

# 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](mailto:planning@blounttn.org)  
on-line - [www.blounttn.org/planning/](http://www.blounttn.org/planning/)

**TO:** Blount County Planning Commission

**FROM:** John Lamb

**DATE:** July 23, 2009

**SUBJECT:** Air quality issues and the land use plan.

This memo addresses TCA requirements for addressing air quality issues in a county land use plan, finding lack of statutory applicability to Blount County. This memo also addresses the spirit of the TCA requirements, and the recommendation of the Environmental Health Action Team Action Plan and the recommendation of the Policies Plan for consideration of air quality issues in our land use plan. Staff requests discussion and guidance on this item.

Tennessee Code Annotated provides the following relating to air quality issues in a land use plan:

**13-7-118. Land use plan in certain counties that are in an early action compact or in nonattainment for air quality. —**

(a) This section applies to any county in the state of Tennessee that either is in an early action compact or is in nonattainment for air quality according to the environmental protection agency as of April 15, 2004.

(b) Any county that qualifies under subsection (a) and whose population according to the 2000 federal census was sixty thousand (60,000) or more and the county as of April 15, 2004, did not have a land use plan, shall adopt a land use plan which states that air quality issues will be considered as part of the county-wide land use plans.

Staff finds the following in relation to the above:

1. Blount County was in an Early Action Compact in June of 2003, (see at <http://www.state.tn.us/environment/apc/eac/pdf/ms061603knoxville.pdf> for copy of signed

Compact) and thus also as of April 15, 2004 reference date, indicating applicability of the TCA section under this criterion.

2. Blount County was in nonattainment for air quality (ozone), in April 15, 2004, indicating applicability of the TCA section under this criterion.

3. The population of Blount County according to the 2000 federal census was 105,823, more than the 60,000 population reference threshold, indicating applicability of the TCA Section under this criterion.

4. Blount County adopted a Conceptual Land Use Plan in 2000, before the April 15, 2004 reference date, thus indicating non-applicability of the TCA Section under this criterion.

5. Since the criteria of applicability are cumulative, Blount County does not fall under the requirements of TCA 13-7-118 since the County adopted a land use plan prior to the April 15, 2004 reference date.

Even if it technically may not be applicable, the Environmental Health Action Team Action Plan recognized the spirit of the TCA section in the following recommendation (see Action Plan at [www.blounttn.org/planning](http://www.blounttn.org/planning) under the plans button near the bottom of the page):

Consistent with the spirit of Tennessee Code Annotated 13-7-118, Cities and the County should include consideration of air quality issues in their respective land use plans.

This was considered in revision of the Policies Plan, resulting in the following policy statement in the revised Policies Plan adopted September of last year (See revised Policies Plan at [www.blounttn.org](http://www.blounttn.org) under the plans button near the top of the page):

■ *Include as part of land use plan update consideration of the following:*

...

○ *Air quality impacts of development patterns and designs.*

....

This item is open for discussion and guidance to staff on how the Planning Commission wishes to address air quality issues in the revision of the land use plan.