

Think Quality - Think Future

Blount County Planning Department

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TO: Blount County Planning Commission

FROM: John Lamb

DATE: March 19, 2008

SUBJECT: Long range agenda items for the March 27, 2008 regular meeting.

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

This item is open for discussion. Staff requests review and discussion on the evolving list of Scenic Landscape Resources of Concern, avenues for possible regulation from the ad-hoc committee, and particularly basis of any regulations in relation to public health, safety and welfare.

At a previous 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. Suggestions were gathered at the Planning Commissioner's Breakfast in January, and through

the newspaper. A summary list was provided in last month's staff memo. The majority of the SLRS reference points identified Chilhowee Mountain as the priority vista. Staff will present maps of the Chilhowee Mountain vistas as seen from selected SLRS reference points at the meeting.

The ad-hoc committee of the Planning Commission formed to focus on possible regulations for ridge-top and hillside developments met February 14 as reported in last month's staff memo. The ad-hoc committee met again on March 6, with report as follows. See also attached 1999 staff memo concerning aesthetics as basis for police power use in regulations.

The meeting opened with discussion of esthetic concerns in use of the police power for regulations. This was in response to comments made from the public at the previous meeting. Staff provided a 1999 memo that discussed the same issues, citing a Tennessee Supreme Court case that upheld esthetic considerations in regulations.

The public audience in attendance spoke with concerns about the impact of any proposed regulations on their developments and businesses. The ad hoc committee asked if anyone wished to see development like that in Sevier County that impacts scenic views. Most agreed that they did not want to see such development and that such development would pose a negative impact in Blount County.

Staff reviewed considerations for linking regulations to concerns of public health, safety and welfare, particularly considerations of community character and aesthetics, and some practical considerations of administration:

1. careful consideration of what is worth protecting (under process of identification and mapping)
2. identification of links to public health, safety and welfare (cited as need in Policies Plan Guiding Policy 3)
3. careful tailoring to fit local circumstances specific to place and community values (basis in Policies Plan, community meetings and dialog, resisting tendency to just copy regulations from other areas)
4. development of explicit, detailed review standards and their links to public health, safety and welfare concerns – aesthetics plus
5. a qualified review board supported by adequate staff resources to handle the specific technicalities of any regulations
6. visual aids and illustrated guidebooks to support the esthetic portions of any regulations – may need graphic artist help

Staff asked for discussion of links to public health, safety and welfare. The committee identified several avenues: protecting value of property (adjacent and community as whole), impact on tourism (noting previous letter from Herb Handley), protecting scenic highways, principles in the Mountain Area Plan and Policies Plan, sentiment in the community that we do not want to become another Wears Valley or Pigeon Forge (Sevier County), desire to protect the character of the Peaceful Side of the Smokies.

The ad hoc committee reviewed a list of issues for further discussion garnered from discussions at the last meeting.

Concerning clearing of building envelope, the committee recognized that fire safety was an important consideration. The Firewise recommendations were reviewed. Staff noted that the recommended restrictions on clearing from the Sevier County study may be too restrictive and that a larger defensible perimeter and area may need to be accommodated, especially on steeper slopes. Members of the public audience discussed alternatives to fire protection in the mountains, such as “pup hydrants”. The committee also discussed building separations, concluding that the present minimums (30’ front, 10’ side, 20’ rear setbacks) may need to be enlarged for mountain developments.

Standard of 25/75 percent tree clearing/ preservation for view from the Sevier County study was discussed with conclusion that we needed to find out how the figures were developed.

The standard of earth tone colors for mountain development was discussed with conclusion that it needed more study and definition to overcome vague application.

Reflectivity concerns with roofs was confirmed. Solar panels were considered not to be a major concern and could be given leeway.

The issue of building height was discussed with conclusion that it needed further study, particularly with application to steeper slopes.

Setback from ridgelines was discussed with conclusion that it needed more study, particularly alternative treatments on ridge-tops.

Cluster development design was discussed noting that there needed to be better definition of terminology, particularly for public understanding.

The ad hoc committee briefly discussed the role of physical constraints to mountain development.

2. Continuation of Policies Plan revision (time permitting).

Reminder that the Planning Commission will continue revision of the Policies Plan at a special called meeting on Tuesday, March 25 at 5:00 P.M. in Room 433 of the Courthouse. If time permits at the regular meeting Thursday, after consideration of all items requiring action, staff requests that we proceed for 30 to 45 minutes or so with continuation of the Policies Plan revision to expedite the process.

3. Staff reports.

Staff may have other miscellaneous reports at the meeting.