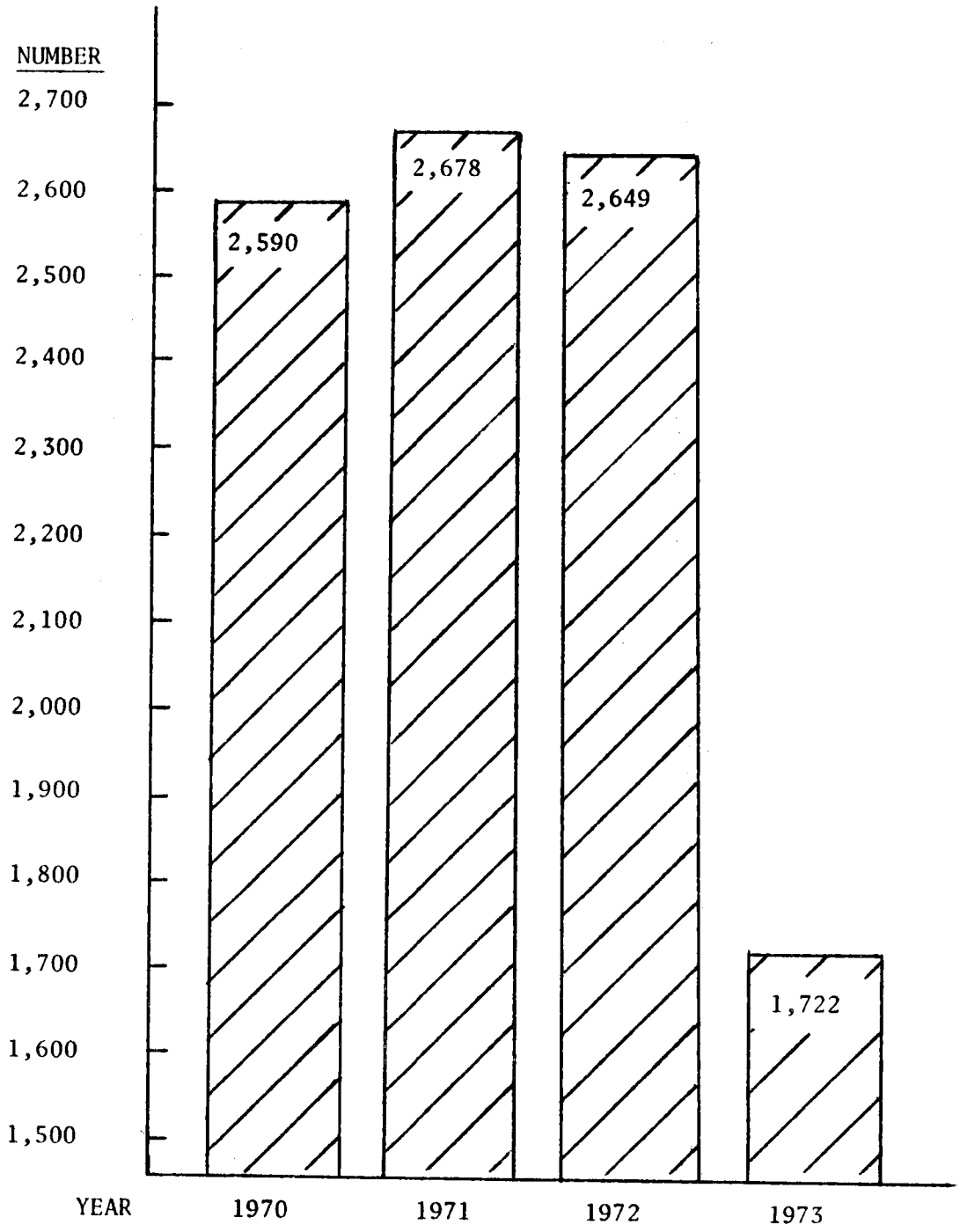


Figure IV-2. Total number of units approved (by year).

Source: Metropolitan Planning Commission (Knoxville, Tennessee: 1970-73), minutes from monthly meetings.

a moratorium on rezoning of all property in west Knoxville was enforced by the Metropolitan Planning Commission (see Figure IV-3).

The purpose to be served by the moratorium on rezoning was to give the MPC sufficient time to study the area and adopt a specific land use plan. The major problems to be studied were:

(1) The flooding situation along Ten Mile Creek,

(2) the increase in the number of multi-family units developed in west Knoxville, and

(3) the inadequacy of basic water and sewer facilities within the area.[83] The plan was to be developed with full public participation.

Reaction to the Moratorium

The enforcement of the moratorium on rezoning by the MPC caused an outcry among both the developers and land owners within west Knoxville. Among the most prominent developers to suffer direct loss as a result of the moratorium were, Morgan Schubert, C. H. McSpadden, and Jerry Wood. Mr. Wood stated, "two days before the enforcement of the moratorium, he had purchased a tract of land in west Knoxville, which he could not get rezoned."[84] He said the land was "still lying there vacant."[85] Mr. Wood

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[83]From an interview with Mr. Buddy Armstrong, Chief Code Enforcement Officer, MPC, April 2, 1974.

[84]From a telephone interview with Mr. Jerry Wood, Developer, March 19, 1974.

[85]Ibid.

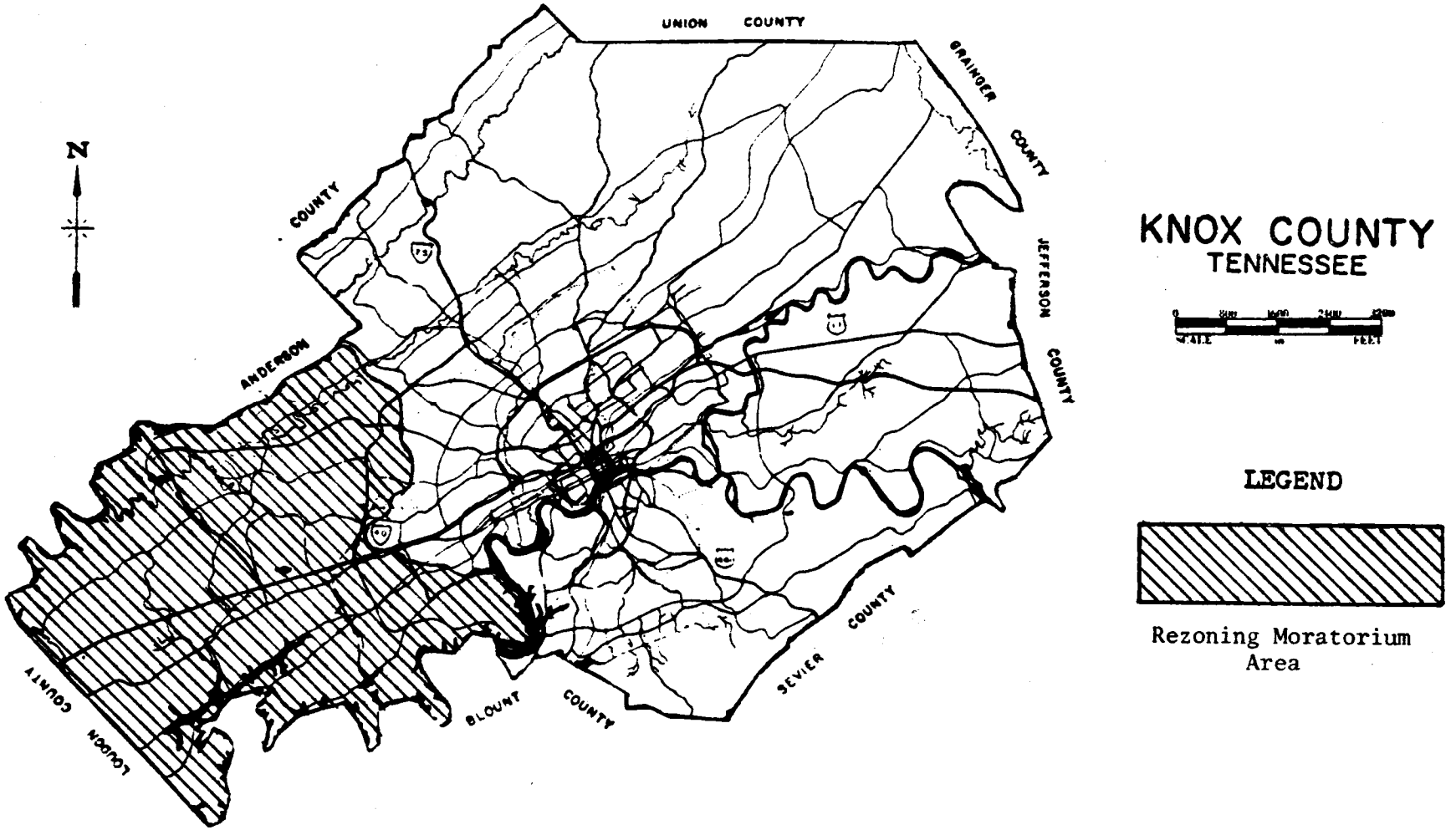


Figure IV-3. Rezoning moratorium area.

had purchased several acres of land which were zoned agriculture. His ambitions were to have the land rezoned to residential and subdivide the property. Both M. Schubert and C. H. McSpadden had purchased property which could not be rezoned.

The action by MPC in enforcing the moratorium on rezoning was met with a sigh of relief, if not praise, by the majority of the home owners in west Knoxville.[86] In a speech given to the Tennessee House of Representatives Subcommittee on Land Use Planning, Dr. Leuthold, President of the Council of West Knox County Home Owner Associations, stated,

> a greater problem than the land developer is the land speculator, or I should state the person who speculates in zoning. Often, options are exercised on land which is subject to rezoning. For these persons the risk is small and the profit huge. Because it is the landowner, land speculator or developer who is generally asking for a zoning change, the residents find themselves identified as the opposition. Many means are used to avoid citizen involvement, to discredit them or to give them the 'run-around'".[87]

The consensus among west Knoxville developers, based upon the interviews conducted, was that the primary reason the home owners supported the moratorium on rezoning was to stop the multi-family development which was occurring within the area. This is partially correct. It is no secret that many west Knoxvillians would gladly forego additional growth to preserve the single family dwelling unit nature of the area.

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[86]From an interview with Mr. Jay Keck, Code Enforcement Officer, Metropolitan Planning Commission, March 1974.

[87]From Remarks to The Tennessee House of Representatives Subcommittee on Land Use Planning, by Dr. Frank Leuthold, November 5, 1973.

Many MPC staff members react very negatively to the attitude of west Knoxvillians toward multi-family development. Mr. Jay Keck responded that, "to many west Knoxvillians, planned growth means the preservation of the single family character of west Knoxville, and the exclusion of multi-family development from the area."[88] "MPC is concerned with the planned growth, both multi-family and single family, of the entire area."[89]

A Search for Relief

The belief shared by many MPC staff, as determined from the interviews conducted, is that through the joint efforts of state legislator, Ted Ray Miller, and the developers (primarily Morgan Schubert), an amendment to the Regional Planning Regulations was drafted. As originally proposed, the amendment would have established an appeal procedure for the "applicant submitting the plat" (the developer) if the Metropolitan Planning Commission refused to approve the subdivision plat which the developer filed.[90]

Apparently, the Council of West Knox County Home Owner Associations had not been keeping up with current events within west Knoxville. Dr. Leuthold stated that the amendment was "an under the table deal, drummed up by the developers and Ted Miller."[91] Dr. Leuthold further

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[89]Ibid.

[90]From a draft of the amendment, Knox County Legislative Delegation, January, 1974.

[91]From an interview with Dr. Frank Leuthold (Ph.D.), President of the Council of West Knox County Home Owner Associations.

stated that he knew nothing of the proposed amendment until State Representative Tom Jensen called and informed him of the proposed legislation.

This under the table aspect of the bill alluded to by Dr. Leuthold is, in part, confirmed by the content of the bill. It was not drawn up with the cooperation of all parties who had interest within west Knoxville, especially the home owner associations. To this accusation, Legislator Miller responded that, "it was not his fault the people knew nothing about the amendment, proper notification was given."[92]

In questioning Dr. Leuthold about the initial amendment, his reply was, "the private citizen has just as much right to appeal a development decision rendered by the MPC as does the developer."[93] The rationale behind this reasoning was that the private citizen, as a member of the community, suffers unduly when additional development within his community results in deprivation or complete breakdown of public services for which he is charged as an individual. This rationale not only applies to water and sewer, but also applies to all the facilities for which the public at large is charged.

As originally proposed, the Plat Amendment read,

> that in the event the regional planning commission disapproves a plat after a hearing thereon, the applicant submitting the plat shall have the right within thirty (30)

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[92]From a telephone interview with Legislator Ted Miller, March 7, 1974.

[93]Op cit., Leuthold, March 8, 1974.

> days after such disapproval to have the action of the regional planning commission reviewed by the chief legislative body of the municipality (or county legislative body) having jurisdiction over zoning matters, who shall by majority vote approve or disapprove the plat. If the plat is approved the secretary of the regional planning commission (MPC) shall endorse the plat for recording. . . ."[94]

Therefore, the Council of West Knox County Home Owner Associations insisted that the right to appeal development decisions of the MPC be given to the private citizen just as it had been proposed for the developer.

The Home Owner Associations Search for an Ally

Under the leadership of Dr. Leuthold, the Council of West Knox County Home Owner Associations began searching for an ally. The most likely candidate seemed to be Victor Ashe, the Representative from west Knoxville. However, given the politically explosive nature of the Plat Amendment controversy, Representative Ashe refrained from any active role in the issue.[95] Therefore, the West Knox County Council of Home Owner Associations turned to Legislator Tom Jensen for advice and leadership. From interviews with several distinguished State Representatives, it was apparent that Representative Ashe did not want to create a political dichotomy in west Knoxville. Apparently, he felt that he would alienate fewer voters by taking a neutral position, than by

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[94]Knox County Legislative Delegation, March 1, 1974. A draft of the original Plat Amendment.

[95]From an interview with State Legislator Ted Ray Miller, April 19, 1974.

supporting one or the other of the interest groups. (Representative Ashe was the only member of the Tennessee House of Representatives who sustained from voting on the Plat Amendment.)[96]

A Meeting is Held

In February, 1973, the conflict which had been brewing between the MPC, the developers and the Council of West Knox County Home Owner Associations, was resolved. The setting for the resolution was a public hearing on the Plat Amendment at the Metropolitan Planning Commission. The result of the public hearing was a compromise Plat Amendment. As finally adopted, the Plat Amendment read,

> in counties having populations not less than 275,000 nor more than 400,000, according to the federal census of 1970 or any subsequent federal census, in the event the regional planning commission approves or disapproves a plat after a hearing thereon, the applicant submitting the plat or any person who was a party for or against the plat request at the planning commission hearing shall have the right within thirty (30) days after such approval or disapproval to have the action of the regional planning commission reviewed by the county court or other legislative body within the county having jurisdiction over zoning matters, who shall by majority vote approve or disapprove the plat. If the plat is approved the secretary of the regional planning commission shall endorse the plat for recording as prescribed in Section 13-302.[97]

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[96] Ibid.

[97] Tennessee Code Annotated, Chapter 13, Section 13-304 (1973).

IV. POLITICS AND PLANNING

The compromise version of the Plat Amendment is an example of a well established process which exists between planners, politicians, and the public.

As defined by Webster, a compromise is, "an adjustment or settlement by mutual concession, usually involving a partial surrender of claims, purposes, or principles." As adopted in its final form the Plat Amendment did require the surrender of claims by all interest groups involved.

Given the current status of planning in most cities, the most effective avenue for the implementation of the planning process is still within the political arena. This, by necessity, requires that planners play by the rules which have perpetuated the political system within which they operate. To obtain the "political clout" required for truly effective planning, planners must master the rules of politics just as the politicians have.

V. SUMMARY

The study presented in Chapter IV illustrates the complexity of the process of metropolitan planning as it relates to private real estate development. The study revealed that the issues surrounding the residential development decision can have such area wide affects as to require the intervention of the public sector. What began as a purely

private proposal concluded with such a large public component that it took on the characteristics of a partnership operation.

With respect to community power and its exercise, the study illustrates the high level of involvement of most elements in the community power structure. The Plat Amendment was conceived to be of such fundamental importance to the interest groups that each threw its full resources into the fray. For the developers, the Plat Amendment would establish an appeal procedure to the county legislative bodies from decisions rendered by the MPC. For the home owner associations, the Amendment was a denial of their rights to appeal development decisions within their community, and for the MPC, the Amendment was a legislative encroachment upon the Commission's traditional powers of plat approval.

CHAPTER V

THE AFFECT OF THE PLAT AMENDMENT ON RESIDENTIAL DEVELOPMENT IN KNOX COUNTY

I. INTRODUCTION

In Chapter I the following research problem was stated. "What affect has the Plat Amendment had upon the ability of the Metropolitan Planning Commission to control residential growth and development within Metropolitan Knoxville?" It is the objective of Chapter V to provide an answer to this question. To do so, it is necessary to analyze the physical manifestations, if any, which have occurred as a result of the enforcement of the Plat Amendment. This is accomplished by examining the degree of consistency practiced by the MPC in the enforcement of development standards (i.e., zoning and subdivision regulations) before and after the Plat Amendment.

The influence of local public policies on the evolution of land is indirect[98] since it is channeled through contextual and property characteristics. The important aspects of public policy are its content and differentiation of the application of this content to properties over space and time. These aspects bear on the decision of the

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[98]Edward J. Kaiser and Shirley F. Weiss, "Public Policy and The Residential Development Process," Journal of the American Institute of Planners, January, 1970, Vol. XXXVI, No. 1, p. 31.

predevelopment landowner to hold or to sell and the locational decision of the developer to develop a property or to look for another location.[99]

II. DEVELOPMENT STANDARDS TO BE EXAMINED

A general description of MPC's role in the enforcement of the zoning ordinance and subdivision regulations was given in Chapter III. For purposes of the present chapter, the specific responsibilities of the MPC with respect to subdivision regulations and zoning must be precisely defined. This is to prevent any confusion between the responsibilities of the MPC and other departments of city and county government. Following, in outline form, are the specific responsibilities which the MPC performs with respect to the approval or disapproval of subdivision plats and the enforcement of minimum standards as specified within the subdivision regulations and zoning ordinance.[100] These are the specific standards which were used to confirm or reject the hypotheses formulated in Chapter I.

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[99] Ibid., p. 33.

[100] From an interview with Mr. Jay Keck, Code Enforcement Officer, MPC, February, 1974.

Development Standards*

Subdivision regulations: design standards for transportation,

(1) Right-of-way and pavement width;

(2) Grades of streets;

(3) Angle of intersection;

(4) Street jogs, and

(5) Cul-de-sacs or deadend streets.

Zoning ordinance: qualifications relating to lot characteristics,

(1) Front yard;

(2) Side yard;

(3) Rear yard;

(4) Lot width;

(5) Maximum lot coverage, and

(6) Natural constraints on development.

III. TESTING OF THE HYPOTHESES

In Chapter I, three research and three null hypotheses were formulated to test the affect of the Plat Amendment on residential development in Knox County. These hypotheses were designed to test:

(1) the degree of compliance by developers with MPC development qualifications (zoning ordinance and subdivision regulations) before and after the Plat Amendment.

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*(see Appendix C for exact specifications which were tested).

(2) the proportion of development types* occurring both before and after the Plat Amendment, and

(3) the amount of land open for development before and after the Plat Amendment, i.e., land area classified as flood zone.

In testing these hypotheses, the Z test, at the .05 level of significance, was used. The reasons for using the Z test are as follows:

(1) the samples of data gathered (142 final plats before, and 115 final plats after the Plat Amendment) are not related, and

(2) each of the samples are independent.

In the following test, the Z scores are significant only as they reflect differences in degree of compliance before and after the Plat Amendment. A casual relationship is not being established.[101]

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[101]Dean J. Champion, Basic Statistics for Social Research, (Scranton, Pennsylvania: Chandler Publishing Company, 1970), pp. 136-140.

For a two tailed Z test at the .05 level of significance, the critical value of Z is 1.96. For a one tailed Z test at the .05 level of significance, the critical value of Z is 1.64. These are the critical values of Z which must be observed to confirm the research hypothesis tested.

The equation for the Z test is,

$$Z = \frac{P_1 - P_2}{S_{p1-p2}}$$

$$S_{p1-p2} = \sqrt{\frac{P_1 \quad Q_1}{N_1} + \frac{P_2 \quad Q_2}{N_2}}$$

*See Appendix D for a definition of development types tested.

In testing Hypothesis I, the degree of compliance by developers with the zoning ordinance and subdivision regulations was determined by computing the proportion of final plats, both before and after the Plat Amendment, which exhibited infractions of the development specifications tested. The unit of measure used to determine degree of compliance was the final plat filed with the County Register of Deeds. Each of the final plats recorded at the County Register of Deeds office was classified as either conforming or nonconforming, as determined by the number of infractions exhibited by each plat. A plat was classified as nonconforming if the frequency of infractions with any one development specification tested equaled 50 percent of the total occurrences, of the specifications appearing on the plat. For example, if 16 out of 30 side yard setbacks were too narrow, the plat was classified as nonconforming with respect to side yard setbacks.

Hypothesis I: Development Qualifications Enforced by The Metropolitan Planning Commission

Research Hypothesis I states, "there is a decrease in the proportion of subdivision plats which comply with MPC's development qualifications after the enactment of the Plat Amendment."

Referring to Table V-1, it is obvious that the proportion of compliance, by developers, with MPC's zoning and subdivision qualifications has changed very little with the passage of the Plat Amendment. In the test period before the Plat Amendment, .05 of the subdivision plats approved did not comply with standards established in the zoning ordinance and subdivision regulations. This is compared to the test

TABLE V-1

COMPLIANCE WITH ZONING AND SUBDIVISION REGULATIONS

	(A) BEFORE PLAT AMENDMENT			(B) AFTER PLAT AMENDMENT			
RESIDENTIAL TYPE	TOTAL APPROVED	CONFORM	NON-CONFORM	TOTAL APPROVED	CONFORM	NON-CONFORM	% Δ A → B
Ae	41	41	0	18	18	0	-127.7
A	80	74	6	67	58	5	-19.4
B	11	11	0	13	13	0	+18.2
Pr	10	10	0	17	17	0	+70.0
Es and F-1	0	0	0	0	0	0	00.0
TOTAL	142	136	6	115	110	5	
PROPORTION	N=142	.95	.05	N=115	.96	.04	

Source: Knox County Court House, Register of County Deeds, Map Books 54-59S.

period immediately following the Plat Amendment during which time .04 of the plats approved by the MPC did not comply with the zoning ordinance and subdivision regulations. A .01 change is not statistically significant to run a Z test.[102] Therefore, Research Hypothesis I is rejected.

The proportions of compliance, as such, are not statistically significant. The significant aspects of the nonconforming plats, especially those occurring after the Plat Amendment, are (1) the type of nonconformance approved, and (2) the circumstances under which the MPC approved the plats (see Table V-2).

The nature of the nonconforming plats occurring before the Plat Amendment was related to transportation standards. Two nonconforming plats exhibited improper distance (less than 125 ft.) between street jogs. One exhibited cul-de-sacs of greater length than is permitted, and three were nonconforming because of angle of intersection of streets. The level of compliance by developers with zoning ordinance and subdivision regulation criteria relating to right-of-way and pavement width, grades of streets, front, side and rear yard setbacks, lot width and maximum lot coverage, exhibited no change before or after the Plat Amendment. One hundred percent compliance by developers with these criteria was evident.

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[102]Professor Dean Champion, Sociology Department, University of Tennessee, May 15, 1974.

TABLE V-2

TYPE OF NONCONFORMANCE

	BEFORE AMENDMENT		AFTER AMENDMENT	
RESIDENTIAL TYPE	TYPE OF NON-CONFORMANCE	FREQUENCY OF OCCURRENCE	TYPE OF NON-CONFORMANCE	FREQUENCY OF OCCURRENCE
A	Street jog	2	Sewers	5
A	Cul-de-sac length	1		
A	Angle of intersection	3		
TOTAL		6		5

Source: Knox County Court House, Register of County Deeds, Map Books 54-59S.

In the one year period after the Plat Amendment, five nonconforming plats were approved by the Metropolitan Planning Commission. These plats did not comply with MPC's development criteria because of inadequate sewer facilities. Four of the subdivision plats which did not meet MPC's development criteria were Grandeur Estates, Wes-Nox, Tan Rara Oeste, and Fox Fire. The fifth plat was submitted by a private individual, Mr. Robert Breeding.[103] In each of the above cases, the developers were contesting the authority of the MPC to deny them development privileges based on the "no sewers no subdivision" policy. All of the cases were appealed to the Board of County Commissioners. The decision rendered by the County Commissioners was that the developers could develop their land even though the public sewers, required by the Metropolitan Planning Commission were not available. With the approval by the Board of County Commissioners the plats were returned to MPC, as required by the Plat Amendment, for final approval.[104]

Hypothesis II: Proportion of Development Types Before and After the Adoption of the Plat Amendment

Research Hypothesis II states, "there is an increase in the proportion of certain development types, i.e., Ae, A, B, Pr, Es*, etc., after the adoption of the Plat Amendment."

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[103] From an interview with Mr. Jay Keck, Code Enforcement Officer, MPC, May 27, 1974.

[104] Ibid.

* See Appendix D for a definition of and uses permitted in each of the residential zones.

Referring again to Table V-1, examination of the data reveals that the number of plats approved for single family development (residential types A and Ae) decreased after the adoption of the Plat Amendment. Residential Ae decreased by 127.7 percent and residential A by 19.4 percent. The number of plats approved for multi-family development (residential types B and Pr) shows a considerable increase over the duration of the study period. The number of plats approved for residential B increased 18.2 percent, while the number of plats approved for residential Pr increased 70.0 percent (residential classification, i.e., multi-family and single family, was based upon general criteria established by the Metropolitan Planning Commission). There were no plats approved for the residential Es zone. (See Figure V-1 for a monthly account of residential plats approved, by type, during the study period).

Applying the Z test to the data, an observed value for Z of 2.90 is obtained (see Table V-3). The increase in the number of multi-family plats approved is statistically significant to confirm Research Hypothesis II. With the adoption of the Plat Amendment, there was an increase in the number of final plats approved by the Metropolitan Planning Commission for multi-family development.

At this point, it is important to remember that a causal relationship is not being established. Other factors, i.e., interest rates, consumer demand, housing prices, etc., may have contributed to the change in the proportion of development types before and after the Plat Amendment.

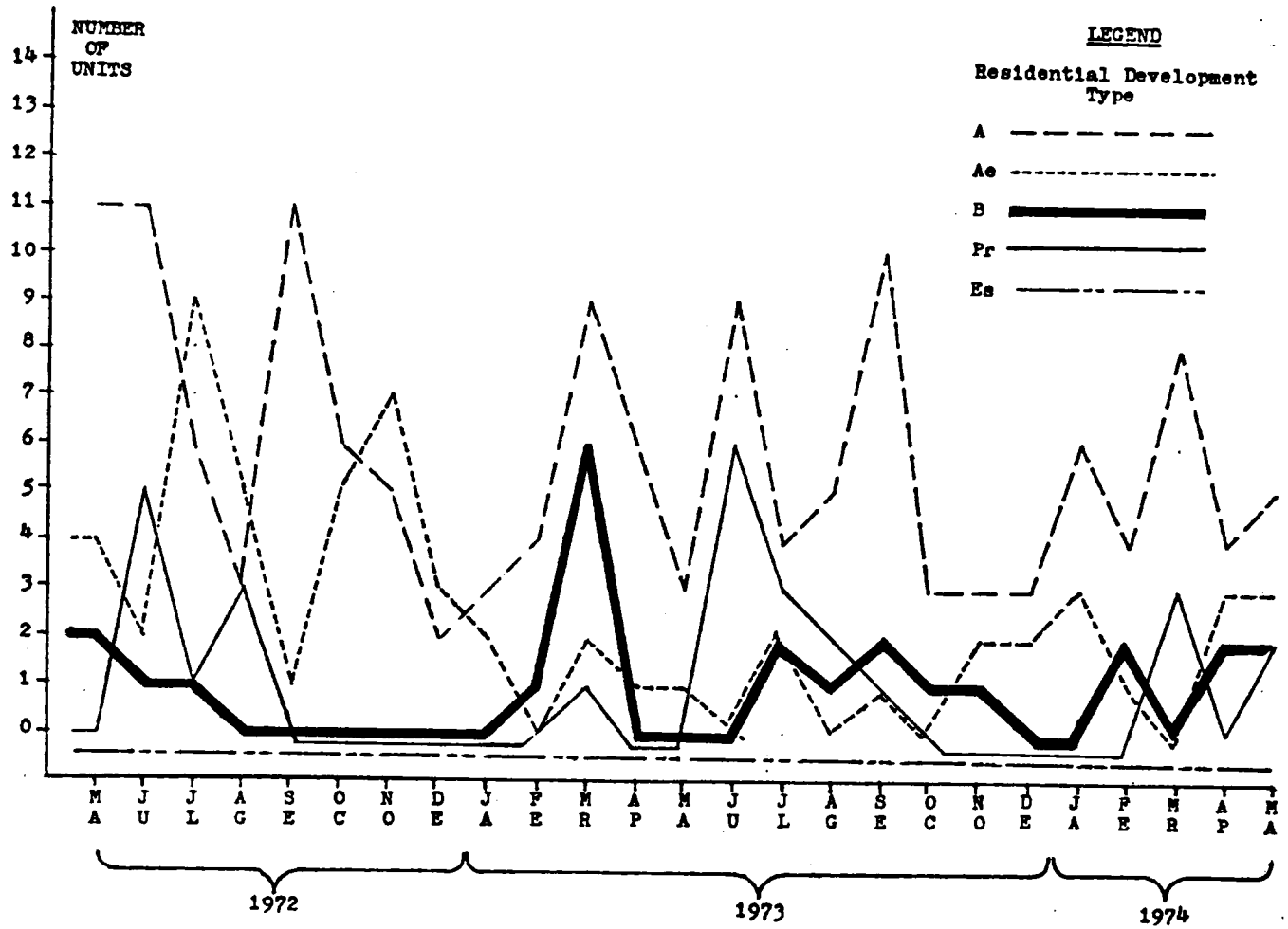


Figure V-1. Type of development per month.

TABLE V-3

PROPORTION OF SINGLE FAMILY DEVELOPMENT
TO MULTI-FAMILY DEVELOPMENT

	BEFORE PLAT AMENDMENT	AFTER PLAT AMENDMENT
SINGLE FAMILY (Residential types Ae and A) N = 121	.83 (=P_1)	.65 (=P_2)
MULTI-FAMILY (Residential types B and Pr) N = 85	.17 (=Q_1)	.35 (=Q_2)
	1.00	1.00

*(Grouping of residential types was based on general criteria established by the Metropolitan Planning Commission).

Hypothesis III: Amount of Developable Land After the Plat Amendment

Research Hypothesis III states that "there is a greater amount of land area open for development (which MPC formerly prohibited for development, i.e., flood zones) after the Plat Amendment."

Flood zone areas are intended to be free of any development which would restrain the flow of flood waters. As such, these areas serve as buffer zones between the waterway and surrounding development (see Appendix E for a definition of flood zones). Local public policies aimed at regulating the purposes for which flood prone areas may be used directly determines the total amount of developable residential land.

The data in Table V-1 indicates that, during the study period, there was no residential development occurring within naturally constrained flood zones. Based upon these data, Research Hypothesis III is rejected. No increase in land area available for residential purposes occurred as a result of development within flood zones (F-1).

IV. SUMMARY

In testing the hypotheses, the following was evident:

(1) There was an increase in multi-family development associated with the passage of the Plat Amendment.

(2) There was no (statistically significant) change in the proportion of compliance by developers with MPC development criteria before or after the passage of the Plat Amendment.

(3) There was no change in the amount of F-1 land (flood zone) used for residential development associated with the passage of the Plat Amendment.

In Chapter VI which follows, a summary and concluding statements concerning the affect of the Plat Amendment are presented.

CHAPTER VI

SUMMARY AND CONCLUDING STATEMENTS

I. THE AFFECT OF THE PLAT AMENDMENT UPON THE LEVEL OF COMPLIANCE WITH THE ZONING ORDINANCE AND SUBDIVISION REGULATIONS

As evidenced in Chapter V, the Plat Amendment has not had any significant affect upon the overall level of compliance by developers with the zoning ordinance and subdivision regulations. In fact, compliance by developers with the above mentioned development qualifications has increased with the adoption of the Plat Amendment. The only statistically significant change associated with the adoption of the Plat Amendment, based upon the hypotheses formulated, was an increase in the number of multi-family development plats approved by the Metropolitan Planning Commission. Several factors, in addition to the passage of the Plat Amendment, could possibly account for the increase in multi-family development. The most important factors are consumer taste and demand, and cost of land and construction. The affect of these factors upon the supply of housing would constitute another study within itself. Therefore, for purposes of the present study, these factors were assumed constant over the duration of the study period.

There are three important aspects of the compromise Plat Amendment. These aspects are,

(1) that legal procedures were established whereby a developer could appeal an MPC development decision,

(2) this same appeal procedure was made applicable to the home owners in all of Knox County, and

(3) the loss of authority over the control of residential development by the Metropolitan Planning Commission.

Although not statistically significant, the implications, based on data gathered, for future residential development and planning are certainly worthy of attention.

The residential development characteristics most directly affected by the Plat Amendment are, the quality, timing and location of residential development constructed.

Quality of Residential Unit Developed

The appeal procedure established by the Plat Amendment has definitely had an affect on the quality of the residential unit developed. In the testing of Hypothesis I, it was revealed that developers are successful in getting the County Board of Commissioners to nullify the development policies of the Metropolitan Planning Commission. In two of the sewer cases, Wes-Nox and Tan Rara Oeste, MPC refused plat approval because soil conditions within those areas would not support individual

sewerage disposal systems.[105] The Board of County Commissioners ignored the advice of the Metropolitan Planning Commission and the County Health Department, and approved the plats on individual sewerage systems.

Timing of Residential Development

Timing of residential development through the selective extension of utilities is one of the most effective ways to control residential development. The objective of the moratorium on rezoning and the "no sewers no subdivision" policy was, in effect, to control the location and timing of residential development. The Plat Amendment has greatly weakened the power of the MPC to implement such residential growth and development policies. If MPC is to effectively plan the location and timing of residential development, the commission, by necessity, must exercise sufficient authority to enforce development policies designed for the general welfare of the entire county. The Plat Amendment renders ineffective any authority which the Metropolitan Planning Commission previously exercised over residential development.

As defined in Chapter II, Metropolitan plans are, "determinate sets of action proposals that . . . are in the main subsequently carried out" by the joint actions of the local government, the planning commission and the citizenry.[106] If this definition is accepted, the Plat Amendment is certainly an obstacle to the planning process in Knox County.

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[105]From an interview with Mr. Jay Keck, Code Enforcement Officer, MPC, May 25, 1974.

[106]Willard B. Hansen, "Metropolitan Planning and the New Comprehensiveness," Journal of the American Institute of Planners, Vol. 34 (September, 1968), p. 298.

This is not to say that the present governmental organization for planning in Knox County is incapable of effective planning. Any planning function, regardless of its position within the local government framework, is just as effective as the sum total support given by the public and private decision makers within the community. The prime ingredient for successful planning endeavors is community concern; assuming a competent, responsible planning staff.

With the adoption of the Plat Amendment, a restructuring of development authority occurred within the city and county governments. The power lost by the MPC was legislated to the City Council and the Board of County Commissioners. Opinions as to why development interest wanted City Council or the Board of County Commissioners to exercise final approval authority over development plats are mixed. However, the predominant theme expressed by the developers was that the county legislative bodies would be more favorable toward growth and development than the Metropolitan Planning Commission. MPC functions as a coordinator of regional growth, whereas the county legislative bodies tend to be oriented toward local projects. Because of this localized approach toward projects, it was believed that approval of development plats would be more easily obtained.

The question to which Knoxvillians must address themselves is as follows. Is planned residential growth and development a worthwhile goal? If the answer to this question is yes, perhaps Mr. Jerry Wood's statement concerning the Board of County Commissioners is well taken: "elect those officials who will do the job."

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APPENDIXES

APPENDIX A

PROCEDURE FOR SUBMISSION OF PLATS*

41 GENERAL PURPOSE

The purpose of this section is to establish the step-by-step procedure which shall be followed by the developer in submitting plats to the Planning Commission. Three (3) plats are required to be submitted: the initial plan, the preliminary plat, and the final plat. The overriding consideration in requiring the submission and approval of three (3) plats is to assure that subdivisions develop soundly. One objective in requiring three (3) plats is to assist the developer in the sound and economical development of his property through the examination of the suitability of the property for subdivision development before surveying expenses and improvement costs are incurred. A second objective in requiring three (3) plats is that administrative and utility agencies may aid in the design of proposed subdivisions so that improvements, including roads and utilities, may be installed at minimal costs.

42 Initial Plan

42-10 Purpose. The purpose of the initial plan is to afford the developer an opportunity to obtain the advice and assistance of the Planning Commission and city and county agencies. In addition, the initial plan provides for the development of a general design plan for the total area being developed.

42-20 Preparation of Initial Plan. The developer shall prepare an initial plan in conformance with Section 52 of these regulations. When the developer desires assistance in the preparation of an initial plan, the Planning Commission staff and other administrative agencies may assist in the development of the plan.

42-30 Submission of Initial Plan. After the initial plan has been prepared by the developer, it shall be submitted to the Planning Commission staff for their review.

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*Source: Knoxville/Knox County Subdivision Regulations (Knoxville, Tennessee: 1972), Section IV.

43 PRELIMINARY PLAT

43-10 Purpose. The preliminary plat is the first "official" plat required by these regulations. The preliminary plat is required in order to properly identify the property being subdivided, to insure the adherence to required design standards to determine improvement proposals, and to guide construction of the required improvement.

43-20 Preparation of Preliminary Plat. After the initial plan has been reviewed by the Planning Commission staff, the preliminary plat shall be prepared in conformance with Section 53 of these regulations by a surveyor or engineer licensed by the State of Tennessee.

43-30 Submission of Preliminary Plat. Following the preparation of the preliminary plat, the developer shall submit to the Planning Commission eight (8) copies of said plat and four (4) copies of plan and profile of all new roads at least twenty-five (25) days prior to Planning Commission action thereon.

43-40 Public Hearing. Within sixty (60) days after the submission of a preliminary plat, the Planning Commission shall hold a public hearing thereon. Having been properly notified of said hearing in conformance with Section 32-35 of these regulations, the developer and/or his representative should be present at the public hearing.

43-50 Planning Commission Action. Following the public hearing, the Planning Commission will review all recommendations and approve or disapprove the preliminary plat.

43-51 Approval - If the preliminary plat is approved, the developer is authorized to proceed with his physical improvements after securing any required construction permits. Lots shall not be sold, at this time; rather, this shall occur only after approval of the final plat. Preliminary approval automatically grants a developer a maximum time limit of eighteen (18) months within which he shall submit his final plat of his 1st unit for approval unless a time extension is granted by the Planning Commission.

43-52 Disapproval - If the preliminary plat is disapproved, for further action, the developer must rework his plat to the Planning Commission's requirements, and then resubmit his plans.**

43-60 Resubmission. In the event of the disapproval of a preliminary plat by the Planning Commission, the developer may correct the plat's deficiencies and resubmit the preliminary plat in conformance with the required procedures.

44 FINAL PLAT

44-10 Purpose. All subdivision plats shall receive their second "official" consideration by the Planning Commission as final plats. The final plat, filed with the County Register of Deeds, is the permanent record of the subdivision as constructed. It shows all property lines and other dimensions important for the accurate and legal transfer of property, and records the location of street lines, easements, utilities, and improvements as they exist upon the ground.

44-20 Preparation of Final Plat. After the preliminary plat has been approved by the Planning Commission and the required improvements have been installed or appropriate bonds have been filed, the final plat shall be prepared in conformance with Section 54 of these regulations by a surveyor or engineer licensed in the State of Tennessee.

44-30 Time Lapse. Unless a time extension has been requested by the developer and granted by the Commission, the final plat of the 1st unit shall be submitted within eighteen (18) months of the approval date of the preliminary plat; otherwise, the plats cannot receive "final plat" consideration, but shall be considered as, and resubmitted as, new preliminary plats.

44-40 Submission of Final Plat. Following the preparation of the final plat, the developer shall submit to the Planning Commission seven (7) copies of said plat at least twenty-five (25) days prior to Planning Commission action thereon.

44-50 Public Hearing. Within sixty (60) days after the submission of a final plat, the Planning Commission shall hold a public hearing thereon. Having been properly notified of said hearing in conformance with Section 32-45 of these regulations, the developer and/or his representative should be present at the public hearing.

** With the adoption of the Plat Amendment, May 1973, an appeal procedure, to utilize the county legislative bodies, was established.

44-60 Planning Commission Action. Following the public hearing, the Planning Commission will review all recommendations and approve or disapprove the final plat.

44-70 Resubmission. In the event of the disapproval of a final plat by the Planning Commission, the developer may correct the plat's and/or subdivision's deficiencies and re-submit the final plat in conformance with the required procedures.

44-80 Recording of Plat. Upon approval of the final plat by the Planning Commission, a cloth mounted copy of the final plat shall be filed for recording with the County Register of Deeds.

44-90 Linen or Film Tracing. A linen or film tracing must be filed with the City Engineering Department (for subdivisions within the corporate limits of the City of Knoxville only).

APPENDIX B

SPECIFICATIONS FOR PLANS AND PLATS*

51 PURPOSE

The purpose of this section is to specify the information required to be included on plats of proposed subdivisions.

52 Initial Plans

52-10 Submission of Plan. Prior to the preparation of subdivision plat, the developer may be required to submit one (1) copy of the initial plan to the Planning Commission staff.

52-20 Location Map. A small scale map or sketch of the general vicinity shall be submitted showing the relationship between the proposed subdivision and existing community facilities which serve or influence it, such as main traffic arteries, public transportation lines, parks, playgrounds, schools, principal places of employment or shopping, railroad stations, airports, hospitals, churches, and other community facilities.

52-30 Sketch Plan. A sketch plan of the area to be subdivided shall be submitted. The sketch plan should be to a rough scale but need not be to any specific scale nor drawn on any special material. The sketch plan should show the general location of the following:

52-31 Boundaries of the tract.

52-32 Physical Characteristics of the site, such as swamp, woods, drainage pattern, etc.

52-33 Existing Buildings.

52-34 Existing Utilities.

52-35 Proposed Layout of streets, lots, open spaces, nonresidential areas, and other important facilities.

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*Source: Knoxville/Knox County Subdivision Regulations (Knoxville, Tennessee: 1972), Section V.

52-40 Statements. The following information shall accompany the sketch plan.

52-41 Property Owners' of the proposed subdivision names and addresses.

52-42 Developers' names and addresses.

52-43 Statement indicating the availability of public utilities.

52-44 Written Statement from the County Health Department relative to the possible success of individual sewage disposal facilities on the tracts where sanitary sewers are not provided.

53 PRELIMINARY PLATS

53-10 General. The preliminary plat shall be prepared by a surveyor or engineer licensed by the State of Tennessee.

53-20 Land Subdivision Drawing. The preliminary plat drawn to the following specifications shall be submitted.

53-21 Number of Copies - The preliminary plat shall be drawn on a single sheet. Eight (8) copies of said preliminary plat shall be submitted to the Planning Commission with four (4) copies of plan and profile of all new roads.

53-22 Subdivision Name - The proposed name of the subdivision shall not duplicate nor closely approximate (phonetically or in spelling) the name of any other subdivision in Knox County or the city of Knoxville and shall be preceded by the words, "Preliminary Plat of _____."

53-23 Property Identification - The property being subdivided shall be identified by the County Tax Collector's identification number or city ward, block and parcel or lot number.

53-24 Person Identification - The name and mailing address of the property owner, the developer, the engineer, and any other persons directly involved in the transaction shall be indicated.

53-25 Date and Scale - The plat shall show the date of design of the preliminary plat, the north arrow pointing towards top of the sheet, and a graphic scale which shall be at a minimum of one (1) inch equals one hundred (100) feet.

53-30 Key Maps. A sketch showing the general location of the subdivision in relation to the surrounding area shall be placed on the sheet, generally in the upper right or left corner. The location sketch shall be drawn to a scale large enough to show the proposed subdivision's relationship to existing and proposed community facilities, such as major traffic arteries, public transportation, schools, recreation areas, shopping areas, industrial areas, and natural features, such as rivers, streams, and topography.

53-40 Drainage Plan. Specific plans for handling storm water including, but not limited to, the following information: existing and finished contours; the locations, sizes, and profiles of storm drains and culverts; data used in making the determinations of the sizes of storm drains and culverts; and other pertinent information requisite in dealing with storm drainage problems, and in particular to prevent flooding or ponding on building sites and on sites for septic tanks and drain fields shall be indicated.

53-50 Plat Information. Preliminary plats shall contain all necessary information pertaining to tract boundaries, contours, streets, utilities, lots, and such other information as may be required by the Planning Commission.

53-51 Boundary Lines on and Adjacent to the Tract - The location, distance, and bearings for boundary lines and location, width, and purpose of all existing easements shall be indicated. The boundary lines of the tract should be shown by a special line style and weight (possibly a heavy line) which will provide quick and easy distinction between the developer's property and any adjacent property.

53-52 Contours - The preliminary plat shall show accurate original and finished contours developed in the field.

53-52.1 Contours shall be at intervals of two (2) feet.

53-52.2 Where the grade of slope exceeds ten (10) percent, the Planning Commission may accept contour intervals of five (5) feet.

53-52.3 Where possible, all contour information shall be referenced by USGS datum and/or a permanent bench mark.

53-53 Existing and Proposed Streets - The following is required for existing and proposed streets.

53-53.1 Streets on and adjacent to the tract shall be indicated by the street name, right-of-way width, and location; type, width and elevation or any surfacing or curb; any legally established centerlines and elevations; and gutters, culverts, etc.

53-53.2 The plan and profile of each proposed street indicating the existing ground surfaces and proposed street grade surface at a horizontal scale equal to the horizontal scale of the land subdivision plan and a vertical scale of one tenth (1/10) of the horizontal scale, with tentative finish grades indicated, shall be shown.

53.53.3 A cross section of each proposed type of street at a scale of ten (10) feet or less to the inch showing the width of pavement, the location, and width of sidewalks, the location of utilities, and rights-of-way shall be shown.

53.53.4 In order that the administrative agencies may more accurabely study the preliminary plat, center lines of all proposed streets in the subdivision shall be staked out in the field prior to submission of the preliminary plat, or the developer and/or the developer's engineer shall visit the subdivision site with members of the administrative agencies.

53-54 Utilities - The preliminary plat shall contain the following information concerning existing and proposed utilities including sanitary sewers, water lines, and storm sewers. It shall also show existing gas, telephone and electrical lines.

53-54.1 The locations, sizes, and capacities, where appropriate, of all water mains, manholes, pumping stations, standpipes, reservoirs, and similar facilities, and the locations and dimensions of specific easement areas related thereto.

53-54.2 A plat and profile including invert elevation of all sanitary sewers, manholes, lift stations, and treatment plants, and similar facilities, and the locations and dimensions of specific easement areas related thereto, and vertical scale or profiles at one-tenth (1/10) of the horizontal scale, as required by the Tennessee Department of Health.

53-54.3 A drainage plan as required in Section 53-40 of these regulations and all easements related thereto.

53-55 Lotting and Setback - The location of lot lines, along with the appropriate lot and block numbers shall be shown. The proposed building setback lines with dimensions showing the distance setback from the street right-of-way shall be indicated when the proposed setback is other than the minimum required in the appropriate Zoning Ordinance.

53-56 Non-Residential Designations - The name, acreage, and use of any sites proposed for public use such as parks, playgrounds, etc., and the name, acreage, and use of any other uses (except single-family dwellings) such as multi-family dwellings, shopping centers, churches, etc., shall be indicated.

53-57 Other Conditions - Other conditions on the tract to be shown on the preliminary plat shall include the following information:

53-57.1 Zoning designations, proposed highways, parks, schools, or other major improvements.

53-57.2 Watercourses, marshes, rock outcroppings, woodlots, railroads, bridges, or other structures.

53-58 Subsurface Conditions - The location and results of tests made to ascertain subsurface soil, rock, and ground water conditions, the location of test holes (at least one (1) per acre) for preliminary percolation tests where sanitary sewers are not to be provided, and a letter from the County Health Department interpreting and approving the results of such percolation tests shall be submitted or in lieu of above, a statement of the U. S. Soil Conservation Service indicating the soil type and probable capability for septic tank percolation may be submitted.

54 FINAL PLAT

54-10 General Information. The final plat of a subdivision shall conform substantially to the preliminary plat and shall be prepared in the following manner.

54-11 Materials - The final plat of a subdivision shall be drawn in india ink on tracing cloth or other permanent material.

54-12 Scale - The final plat shall be drawn to a scale of one hundred (100) feet or less to the inch.

54-13 Size - The final plat shall be drawn on a sheet eighteen and one half (18-1/2) inches by twenty (20) inches with a border of two (2) inches on the left-hand edge along the eighteen and one half (18-1/2) inch side of the sheet. The margin on the remaining three (3) sides shall be one-half (1/2) inch.

54-14 North Point - The final plat shall be so oriented that the north point will be directed as nearly as possible toward the top of the page with the two (2) inch binding edge on the left.

54-15 Page Numbering - When more than one sheet is used for any final plat, each sheet shall be numbered consecutively and shall contain a notation indicating the total number of sheets in the plat. In addition, an index sheet of the same dimension shall be required showing the entire subdivision, the sheet numbers, and outlines for each separate sheet of the final plat.

54-16 Number of Copies - At the time of final application, seven (7) copies of the final plat shall be submitted to the Planning Commission.

54-17 Copy to be Recorded - One copy of the final plat with all appropriate certificates shall be mounted on cloth and this shall be the copy to be recorded with County Register of Deeds. For subdivisions within the city, a tracing on linen or film shall be recorded with the City Engineering Department.

54-20 Mapping and Engineering Information. The final plat of the subdivision shall include sufficient data to accurately reproduce the subdivision on the ground and the procedure outlined below should be followed:

54-21 Street Lines on Adjacent Land - Show the exact location with dashed lines and the width along the property lines for all existing or recorded streets intersecting or paralleling the boundaries of the tract.

54-22 Monument References on Adjacent Land - Show the bearings and distances to nearest established street boundaries, established survey lines, or other official monuments.

54-23 Owners of Adjacent Land - For adjacent land which is platted, show the boundaries with dashed lines and the recorded name of the subdivision. For adjacent land which is unplatted, show the boundaries with dashed lines and the name of the owners of record.

54-24 Boundary Lines of Tract - In a line style and weight which will distinguish the developer's property from all adjacent property (possibly a heavy, solid line) show the tract boundary lines with lengths of courses to hundredths of a foot and bearings to the nearest minutes. These boundaries shall be determined by an accurate survey in the field.

54-25 Monuments of Tract - Show the accurate location and material of all permanent reference monuments.

54-26 Street, Easement, and Lot Lines on Tract - For street and alley rights-of-way, show the names, bearings, angles of intersection, and widths along the line of any obliquely intersecting street. For all arcs, show the length, radii, points of curvature, and tangent bearings. For all easements or other rights-of-way, show the locations, width, and actual name and purpose (gas line easement, etc.). For all lot lines, show dimensions in feet and hundredths, and bearings and angles to minutes if other than right angles to the street or alley lines.

54-27 Customary Easements Along Property Lines - On the final plat show the customary ten (10) foot easement along boundary lot lines as required in Section 69 of these regulations.

54-28 Reservations and Dedications on Tract - Show the accurate outline of all property which is either offered for dedication to public use or which is reserved by covenant in the deeds for the common use of the property owners in the subdivision with the purpose also plainly printed thereon.

54-29 Lot Numbers, Setback Lines, and Restriction on Tract - Show the numbered in numerical order and lettered in alphabetical order; show the front yard setback building lines with dimensions; and if any private restrictions exist, show boundaries of each type of use restrictions and any other restrictions.

APPENDIX C

MPC DEVELOPMENT STANDARDS TESTED*

I. Design Standards (Subdivision Regulations)

As defined by the Metropolitan Planning Commission, the purpose of the following design standards are to assist in insuring sound residential subdivision development will take place in Knox County by the establishment of minimum standards for use in the design of subdivisions. Following, are the specific design standards which were tested.

(1) Transportation:

Right-of-Way and Pavement Width

62-45 Local Streets- Local streets shall have a minimum right-of-way width of fifty (50) feet and a minimum pavement width of twenty-six (26) feet.

Grades of Streets

62-56 Local Maximum Grade- The maximum grade on local streets shall not exceed twelve (12) percent. However, when special topographic or other conditions justify, the Planning Commission may increase the maximum allowable grade on local streets to fifteen (15) percent.

Intersections and Street Jogs

62-71 Angle of Intersection- Roads within a subdivision shall be so laid that intersections shall be as nearly as possible at right angles, and in no case shall the intersection of roads yield angles of less than sixty (60) degrees.

62-74 Street Jogs- Street jogs with centerline offsets of less than one hundred twenty-five (125) feet shall not be allowed, except where both intersecting streets are cul-de-sacs.

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*Source: Knoxville/Knox County Subdivision Regulations (Knoxville, Tennessee: 1972), Section VI.

62-85 Cul-de-sacs or Deadend Streets- Deadend streets, as such, shall not be permitted. Cul-de-sacs shall not be longer than eight hundred (800) feet, measured along the center-line from the entrance street right-of-way to the center of the turnaround, which shall have a right-of-way radius of not less than fifty (50) feet and a transition curve radius of not less than seventy-five (75) feet for connecting the turnaround with the end of the street. The outside radius of the paved area in a turnaround shall not be less than forty (40) feet. When unusual topographic conditions exist, the length of the cul-de-sac may be varied by the Planning Commission.

II. Lot Characteristics: (Zoning Ordinance)*

(5 (a) B) Residential Ae Zones

AREA REGULATIONS. All buildings shall be set back from street or road right-of-way lines and lot lines to comply with the following yard requirements.

5(a)B1. FRONT YARD.

a. For dwellings the minimum depth of the front yard shall be thirty-five (35) feet and in no case shall an accessory building be located to extend into the front yard.

5(a)B2. SIDE YARD.

a. For single story dwellings, located on interior lots, side yards shall be not less than eight (8) feet in width.

5(a)B3. REAR YARD.

a. For main buildings there shall be a rear yard of not less than twenty-five (25) feet.

5(a)B4. LOT WIDTH.

a. Where dwellings are served by a sanitary sewer system there shall be a minimum lot width of seventy-five (75) feet at the front building line.

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*Source: Knoxville/Knox County Zoning Ordinance (Knoxville, Tennessee: 1972), Section V.

b. Where dwellings are not served by a sanitary sewer system there shall be a minimum lot width of one hundred (100) feet at the front building line.

5(a)C. MAXIMUM LOT COVERAGE. Main and accessory buildings shall cover not more than thirty (30) percent of the lot area.

6A Residential A Zones

6B. AREA REGULATIONS. All buildings shall be set back from street or road right-of-way lines and lot lines to comply with the following yard requirements.

6B1. FRONT YARD.

a. For dwellings the minimum depth of the front yard shall be thirty-five (35) feet and in no case shall an accessory building be located to extend into the front yard.

6B2. SIDE YARD.

a. For single story dwellings, located on interior lots, side yards shall be not less than eight (8) feet in width.

6B3. REAR YARD.

a. For main buildings, other than garage apartments, there shall be a rear yard of not less than twenty-five (25) feet.

6B4. LOT WIDTH.

a. Where dwellings are served by a sanitary sewer system there shall be a minimum lot width of seventy-five (75) feet at the front building line.

b. Where dwellings are not served by a sanitary sewer system there shall be a minimum lot width of one hundred (100) feet at the front building line.

6B6. MAXIMUM LOT COVERAGE. Main and accessory buildings shall cover not more than thirty (30) percent of the lot area.

7A Residential B Zones

7C. AREA REGULATIONS. All buildings shall be set back from street or road right-of-way lines and lot lines to comply with the following yard requirements.

7C1. FRONT YARD.

a. For single, two-family and multiple-family dwellings the minimum depth of the front yard shall be thirty-five (35) feet and in no case shall an accessory building be located to extend into the front yard.

7C2. SIDE YARD.

a. For single story dwellings, located on interior lots, side yards shall be not less than eight (8) feet in width.

7C3. REAR YARD.

a. For main buildings of three (3) stories in height and less, other than garage apartments, there shall be a rear yard of not less than twenty-five (25) feet.

7C4. LOT WIDTH.

a. For single and two-family dwellings served by a sanitary sewer system there shall be a minimum lot width of seventy-five (75) feet at the front building line. For single and two-family dwellings not served by a sanitary sewer system there shall be a minimum lot width of one hundred (100) feet at the front building line.

7C5. INTENSITY OF USE.

a. For each single-family dwelling, and building accessory thereto, served by a sanitary sewer system there shall be a lot area of not less than ten thousand (10,000) square feet.

g. For those single-family dwellings and buildings accessory thereto, not served by a sanitary sewer system, there shall be a minimum lot area of fifteen thousand (15,000) square feet; however, a greater area may be required based on recommendations by the Health Department.

7A Planned Residential Zone

7(a)C. AREA REGULATIONS. All buildings and structures shall be set back from street or road right-of-way lines, from individual lot lines where established and from the periphery of the project to comply with the following requirements:

7(a)C1. FRONT YARD.

There shall be a minimum front yard setback as follows:

a. Single-family detached, semi-detached and duplex dwellings - 25 feet.

7(a)C2. PERIPHERY BOUNDARY.

All buildings or structures shall be set back from the periphery boundary not less than 35 feet.

7(a)C3. SIDE YARD. Side yards shall be provided where buildings or structures are provided on individual lots as follows:

a. Single family detached, semi-detached, and duplex dwellings - side yard shall total 15 feet or more, however, no side yard sha-l be less than five (5) feet.

7(a)C4. REAR YARD.

a. Single-family attached, detached, semi-detached, and duplex dwellings - 35 feet.

b. All others as determined by the Planning Commission.

7(a)C5. LOT AREA AND SIZE.

a. Single-family detached dwellings shall have a minimum lot area of 6,000 square feet.

8A Residential Estate

Since there were no plats approved for a Residential Estate Zone, the standards tested will not be included in this section.

APPENDIX D

DEFINITION OF, AND USES PERMITTED IN EACH RESIDENTIAL ZONE*

Section 5(a) RESIDENTIAL AE ZONES

5(a)A. USES PERMITTED. In any Residential AE Zone no building or premises shall be used and no buildings shall hereafter be erected or structurally altered, unless otherwise provided in this resolution, except for one or more of the following uses:

5(a)A1. Single-family dwelling.

5(a)A2. Accessory uses and buildings.

5(a)A3. Gardening and horticulture, but not on a commercial basis.

5(a)A4. Mobile Home.

5(a)A5. Public utilities, such as transmission lines, substations, railroad lines, but loading or waiting platforms, dams, water treatment plants, including water filtration and storage facilities, fire stations, and other similar public service uses and buildings, and also such other buildings and structures, as are used by utility and sanitary districts in the performance of services in which they are authorized to engage.

Section 6 RESIDENTIAL A ZONES

6A. USES PERMITTED. In any Residential A Zone no building or premises shall be used and no building shall hereafter be erected or structurally altered, unless otherwise provided in this resolution, except for one or more of the following uses:

6A1. Single-family dwellings.

6A2. Accessory buildings.

6A3. Churches, schools, libraries, and museums.

6A4. (Deleted August 17, 1971)

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*Source: Knoxville/Knox County Zoning Ordinance (Knoxville, Tennessee: 1972), Section V.

6A5. Gardening and horticulture.

6A6. Mobile Homes.

6A7. Golf courses, golf ranges, public or private, public parks and playgrounds; swimming pools, tennis courts, and country clubs, none of which shall be used for commercial purposes.

6A8. Public utilities, such as transmission lines, substations, railroad lines, bus loading or waiting platforms, dams, water treatment plants, including water filtration and storage facilities, fire stations, and other similar public service uses and buildings, and also such other buildings and structures, as are used by utility and sanitary districts in the performing of the services in which they are authorized to engage.

6A9. Uses customarily incident to any of the above uses when situated in the same dwelling, including home occupation, such as the office of a physician, surgeon, dentist, musician, artist, or beautician, provided no name plate exceeding two square feet in area shall be permitted in any Residential A zone.

6A(a). USES PERMITTED ON REVIEW. The following uses may be permitted by the Metropolitan Planning Commission as a "Use on Review" in accordance with the provisions of Section 4, Subsection 4G, of these Regulations.

6A(a)1. Garage apartments.

6A(a)2. Two-family dwellings.

Section 7 RESIDENTIAL B ZONES

7A. USES PERMITTED. In any Residential B Zones no building or premises shall be used and no building shall hereafter be erected or structurally altered, unless otherwise provided in this resolution, except for one or more of the following uses:

7A1. Apartments.

7A2. Accessory buildings.

7A3. Churches, schools, libraries, and museums.

7A4. Garage Apartments.

7A5. Gardening and horticulture, but not on a commercial basis.

7A6. Golf courses, golf ranges, public or private, public parks and playgrounds; swimming pools, tennis courts, and country clubs, none of which shall be used for commercial purposes.

7A7. Hospitals and sanitariums, but not for contagious diseases, nor for the care of epileptics or drug or alcoholic patients, nor for the care of the insane or feeble minded.

7A8. Mobile Homes.

7A9. Nurseries and greenhouses for the propagating and cultivating of plants, but not on a commercial basis.

7A10. Public utilities, such as transmission lines, substations, railroad lines, bus loading or waiting platforms, dams, water treatment plants, including water filtration and storage facilities, fire stations, and other similar public service uses and buildings, and also such other buildings and structures, as are used by utility and sanitary districts in the performing of the services in which they are authorized to engage.

7A11. Single-family and two-family dwellings.

7A12. Tourist Homes (as defined in Section 2, Subsection 2B29).

7A13. Uses customarily incident to any of the above uses when situated in the same dwelling, including home occupation, such as the office of a physician, surgeon, dentist, musician, artist, or beautician, provided no name plate exceeding two square feet in area shall be permitted in any Residential B Zone.

7B. USES PERMITTED ON REVIEW.

7B1. Mobile Home Parks and Mobile Home Subdivisions subject to all requirements set forth in Section 4, Subsections 4D and 4G of these Regulations.

7B2. Retail business or service establishments may be permitted within multiple-family dwellings only as a Use on Review in accordance with the provisions of Section 4, Subsection 4G, of these Regulations, and subject to the following requirements:

a. There shall be no entrance to such place of business except from inside the building.

b. There shall be no show window, sign, or other advertising matter visible from outside the building, except as regulated in Section 5, Subsection 5D of these Regulations.

c. Such uses shall be conducted for the convenience of the occupants of the building only and shall not cater to outside trade.

d. The Metropolitan Planning Commission shall determine the compatibility of such establishments based on the nature, size and number proposed with respect to the number of dwelling units to be served and the availability of similar services in the vicinity.

e. Detailed plans shall be submitted with the application for Use on Review giving the nature, exact size and location of each such use within the building, the location of all entrances to such use and the exact location of all building ground floor entrances and exits.

Section 7(a) PLANNED RESIDENTIAL ZONE

7(a)A. GENERAL DESCRIPTION

The regulations established in this zone are intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. Residential areas thus established would be characterized by a unified building and site development program, open space for recreation and provision for commercial, religious, educational, and cultural facilities which are integrated with the total project by unified architectural and open space treatment.

Each planned unit development shall be compatible with the surrounding or adjacent zones. Such compatibility shall be determined by the Planning Commission by review of the development plans.

A planned unit development occupying not less than twenty (20) acres may contain commercial uses as hereinafter provided.

A planned unit development occupying less than twenty (20) acres may be established where such development is adjacent on one or more sides to a Residential B, Commercial, Industrial, or Shopping Center Zone, however, such development shall not contain less than four (4) acres and shall not contain commercial uses.

7(a)B. PERMITTED PRINCIPAL AND ACCESSORY USES AND STRUCTURES.

The following dwelling units are permitted:

7(a)B1. Single-family attached, semi-detached and detached dwelling, not including mobile homes.

7(a)B2. Two-family dwelling (duplex).

7(a)B3. Multiple-family dwelling.

7(a)B4. Commercial uses. (Planned unit developments occupying not less than twenty (20) acres only.)

One (1) acre of commercial uses for each one hundred (100) dwelling units. Such commercial uses shall conform with the use and parking requirements of the shopping center zone as regulated in Section 12 of these Regulations.

7(a)B5. Recreation uses. Recreation uses may include a community center, a golf course, a swimming pool, or parks, playground or other public recreational uses. Any structures involved in such uses shall have a twenty-five (25) foot setback from all property lines. The amount of land set aside for permanent usable open space and recreational use shall be not less than fifteen (15) percent of the gross development area for a planned unit development occupying twenty (20) or more acres or ten (10) percent for a planned unit development occupying more than eight (8) but less than twenty (20) acres.

7(a)B6. Education uses.

7(a)B7. Community facilities uses such as churches and other religious institutions and non-profit clubs such as country clubs, swimming and/or tennis clubs.

7(a)B8. Other uses, compatible with the proposed development.

APPENDIX E

FLOODWAY ZONES*

A. GENERAL DESCRIPTION.

The Floodway Zones are established for the purpose of meeting the needs of the streams to carry floodwaters and protecting the river, creek channels and flood plains from encroachment so that flood heights and flood damage will not be appreciably increased; to provide the necessary regulations for the protection of the public health and safety in areas subject to flooding; and to reduce the financial burdens imposed on the community by floods and the overflow of lands.

B. USES PERMITTED.

The following open-type uses are permitted in the Floodway Zones subject to approval of the Metropolitan Planning Commission and to such conditions the Metropolitan Planning Commission may specify to protect the public interest.

Adjacent to Agricultural, Residential, and Estate Zones:

1. Agricultural uses including crop, nursery stock, and tree farming, truck gardening, livestock grazing and other agricultural uses which are of the same or a closely similar nature.

2. Railroads, streets, bridges, and public utility wire and pipe lines for transmission and local distribution purposes.

3. Public parks and playgrounds, and outdoor private clubs including but not limited to country clubs, swimming clubs, tennis clubs, provided that no principal building is located in the floodway.

4. Recreational camp, camp grounds, and camp trailer parks, provided that rest room facilities shall be located and constructed in accordance with the Health Department requirements.

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*Source: Knoxville/Knox County Zoning Ordinance (Knoxville, Tennessee: 1972), Section IX.

5. Commercial excavation of natural materials and improvements of a stream channel.

6. Other similar uses accessory to those permitted in the adjoining districts.

Adjacent to Commercial and Shopping Center Zones:

1. Any of the above permitted uses.

2. Archery range, drive-in theaters, miniature golf courses, and golf driving ranges.

3. Marina, boat launching ramp, boat rental, boat sales, provided that no principal building is located in the floodway. All structures related to such uses must be designed and constructed to withstand without major damage the flood conditions at the site.

4. Loading and unloading areas, parking lots, used car lots.

5. Other similar uses accessory to those permitted in the adjoining district.

Adjacent to an Industrial Zone:

1. Agricultural uses including crop, nursery stock, and tree farming, truck gardening, livestock grazing, and other agricultural uses which are of the same or closely similar nature.

2. Storage yards for equipment and material not subject to major damage by flood, provided such use is accessory to a use permitted in an adjoining district.

3. Parking lots.

4. Railroads, streets, bridges, and utility lines.

5. Other similar uses accessory to those permitted in the adjoining district.

C. PLANNING COMMISSION APPROVAL.

No permit shall be issued for the construction of any building or structure including railroads, streets, bridges, and utility lines or for any use within a Floodway Zone until the plans for such construction or use have been submitted to the Metropolitan Planning Commission and approval is given in writing for such construction or use.

In its review of plans submitted, the Metropolitan Planning Commission shall be guided by the following standards, keeping in mind that the purpose of this district is to prevent encroachment into the floodway which will unduly increase flood heights and endanger life and property.

1. Any structures or filling of land permitted shall be of a type not appreciably damaged by floodwaters, provided no structures for human habitation shall be permitted.

2. Any use permitted shall be in harmony with and not detrimental to the uses permitted in the adjoining zone.

3. Any permitted structures or the filling of land shall be designed, constructed, and placed on the lot so as to offer the minimum obstruction to and effect upon the flow of water.

4. Any structure, equipment or material permitted shall be firmly anchored to prevent it from floating away and thus damaging other structures and threatening to restrict bridge openings and other restricted sections of the stream.

5. Where in the opinion of the Metropolitan Planning Commission topographic data, engineering, and other studies are needed to determine the effects of flooding on a proposed structure or fill on the flow of water, the Metropolitan Planning Commission may require the applicant to submit such data or other studies prepared by competent engineers and other technical people.

6. The granting of approval of any structure or use shall not constitute a representation, guarantee, or warranty of any kind or nature by Knox County or the Metropolitan Planning Commission or by any officer or employee thereof, of the practicality or safety of any structure or use proposed and shall create no liability upon or cause action against such public body, officer, or employee for any damage that may result pursuant thereto.

APPENDIX F

SAMPLE DATA SHEET LOT CHARACTERISTICS

									SEWERS											
									PRIVATE				PUBLIC							
	FRONT YARD: (35 ft.) Θ 50 ft. Ø 25 ft.		SIDE YARD Θ 10 ft. Ø 5 ft.		REAR YARD Θ 50 ft. Ø 35 ft.		MAX. LOT COVERAGE: (30%) Ø less than five story bldg.		LOT AREA (15,000 sq. ft.) Θ two acres		LOT WIDTH (1000 ft.)		LOT AREA (10,000 sq. ft.) Θ two acres Ø 6,000 sq. ft. * less than three story bldg.		LOT WIDTH: (75 ft.) Θ 200 ft.		TOTAL	
MONTH YEAR ZONING	C	NC	C	NC	C	NC	C	NC	C	NC	C	NC	C	NC	C	NC	C	NC
Ae TOTAL																		
A TOTAL																		
B* TOTAL																		
Pr Ø TOTAL																		
Es Θ TOTAL																		
F-1 TOTAL																		

NC: non-conforming

C: conforming

SAMPLE DATA SHEET TRANSPORTATION

	STREET GRADE (MAX.)		RIGHT-OF-WAY WIDTH		INTERSECTION AND STREET JOGS								
	LOCAL (15%)		LOCAL (50 ft.)		ANGLE OF INTER-SECTION: 60+		STREET JOGS (125 ft. +)		Cul-de-sac length (800 ft. or less)		Cul-de-sac radius (50 ft. or more)		TOTAL
MONTH YEAR													
ZONING	C	NC	C	NC	C	NC	C	NC	C	NC	C	NC	
Ae TOTAL													
A TOTAL													
B TOTAL													
Pr TOTAL													
Es TOTAL													
F-1 TOTAL													

APPENDIX G

GLOSSARY*

Administrative Agencies. Agencies such as the City of Knoxville Public Service Department, Knox County Highway Department, the Knox County Health Department, and the Metropolitan Planning Commission of Knoxville and Knox County.

Building Setback Line. A line in the interior of a lot which is generally parallel to, and a specified distance from, the street right-of-way line or lines; which creates a space between such lines in which no building shall be placed.

City. City of Knoxville, Tennessee.

City Council or Council. City Council of the City of Knoxville, Tennessee.

County. Knox County, Tennessee.

County Commission or Commissioners. The Board of County Commissioners of Knox County, Tennessee.

Dedication. The setting aside of land and/or improvements for a particular use.

Developer. An individual, partnership, corporation, or other legal entity or agent thereof which undertakes the activities covered by these regulations. Inasmuch as the subdivision plan drawings are merely a necessary means to the end of assuring satisfactory development, the term "developer" includes "subdivider", "owner" or "builder", even though the persons and their precise interests may vary at different project stages.

Dwelling Single-Family, Detached. A detached building designed to be occupied exclusively by one family (one dwelling unit).

Dwelling, Semi-Detached. Two single-family dwellings each located on its own lot and designed for individual ownership, but having a single party wall common to both.

Dwelling, Two-Family. A detached building designed to be occupied by two families living independently of each other (two dwelling units).

Dwelling, Duplex. Same as two-family dwelling.

Floodway. The natural channel and the portion of the flood plain along the channel that must be retained solely for the passage of floodwaters to prevent an undue increase in flood heights upstream.

Floodway Fringe Areas. Areas adjacent to a Floodway Zone that are below the level of the Regional Flood.

Individual Sewage Treatment Facility. A sewage disposal system developed to function on an individual lot basis. A septic tank is a type of individual sewage treatment facility.

Land Remnant. Any portion of a tract of land which cannot be developed after the tract has been subdivided.

Lot. A parcel of land which is or may be occupied by a building and its accessory building or use customarily incidental thereto, together with such yards or open spaces within the lot lines as may be required by these regulations.

Lot Area. The total horizontal area included within lot lines.

Lot Depth. The average distance from the street line of the lot to its rear line measured in the general direction of the side lines of the lot.

Lot Lines. The lines bounding a lot as defined herein.

> Lot Line, Front. In the case of an interior lot, the line separating said lot from the street. In the case of a corner or double frontage lot, the line separating said lot from that street which is designated as the front street.
>
> Lot Line, Rear. The lot boundary opposite and most distant from the front lot line. In the case of a pointed or irregular lot, it shall be an imaginary line parallel to and fartherest from the front lot line not less than ten (10) feet long and wholly within the lot.
>
> Lot Line, Side. Any lot secondary line not a front or rear lot line.

Lot Width. The width of a lot at the building setback line measured at right angles to its depth.

Planning Commission. The Metropolitan Planning Commission of Knoxville and Knox County, Tennessee.

Plan, Initial. An informal drawing and other materials indicating the general lot and street layout and other features of a proposed subdivision.

Plat, Final. The material which comprises the second and last "official" submission of a subdivision scheme to the Planning Commission, and which consists of an applied construction drawing of the "as-built" physical improvements.

Plan, Preliminary. The material which comprises the first "official" submission of a subdivision scheme to the Planning Commission, and which consists of an application, a draft copy of any protective covenants, the subdivision design drawings, and construction drawings of the proposed improvements.

Plat Amendment. An amendment to the Regional Planning Regulations (May, 1973) which established an appeal procedure from development decisions rendered by the Metropolitan Planning Commission.

Public Sewer System. A central sewer system, owned, operated, and maintained by a municipality, county, or utility district.

Right-Of-Way. A dedication of land to be used generally for streets, alleys, or other public uses wherein the owner gives up all his rights to the property as long as it is being used for the dedicated purpose. Also, a land measurement term meaning the distance between lot property lines which generally contain not only the street pavement but also the sidewalks, grass area, and utilities.

Sanitary Sewer System. A public or community sewage disposal system of a type approved by the State Department of Public Health.

Setback. The distance required to obtain the minimum front, side, and rear yards.

Street Grade. The officially established grade of the street upon which a lot fronts. If there is no officially established grade, the existing grade of the street at the midpoint of the lot shall be taken as the street grade.

Subdivision. The division or redivision of a tract of land for the purpose, whether immediate or future, of sale or of building development.

Yard, Front. An open unoccupied space on the same lot with a main building, extending the full width of the lot and situated between the street line and the front line of the building projected to the side lines of the lot. The depth of the front yard shall be measured between the front line (extended) of the building and the street line.

Yard, Rear. An open (other than for permitted accessory structures) space on the same lot with the principal building between the rear line of the building and the rear line of the lot and extending the full width of the lot.

Yard, Side. An open unoccupied space on the same lot with the building, situated between the building and the side line of the lot and extending from the front yard to the rear yard. Any lot line not a rear line or a front line shall be deemed a side line.

Zoning Ordinance. The duly adopted Zoning Ordinance of Knoxville, Tennessee or the Zoning Resolution of Knox County Tennessee.

*Source: Knoxville/Knox County Zoning Ordinance, MPC, 1974.

VITA

Roger Ezell Sparry was born in Knoxville, Tennessee on November 22, 1949. He attended elementary school in that city and was graduated from Young High School in 1967. The following January he entered The University of Tennessee, and in June 1972, he received a Bachelor of Science degree in Social Science Education.

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