

Think Quality - Think Future

Blount County Planning Department

Blount County Courthouse – 327 Court Street
Maryville, TN 37804-5906
Tel (865) 273-5750 – FAX (865) 273-5759
e-mail – planning@blounttn.org
on-line – www.blounttn.org/planning/

TO: Blount County Planning Commission

FROM: John Lamb

DATE: January 15, 2008

SUBJECT: Long range agenda items for the January 24, 2008 regular meeting.

1. Discussion of issues relating to junk cars.

At the last regular meeting, the Planning Commission requested staff to research present regulation of junk cars and to explore alternatives. The following are present regulations under zoning:

(From Section – 9.4 C-Commercial District) B. Uses Permitted as Special Exceptions: *Indoor Sport Shooting Range (subject to provisions and requirements in Section 7.13)*; Scrap materials salvage and recycling, salvage yards, junkyards, automobile graveyards; any other commercial activity not listed in subsection A above.

(From Section 9.5 – IND-Industrial District) B. Uses Permitted as Special Exceptions: *Indoor Sport Shooting Range (subject to provisions and requirements in Section 7.13)*; Scrap and salvage operations, automobile wrecking, or junkyards; Paper or similar product manufacturing; Sanitary landfills and other waste disposal systems subject to the approval of Tennessee Department of Public Health and other applicable government agencies; any other industrial use not specified in subsection 9.5.A above.

(From Article 13 Definitions) AUTOMOBILE JUNK AND SALVAGE YARDS: Any lot or place which is open, and upon which more than five (5)

motor vehicles of any kind, incapable of being operated, are placed located or found.

The above provisions restrict formal automobile junk yards to Commercial and Industrial zones. Regulatory coverage is limited to more than five inoperable motor vehicles in the open. Conversely, any situation of five or less inoperable vehicles stored in the open on a property by definition is not regulated irregardless of zone. In addition, any junkyard not covered by above provisions and legally in operation prior to zoning is “grandfathered” as a non-conforming use, and if a it is a business it is allowed under state statutes to expand within the existing property.

Some in the community have pointed out that limitations of present regulations allow junk cars to proliferate indiscriminately on private property, adversely affecting adjacent properties and the larger community.

Some urban communities such as Alcoa do not allow unlicensed inoperable cars to be parked outside on properties. In rural areas, this may be a hard sell. Other communities severely limit the number. Blount County could explore this avenue in the definition of junkyards by reducing the number from five inoperable automobiles, and may also look into setback requirements.

Still other communities take a proactive approach in assisting property owners with disposal of junk cars. Attached is summary of a North Carolina junk car abatement program (see <http://web.archive.org/web/20060530035021/http://www.p2pays.org/ref/32/31303.pdf>). The first step in the process was formation of a task force, consisting of representatives from various departments that may be concerned with junk cars. The gist of the program is free towing of junk cars off of private property for proper disposal. Others communities such as Sevier County have also provided small monetary incentives to owners of junk cars.

After discussing this with Roger Fields, staff suggests that the proactive approach may be a desirable adjunct or alternative to regulatory amendment and enforcement, and suggests formation of a task force to explore a junk car abatement program for the county. This would probably need to be referred to the County Commission for action on the task force.

The Planning Commission may wish to address the definition of junkyard, particularly the number of inoperable cars within the definition, and possible setback requirements. In addressing the number of inoperable vehicles in defining a junk yard, related definition in TCA 54-20-201 may be helpful:

(1) “Automobile graveyard” means any lot or place which is exposed to the weather and upon which more than five (5) motor vehicles of any kind, incapable of being operated, and which it would not be economically practical to make operative, are placed, located or found

Although this definition is not necessarily controlling within the context of local zoning, it does set a base definition of “nuisance” that is recognized and regulated in state statutes.

2. Discussion of LED signs continued

This item comes as continuation from last regular meeting. Due to staff illness since the last meeting, no further research was made on this item. This item is open for discussion if the Planning Commission wishes. Otherwise, staff requests that this item be deferred to the February meeting.

3. Discussion of Ridge-top and Hillside development continued.

At the last regular meeting, the Planning Commission reviewed the Sevier County “Preferred Directions” report on hillside and ridge-top development. The report suggested that identification of “Scenic and Landscape Resources of Significance” (SLRS) should be the first step in addressing the important visual or aesthetic aspects of hillside and ridge-top development.

SLRS are specific publicly accessible places from which the views of hillsides and ridges are enjoyed. Examples of SLRS are public recreation areas such as parks, hiking trails, greenways and navigable water bodies, and scenic highways, parkways or other travel corridors that provide views of scenic landscapes. Other SLRS may be historic buildings and places, and views of surrounding mountains from within the Great Smoky Mountains national Park.

The Planning Commission by consensus agreed to pursue identification of “Scenic and Landscape Resources of Significance” by specifying places from which scenic views of mountains may be had, and the associated scenic views.

This was subject of discussion in the third Planning Commissioner’s Breakfast which gathered about 30 Planning Commission members and staff from the six

municipalities and the county on January 15. There was good participation in the discussion, and staff presents the following notes identifying SLRS and the associated scenic vistas as a start for further discussion on this item:

The elevated high points and ridges in Alcoa and Maryville which provide views of the Chilhowee Mountain range and mountains into the Park. This was characterized as the goose that laid the golden egg for economic development of the area.

Highway 321 approaching Walland Gap which provides views of a portion of the Chilhowee Mountain range and mountains beyond. This is the start of the gateway to the Townsend/Tuckaleechee Cove area and the Great Smoky Mountains National Park. Hwy 321 is also has scenic highway designation by the state.

Alcoa Highway and the By-Pass as entrances to the city which provides views of the Chilhowee Mountain range and mountains into the Park.

The Washington Street Bridge as entrance to Maryville which provides views of the Chilhowee Mountain range and mountains into the Park.

Highway 321 (westward of Maryville) in various places, particularly near Maryville Municipal Building which provides views of the Chilhowee Mountain range and mountains into the Park.

Calderwood Highway which provides views of the southern portion of the Chilhowee Mountain Range.

Alcoa Highway which provides views of Bays Mountain.

Highway 33 in Rockford which provides views of Bays Mountain.

Highway 321 which provides views of smaller ridges around Friendsville.

Additional comments included a concern that identification and regulation of vistas would balance regulation with property rights and not exclude all development, and the need to provide incentives for private property owners to preserve vistas.

Attached to this memo is also a letter from Herb Handly of the Smoky Mountain Convention & Visitors Bureau. The letter supports the Planning Commission addressing viewsheds in the County as important to the tourism industry.

4. Staff reports.

Reminder that the Planning Commission will hold a special session on January 29 at 5:00 P.M. at the Courthouse to continue revision of the Policies Plan.

Request for all Planning Commission members to complete and submit certification of training for 2007 (form attached to this memo). Contact Staff if you have any questions on the sessions listed.

Enclosed in agenda packet is updated brochure “The State of Planning in Blount County” for your information.

Staff may have other miscellaneous reports at the meeting.