

To: Knoxville-Knox County Planning Commissioners, Gerald Green, Recode Knoxville
From: Community Forum, Larry Silverstein, Chairperson
Re: Request for Postponement of Agenda Item 5, 11-A-8-OA
Date: January 4, 2019

Community Forum requests that Agenda Item 5, 11-A-18-OA, Consideration of the Comprehensive Update of the City of Knoxville Zoning Ordinance, be postponed from the January 10, 2019, meeting of the Planning Commission to the February 14, 2019, meeting.

Recode Draft 4, 287 pages long, was first made available online on December 17, 2018. Hard copies were not available until December 27, 2018. Citizens were given only eighteen days until January 4, 2019, to comment on Draft 4. The eighteen days included two major holidays when people travel and celebrate with family, friends, and community.

Planning Commissioners and the public have not had adequate time to review Draft 4 which contains a large number of modifications, additions, and deletions from Draft 3. The only public workshop held since Draft 4's release, was yesterday, January 3, 2019, for the Stakeholder Advisory Committee. Many of those attending the meeting, including members of the public, were seeing Draft 4 for the first time at the meeting. There was some discussion about some of the changes in Draft 4.

Community Forum is not submitting comments to Draft 4 by the January 4, 2019, deadline because it has been impossible for us to prepare comprehensive and thoughtful comments in 18 days. We have been reviewing Draft 4 since it became available and have been working on our written response. It will be submitted as soon as our review is completed.

To be clear, we have previously submitted comments on 55 topics and met every comment deadline for Drafts 1, 2, and 3. However, an 18-day review period is just not reasonable. We recognized the difficulty of our task immediately when the deadline was announced, and immediately sent a letter on December 19, 2018, to City Council, Mayor Rogero, Peter Ahrens and Gerald Green requesting the January 4, 2019, deadline be extended until February 1 or February 15, which would be after the Community Design Center's February 1 workshop. That workshop with architects and developers is likely to produce many comments and suggested revisions to Draft 4. We did not get any response to our letter regarding extending the deadline. It was announced yesterday at the workshop that the deadline would not be extended for comments to be considered in Draft 5.

Community Forum appreciates the enormity of the Recode project, its importance, complexity and long-term impact on the community. Our members have been participating from the beginning. Recode Draft 4 and Maps Draft 3, affect every piece of property in Knoxville. Every word of the Recode text is important because it is law. It is important to get this right and understand the impact every change from the existing ordinance will have on our properties and our neighborhoods.

While the Recode project maybe two years old, it is important to note that Draft 1 was released in March, 2018, less than one year ago. It has been changed significantly since then. There is no urgency that would require the Planning Commission to act on January 10, 2019, before there has been adequate time for public review and Planning Commissioner review, especially since there are so many significant changes in Draft 4 and anticipated changes to Draft 4.

This deadline is contrived and unwise. Knoxville has a Zoning Ordinance in place. Nothing will be harmed or delayed while awaiting Recode's adoption by the City Council. However, a flawed Recode product will damage our community. Please do not believe that oversights and errors in the Ordinance can easily be fixed without damage to the community. Due to State law, an error or oversight in Recode may well result in an undesirable outcome, detrimental to the commercial and/or residential neighborhood where it occurs.

For these reasons, we ask that Agenda Item 5, be postponed to the February 14, 2019, meeting.

Thank you for your consideration.

Sincerely,

Larry Silverstein, Chairperson
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cc: Knoxville City Council
Mayor Rogero
Peter Ahrens